TOWN OF SILT  
REGULAR BOARD OF TRUSTEES MEETING  
JANUARY 10, 2022 – 7:00 P.M.

The Silt Board of Trustees held their regularly scheduled meeting on Monday, January 10, 2022. Mayor Richel called the meeting to order at 7:01 p.m.

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**Roll call**

**Present**  Mayor Keith Richel  
Trustee Justin Brinnall  
Trustee Derek Hanrahan  
Trustee Andrea Poston  
Trustee Jerry Seifert  

**Absent**  Mayor Pro-temp Kyle Knott  
Trustee Samuel Flores  

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, 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 December 13, 2021 Board of Trustees meeting  
2. **Resolution No. 1, Series 2022**, A RESOLUTION DESIGNATING THE PUBLIC PLACE FOR POSTING NOTICES PER C.R.S. SECTION 24-6-402(2)(C)  

Trustee Seifert made a motion to approve the consent agenda as presented. Trustee Hanrahan 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** – There were no agenda changes.
Middle Colorado Watershed Council and Aspen Valley Land Trust – Silt River Preserve, Boat Ramp/Island Park and Silt Area Update – Paula Stepp, Dave Erickson and Bud Tymczyszyn

Present tonight were Dave Erickson with AVLT, Paula Stepp with Middle Colorado Watershed Council, Bud Tymczyszyn regarding the Silt Island Property and Sara Tymczyszyn with Highwater Farms. Each provided an update on some of the work that non-profit partners have been doing around Silt.

Mr. Erickson provided updates on what has been taking place at the Silt River Preserve and the enhancements that have been and will be made. Ms. Stepp provided an update on the expansion plans for the boat ramp at Island Park. Mr. Tymczyszyn stated that work continues regarding the possible purchase of the Silt Island Property and Ms. Tymczyszyn provided an update on the successful year that Highwater Farms experienced in 2021 and their plans for this coming year.

Re-2 Mill Levy Correction- Theresa Hamilton

Some school districts around the State, including Garfield Re-2, under-collected taxes due to them based on an erroneous ruling. Re-2 representatives are present tonight to present to the Board how this came to be and what they are doing to fix the issue. Present were Jeff Blanford, Re-2 CFO, Theresa Hamilton and Superintendent Heather Grumley to talk about the Mill Levy correction. Mr. Blanford proceeded with his presentation, explaining the mill levies and the correction. Because of the reduction to mill levies made between the early 1990s and 2007 the local share collected by those districts went down, and State share went up. To recap this happened due to guidance that was handed down from CDE in error many years ago and the proper amount of property tax was not collected.

Mr. Blanford explained how House Bill 20-1418 established temporary tax credits for those districts who need to increase their mill levies so that this correction can be taken care of over time. He explained that their target mills are 16.282 mills per this House Bill. He also explained how House Bill 21-1164 implements a correction plan for districts with temporary tax credits by reducing those credits over twelve years. Heather Grumley thanked the Board for allowing them to present their proactive way that they would be addressing this correction.

First reading of Ordinance No. 1, Series 2022, AN ORDINANCE ANNEXING TO THE TOWN OF SILT, COLORADO CERTAIN PROPERTY KNOWN AS THE HIGHWAY 6 & 24 ANNEXATION #4, A 5.81-ACRE PARCEL ALONG HIGHWAY 6 & 24 AT THE EAST END OF THE CURRENT TOWN LIMITS GENERALLY NORTH OF THE AREA KNOWN AS THE VILLAGE AT PAINTED PASTURES WITHIN GARFIELD COUNTY, STATE OF COLORADO

Planner Chain went through his presentation stating that his report covers both Ordinances No. 1 and No. 2 on the agenda tonight. He added that this is the last step in the annexation process and that staff recommends approval.

The public hearing was opened at 8:06 p.m. There were no public comments and the hearing closed at 8:07 p.m.
Trustee Seifert made a motion to approve first reading of Ordinance No. 1, Series 2022, AN ORDINANCE ANNEXING TO THE TOWN OF SILT, COLORADO CERTAIN PROPERTY KNOWN AS THE HIGHWAY 6 & 24 ANNEXATION #4, A 5.81-ACRE PARCEL ALONG HIGHWAY 6 & 24 AT THE EAST END OF THE CURRENT TOWN LIMITS GENERALLY NORTH OF THE AREA KNOWN AS THE VILLAGE AT PAINTED PASTURES WITHIN GARPFIELD COUNTY, STATE OF COLORADO. Trustee Hanrahan seconded the motion, and the motion carried unanimously.

