

**TOWN OF SILT
REGULAR BOARD OF TRUSTEES MEETING
APRIL 13, 2020 – 7:00 P.M.
REMOTE MEETING**

The Silt Board of Trustees held their regularly scheduled meeting remotely on Monday, April 13, 2020. Mayor Richel called the meeting to order at 7:02 p.m.

Roll call	Present	Mayor Keith Richel Mayor Pro-tem Kyle Knott Trustee Justin Brintnall Trustee Andreia Poston Trustee Dina Prieto Trustee Jerry Seifert Trustee Sam Walls
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Also, present remotely were Town Administrator Jeff Layman, Town Clerk Sheila McIntyre, Community Development Director Janet Aluise, Town Treasurer Amie Tucker, Public Works Director Trey Fonner, Chief of Police Mike Kite, Town Attorney Michael Sawyer and members of the public.

Pledge of Allegiance and Moment of Silence

Consent Agenda

- 1) Minutes of the March 17, 2020 Special Board of Trustees meeting
- 2) Minutes of the March 23, 2020 Remote Board of Trustees meeting

Mayor Pro-tem Knott made a motion to approve the consent agenda as presented. Trustee Brintnall seconded the motion, and the motion carried unanimously.

Conflicts of Interest – There were no conflicts of interest.

Public Comments – There were no public comments.

Agenda Changes – There were no agenda changes.

Swearing in and seating of newly elected Trustees

Town Clerk McIntyre swore in newly elected Trustees Justin, Brintnall, Kyle Knott, Andreia Poston and Sam Walls.

Nomination of Mayor Pro-tem

Trustee Walls nominated Trustee Knott as the Mayor Pro-tem. Trustee Poston seconded the motion, and the motion carried unanimously.

Nomination of Board Representative to VALE Board

Mayor Pro-tem Knott nominated Trustee Brintnall as the Board representative to the VALE Board. Trustee Poston seconded the motion, and the motion carried unanimously.

Consent Agenda

- 1) **Resolution No. 22, Series 2020, A RESOLUTION EXPRESSING THE APPRECIATION OF THE BOARD OF TRUSTEES FOR THE SERVICES OF DINA PRIETO AS A TRUSTEE OF THE TOWN OF SILT**

Trustee Prieto thanked the Board and the staff stating that it has been both a pleasure and an honor to work with everyone.

Trustee Seifert made a motion to approve the consent agenda as presented. Mayor Pro-tem Knott seconded the motion, and the motion carried unanimously.

Mountain Waste Semi-annual report

Present tonight was Mike Hinkley with Mountain Waste to provide the board with their semi-annual diversion report. Based on the report, they continue to see an increase in the landfill diversion rate. He added that they have seen a huge increase in the amount of trash and recycle from people staying home due to the pandemic. He discussed the recycling program and explained how the tipping fees continue to increase, adding that they are absorbing a portion of the price increase while the remainder has been passed onto the consumer. He stated that the biggest expense comes from the recycle facility. There was discussion regarding the continued use of the recycling program and he stated that they will continue to pick it up as long as it is feasible but that there could come a day when they can no longer afford do the recycling program due to the costs involved.

There was additional discussion regarding the cost of the program and that most people don't realize the true costs to provide it. Mr. Hinkley explained that if the town were to drop the recycle program at any point, it could be picked up again at a later date. Mr. Hinkley also reminded citizens to be conscious of the additional trash that they are putting out, adding that his drivers are not responsible to pick up trash outside of the designated container, especially now with COVID-19 concerns in an effort to protect his drivers since they are considered a critical service.

Regional Detoxification Service Center discussion

Present tonight were Debbie Wilde and Paula Stepp to talk about a new effort to establish a regional detoxification service center. They both briefed the board on this project explaining that it is a way to combat substance abuse and a recovery continuum. A task force has been put together that includes EMS, Fire and Police Chiefs, Sheriff's department, mental health facilities,

hospital and nurses. They are looking to provide a 6-8 bed facility that would take the cost burden away from police departments. They are also looking to obtain assistance from grants for the buildout with sustainability from Medicaid, Medicare and the State as well as each community.

