BOARD OF TRUSTEES
MINUTES
MONDAY, January 13th, 2025, at 7:00 PM

I. **Call To Order: 7**:01pm by Lee Berenato.

II. **Roll Call:** Lee Berenato, Randall McDonald, Mickey Frey, Tammy Frey, Mark Basham, Bryon Monseu. In the Audience is Cindy Neely. Via Zoom Don Heyse.

III. **Motion to Approve Agenda:** R. McDonald motions to approve the agenda. Tammy Frey seconds the motion. Motion passes with all in favor.

IV. **Bills for Approval:** There is a new report for the bills, and there is some confusion on why the items are allocated between general water and sewer accounts. Lee will ask the clerk why it is allocated this way. There is a question regarding red lion communications, and M. Frey states that it is for the Water Treatment Plant communications in the back of Town Hall. There is also a question regarding what U.N.C.C invoice is for, so Lee states he has made a note of those questions and will follow up with the clerk. Lee calls for a motion to approve the Bills for approval with the caveat that he will discuss the Boards questions with the clerk. Tammy motions to approve the bills, Mark seconds, motion passes with all in favor.

V. **Approval of Minutes**: Tammy motions to approve the minutes from December 23rds Public Hearing and Regular Meeting. R. McDonald seconds, motion carried with all in favor.

   a. **December 23rd, 2024, Public Hearing**
   b. **December 23rd, 2024, Regular Meeting**

VI. **Public Comment:** No Public Comment

VII. **Administrative Items:**

   a. **Mayor Report:** N/A
   b. **Town Clerk Update:** N/A

VIII. New Business / Action Items

   a. **Silver Plume Mountain Park Update:** Cindy Neely joins the Board at the table. Begins with Taylor Kennedy property. Land Appraisal was done and came in at $875,000, which per acre is the same that the Town purchased the SPMP. Mountain Land Trust is very interested in leading the fundraising with this along with GOCO and other agencies around the state. MALT got in touch with the realtor on behalf of the Town and was frank with the appraisal and that the Trust will not get their asking price and the realtor was interested in having the conversation. GOCO put on the table the suggestion, that has historically worked in Clear Creek County, that when mining claim land is purchased either by historic Georgetown or ccc open space, has been purchased for the value of the land and the mineral rights have been donated. Mineral rights are up to the seller, not the buyer. The Town will not get into the position of appraising the value of someone's donation. If that applied to this property, and Cindy does not think the Taylors would be opposed, it would not affect the value of the land. Whatever their appraisal of the mineral value is, that donation would bring them closer to their asking price. This idea has intrigued the realtor, and so he will present this concept to the Taylors. Alan Taylor and Ann Taylor are married, Alan Taylor bought his sister out years ago. Bill Davis realtor has talked with the Taylors, and they would like to have a meeting with the purchasing partners. Cindy cannot go to GOCO and ask them to make the entire purchase, even though they don't have a required match. Cindy has been speaking with CCC Open Space, and they have discussed a financial contribution in the range of $50,000. Friends of

CC, who participated in the purchase of Douglas Mountain have expressed interest in contributing. Their donation would be less. SALT and Historic Rail Adventures have expressed interest in donating. So, therefore, Cindy thinks the match is out there and it is certainly possible to secure a $100,000.00 match. It would be good if the Town could put in $25,000 out of the restricted fund as well, and there is enough money in the restricted fund to do so. Cindy states that the Town rose when purchasing the original SPMP, so there is money there that can be used. CPW is also interested in working with this partnership as well. The Big Horn Sheep heard spreads all along this chunk of land. It would be better if the Town owns the land vs. CPW, as they will literally close off the entire parcel of land at times and prevent public access. They do have a small grant program for regional partnership, which they are open to explore as CPW is a member of the HDPLC. The kind of thing they might finance are fringe expenses such as environmental reports, cultural resource studies, conservation easements, all those extra items. Cindy asks the Board if they would be interested in having the meeting with the Realtor and the Taylor Kennedy Trust as interested purchasing parties? She asks if this plan sounds reasonable. Bryon asks if the mountain park has the funds to cover this, as he thinks the trash issues, and sidewalk issues for example are more important than purchasing the land currently. Lee states that those funds in the Restricted Fund can only be used for the Mountain, and with this information Bryon agrees to the $25,000.00 match. Mark remembers as part of the purchase we agreed to put signage or something with this money. Cindy states there is a plan with several recommendations including an interpretive site down by the Browns Gulch area. Mark confirms this is what he is referring to. Cindy states that if any of those recommendations are to be made, they will have to be separately funded and will not be able to use the Restricted Funds. Cindy states that there are ways and grants out there that can fund the construction of interpretive sites as well as the sidewalks. The Town can accomplish all these things if they desire to do so, without self-funding or getting into CDOTS pocket. Straus Park in Georgetown got three separate grants that rebuild the entire park. Those small grants are easier to manage. Mark and Bryon agree that there is a whole list of things that the Town needs to prioritize, and so if the match comes from the Restricted Fund, they are reluctant. Lee states that the rest of this conversation needs to be held in an executive session. He states that he will be giving Cindy the go ahead to set the meeting with the Taylors, and that in the meantime Lee will ask the clerk to set up an executive session so the Board can discuss the purchase of this land further. Randall will meet with Cindy and the Taylors if Lee is unavailable. Don Heyse states as a resident and taxpayer, he is excited at Cindys plan. Don would be willing to hold off on sidewalks if it means buying the Mountain. He thanks Cindy for her work. Cindy states that she will report that the Town of Silver Plume is willing to pursue this at this level. The second item Cindy would like to speak about is the damage done to the 730. The most concerning part is that the mine waste pile has been destabilized. This is the Towns primary concern. Mac has been trying to get in touch with the co-owner of the land with little luck. He went to the County Assessors office and was able to find more information on the mining claims. Eli owns 1/3 of the LAC Labelle, and Cecil owns the other chunk, although this is in the name of a trust as Cecil has been dead a long time. Mac was able to find the contact phone number of the attorney that handled the estate, and he is out of Lamar Colorado. So they went

