BOARD OF TRUSTEES
AGENDA
MONDAY, October 28th, 2024, at 7:00 PM

I. **Call To Order:** Meeting called to order at 705pm by L. Berenato
II. **Roll Call:** Present: Lee Berenato, Martin "Marty" Gitlin, Mark Basham, Randall "Mac" McDonald, Tammy Frey; Town Clerk Chelsea Nihiser. Not Present: Bryon Monseu, Chris Frey (Resigned 10/24/2024)
III. **Motion to Approve Agenda:** Marty motions to approve the agenda. Tammy seconds. Motion passes with all in favor.
IV. **Bills for Approval:** Marty moves to approve the bills as presented. Tammy seconds. Discussion regarding the Xcel overpayment refund. In August Xcel Energy made an overpayment of approximately $28,000 in Franchise Fees to the Town. The Clerk has included the refund check to Xcel for the overpayment with the list of bills. Lee states Xcel had been reaching out to the Town at an old email address. This email address is associated with a Town Website that has been facilitated by an old Town employee. The Town Clerk confirms that people reach out to these alternate contacts, and in some cases get responses. It has been an ongoing issue. Lee states he will reach out to the person who runs the website and see if they will take it down voluntarily. Motion to approve bills passes with all in favor.
V. **Approval of Minutes**: Marty motions to approve the minutes from October 14th, 2024. Mark seconds, motion passes with all in favor.
VI. **Public Comment:** No public comment
VII. **Administrative Items:**
    a. Mayor Report

CDOT responded to Lees follow up email advising him they have come up with a few scenarios they would like to present to the Town. They have suggested a few dates to meet, and Lee will follow up with them to schedule. Lee has expressed to CDOT that the BOT have implicated they will "mutiny" and take matters into their own hands, moving the signs on Water Street without CDOTS input. Marty clarifies that he does not want the stop signs moved, rather, would like CDOT to address the speed issue along the Frontage Road. Lee reported that historically, CDOT has stated that if the average traffic is moving faster than the current speed limit, the answer is not to lower the limit, but to increase it. Marty states he intends to request a CDOT representative to sit on the Frontage Road with him to monitor the speeding issue in real time, as the idea of increasing the speed limit is absurd and a safety hazard. Marty states that if CDOT refuses to sit with him he will go to the news media and will try and gain attention to the issue that way. Mac states that this may make the situation worse, as CDOT owns the Frontage Road/Water Street, and their whole goal is to keep traffic moving. If we exacerbate the situation, CDOT may respond by switching the stop signs to the alternate side of the road and making the frontage road a straight shot from the highway, which does not align to the Towns goals. Code enforcement is discussed, exactly how does the Town enforce speeding in general along the Frontage Road, and the historical answer is the sheriff's department can and has done speed monitoring for the Town, however their resources are very thin and cannot be counted on as consistent enforcement. Mark suggests radar signs that show how fast folks are going, which have historically backfired with certain residents using them for speed competitions. Lee will reach back out to CDOT to see what their scenarios are and how they plan to address the situation, and the Town will go from there.

    b. Town Clerk Update
        - **CCFA Survey**

During the last Board meeting Marty asked the Town Clerk to put together a survey for citizens to gather information regarding law enforcement response after calling 911. The Fire Authority suggested to Marty this might be helpful information to know after dispatch was outsourced from Clear Creek County to Jefferson County. The Town Clerk was asked to have that put together for review at this meeting, but due to the Financial Audit currently being worked on she was not able to meet that deadline. Lee asks if this survey has already been formed by the CCFA, or if the Town Clerk is expected to put it together, and the Clerk reports she was not given any verbiage to work from and was under the impression she was to put the survey together. Her plan is to distribute it to the Board via a google survey to see their thoughts prior to distributing it to the residents of Silver Plume. Lee states that the Clerk is not to put this together, Marty is appointed to put together the verbiage of the survey and will provide it to the Clerk, who will then present it to the Board once ready.

- **2023 Financial Audit**

The Town Clerk began the 2023 Financial Audit at the beginning of October and is very close to being done. Just one last item to follow up on for the Auditor and then she believes the Town will be ready to submit it to the state. Lee states he had spoken with the Auditor as well, and the Town will have big issues for the 2024 Audit as the Town may be collecting too much money in Mills. There is a grey area as the Town is no longer subject to the 5.5% tax limit, so this is a conversation for next year. Lee agreed with the Clerk that the 2023 Audit should be about wrapped up. Lee asks the Clerk when the deadline to submit to the state is, and the Clerk reports that since the Town applied for an extension the prior year they did not qualify for one this year, so the audit at this point is just late. At some point the state will begin to withhold property tax distributions, but hopefully we are able to submit before that. Next year will not be an issue, as the Town is in a better routine and will be able to begin the 2024 audit when they are supposed to, instead of months late as the last two years have been.

The clerk also reports that Dinger Park has been winterized, the water is turned off and the bathroom doors are locked. Also, the water leak at Large Town Hall has been fixed, although someone needs to vacuum off the HVAC ducting inside LTH due to the large amount of pest droppings on the vent system. Mark volunteers to clean the HVAC ducts, Lee will help him, they will get masks prior to going in. November 9th PFSP is hosting a movie night in Large Town Hall to view the Towering Inferno, have chili and popcorn, and a bonfire in Main Street. This event is to honor the Great Fire of 1884.

