BOARD OF TRUSTEES
MINUTES
MONDAY, May 12th, 2025, at 7:00 PM

I. **Call To Order:** Meeting called to order at 7:03pm by Lee Berenato
II. **Roll Call:** Lee Berenato, Randall McDonald, Martin Gitlin, Tammy Frey, Mark Basham, Bryon Monseu
III. **Motion to Approve Agenda:** T. Frey motioned to approve the agenda, M. Gitlin seconded, motion passes with all in favor
IV. **Bills for Approval:** T. Frey issue with ESE invoice, Lee clarifies invoice is for bleeder valve box in box at park and fixed box, replaced culvert across from Saloon, and drainage ditch along Cherokee. T. Frey had issues if these invoices were for road work, but since they do not have anything to do with road maintenance, she motions to approve the bills. M. Gitlin second's motion. Lee states that Nile will fill potholes as needed. Motion passes with all in favor.
V. **Approval of Minutes: April 28th, 2025:** T. Frey motions to approve, M. Gitlin seconds, L. Berenato abstains, motion passes 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. **Proposal/Request for Donations to the Clear Creek County Mayor and Commissioner Youth Award (L. Berenato, Guest Tracy Troia):**

Tracy joins BOT and presents the concept of the CCC Mayor and Commissioners Youth Award that is awarded to CCC Youth annually by the CCC Dept of Human Services. CCC, Adams and Arapahoe County all participate in the presentation of this award. The community is invited to nominate youth to receive this award. 8 nominees this year across this county have overcome personal adversity and gives a boost to continue along a good path. Tracy is here to inquire if Silver Plume would be willing to contribute to this cause. CCC, along with individual municipalities, all donate what they can annually, and the amount is up for consideration of the Board. SP Board states that they will include this in annual budget preparations and would be happy to contribute. Tracy is asked to email the clerk an invoice in July/August to be included in the 2026 budget.

    b. **Appointment of Silver Plume Citizen Representative on the Clear Creek Fire Authority (L. Berenato, Guest Chris Frey):** M. Gitlin motions to appoint Chris Frey as TOSP's Representative on the Fire Authority. B. Monseu seconds. Motion passed unanimously.
    c. **Update and Discussion RE: Tayor Kennedy Family Trust Land Acquisition; Review of Mineral Appraisal Proposal, 7:30 Mine Road Status, Local Funding Campaign (L. Berenato, Guest Cindy Neely/Christine Strickland):**

Cindy joins BOT, shows pictures she captured of Eli Josephs mess along the 7:30. Cindy requested permission to write Holdfast Collections and apply for a small amount of funding.