First reading of Ordinance No. 2, Series 2022, AN ORDINANCE ANNEXING TO THE TOWN OF SILT, COLORADO CERTAIN PROPERTY KNOWN AS THE SOUTH FIRST STREET RIGHT-OF-WAY ANNEXATION, A 0.11-ACRE PARCEL ALONG THE WESTERN EDGE OF THE SOUTH FIRST STREET RIGHT-OF-WAY IMMEDIATELY SOUTH OF HIGHWAY 6 & 24 WITHIN GARPFIELD COUNTY, STATE OF COLORADO

The public hearing was opened at 8:09 p.m. There were no public comments and the hearing closed at 8:10 p.m.

Trustee Brinnnall made a motion to approve first reading of Ordinance No. 2, Series 2022, AN ORDINANCE ANNEXING TO THE TOWN OF SILT, COLORADO CERTAIN PROPERTY KNOWN AS THE SOUTH FIRST STREET RIGHT-OF-WAY ANNEXATION, A 0.11-ACRE PARCEL ALONG THE WESTERN EDGE OF THE SOUTH FIRST STREET RIGHT-OF-WAY IMMEDIATELY SOUTH OF HIGHWAY 6 & 24 WITHIN GARPFIELD COUNTY, STATE OF COLORADO. Trustee Poston seconded the motion, and the motion carried unanimously.

Second reading of Ordinance No. 5, Series 2021, AN ORDINANCE ANNEXING TO THE TOWN OF SILT, COLORADO AN APPROXIMATELY TWO-ACRE TRACT OF LAND LOCATED NORTH OF GRAND AVENUE AND EAST OF KIM DRIVE, SILT, COLORADO, LOCATED IN UNINCORPORATED GARFIELD COUNTY

Attorney Sawyer briefed the Board on the two-acre parcel that is enclaved and that the town has chosen to annex, adding that the town is also in the process of purchasing the parcel from the current owner so that its use is more conducive with the surrounding uses.

The public hearing was opened at 8:13 p.m. There were no public comments and the hearing closed at 8:13 p.m.

Trustee Seifert made a motion to approve second reading of Ordinance No. 5, Series 2021, AN ORDINANCE ANNEXING TO THE TOWN OF SILT, COLORADO AN APPROXIMATELY TWO-ACRE TRACT OF LAND LOCATED NORTH OF GRAND AVENUE AND EAST OF KIM DRIVE, SILT, COLORADO, LOCATED IN UNINCORPORATED GARFIELD COUNTY. Trustee Brinnnall seconded the motion, and the motion carried unanimously.

First reading of Ordinance No. 4, Series 2022, AN ORDINANCE OF THE TOWN OF SILT, COLORADO DIRECTING THE TOWN TO ACQUIRE A PARCEL OF REAL PROPERTY KNOWN AS AN APPROXIMATELY TWO-ACRE TRACT OF LAND LOCATED NORTH OF GRAND AVENUE AND EAST OF KIM DRIVE, SILT, COLORADO
Attorney Sawyer stated that the Town has met with the recent purchaser of this two-acre tract of land and that he understood that if they wanted a more rural existence that included livestock and farm values, they would be better served to live outside of town. The Town has reached a tentative purchase price of $140,000. Mr. Sawyer stated that the Town’s Charter requires that the acquisition of property be done by ordinance and that he feels that everything is in order for the purchase of the property. Attorney Sawyer stated that the Town feels that the buyer is being reasonably compensated for the additional costs that he incurred when he purchased this property recently.

The public hearing was opened at 8:18 p.m. There were no public comments and the hearing closed at 8:19 p.m.

Trustee Seifert made a motion to approve first reading of Ordinance No. 4, Series 2022, AN ORDINANCE OF THE TOWN OF SILT, COLORADO DIRECTING THE TOWN TO ACQUIRE A PARCEL OF REAL PROPERTY KNOWN AS AN APPROXIMATELY TWO-ACRE TRACT OF LAND LOCATED NORTH OF GRAND AVENUE AND EAST OF KIM DRIVE, SILT, COLORADO. Trustee Hanrahan seconded the motion, and the motion carried unanimously.

First reading of Ordinance No. 3, Series 2022, AN ORDINANCE OF THE TOWN OF SILT, COLORADO SETTING THE TITLE AND CONTENT OF A BALLOT ISSUE FOR A TAX INCREASE TO THE LODGING TAX RATE FOR AN ELECTION TO BE HELD ON APRIL 5, 2022

Administrator Layman went over his staff report stating that during the budget process the Board identified the need to raise the lodging tax from 2.5% to 5% and that it would be most economical to put it on the ballot while the town is having its regular election this April. He went on to explain that by law, the lodging tax is to be used for the development and marketing of visitor improvements and attractions, special events, Town beautification, historic preservation, and general promotion of the Town.

There was discussion about how the Town could advocate its position for the passage of this measure and Attorney Sawyer explained how the Town is prohibited from advocating by using town resources or while on duty. He went on to explain that the Town could pass a resolution in support of the measure, provide factual information, that the Board members could advocate their positions outside of the meetings and form committees to advocate the measure.

