BOARD OF TRUSTEES
MINUTES
MONDAY, September 9th, 2024, at 7:00 PM

I. Call To Order

702pm by Lee Berenato

II. Roll Call

Lee Berenato, Marty Gitlin, Randall McDonald, Chris Frey, Tammy Frey, Bryon Monseu, Amy Saxon

III. Motion to Approve Agenda

T. Frey moves to approve the agenda. M. Gitlin seconds. Motion passes with all in favor

IV. Bills for Approval

C. Frey moves to approve the bills as presented. R. McDonald seconds, T. Frey asks if the $1200.00 is the monthly charge for IT services. Lee states he will follow up with the clerk and report back to the board. Motion to approve the bills passes with all in favor.

V. Approval of Minutes:

- August 23rd, 2024; Board of Trustees Public Hearing

C. Frey moves to approve the minutes from August 23rd as presented. B. Monseu seconds. Motion passes with all in favor.

- August 26th, 2024; Board of Trustees Meeting

C. Frey moves to approve the minutes from August 26th as presented. B. Monseu seconds. Motion passes with all in favor.

VI. **Public Comment** - 5 minutes per person the public is invited to present comments to the Town Board on any matter not otherwise listed on this agenda – non action comments.

VII. Administrative Items:

a. Mayor Report.

Lee had questions for the clerk regarding 2025 budget numbers. She has a list and will report back to the mayor. Lee has reached out to Timberline multiple times with no response. Has reached out to multiple contacts and has not heard back. Additionally, the Town has not received any royalty payments in over a year. Lee wants to discuss this, as well as the placement and route schedule of the town dumpsters. C. Frey provides L. Berenato with the District Managers number and advises him to reach out to this contact only. C. Frey states he has also spoken to the Town attorney

regarding the location of the three dumpsters on Main Street, and the attorney has advised C. Frey that this is a civil matter now between the Two property owners and the Town will not be addressing this situation any further. There is no Ordinance that regulates the Town dumpsters, so the Town has no right to require any private property owners to move their dumpsters. The Town needs to send a letter to both property owners and advise them to figure out the issue between the two parties. Marty asks if Lee has addressed the parking issue with the Air BNB on Silver Street, and Lee states that he has not followed up with this issue yet. He also feels that this is not the Town issue. Marty states that the Town needs to address this because it is a matter of safety having folks parked on the street. Lee states they can use the lot behind the Town Shop as parking. The sander and the big tank need to be moved first. Randal McDonald and Chris Frey will work together to move the sander and the big tank out of the lot. Lee will talk to Steve. R. McDonald will move the large equipment to the Connex.

b. Town Clerk Update

Marty provides clerk update. Marty has requested that the dumpsters have the "By Order of the Town of Silver Plume" Bear stickers. Also, Marty has requested Clerk reach out to CDOT as a follow up to the Town/CDOT discussion and request them have an observational entity on the frontage road on the weekend so that CDOT can see how much of an issue the speed is on the frontage road. Clerk and Lee will both reach out to CDOT to follow up. Also, Tim McDonough stated he can fix the door to Town Hall and that will occur this week.

VIII. New Business / Action Items

a. Clear Creek County Multi-Jurisdictional Housing Authority; Draft IGA Second Review, Discussion, Possible Determination of Town Support. (L. Berenato/Amy Saxon)

The Clerk provided the updated IGA, which Lee felt like there were some good updates and information within the IGA. Lee's main concern is that the Town does not have a whole lot of property, most is privately owned or under Conservation Easement. There is a handful of Town owned land, but other than the Town Shop there is not really any land that is developable. Just a few lots. Otherwise, the IGA is well done and Lee's only concern there is that after 3 years, the governing board will determine what the TOSP's variable contribution would be. Amy reports that although this is true, the TOSP would have representation on that Board, and the variable contribution would still be based on the same factors, which are the ability to pay, and the value of the services delivered to Silver Plume. After 3 years, Silver Plume can say they don't want to participate or that we want to continue to contribute $2,000. Lee clarifies that we would have to give six months' notice or pay for that 6-month period. Amy states that is not the intention and asks if Lee is suggesting a change or re-wording, which Lee states he is not overly concerned about this currently. Lee's other question is regarding the variable contribution and how that works. He uses Idaho Springs as an example and asks if their variable contribution of $55,000 is annual, and if they can decline this contribution if they so choose. Amy states that it is an annual contribution, and that any of the entities can say no if they want to. Idaho Springs is pledging $165,000. For both Silver Plume and Empire, the variable contributions is the minimum $2,000, and it is correct that after the three year initial time frame that contribution is unknown for those entities due to their housing and development goals being vastly different than the other entities. Hopefully Silver Plume does find value in being a part of this Authority, and what that value will be depends largely on whoever sits on the MJHA Board and represents Silver Plume. Silver Plumes representative will work with the MJHA's executive director, the MJHA Board and the TOSP BOT to figure out what the TOSP's housing priorities are. Resident services, helping with grants, assessing land development, providing resources for residents to

