



BOARD OF TRUSTEES

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MONDAY, August 28th, at 7:00 PM

I. Call To Order

Meeting called to order by Sam McCloskey at 702pm.

II. Roll Call

In Person: Chris Frey, Martin Gitlin, Sam McCloskey, Kathy Grubbs, Alessandria Register, Frank Young, Chelsea Nihiser (Town Clerk). As part of public audience: Austin Grisham, Chad Miller, Janet Miller.

Via Zoom: Kent Martin, Mickey Frey, "Plume"

III. Motion to Approve Agenda

F. Young motions to approve agenda. A. Register seconds. All in Favor.

IV. Bills for Approval

F. Young motions to approve the Bills List. C. Frey seconds. A. Register states the clerk sought approval for purchasing supplies and the clerk cell phone, which in total was over the allotted daily amount. A. Register gave the Clerk permission to do so. Motion passes with all in favor.

V. Approval of Minutes: August 14th, 2023 & August 21st, 2023

C. Frey Motions to approve the minutes from August 14th. F. Young seconds. All in favor. C. Frey motions to approve the minutes from August 21st. A. Register seconds. All in favor.

VI. Public Comment –

C.Frey: Not on agenda, doesn't need to be, certified letter to send out, keep board apprised of issues with Nick Register's lean too. Need to send out Notice of Violation letter to Nick and Allana, will schedule a pre-application conference with them, set up meeting. Chad or Janet will set up meeting. Sam asks what the problem is. Nick removed a structure and rebuilt it without a building permit, also issues with it being built on property lines. Sam asks if this is a dispute between property owners. Sasha asks with the understanding that she does not have any official input. Why is this a public comment brought up by you, instead of the disgruntled property owner. there are admittedly complaints on both sides, a bit of a back and forth. This is an issue where he needed a building permit, and he didn't get it. If we hold Ryan to the letter of the law, then we need to hold everyone to that standard. Mayor stated we need to look at the historical context, that may play into this. There is cloudiness with it because it was removed and reattached, which pulls the historical value into question. Would like to see a meeting held with Nick and move forward appropriately. Marty states that at some point we should try to remove ourselves from the chess board, that some things deserve our attention, and some things do not.

Kathy asks if there is only one bear proof dumpster available to residents, and is that at Dinger Park? Chris asks if the one on main is still there, and the board reports that the door is pulled from the one on Main Street. Kathy asks if Chris was able to set up more frequent pick-ups, and he stated timberline is supposed to pick up at least three days a week. Will follow up. Marty wants to reinforce a more interactive process instead of yelling over everyone else. Raising hands and being more respectful of everyone else.

C. Administrative Items:

a. Mayor Report

716 made aware of an event by Sasha that the Denver Victorian steampunk society is planning on having an event at the cemetery, even though they have not reached out to the Town at all to confirm. From their website: "Reviving the Victorian fashion on picnicking in cemeteries. Please bring a picnic lunch, will take a train ride. The train depot is on the way to the cemetery. The cemetery in Silver Plume is one of the best nineteenth century cemeteries. It is an active cemetery, so we will be respectful and leave the cemetery better than we found it." Mayor left message with them to get in touch with him has joined Facebook group, visited with undersheriff, lengthy discussion about it. Had not gotten an ordinance from the clerk yet. At the time the undersheriff stated that the cemetery is an open area and that we couldn't keep them out. Since then, the clerk has found an ordinance that states clearly: Ord 232, section 6.5. prohibits formal or informal tours of the cemetery.... Violations of this subject to prosecution.... In accordance with the Town, Clear Creek County.... Emailed to undersheriff, got a text back that he will get back in touch with Mayor tomorrow. If the board has questions, we can contact the undersheriff tonight. Mayor feels that if they had approached appropriately, it might have been possible, but since they did not, it should be a no go. Mickey via zoom: thoughts are a, active cemetery, 3 families trying to intern this month, CCFA up there cleaning up, series of vandalisms. As sexton, does not feel it is a good idea to invite 150 people up to a tiny cemetery to invite more vandalism and chaos. 3 ongoing police investigations at the moment. Marty states he agrees for the most part. Marty feels it is a violation of the community. Not a place for a picnic. One of the loveliest parts of the cemetery is that people will visit with their loved ones and eat lunch, but for an event to be held here is offensive and inappropriate. Frank recognizes the Victorian practice of picnicking in cemeteries, he grew up in a community that has open spaces in cemeteries to support that activity. This cemetery is not designed for this type of visitation. Also, as Mickey stated, there have been many ongoing criminal activities. Point three is as a town we have always protected that area from purposes such as these. Feelings are if the folks had applied, we still would have said no. Point four stated the representative of the Sherriff department was wrong to state it was a public space, but it is not, it is owned by the town of Silver Plume. Sasha stated the undersheriff stated if we could provide an ordinance stating that this event is against an ordinance the law enforcement would help. Micky stated Paul Street, Mountain Street, and some gravel in the dip on Silver have been addressed. Will be back tomorrow to address rest of roads. Mayor states on subject of cemetery, will contact the sheriff and will continue to reach out to the community to suggest moving event to Dinger Park, or they can suggest Georgetown or Central City's cemetery instead. Kathy states cemetery seems very fragile, the ordinance referred to tours, does that need to be clarified with Jo. Maybe that needs to be boosted up a little bit to tours or gatherings. Changed to "public activities at the park". Mayor will speak with Jo to see if the ordinance covers all the issues at hand. Possibly will need to revisit prior to next meeting.

