

MONDAY, February 12, 2024, at 7:00 PM

I. Call To Order

C. Frey calls meeting to order at 7:01pm.

II. Roll Call

Board Members present are Christian Frey, Randall McDonald, Bryon Monseu, Lee Berenato, Kathy Grubbs. Town Clerk Chelsea Nihiser is also in attendance. Public attendees are Liz Hamilton and Kelly Babeon, Cindy Neely

III. Motion to Approve Agenda

K. Grubbs motions to approve the agenda. Mac seconds. Motion passes with all in favor.

IV. Bills for Approval

Question regarding vintage rail charge- is for cupola, of caboose, work has been completed. Sam will come and apprise Board of the continued work in the next meeting. L. Berenato motions to approve the bills, Mac seconds, motion passes with all in favor.

V. Approval of Minutes: January 22nd, 2024

L. Berenato motions to approve the minutes from January 22nd, 2024, B. Monseu seconds, the motion passes with all in favor.

VI. Public Comment

Liz Hamilton is here for public comment. Reports Kara Veitch, lead council of governor's office, contacted PFSP regarding the Christian Glass settlement. The settlement included two pieces of his artwork to be bronzed and stored in perpetuity somewhere in Silver Plume, such as the museum. However, this does not fit with the museum's mission and the museum is open only during summer. PFSP is requesting the Town of Silver Plume to contact the Governor's office and sort out what needs to be done. Lee stated that without knowing what the artwork is, it is difficult to determine if this is appropriate. Liz provided Town Clerk with contact info for the Governor's office, and L. Berenato stated he would reach out on the Town's behalf.

VII. Administrative Items:

a. Mayor Report

n/a

b. Election 2024 Update

- Judges needed-Board suggested clerk reach out to a few residents that have served as

election judges in the past.

- UOCAVA Ballots sent by Thursday 2/15
- Deadline for voters to submit comments regarding TABOR issues Friday, 2/16

c. Town Clerk Update

-Municode is a service that codifies the Towns Ordinances and puts them on an accessible digital platform for the public to view. They also ensure the Ordinances align with State Statutes and Federal Law. Previous Boards as well as the municipal attorney have felt this to be a necessary project and began working on it a few years back. Town Clerk has been searching for Ordinances to scan in and provide to the company, CivicPlus. There are 353 Ordinances total, and the clerk could only find approximately 150 of them. The ones found date back to the early 1990's so they are the most recent ones and CivicPlus felt that this gives us a good starting point. The clerk will have this proposal on the next agenda to discuss cost and further details.

-Bread Bar is closed for the season but has reached out to the Town expressing interest in becoming more of a community resource to the Town and its residents, and wanted to know if there were suggestions the Board of Trustees would like to make. Fundraisers are mentioned as a way the bar can help benefit the Town, but no details are discussed, and the Board feels this issue can be tabled for a few more months.

VIII. New Business / Action Items

a. CCFA Discussion/Request to Schedule Work Session with Silver Plume Board of Trustees. (K. Babeon)

K. Babeon joins board, wants to initiate discussion and schedule work session to discuss the Assessment the Fire Authority has published. There is a lot to discuss in detail, some items are voluntary, a lot of them cost money. CCFA board is going to start discussing and planning as well. CCFA work sessions are the first Wednesdays of every month, which TOSP (Town of Silver Plume) board members are welcome to join. Many things need to be discussed, major points are potentially moving emergency services to under the county, which would be a step backwards. Lee clarifies that CCFA has asked for more money, which TOSP has agreed to, but B. Monseu has brought to the Town's attention that the County might not follow suit in raising the contributions of the unincorporated portions of the County. Kelly responds that the County wants control of the fire authority, so they are not going to submit a ballot question until that is decided. The current assessment lays out three possibilities: turning the CCFA into a Title 32 is an option, staying as a Fire Authority is an option, and the final option is the county absorbing the Fire Authority. This final option is the recommendation of the county but has strong opposition from municipalities. L. Berenato asks if fire authority dues must come from property taxes, which municipalities can decide where their funding comes from. EMS is funded by sales tax not property tax, which is not possible for the Fire Authority as they cannot currently accept sales tax. The Board does not understand why unincorporated residents pay less than incorporated folks and would like to see all residents of the county pay the same amount for fire protection. Kelly would like to see all four municipalities stand together and tell the county what they want from emergency protection services. Currently the fairest way to determine contributions is the value of assessed property, although it costs more to respond to a fire in an unincorporated part of the county than it does anywhere else. The Fire Authority is working solvent until 2029 without making other changes to funding structure. Their budget is dialed in, the only cut now could be for services, which K. Babeon does not know what that would look like but is trying to avoid that situation. Right now, CCFA would like to see all municipalities up to a 9 Mill Levy, and in a few years up to 12 Mills. CCFA will bring in charts and resources to the work session to

review all cost options. L. Berenato asks if Title 32 would make it so all residents of the county, incorporated or unincorporated, would pay the same rate for emergency services. Many different options to discuss and work through, as half of county is unincorporated, and half is in municipalities. The work session is scheduled for February 19th at 630pm. C. Neely states that the county is trying to absorb any authority and organization that has funding, while they have severe budgeting issues. C. Neely implores the Silver Plume Board to ask, what is the county's bigger picture? Why do they want to absorb the fire authority so badly? The clerk will distribute the assessment from CCFA to SP BOT. Empire went to 9 mills, all municipalities are sticking together. There will be new county commissioners next year. The current board should not decide for incoming board, new commissioners should have a say. The current IGA expires in December 2024, ideally should be renewed for two years so fire authority can continue with business as normal while the political side plays out. Original IGA was 1999.

b. Letter of Interest, Potential Purchase of Reindeer Claim (C. Neely)