restore historic homes. This could be a resource of all sorts for the Silve Plume Community. Marty suggests that "Affordable" be included in all language referring to renal properties, and that affordable actually reflect what is affordable in Clear Creek versus the Denver and Cherry Creek suburbs. Additionally, he brings up the need for representation for those folks that have fixed incomes. This needs to be one of the goals to address the aging community. Otherwise, M. Gitlin fully supports the MJHA project. Tammy Frey does not understand what Silver Plume gets out of being in the Authority, as the Town does not have any land to develop nor any public housing to offer. Amy states that Silver Plume stands to gain are potentially resident services, better or easier access to resources like weatherization programs, first time home buyer programs, rental assistance. Lee states that the issue is that there are no concrete benefits currently. There are a lot of ideas on how this could benefit the Town, but right now no one really knows. However, with six months' notice the Town can bail on the Authority at any time. Additionally, there is no land condemnation and the MJHA cannot do anything in Silver Plume without the Towns consent. So, the immediate benefits are not clear, but compared to the other entities in the county the Town has cheap seats, and Silver Plume having a voice at the table would be the most concrete thing that the variable contribution would be buying. Lee states he is willing to go along for the first year, which the first year is mainly setting up operations and hiring the executive director etc., but he would be willing to sign on for the first year to see how things work out. Lee has two additional questions, the first regarding the IGA states that authorities can self-apply taxes with the requirements of TABOR. Lee asks if this is Title 32, which Amy states that she is unsure if Title 32 applies, but as a Multi-Jurisdictional Authority it would have taxing authority. Statutory authority and C.R.S. citations are referenced in the IGA. Lee's second question references the MJHA IGA's Article 4.2 statement that the authority shall not establish or increase any development impact fees. Lee wants to know if the County already has established Development Impact Fees. Amy reports The Authority would have the ability under TABOR to do so. Lee clarifies that this means the county cannot increase a fee in Silver Plume's Jurisdiction without the Silver Plume Boards approval. Amy states that the Silver Plume Board would have to approve the increase, and then bring that approval to the MJHA Board, but again that would be considered a TABOR issue. Currently the Silver Plume Board cannot impose taxes without voter approval, but the formation of the MJHA would be different. The creation of the MJHA is like starting a new government reports Amy, and Chris Frey states that this authority would be like a Title 32 district, as far as the taxing authority would be. At the end of the day, it would be a ballot measure required for voter approval, it would just have to go through both governing boards prior to becoming a ballot measure. The MJHA Board would be formed by representatives of each contributing partner and then that Board would identify who the large numbers are, what bodies they would represent, and what the strategy would be behind those at large numbers. Then that Board of 7 folks would then do initial strategic planning work. That is where a lot of the more detail or precise focus would come from. Chris Frey asks the Board what type of motion they would feel comfortable with. The IGA is a three-year document, but based on what Chris is hearing from the rest of the Board Silver Plume is more comfortable with proceeding on a year-by-year basis, committing to the first year and making their own decision if we want to continue as part of the Authority at the first year point. Amy states the Town may need to adopt the IGA document as is, and then internally review in a year to see if the Town wants to drop out or not. Chris Frey motions to adopt the Clear Creek County Multi-Jurisdictional Housing Authority IGA. Marty Gitlin seconds the motion. Amy adds the last discussion point that all the other entities involved are currently going through this same process, so an added level of complexity is that there may be slight edits or statutory changes, errors, or other items that may come up. Bryon, Lee, and Chris all state that the Town should wait until those items have been resolved. C. Frey requests that Amy send out the Final Draft of the IGA once

the other entities have submitted their revisions. For now, the MJHA has the Town of Silver Plume's Support. Whatever housing strategy is developed in Clear Creek County will be stronger and more complete with the Town of Silver Plume involved and at the table. This item will continue to be an agenda item for the upcoming meetings, and Amy is advised to provide the updated IGA's as the county receives them.

b. People for Silver Plume Special Event Liquor License Review and Decision (L. Berenato)

M. Gitlin motions to approve the Special Event Liquor License Application for the People for Silver Plume Soup Fest. Tammy Frey seconds. Motion passes with all in favor.

c. Colorado School of Mines Silver Plume Evaluation Proposal Update (L. Berenato/C. Frey)

L. Berenato and Chris Frey attended the introductory meeting with students from the Colorado School of Mines last Thursday morning. Essentially, a bunch of students are going to come up and work on the grounds of the Mountain Park. Chris reports that each student will have to sign a waiver, and every time they go up will have to schedule with the Town. They will not be damaging anything, just taking photos and looking at the sites. Waivers will be turned into the clerk. Marty asks if the Board should maintain any oversight, which the Board feels they should not. The students are juniors, so they are not fresh, and they should know what they are doing and how to conduct themselves.

d. Addition of Randall McDonald to the Personnel Management Committee (L. Berenato)

M. Gitlin moves to appoint Randall McDonald to the Personnel Management Committee. Chris Frey seconds. This is to simplify and add additional members to the PMC. Motion passes with all in favor.

e. 2025 CIRSA Property Casualty Preliminary Contribution Quote Review and Decision (C. Nihiser)

C. Frey moves to table items e and f until the next meeting so the Town Clerk can provide insight. M. Gitlin seconds. Motion passes with all in favor.

f. 2024 CIRSA Workers Compensation Preliminary Contribution Quote Review and Decision (C. Nihiser)

IX. Updates:

a. Road and Bridge Committee

Chris reports that work has been completed on Mountain and Garland Street. No other updates currently.

b. Budget Committee

Will provide an update once Lee touches base with Clerk on budget questions.

c. Personnel Management Committee

Mac has been added to assist with payroll

d. Cemetery Committee

Would like to meet and have a committee meeting to have an in-depth review of future goals. This can be an agenda item during the next meeting.

e. Short Term Rental Committee

Lee states that something the MJHA could possibly assist with is STR related issues. This may be a possible benefit from joining the authority.

f. Silver Plume Mountain Park Commission

g. Miscellaneous Updates

X. Adjournment

C. Frey moves to adjourn the meeting at 747pm. Tammy Frey seconds. Motion passes with all in favor.