Chief Kite stated that he would support the detox center in Glenwood Springs since in the past the officers have had to go as far as Grand Junction with people. It was added that it would be nice to be able to stay within the County with this service. There was some concern that due to the population in Glenwood Springs, that they would fill all of the beds leaving no room for other towns. Ms. Wilde stated that people would only be allowed to stay in the facility for up to five days, but that it would be possible to bring in another cot or bed should the circumstance arrive that more people are brought in for assistance. She added that the facility should be big enough for what they need.

It was explained that the date to be up and running is uncertain at this time in part due to the pandemic. It was stated that Mind Springs would be operating the facility, just not funding the program. They are also estimating a \$500,000 annual budget to run the facility and that they have a funding taskforce currently working on this. Ms. Stepp did invite the Town to have a representative join them and sit on the task force. Mayor Pro-tem Knott volunteered to represent the town.

Stoney Ridge Phase II - Request for 3rd reduction in Letter of Credit balance

Director Aluise stated that this is the third request for a letter of credit balance reduction and that the applicant is asking to reduce it by \$33,015.42, leaving a balance of \$18,269.46. The Town shall retain 10% of the bond until it is replaced with a warranty bond.

Present tonight was applicant Kevin Tucker who stated that he has no problems with this reduction adding that it has been hard to get inspections done due to the pandemic.

Mayor Pro-tem Knott made a motion approve the 3rd Request for a reduction in Letter of Credit for Stoney Ridge Phase II with a reduction of \$33,015.42 leaving a balance of \$18,269.46. Trustee Brintnall seconded the motion, and the motion carried unanimously.

First reading of **Ordinance No. 9, Series 2020**, AN ORDINANCE OF THE TOWN OF SILT ("TOWN") APPROVING A LAND LEASE AGREEMENT BETWEEN THE TOWN AND HIGHWATER FARM, A COLORADO NONPROFIT CORPORATION ("HIGHWATER") FOR A LEASE OF A PORTION OF THE SILT RIVER PRESERVE KNOWN AS PARCEL # 2179-094-00-733 AND THE APPURTENANT WATER RIGHTS, FOR THE PURPOSE OF ACTIVE AGRICULTURAL PRODUCTION, WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO

Director Aluise went through her staff report stating the board has seen this agreement before in the form of a resolution that was passed giving the applicant a one-year term for this farm operation. Due to the nature of the project staff would like to fully support the project with an ordinance that allow for a 5-year first term plus an additional five, 5-year terms.

Mayor Pro-tem Knott asked how the town would take back the land should the applicant not use the property as agreed on. Attorney Sawyer stated that there are default provisions within the lease that protects the town should the use of the property not be consistent with what was

agreed upon with the ability to take the property back. Attorney Sawyer added that the applicant has also provided an updated map that recognizes the area of their use in relation to the eagles' nest on the property.

Present tonight was Sara Tymczyszyn, Director of the project. Ms. Tymczyszyn explained where they are in their process and that the basic infrastructure is under way. She added that one-acre will be ready to use this year and that amount will increase next year. She stated that they probably won't have any high school students on board until next year but that they are accepting volunteers for this year. She added that in regards to the current pandemic that they would be very conscious about social distancing in order to keep people safe and healthy. Ms. Tymczyszyn stated that they plan to start planting in mid-May. Mayor Pro-tem Knott suggested that the Board do a field trip out to the project and Ms. Tymczyszyn asked that they also consider helping out with the planting when the time is right.

The public hearing was opened at 8:24 p.m. There were no public comments and the hearing was closed at 8:24 p.m.

Trustee Brintnall made a motion to approve first reading of Ordinance No. 9, Series 2020, AN ORDINANCE OF THE TOWN OF SILT ("TOWN") APPROVING A LAND LEASE AGREEMENT BETWEEN THE TOWN AND HIGHWATER FARM, A COLORADO NONPROFIT CORPORATION ("HIGHWATER") FOR A LEASE OF A PORTION OF THE SILT RIVER PRESERVE KNOWN AS PARCEL # 2179-094-00-733 AND THE APPURTENANT WATER RIGHTS, FOR THE PURPOSE OF ACTIVE AGRICULTURAL PRODUCTION, WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO to include the revised Exhibit A. Trustee Poston seconded the motion, and the motion carried unanimously.