Attorney Sawyer stated that due to the timing for TABOR elections, if this is to go on the ballot it must pass on first reading tonight and that there is no flexibility to set this out. He added that his firm has reached out to the law firm of Kutak Rock, the Town’s bond counsel, to review the ordinance in regards to TABOR, and that they would review this ordinance if it passes tonight so that any comments could be brought back to second reading.

There was discussion regarding the fact that the Board could use their personal social media to get the word out and that staff could contact the newspaper.

The public hearing was opened at 8:29 p.m. There were no public comments and the hearing closed at 8:29 p.m.
Trustee Poston made a motion to approve first reading of Ordinance No. 3, Series 2022, AN ORDINANCE OF THE TOWN OF SILT, COLORADO SETTING THE TITLE AND CONTENT OF A BALLOT ISSUE FOR A TAX INCREASE TO THE LODGING TAX RATE FOR AN ELECTION TO BE HELD ON APRIL 5, 2022. Trustee Hanrahan seconded the motion, and the motion carried unanimously.

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TextMyGov Presentation

Town Clerk McIntyre and Director Fonner provided their presentation of a dual-purpose system that would allow citizen to text in questions and/or report issues. Once the message is received it would then be relayed to the appropriate department by using associated keywords. This system would also allow for the Town to send out text notifications to all of those who have signed up for the service to receive messages and/or alerts from the Town.

The Board stated that they look forward to seeing this program in action.

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Topics of discussion for upcoming work session between the Board of Trustees and Planning & Zoning Commission

Administrator Layman stated that there are plans to have the next joint work session with the Planning Commission on January 24, 2022 at 5:30 p.m. He asked if the Board had any topics of mutual interest that they would like to discuss.

The Board asked if there might be anything that our Contract Planner has found that needs changing, also if P&Z members are seeing any design plans that need to be changed, code compliance and anything that could be addressed that would help speed up processes and make them easier. There was some discussion on the differences between mobile and modular homes and maybe define better in the code what may or may not be allowed by code.

Planner Chain stated that the Planning Commission had previously discussed LED signs, senior housing improvements, beautifying the pedestrian landing for the future pedestrian overpass and additional lighting at the 9th Street roundabout crossing areas.

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Administrator & Staff Reports

Administrator Layman stated that he would like to provide an update on the streetsweeper selection. Treasurer Tucker explained that the Town would be putting $25,000 down with payments over five years. Staff stated that the sweeper is on its way.

Staff was asked about the usage of the charging stations now that people are having to pay for their usage and Director Fonner stated that the Town has not received any comments now that the Town has been charging for vehicles.

Administrator Layman stated that staff is in the process of putting together a presentation on the Coal Ridge Trail that would be taken to the Board of County Commissioners and that staff would need to get an ordinance in front of the BOCC regarding OHV's north of town. Staff has also met with DOLA and received suggestions on the grant application submittal for the 500 block Main Street so that it is more competitive. Director Fonner stated that the project is at 100%
design so that CDOT can start reviewing it since it is in their right-of-way. A status was provided on the 7th Street irrigation project and staff stated that it would be back on track once it warms up and the asphalt plants open.

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Updates from Board / Board comments

Trustee Hanrahan stated how excited he is about the new TextMyGov app. He added that he hopes that citizens sign up adding that he feels that it would help streamline the town’s operations. Trustee Brintnall reminded everyone to shovel their snow onto their yards and not the street. Trustee Seifert thanked everyone for their hard work.

Mayor Richel commented that he had seen that Nebraska has water rights from a 99-year agreement to pull water out of the Platte River on the eastern slope and the concerns that go with that if the eastern slope would then try to take water from the western slope.

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Mayor Richel made a motion to go into executive session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiation and instructing negotiators under CRS Section 24-6-402(4)(e) – Xcel Franchise Agreement and for a discussion of a personnel matter under CRS Section 24-6-402(4)(f) – Town Administrator Evaluation. Trustee Brintnall seconded the motion, and the motion carried unanimously. The Board adjourned to executive session at 9:06 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, Jerry Seifert, Andrea Poston, Justin Brintnall, Derek Hanrahan, Jeff Layman, Sheila McIntyre, Amie Tucker, Trey Fonner, Joely Denkinger and Michael Sawyer. Participants Sheila McIntyre, Amie Tucker, Trey Fonner, Joely Denkinger and Michael Sawyer left after the session regarding negotiations. [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

Trustee Brintnall made a motion to adjourn. Trustee Seifert seconded the motion, and the motion carried unanimously. Mayor Richel adjourned the meeting 9:48 p.m.

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Respectfully submitted,

Sheila M. McIntyre, CMC
Town Clerk

Approved by the Board of Trustees

Keith B. Richel
Mayor

B.O.T.1/10/2022