VIII. New Business / Action Items

a. Main Street Dumpster Relocation (L. Berenato)

Lee connected with Timberline finally and is meeting with them onsite tomorrow 10/29/24 at 8am. Lee has reached out to Nick Regester with no response yet. The plan is to have Timberline move Nick's dumpster off the street onto his lot. The Town dumpster will be relocated to the bottom of Silver Street next to the Connex. Lee spoke with some of the residents at the top of Silver Street, and they agreed to moving the dumpster there. Discussion regarding the roll off dumpster at the top of Silver Street, Clerk does not know who this belongs to, Lee will investigate it. The roll off dumpster on Main Street is officially over the 60-day limit, and per code the roll off dumpsters are only allowed 60 days in a calendar year, so there is no extension to offer those folks. The town dumpster at the park will be moved across the parking lot towards the bathrooms for the winter. The Town will need to clean out the area around the Connex to fit the dumpster at the bottom of Silver Street. Mac suggests that the Town allows people to park in front of the Town shop, with the exception of blocking the fire hydrant, which the Board is agreeable to. Marty requests that the Town Clerk invite the Plume Coffee Bar and Plume Provisions to attend the next meeting to discuss street parking and their businesses. It is mentioned that Casey Day has a dumpster next to the Bread Bar that states no

parking, and the Board would like that sign to be amended to state no parking on Fridays, to help alleviate the parking issues along Main Street.

b. Silver Plume Mountain Park Update (C. Neely)

Cindy Neely not in attendance, Clerk updates Board on her behalf. She was able to submit concept papers to GOCO in an attempt to secure grant funding to try and purchase the Taylor Kennedy Land. The Town will not know any response until Mid-November, and in the meantime will have the land appraised as discussed. Clerk also updated board that the purchase of the SPMP was featured in Preservation Magazine, and that the Cindy's and Chelsea will be attending CPI's Saving Places Conference to present on the SPMP In late January 2025. Marty reported that the Victoria Tunnel and Mendota Mine are dangerously unstable, and the entrance needs to be sealed with a metal door permanently. The clerk will reach out to Jeremy with DRMS and request they seal the entrance on a more permanent basis, and also to request dangerous mine signage. Cameras are ready to be hung up at the tunnel and mill, all technical items have been taken care of, just need to be hung.

c. Clear Creek County MJHA Final IGA Review (L. Berenato)

CCC MJHA IGA is ready for signatures, the version presented to the Board tonight does not have any substantial changes compared to past versions reviewed. Mark motions to approve the final version of the Clear Creek County MJHA IGA for adoption and signature. Tammy seconds, motion passes with all in favor. Lee and Chelsea both sign document.

d. Board of Trustees Vacancy

On October 24th, 2024, Chris Frey submitted a letter of resignation, effective immediately, removing himself from the Silver Plume Board of Trustees and all associated committees, including the Clear Creek Fire Authority Board, the Silver Plume Mountain Park Commission, the Planning and Zoning Board, and also as a bank signer. Tammy volunteers to replace Chris as a bank signer. Lee calls for a motion to approve Tammy as the third bank signer, in addition to Lee Berenato and Martin Gitlin. Mark motions, Mac seconds, motion passes with all in favor.

- **Adoption of Resolution 2024-07, Acknowledgement of Vacancy**

Marty moves to adopt Resolution 2024-07, acknowledging the vacancy left on the Board of Trustees by Chris Frey's resignation. Mark seconds. Motion passes with all in favor.

- **Approval of Verbiage on Vacancy Posting**

Lee points out that the date of the Term needs to be changed to 2026, not 2024. With that change, he calls for a motion to approve the verbiage on the vacancy posting to be posted at Small Town Hall and the Post Office. Mark motions, Mac seconds, motion passes with all in favor. The Town Clerk is requested to have appointments to the vacancies on the SPMP Commission as well as the PZB on the Agenda for the next meeting. Chris recommended Mac to be his replacement on the CCFA board. Mac is meeting with Chris on 10/29 to discuss replacement on the CCFA board. It is discussed that Bryon Monseu would also be a good fit.

- **Approval of Appreciation Letter for C. Frey**

The Board unanimously approves the draft appreciation letter for Chris Frey. The Town Clerk will print on letterhead and get the Board members signatures.

IX. Updates:

a. Road and Bridge Committee

Mac states it may be a good idea to address the culvert on Cherokee and Tregay Street before run off in the spring. Lee reports that JR does not know where it comes out, so would need to dig up the yard to locate it. It would be easier to install a brand new one as opposed to locating the old. Mac will talk to JR.

Nile McGlauchlin will work on the plow truck and get it moved prior to the potential snow this weekend. He will also arrange to order sand and will plow if needed for the Town. Additionally, he will look at the dump truck and see if he can trouble shoot the issues there.

b. Budget Committee

Lee has finalized the draft budget, Budget meeting scheduled for Sunday, November 3rd, at 10:30am.

c. Personnel Management Committee

n/a

d. Cemetery Committee

n/a

e. Short Term Rental Committee

n/a

f. Silver Plume Mountain Park Commission

n/a

g. Miscellaneous Updates

n/a

X. **Adjournment:** At 818 pm Marty motioned to adjourn. Tammy seconded, motion passes with all in favor.