C. Neely joins the board, introduces herself, passes maps and details what plots of land are owned by the town and what portions are owned by CDOT. TOSP is currently negotiating a Conservation Easement (CE) on land in the red on the maps provided. Conservation Easements like to define boundaries, which is hard with such small plots of land. CE organization (State Historic Fund) did an abstract on all 98 patented claims but has not finalized legals. Among other things, placement of “proceed at your own risk” signs need to be posted at three separate locations. The Goal was to finish the CE by December 2023, but now it is March 2024. Can not close out grant until CE is done. TOSP will have to pay up front, but the state will pay back. This reimbursement is not on tonight's agenda but was agreed on a few months back. The account will stay restricted because it is made up of donations for the mountain park. Going back to map, there is a claim named Reindeer Claim, owned by CDOT because they needed the claim for the ROW for I-70. The claim was sold to CDOT in two lots, and only one is needed for ROW. TOSP would like to purchase the other lot with funds coming from the restricted fund. SPMP is trying to acquire all claims within the red boundaries of the map. C. Neely contacted CDOT, and CDOT would be willing to sell the plot of land. To do so, CDOT needs a letter of interest to purchase the claim, as well as aerial mapping, which has been done. Letter of interest has been drafted, just needs signed by A. Register. The letter states that we want the land and why we want it (SPMP). Discussion is held on where the funding in the Restricted Fund has come from, which has comprised mostly of donors. \$32,000 is for CE, which will be repaid. The leftover money will go to an interpretive site at Browns Gulch and purchase smaller claims, such as the Reindeer. There is confusion about what a Conservation Easement is and why we need one for the Mountain Park. C. Neely explains that a CE is a promise to keep the land as is. Low impact recreation can be done but prohibits you from selling land for inappropriate use, in perpetuity. Jack Pine mine was only sold to the Town with the agreement of a Conservation Easement. L. Berenato motions to approve A. Register to sign the letter of interest for the purchase of the Reindeer Claim from CDOT. B. Monseu seconds. Motion passes with all in favor.

c. Lloyd Culp Land Trade Proposal (C. Frey)

Lloyd (Stormy) Culp wants to trade the plot of land he owns behind Dingers Park (between

park and creek) for one free water and sewer tap for a future development on the West End of Town. The current fee for a water tap is \$5,000, and the current fee for a sewer tap is \$5,000. Concerns are raised regarding if the plot of land in question is worth \$10,000. Potential positive impacts of trading could be opening the walking path from Garland St to the back of the park, which has been fenced off for some time, as well as being able to beautify the creek edge and spruce up the back of the park. Additionally, if the Town does not purchase/trade for the land, someone else will and the Town loses the grassy area behind the park, limiting the recreation area potentially. As the full Board is not in attendance, this item will be placed on the agenda for vote at the next meeting.

d. Ordinance 354, an Ordinance directing a Ballot Question be submitted to the Registered Electors of the Town of Silver Plume at the April 2024 Election. (A. Register)

Wrote ballot language to raise Mill Levy from 4.569 Mills to 9, adding 4.33 Mills. DOLA states that the Ord. Passed in 1993 does not waive the 5.5% property tax limit. So, in Ordinance 354, we are approving the language for the Ballot language and waiving the Statutory Limit. Town tried to approve via Resolution, but we cannot raise taxes with a Resolution, must be done by Ordinance. So, Ord. 354 will approve language and waive the Statutory Limit. This Ordinance also includes expedited procedure language so it can be adopted and enacted at the same meeting. L. Berenato motions to approve and adopt Ordinance 354. K. Grubbs seconds, motion passes with all in favor.

e. Appointment of STR Administrators Janet and Chad Miller (STR Committee)

R. MacDonald motions to appoint Janet and Chad Miller as STR administrators. L. Berenato seconds, motion passes all in favor.

f. Ordinance 355, an Ordinance amending Ordinance 353, Short Term Rentals License Renewal Deadline and Maximum Number of Licenses. (STR Committee)

After many amendments, the STR Ordinance was most recently adopted and signed September 30, 2023. However, there have been many staffing transitions that have not allowed the Town to enforce this Ordinance. Due to the delay in administering the program, the STR committee is recommending extending the application renewal deadline to September 30, 2025, to allow a full Calander cycle for STR hosts before they need to renew their applications for the first time. In addition to this amendment, the STR committee is suggesting the maximum number of outstanding licenses be changed to 20 total. L. Berenato motions to approve and adopt amended Ord. 355. K. Grubbs seconds. Motion passes all in favor.

g. Caboose Update (C. Frey)

This item needs to be tabled for the next meeting. Sam McCloskey and railroad need to be there to discuss cost options. There are several tasks that still need to be done and possibilities to accomplish them. Need to have an idea of future costs to plan.

h. Discuss Need for Trustee to be Trained on Clerk's Duties (M. Gitlin)

This item also needs to be tabled. It is an important topic that needs to be discussed and planned for. Ideally this is an issue to be discussed after April, so the incoming Board has a say in who and how we train.

IX. Updates:

a. Road and Bridge Committee

n/a

b. Budget Committee

n/a

c. Personnel Management Committee

n/a

d. Cemetery Committee

n/a

e. Mountain Park Committee

Citizen at Large Acceptance of Nomination, new committee members are Christian Frey, Martin Gitlin, Anthony Vossler, Ryan Redfield, and Mark Morris. Committee meeting will be scheduled for the end of February/beginning of March once all committee members are back in the country.

f. Short Term Rental Committee

Already covered in action items

g. Main Street Sidewalk Project Committee

L. Berenato has RFQ's to review. Meeting scheduled to discuss 2/14/24 at 630pm.

X. Adjournment

L. Berenato motions for adjournment. R. McDonald seconds. Motion Passes all in favor. Meeting adjourned at 835pm