BOARD OF TRUSTEES
Minutes
MONDAY, APRIL 28th, 2025, at 7:00 PM

I. **Call To Order:** Meeting called to order at 708pm by Martin Gitlin
II. **Roll Call:** M. Gitlin, R. McDonald, T. Frey, B. Monseu, M. Frey via Zoom
III. **Motion to Approve Agenda:** B. Monseu motioned to approve the Agenda, T. Frey seconded, motion passes with all in favor. Action item B will be heard before Action Item A.
IV. **Bills for Approval:** B. Monseu motioned to approve the Bills for payment as presented, T. Frey seconded the motion. Motion passes with all in favor.
V. **Approval of Minutes**: April 14th B. Monseu motions to approve the minutes from April 14th as presented. M. Frey seconds. Motion carries with all in favor.
VI. **Public Comment** – N/A
VII. **Administrative Items:**
    a. Mayor Report: N/A
    b. Town Clerk Update: N/A
VIII. **New Business / Action Items:**
    a. **Taylor Kennedy Land Acquisition Update (Cindy Neely):**

Cindy confirms with the Board that the Town is intending to place the gate and that it will have signage, which the Town confirms that they are moving forward with placing it. Cindy asks if the Board knows about a petition online to prevent the Town from acquiring any further property. The petition is on Change.Org. The fella's name is Nathan Hamm. He is a friend of Eli Josephs, which is not surprising. They are accusing the Town of all sorts of nefarious things. The posting is under the name Joe Doe. Facebook confirms that Nathan and Eli are friends. Cindy thinks that the Town should be aware of this. The realtor of the Taylor Kennedy's are also aware of the petition and he would like to know the Town's response. Cindy states that the Board members should take a look and be aware of this, however, she feels that the Town should keep moving forward. She advised not to let the noise distract the Town. Christine Strickland and Cindy Neely will not be letting this change anything. The approach or position of the acquisition of the Tayor Kennedy property will not change. The Taylors inquired into the gate, thinking that the gate would lower her property value, but what they do not understand is that we are trying to protect their land. The largest tailing pile that was damaged belongs to Taylor Kennedy, so they are potentially responsible for the fall out of that damage. So essentially, we are trying to protect their land with the gate. Cindy also states that we need new drone footage, there is active mining happening up there. Additionally, there is only a certain amount of mining that can be done without permits. The gal in charge of Permitting in the county is Nikki Ganon, and Cindy will call her tomorrow morning with the permission of the Board. The Board gives Cindy their approval. Another item, Stoy Steepe with the County said they are going to follow up regarding the permit needed to build a road, which he did not. Stoy is the permitting officer and road engineer for the county. Cindy had a successful day with the GOCO folks but she does not feel that they will give us any funding, although she does think they can help us get some. One gentleman that joined the group is an overseer on the DOLA grant, so just having him in attendance made the trip worthwhile. The Town Clerk is not in attendance to confirm; however Cindy Neely believes that a proposal was sent to the Town from a mineral appraiser. The mineral appraiser had informed Christine Strickland that she could not do a certified estimate, as no one will do a certified estimate any more of old mining claims, but she stated she would do an investigation and research to give a general estimation of mineral value. This was sent to the Town, so unfortunately neither Cindy or Christine have seen this proposal. Mac states that he will follow up with the Town Clerk when she is back in the office and states that at some point the Town needs to remove themselves from the mineral appraisal process completely and that needs to be taken up with the Taylor Kennedy's. The Town can provide the Taylor Kennedy's with contact information and the proposal, but it will become a conflict of interest if

the Town proceeds much further. Cindy agrees, and states that the Town needs to look at the proposal and pass the information along to the Taylor Kennedy's. The Town can do it for themselves, however, separately from the Taylor Kennedy's valuation. Mac agrees, he wanted to have a few valuations done but it may not be logistically possible as this appraiser was hard enough to track down. The Taylor Kennedy's think they have already done this work as they have cited some opinions of various folks in their listing, however as discussed in prior meetings these sources are questionably relevant. Additionally, although Cindy has never gotten it in writing, the Department of Reclamation, Mining, and Safety has verbally stated that the idea of there being a major mineral operation is far-fetched, as the permitting process alone would be tremendous and possible unlikely. We will find out about SHF on June 13th and can defend our DOLA grant on June 14th in Grand Junction. Local fundraising is going well, Gates Foundation has allowed us to submit an early application, and the fundraising committee has begun gaining traction. If we get one of the major grants, Cindy will recommend a purchase and sale contract. Marty asks if the Town should respond, and Cindy advises not to engage in the situation at all. We need to get more eyes on the situation certainly, and get a gate up there, but advises not to respond to the petition. Mac asks Cindy to discuss excavating permits with Stoy as well, in addition to road permits. Peter Litchman, the county attorney, stated that the county would be willing to follow up on the permitting issues. Cindy states there is another award coming up on May 15th. Cindy and Sarah will be in attendance, and Cindy asks if any of the Board members would like to join them for a formal event.