Resolution No. 11, Series 2020, A RESOLUTION SETTING FORTH FINDINGS OF FACT AND CONCLUSIONS REGARDING AN ANNEXATION PETITION FOR TWO PARCELS KNOWN AS THE PAINTED PASTURES VILLAGES ANNEXATION, A 9.223-ACRE PARCEL AND A 2.001-ACRE PARCEL, BOTH SOUTH OF THE EXISTING PAINTED PASTURES SUBDIVISION AND EAST OF THE LYON COMMERCIAL PLANNED UNIT DEVELOPMENT, WITHIN GARFIELD COUNTY, STATE OF COLORADO

Present tonight was representative Doug Pratte with The Land Studio. Director Aluise went through her staff report explaining that this resolution sets the public hearing for this project that contains both residential and commercial. Mr. Pratte went through his slideshow presentation and gave a brief background of the project.

The public hearing was opened at 8:40 p.m. There were no public comments and the hearing was closed at 8:40 p.m.

Trustee Seifert made a motion to approve Resolution No. 11, Series 2020, A RESOLUTION SETTING FORTH FINDINGS OF FACT AND CONCLUSIONS REGARDING AN ANNEXATION PETITION FOR TWO PARCELS KNOWN AS THE PAINTED PASTURES VILLAGES ANNEXATION, A 9.223-ACRE PARCEL AND A 2.001-ACRE PARCEL, BOTH SOUTH OF THE EXISTING PAINTED PASTURES SUBDIVISION AND EAST OF THE LYON COMMERCIAL PLANNED UNIT DEVELOPMENT, WITHIN GARFIELD COUNTY, STATE OF COLORADO. Trustee Brintnall seconded the motion, and the motion carried unanimously.

First reading of **Ordinance No. 3, Series 2020**, AN ORDINANCE ANNEXING THAT CERTAIN PROPERTY KNOWN AS THE VILLAGE AT PAINTED PASTURES ANNEXATION, A 9.223-ACRE PARCEL AND A 2.001-ACRE PARCEL, BOTH SOUTH OF THE EXISTING PAINTED PASTURES SUBDIVISION AND EAST OF THE LYON COMMERCIAL PLANNED UNIT DEVELOPMENT, WITHIN GARFIELD COUNTY, STATE OF COLORADO

Director Aluisse asked the Board on behalf of staff and the applicant to continue first reading of the annexation and zoning ordinances tonight to give staff and the applicant additional time to complete the Annexation and Development Agreement and other items that they are still working on. She asked that these both be brought back to the April 27, 2020 meeting. Doug Platte stated that he was in agreeance with this requested continuance.

Mayor Pro-tem Knott made a motion to continue first reading of Ordinance No. 3, Series 2020, AN ORDINANCE ANNEXING THAT CERTAIN PROPERTY KNOWN AS THE VILLAGE AT PAINTED PASTURES ANNEXATION, A 9.223-ACRE PARCEL AND A 2.001-ACRE PARCEL, BOTH SOUTH OF THE EXISTING PAINTED PASTURES SUBDIVISION AND EAST OF THE LYON COMMERCIAL PLANNED UNIT DEVELOPMENT, WITHIN GARFIELD COUNTY, STATE OF COLORADO to the April 27, 2020 meeting. Trustee Walls seconded the motion, and the motion carried unanimously.

First reading of **Ordinance No. 4, Series 2020**, AN ORDINANCE OF THE TOWN OF SILT, COLORADO, ZONING AS A PLANNED UNIT DEVELOPMENT CERTAIN ANNEXED LAND KNOWN AS THE VILLAGE AT PAINTED PASTURES ANNEXATION, A 9.223-ACRE PARCEL AND A 2.001-ACRE PARCEL, BOTH SOUTH OF THE EXISTING PAINTED PASTURES SUBDIVISION AND EAST OF THE LYON COMMERCIAL PLANNED UNIT DEVELOPMENT, WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO

Trustee Seifert made a motion to continue first reading of Ordinance No. 4, Series 2020, AN ORDINANCE OF THE TOWN OF SILT, COLORADO, ZONING AS A PLANNED UNIT DEVELOPMENT CERTAIN ANNEXED LAND KNOWN AS THE VILLAGE AT PAINTED PASTURES ANNEXATION, A 9.223-ACRE PARCEL AND A 2.001-ACRE PARCEL, BOTH SOUTH OF THE EXISTING PAINTED PASTURES SUBDIVISION AND EAST OF THE LYON COMMERCIAL PLANNED UNIT DEVELOPMENT, WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO to the April 27, 2020 meeting. Mayor Pro-tem Knott seconded the motion, and the motion carried unanimously.

Cigarette Tax discussion

Administrator Layman explained that this had been a topic of discussion at a Mayors meeting in the region and staff was directed to conduct a survey of the surrounding communities to see how they have addressed a cigarette tax. Mayor Richel stated that when he went to the meeting, some of the other Mayor's felt that the tax pushed people out of their towns to purchase cigarettes elsewhere. It was felt that in order to try to help curb people from smoking that everyone should collectively be on board with a cigarette tax. It was also stated that should the town choose to pursue a cigarette tax, it would need to go to a vote of the people.

There was discussion by the board that included if government should be telling people what they can and cannot do as it is a personal decision, what the additional tax money would be used for, that it should be left up to the citizens of Silt to decide if they want to vote a tax in at a

future election, that it could open up a can of worms on whether an additional tax should be placed on marijuana and liquor as well and that maybe it should be left up to the State to institute a statewide tax and not leave it up to municipalities to place at the local level.

Town Clerk McIntyre read into the record three letters submitted by: Golden Gate Petroleum, Gofer Foods of Silt and from Core-Mark Denver, all opposed to the Board increasing taxes on the sale of cigarettes mostly based on current conditions related to the COVID-19 pandemic and the loss of revenue for their businesses as well as to the Town of Silt that it would trigger.

It was determined that the Board would not pursue a tax increase at this time.

Police Officer Retention, Recruitment and Operations

Chief Kite went over his memo in the packet. Mayor Pro-tem Knott asked if the police department has any type of tiered system for salary increases or an incentive plan that they use in an effort to retain officers that would not only make us more competitive but could help lessen the fact that we are a training ground. Chief Kite stated that it isn't necessarily all about the money because what we pay is in the ballpark, but the fact that many officers leave to move onto bigger departments. He explained that he has retained two trainees who would be going to the next academy slated for August and that they are currently training in other areas of the department which he feels will help when they come back from academy and go through their FTO program.

Chief Kite stated that he is at full staff right now but would be losing an officer at the end of the year. Mayor Richel commented about how he feels the town should consider budgeting for more officers than what is required so that we are not always down an officer when one leaves, since Silt is a revolving door. Administrator Layman suggested setting up a meeting with the HR sub-committee to do a review of the police department budget and work force for the 2021 budget. The Board offered their full support of the police department.

COVID-19 Relief Efforts

Administrator Layman went over the assistance that the Town has offered to businesses, individuals and families during this crisis. He added that information regarding Federal programs known at this time has been emailed to businesses. He also stated that staff member Nicole Centeno has been instrumental in getting a large amount of information out to the community through social media as well as Janey Dyke in regards to utilities and setting up payment plans when requested. Administrator Layman explained that the town is not shutting off water for delinquent payments or charging late fees during this time. Citizens are being informed that they would still owe what is being charged on their accounts but that the town would work with them to catch up on past due balances.

Administrator Layman explained that he has been on contact with those associated with our bonds and that there are requirements that the town has to look into fully before any more decisions are made. He asked the Board to relay to him any ideas that they may have that could help our citizens as well. He also added that businesses who have contacted the Town have been referred to the Town's website for additional information and assistance programs.

Mayor Pro-tem Knott asked if the town was receiving any assistance from the Chamber and Administrator Layman stated that there is so much information out there from organizations

such as the Chamber, AGNC, RREDC, Garfield County, DOLA and the State to name a few. Mayor Richel stated that he has seen so many people reach out and help each other during this difficult time and reminded citizens to please reach out to the Town to see what assistance they can provide right now instead of waiting until later.