through the chain, and almost all the family is deceased. There is a granddaughter in her 40's, and there is a physical address but no phone number. Mac has sent letters to the addresses on file with no response. Essentially, Eli has proceeded with his endeavor with no permission given and has even been told no on several occasions. So, McDonalds gut feeling is that the co-owner of the land has no idea that Eli is mining on their land. The one thing that comes up is the taxes are being paid. Cecil Tompson owns 98 claims, and the property taxes are current, and those bills are being sent to the PO Box that McDonald has sent his letters to. When speaking with the attorney that handled the estate, McDonald stated that the attorney was flabbergasted that there were mining claims in the estate. The estate was handled as a small estate, and if the attorney knew about the claims, he would not have been able to handle this case. He had been the family's attorney for over 30 years, and none of the family have ever mentioned these claims to him. Most of the claims are in the Waldorf Basin, with a few scattered in Silver Plume, Empire, and Dumont. McDonald will go tomorrow and try to follow the money to whomever is paying the taxes on these claims. The cost of these taxes would be around $1000, so this is no small chunk. Taxes could be paid by a trust without the owner knowing anything about it. Cindy also states that the SPMP has received a lot of publicity. One session presentation and two awards in the coming year. Cindy is also willing to help the Town with funding sidewalks at any time. The Board thanks Cindy for all her work.

b. **PAH Audit Consultant Proposal Letter and Letter of Engagement Review, Discussion, and Determination:** L. Berenato reminds the Board that the Town's longstanding Auditor David Green will not be auditing the Town of Silver Plume moving forward as his firm is focusing only on Special Districts moving forward. He referred us to Patrick Hall. PAH audited the Town's books years ago, so he is familiar with the Town. His quote is $12,000 for the yearly audit. Lee states he is unsure if the Town should put it out for bid, but Lee is inclined to just meet with him and sign the engagement letter.

c. **Timberline Disposal Royalty Reconciliation:** Combined royalties for 2023 and 2024 came in at $6,200.00. The Board questions this figure and feels that there is more being moved than is being reported. McDonald feels that this number is low. Chris Frey and McDonald have spoken in the past about how their shipments have been lowering, but the Board feels that it has not lowered by this much. Mickey states that he can tally how many loads are moving out in real time if needed. The Board feels that it is going to be difficult to argue any of the figures. Moving forward, however, they would like to explore ways to monitor the shipments to compare. McDonald asks how the Town renegotiates this to get some sort of income from this and decent trash service. Lee states the time to renegotiate is when Timberline's permit comes up for expiration with CDPHE, as the Town must weigh in on the renewal of this permit. McDonald feels that the Town will have very little to say about the renewal of the permit. If the only plus for having the Transfer Station is $3,000/year and trash service, it might be worth it to figure out where we are heading with this long term. Town residents would get better trash service if they paid for it. McDonald doesn't think that Timberline needs the facility at all, this type of operation is significantly changing and becoming obsolete.

IX. Updates:

a. Road and Bridge Committee

- **b.** Budget Committee
- **c.** Personnel Management Committee
- **d.** Cemetery Committee
- **e.** Short Term Rental Committee
- **f.** Silver Plume Mountain Park Commission
- **g.** Miscellaneous Updates

X. Adjournment: at 759pm M. Basham motions to adjourn. Tammy Frey seconds. Motion passes with all in favor.