b. Town of Silver Plume Discussion with Clear Creek County Sheriff Department RE: Emergency Services, Animal Control Services, and 2024 Property Damage (L. Berenato/CCC Sheriff Dept.):

Two representatives from the Sherif Department, Captain Rubin and another, join the Board to discuss the status of Emergency Services for the Town. They report that services have not changed, and that if Town residents call then the SD will come. Traditionally, the SD does not handle vehicle crashes within the Town of Silver Plume, that is the responsibility of Colorado State Patrol. There was one hiccup a few weeks back involving a car crash, and the State Patrol was delayed a day. When the SD got the call, they sent a deputy up to speak with the victim of the hit and run. The following day they reached out to State Patrol and made sure that State Patrol was still willing to handle vehicle crashes. Active patrols within Town are kept to a minimum, restricted to mostly nighttime drive throughs and making sure that vehicles that are coming off the highway get back on. The SD and the Town have had a friendly relationship over the past few years. They have a young group of deputies that are willing to come up, drive around, and chat with people. The only outstanding thing the SD feels they and the Town need to address is renewing the IGA for animal control services. The SD updated the animal control officer to a community enforcement position which allows them to not only attend animal control incidents but also to supplement the patrol division with parking enforcement and cold criminal cases with no suspects. They can take reports just as the deputies can, however they do not have the authority to arrest folks. This update has been very successful within the SD. Marty asks for assistance with communicating with CDOT regarding the signage on the frontage road, there are excessive speeding issues along that roadway. Bryon inquires into the status of the radar trailer that the County has. The SD reports that the trailer has not been operating in over 3 years, but that they would be willing to liaison with CDOT regarding speeding issues along Silver Valley Road. Marty then brings up the issue of the trespass and damage done on the 730 road. This was originally classified as a civil issue, although Marty states that there are several serious issues relating to this issue that should be deemed criminal. Mickey then joins the conversation, first thanking the SD for all they do, then reporting that he has made three separate reports, 1. His truck being shot, 2. A trespass violation into the Mendota Mine, which Mickey was watching the violator enter the mine at the time of the call, and 3. The guy on the 730. No SD representatives ever showed up to two of these calls, and when they did finally show up, they were rude and were upset that Mickey had filed a report at all. He felt like he was being made into the bad guy. The SD states that trespass violations are criminal and need to be