COVID-19 Updated Town of Silt Financial Status

Administrator Layman and Treasurer Tucker stated that the March numbers are still looking good but that it is anticipated that the April numbers will be lower. Administrator Layman stated that staff has severely reduced and restricted some expenditures due to current conditions, even if it is a budgeted item. He went through the stages of his recession plan that addresses the various escalating stages of impacts to revenue streams based on annual numbers.

Administrator Layman stated that he doesn't anticipate having any reports for the Board until May regarding April revenues. He also went over the capital projects that were budgeted for this year stating that many of them have been put on hold unless they have been funded by grants. Staff will try to move forward on them by at least getting bids for the projects to see what the actual numbers would be.

Administrator and Staff reports

Administrator Layman stated that staff is still working hard to advance on all of the towns initiatives while also dealing with everything related to COVID-19. Staff has been working on items such as modifying OHV restrictions, various elements of the potential Metro District, the building department has remained extremely busy and staff continues to work on the I-70 Interchange project. Trustee Seifert stated that he has seen people using the new charging station just about every day.

Updates from Board / Board comments

The Board thanked staff for all that they are doing adding that we will get through this. Staff was also thanked for all of their work that they have been doing from home. It was also commented how well the remote meeting is working. The Board also reminded the citizens that we are all here to help them and to let them know what they can do to help during this time. Mayor Pro-tem Knott thanked Dina Prieto for her time on the Board and reminded citizens that there is an open seat now and encouraged people to apply.

Mayor Richel also reminded people to get their Board applications into the Town Clerk by April 21. He also asked citizens to make sure that they put their trash in their cans to the best of their ability not next to them, and that if the trash company leaves any trash next to their cans, it is the citizens responsibility to pick it up. Mayor Richel also stated that Rifle Town Manager Scott Hahn has put together a challenge to help remind kids of the 6-foot social distancing that we should all be practicing. Manager Hahn has stated that the kids in Rifle can jump farther than the kids in Silt. Mayor Richel asked people to post videos of their families stepping up to this challenge and to show that our kids can jump farther than Rifle kids.

Mayor Richel offered a huge thanks to staff for everything that they are still accomplishing while working remotely. He stated that it is one thing to be busy working out of an office that you are

used too, to now doing twice as much from a remote location. He added that town services are still happening like normal and that the town is looking good and everyone is doing a great job!

Attorney Sawyer stated that there would be an addition to the Executive Session tonight and asked that the Board add the topic to receive legal advice from the attorney to their motion.

Mayor Richel made a motion to extend the meeting past 10:00 pm. Trustee Seifert seconded the motion, and the motion carried unanimously.

Mayor Richel adjourned for a break at 9:56 p.m. and reconvened at 10:04 p.m.

Executive Session

Trustee Brintnall made a motion to go into an executive session for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) Administrator's Evaluation and for a conference with the Town Attorney for the purpose of receiving legal advice on a specific legal question under C.R.S. Section 24-6-402(4)(b) Silt Castle LLC v Town of Silt. Trustee Walls seconded the motion, and the motion carried unanimously. The board adjourned to executive session at 10:05 p.m.

At the end of executive session, Mayor Richel made the following statement: "The time is now 10:47 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, Kyle Knott, Andrea Poston, Jerry Seifert, Sam Walls, Justin Brintnall, Janet Aluise, Sheila McIntyre, Jeff Layman 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.

Mayor Pro-tem Knott made a motion to approve the Town Administrator's quarterly bonus of \$2000. Trustee Walls seconded the motion, and the motion carried unanimously

Adjournment

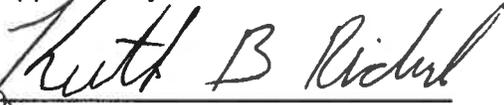
Trustee Seifert made a motion to adjourn. Trustee Brintnall seconded the motion, and the motion carried unanimously. Mayor Richel adjourned the meeting 10:48 p.m.

Respectfully submitted,

Approved by the Board of Trustees


Sheila M. McIntyre, CMC
Town Clerk




Keith B. Richel
Mayor