b. Town Clerk Update

Has been working on the Audit still. Has submitted requested documents to the Auditor. Waiting to hear back on the next steps. Due to State on September 30th. Bring to the board's attention the issue of the dip on Silver Street and the potential damage to cars and therefore liability to the Town. Next steps for W/S billing issues will be to have Neptune run an RMA test on non-responsive meters to determine potential issues and solutions. The public has commented on the bathroom issue at the park. Would like to see both sides open and usable for more hours than the museum hours by next spring. They make locks that are on a timer, scooter will provide information to Chris to set up.

CI. New Business / Action Items

a. Pre-Application Meeting with Kent Martin and Austin Grisham to

Discuss Residential Development on Garfield/Main Vacant Lots
(C. Nihiser/ K. Martin & A. Grisham)

738 Clerk introduces Kent and Austin, stating they intend on developing single family homes on the vacant lots on Main. These lots are in the floodplain and will be subject to a Special Review Use and a Development Plan. Kent states a few 5500 square foot lots, one day will put a single-family home on one, and sell the other two to Austin. Will contact a surveyor and engineer to assess the land. Construction to start possibly next summer. Just wanted to get ducks in a row. Austin stated he wants to build a single family with a detached long-term rental as well. Will sell another lot to friend Matt, and his intentions are to build another single-family home. Austin commits to an affordable rate for his rentals. Mayor just wanted to point out that his pet project is affordable housing. Mayor implores gentleman to investigate benefits of providing affordable housing to their prospective renters. Marty states there are some incentives out there. Austin states he would love to be a part of that conversation. Marty states participation is welcome. Sam states he has had many conversations on multiple government levels. Sasha states she is sorry for not looking into this prior to the meeting, and is a bit concerned about water tap availability in the flood plain. Feels that she would like to investigate a few more things prior to committing to anything. Kent asked if that is a question of available taps? Shasha states yes, but also various ordinances that may conflict. She will investigate further. Kent states on the affordable family thing. He states three houses won't help the situation. Could be a possibility to do a five-unit house down the road. Would be good to know if the water and sewer could handle it. Austin has a request for a contingency of 20 days, can we find out prior to that? Sasha states yes, we will investigate all the provisions.

- b. Resolution No. 2023-05: A Resolution of the Town of Silver Plume Board of Trustees Concerning Vacancy on the Board of Trustees of the Town of Silver Plume, Colorado. (S. McCloskey)

748pm. Mayor asks if everyone has had the opportunity to review the Resolution. motion. Mayor asks for a motion. M. Gitlin so moves. C. Frey seconds. All in favor.

- c. Mayor Pro Tem Discussion (S. McCloskey)

As mayor, he would like to approve Sasha as Mayor Pro Tem. F. Young makes motion to approve Sasha Register as Mayor Pro Tem for Board of Trustees. Marty seconds. Alessandria brings up the point that everything needs to reflect legal name. needs to state Alessandria for legality and continuity's sake. Sasha and the mayor met Sunday afternoon. Pretty good discussion. All in favor, Alessandria abstains.

- d. Review of Updated Personnel Policy Handbook (PMC)

751 A. Register states push for personnel policy comes from 1. Needing to have it

done. It's been a year and a half. 2. Push because Sasha and Sarah wanted it to be in place prior to hiring new employees. It has gone back and forth between Jo, Barbara Green, and Sam Lights comments. Last revision had Sam Lights comments, which needed verbiage change, and that hasn't happened yet, but Sasha wants to approve anyways. In talking to Jo as well, she did say the Town can hire with the understanding that that is the policy to be working under. Sasha states she feels if everyone has not had an opportunity to review prior to this meeting it would not be appropriate, and so would like to vote to approve at the next meeting. A. Register implores the board to review please. A week and a half should have been more than enough time. Sasha has had multiple emails that did not go through. More than anything, more than acting, is to bring it to the attention of everyone. Mayor asks if clerk had received the updated personnel policy. The clerk states she has one from back in May and will distribute that to the Board prior to the next meeting.

- e. Final Quote for Financial Sponsorship of PFSP Raise the Roof Fundraiser (C. Nihiser).