responded to by the SD. He says sometimes they do not have enough info to respond at the time of the call, and the transfer of dispatch to JeffCom has been a challenge. They state that in the future if the Town needs assistance and they are not receiving it, to contact Captain Rubin directly and they will see what resources they can pull together and address the issue. They intend to improve whatever services need to be improved. Their goal is to make things better, not to leave out any portion of their community. Mac chimes in and states there have been some serious concerns, and Mac/Lee will be writing an official letter, but he feels that the SD did not respond appropriately to the incident that occurred on the 730 trails, and the SD response will matter in the future. Mac feels that the way the SD has responded to the graffiti situation in St. Mary's has not gained them any grace with the Town of Silver Plume. Mac feels that the graffiti on the rock is similar to the damage done on the 730, and the fact that the SD has gone to social media and has made a huge fuss over trying to find suspects for the graffiti situation but the Town of Silver Plume cannot get a deputy out here to file a trespass charge against someone who has been identified. Most of the damage on the 730 has happened on Town owned property within a national historic district. Tammy then brings up the risk of contamination into the water supply, as the mine tailings have been disturbed and arsenic, among other contaminants, will now be exposed to Clear Creek during run-off, which is another serious issue that cannot be ignored. Micky called the EPA, Dept of Labor, MSHAW, OSHA, DOW, National Forest Service, State Patrol, and Clear Creek SD, and each organization referred him to someone else. No one was willing to take responsibility for enforcement. Tammy then brings up the fact that he is still causing damage, no one has stopped him. Marty then asks the SD to help communicate with all these agencies. Mac states what has happened, is due to the fact that there has not been a report filed stating that this is criminal, none of these agencies can make a move with a SD report classifying this issue as civil. Captain Rubin then asks exactly what damage had been done, and the Board collectively reports that removal of signs, damage done to trails and road, damage to public and private property are among the violations. The SD then states that the deputy that responded initially was very new to the area and was not familiar with mining laws. They then state that finger pointing is not helpful, and that the SD and the Town need to work together. The SD feels that a collaborative approach would be best, the SD has reached out on the Federal level with no response. Captain Rubin asks who owns the land affected, which Marty states it is owned in part by the Town and other private landowners. Mac states that most of the damage done by cutting the road was done on TOSP property. This gentleman had come to the Board of Trustees two years ago asking for permission to allow motorized access and was denied permission. The 730 trail is a county owned road, controlled by the Historic District Public Lands Commission, with management responsibilities of the Road being delegated to the Town of Silver Plume. The HDPLC also controls the Argentine Trail on the other side of the valley in the same way. The Town did not want to open the trails to any sort of motorized traffic. The gentleman was denied permission and then turned around and did it anyway. Captain Rubin asks if the trail was gated off, or if there was any signage that stated it is closed to motorized access. The Board informs him that it had been clearly posted that motorized access was prohibited, although that is one of the signs that was unfortunately removed from the area. This was originally obviously a foot trail, not intended for vehicular traffic. Along with the damage that was done to the trail, his equipment also spilled hydraulic fluid along the trail, which he is not required to mitigate. This is why Mac intends to submit a formal letter to the Sherrif. Captain asks if a gate can be placed. Mac says yes, the Town is in the process of placing a gate at the entrance. Currently there is access to the road. Cindy Neely states that the road is the property of CCC, CCC gave HDPLC management of all the roads in the landmark district. There is a gate on the Argentine with a lock that the SD can get through. The County has determined this to be non-motorized. The SD states that they have some research to do, and they will get their facts straightened out. Mac states this is not a Town of Silver Plume issue, it is a county issue, a state issue, it is not going away overnight, and it needs to be addressed. Also, it is an opportunity to get our procedure figured out as how to handle situations like this in the future. SD has a couple of leads to follow up on, they have some leg work that needs to be done as the Town deserves this, and the SD does feel this is

an issue and opportunity. Mac feels that we need to address this situation not only to mitigate the damage already done, but also to address it in a way that is positive moving forward. Cindy introduces herself to the officers, she assisted in creating the management plan for the landmark district. She is very familiar with the plan, two gates have existed on Argentine, one currently stands. The gate is established to mitigate this issue. These trails were identified as non-motorized since 1989. Captain Rubin states that if the SD gets involved with enforcement, they need a solid foundation. Signage, clear designation of non-motorized status, barriers, all of these are needed. Tammy states that her oldest son was able to get drone footage, but the file is too large to send. The SD states that they can assist with getting this information. Marty then brings the conversation back to Animal Control Services; he would like to reinstate it. Mac asks if we would be renewing with the specific scope of animal control services, not including any additional community enforcement responsibilities. Bryon motions to renew the animal control IGA with the SD. Mac seconds the motion. Motion passes with all in favor. The SD will finalize the final document with the County Attorney and will be back in touch with the Town once that is finalized.

c. Public Works Discussion: 2025 Road Maintenance and Repair Plan, Future Goals for Silver Plume Public Works Department. (L. Berenato/M. Gitlin/ R&B Committee):

Tabled for a following Board Meeting, and possibly an R&B meeting.

d. Cemetery Management Software Add-On Proposal (Cemetery Committee):

Mac states that the Cemetery Committee has been looking into new Cemetery Management software, which will cost approximately $1000/year. This software will interface with the Towns current software and make the management of the Cemetery much easier. The Cemetery Committee would like to ask the Board of Trustees to sponsor this software. Mac motions to approve this sponsorship, Tammy seconds, motion passes with all in favor. Mickey updates that he is picking up Don Haskins Headstone and will place with Gerry prior to his memorial on May 31st.

e. Discussion RE: Old Town Shop Heaters; Potential Sale to Town of Georgetown (L. Berenato/M. Frey):

Tabled for a following Board Meeting**,** and possibly an R&B meeting.

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: T. Frey motions for adjournment at 8:31pm. Bryon seconds the motion. Motion passes with all in favor.