Liz had come in July to ask for sponsorship of RTR at the Methodist Church. Has the final cost of the quote for the Liquor License and insurance coverage, which comes to \$224.77 combined. No vote has officially occurred to approve these costs. C Frey moves to approve the cost, Marty seconds, all in favor

- f. Board Transitions within Board of Adjustment (C. Frey)

Tim McDonough and Chris switch seats on planning and zoning board, Tim does not want to be chair anymore. Chirs states he is resigning on the Board of Adjustment, as it is unethical to sit on both. Liz is next in line, then Jerry, then AJ. They have two open seats, Stormy would like to step up, and then possibly a member of the BOT should step on. Mayor expressed interest in joining. Will call BOA meeting to review the switches. Flood plain administrator is vacant, this is the enforcement. The way the ordinance reads the enforcement to a lot of building department issues. Does not need to be filled today, just bringing to the attention of the board. Kathy asks if we have ever had a flood plain admin before, which we have not. Sasha wants to do more research.

- g. Proposal and Cost Estimate for Upcoming Professional Development opportunities for Acting Town Clerk: CML's District Meeting & Caselle Annual Conference (C. Nihiser)

803 mayor states that any training that we can provide for a reasonable cost is to the Towns advantage. The clerk sent out a cost estimate to the board and will circulate additional copies and backing. The first conference is CML's Fall District Meeting on September 6th. \$30.00 for registration and \$80.00 for Mileage reimbursement. Mayor calls for motion to allow clerk to attend CML, Chris moves,

Marty seconds, Chris states it would be more including hourly wage as well. F. Young asks where the CML conference is, which is in Lone Tree. Motion passes all in favor. The biggest conference is the Caselle annual conference in October in Utah. Officially it is October 9-12, but the clerk does not golf, so would only be gone two days. There is a high and low end on the cost estimate for a variety of reasons, Early registration vs. regular registration has a difference of \$100.00. Flights and Room rates vary. Marty requested a copy of the agenda. Mayor asks if there is money budgeted to cover the requested expense. Mayor asks if we can pull money from other places. Sasha states it is valuable, but the budget is synching, and two thousand dollars shouldn't seem like a lot, but it might. Sasha has not investigated the budget to look for those two thousand dollars to make sure it's there, but if it will save multiple hours a month, it may be worth it. Chris pulled up the budget. No line item for training. Right now, professional services, already over budget, operations of road and bridge we are under budget about \$30,000. So, there is money out there. Chris so moves to approve Caselle annual conference cost, on the high end if needed. Sasha seconds. Questions to Chris about a commitment to queens' wardrobe for the budget, which we do. Sasha states she is in favor of approving the high-end amount, with the approval prior to purchasing. Sam adds that we need to add a line item for training for the clerk and for public works. Training and certifications are very important. Motion passes all in favor

CII. Updates:

a. Road and Bridge Committee

818. Mickey did a good job on the update. Will look at dip on silver street and address concerns. Also, Chris will look at drainage to keep everything off Mountain Street from flowing into the railroad's bathrooms. Railroad had almost two inches of mud in the bathrooms. Railroad can get out in their backhoe as well. Wait for the first BOT meeting in September to schedule meeting.

b. Budget Committee

821 meeting planned for September 6th. Letter received from assessor's office today.

c. Personnel Management Committee

Would like to follow up with the clerk on interview. C. Frey moves to appoint Marty on PMC F. Young seconds. All in favor. M. Gitlin Abstains.

d. Cemetery Committee

Already updated.

e. Mountain Park Committee

825, informational update. Request to use 730 trails for motorized access to private mining claim. A person contacted county trail maintenance. The proponent described using a gas or electric ATV type vehicle to the third switchback on the trail and hike materials up. Spoke with Chris and John from the county, had meeting. John went up the trail to assess what would need to be done. Will talk with Eli to get more information prior to deciding. The legal end is those

trails have been determined to be managed as non-motorized recreation. There was discussion about legal landowners along those trails that needed legal access. That question was never answered, at least in writing. HCPLC, cooperative land managing group. They will not tell us what to do, we have the final say. Frank wants to gather more information from Eli, then present it at a regular board meeting for discussion. Kathy brought up that they brought up an excavator that was hit by lightning and did several damages on the trail getting up there. Technically Xcel should have asked us first. Sasha states wants to make sure that any decision we make we can enforce. If we give one property owner motorized access, how can we prevent other property owners from having motorized access? Frank responds by issuing permits through the HCPLC that states exactly when they could access the trail, etc. in the county, there is management and rules that are county ordinance number 4., enforceable by the sheriff's office. Although Frank states the new attorney in the county may want to adjust the ordinance. Other than Eli, how many other families have private land up there? About four families, a few families trust that own several plots. There is the potential for other families to want to access. Marty states it's not whimsical, but they can bring in pack animals. Could suggest this as an alternative. What is the minimal impact... but this is a realistic option. Park committee vacancy notice, clerk will post.

CIII. Adjournment A. Register moves, Marty seconds, all in favor 837pm.