Second, Cindy would like permission to pursue GOCO funding. Additionally, she would like to write to the Gates Foundation to apply for funding as well. T. Frey motions to give C. Neely permission to apply for funding with these three organizations. M. Gitlin seconds. Motion passed unanimously. Cindy then redirects attention to map showing Eli Josephs claims, TOSP claims, and Misc owned claims color coded. C. Neely asked the county surveyor if he could pinpoint where exactly Eli's claim is, and she also asked for the 1800 patent claim as well. C. Neely felt it would be prudent for the Town to know exactly where the Town's claim and Eli's claim lay. C. Neely asks if the Town will give permission for the county surveyor to plot the Town's properties, which the board unanimously agrees to. Cindy took GPS with her on her walk up the trail and was able to confirm that the gate on the upper switch back of the 7:30 is on the Town of Silver Plume land, not on Eli Josephs land although the gate and new signage is not Town owned or placed. As soon as Cindy stepped over the gate, GPS changed to show ownership as Taylor Kennedy. Most of the Illegal Road that was cut crosses Taylor Kennedy land and some TOSP land. All the equipment and mess along the illegal road is on Taylor Kennedy Land, so the Town is under the assumption that the Realtor knows that Eli has placed equipment on Taylor Kennedy's land. Cindy then states that there is no entrance to the Porter Claim, which Eli owns, the only entrance to the interior workings is through the Lac LaBelle Claim, of which Eli only owns a third of. When Mac contacted Taylor Kennedy months ago and inquired if they gave Eli permission to access and use as storage, he was told no permission was given, but if that is not true or if that has changed, this needs to be disclosed as part of the real estate deal. Cindy would like to approach the realtor and directly ask if they knew that the equipment was there and if they gave permission for it to be stored. Mac states that there was a drastic change in tone between the first conversation with Taylor Kennedy and the most recent conversation, the more recent conversation being far less friendly. Cindy and Christine Strickland will draft a letter to the realtor to inquire about access and storage permissions. It is clarified that the 7:30 Road will remain closed to motorized vehicle access regardless of who does eventually purchase Taylor Kennedy Land. The 7:30 is a county owned road, which is under the jurisdiction of the HDPLC, and will remain non-motorized no matter what happens with the land sale. Any access will be non-motorized no matter who the purchaser may be. Mac reminds the Board that Eli Josephs came and asked the Town for a permit to access with motorized vehicles. The Town declined his request and advised him to use pack animals or similar methods to access his land. Changing non-motorized access is not an option on the table. Cindy then brings up an update to the Town's effort to find a mineral appraisal to assess the mineral value of the land for the Taylor Kennedys. The Town found a gal named Briana who is willing to give an opinion on mineral value but is not willing to give a certified appraisal as those are just not done anymore. Cindy has indicated to the realtor and the Taylor Kennedy's that the Town is willing to accept what the TK's have established as the mineral value, but the Town is not willing to pay for it. If TK's want to donate the mineral rights they can do so, but they will need that value to be appraised in a manner that the IRS will accept. The TKs did not know where to begin, so the Town agreed to find someone willing to do this service on behalf of the TKs. The realtor maintains that what he has advertised in his listing is an appraisal, even though it is not based on any substantial information. Cindy suggests that although the town

has found someone willing to give their opinion on the mineral value, the Town leave this matter tabled for the time being. The Board agrees, stating it would be a conflict of interest for the Town to take any further action other than providing Briana's contact info with Taylor Kennedy's.

d. Discussion RE: "False" Town of Silver Plume Website (B. Monseu):

Cheyenne tried to pay Water/Sewer bill online but went to the wrong website and was immediately flagged as malicious. Bryon wants to know if the Town has any power to bring the fraudulent website down. Lee states that an ex-employee ran the incorrect website and refuses to take it down. Marty states that the Town has been trying to bring the website down for years, and it is certainly an issue, and the fraudulent Town website needs to be taken down. Lee states that he will follow up with the Town's Attorney and see what she has to say.

e. Discussion RE: Sidewalks (B. Monseu):

Bryon wants to come up with a plan to replace the sidewalks. L. Berenato states he will talk to a few residents and try to come up with some bids to replace the sidewalks in small pieces and will come back to the Board with some cost estimates that are more reasonable than the last one the Town pursued. The Pros and Cons of using concrete as material are discussed, as concrete is the cheapest material but also is not very forgiving with the thaw and freezes and will crack. Mac states if the Town goes with concrete, they need to be prepared to be disappointed in the durability of using concrete.

f. Certification of Terminated Water/Sewer Tap, B-24 And 2 Lot D-1 (L. Berenato):

L. Berenato states that this Lot is owned by Mr. Brugell. He owned all the land behind the plume saloon, he died several years ago, but the County assessor shows this lot is still in the name of RG Brugell LTD. For clarity, Lee informs that the board that when the water system was installed the Town at the time offered Phantom Taps to residents for purchase for $3000. They were able to purchase the tap without connecting to the water system, and per ordinance would pay 25.00/month until the time that they were ready to hook up to the system and they would at that point not have to pay a higher system investment fee. Per ordinance, if these phantom taps are not paid for in two consecutive quarters, the tap is considered abandoned, and the Town Board can declare them terminated. This is one of the last phantom taps, and it has not been paid for in over a year. Once declared terminated by the Board, the Clerk will send a certified letter to the property owners declaring this tap terminated. M. Gitlin motions, T. Frey seconds, motion passes with all in favor.

g. Silver Plume Board of Trustee Approval for Town Clerk to Certify Past Due Utility Bill Charges to the Clear Creek County Treasurer (L. Berenato):

L. Berenato states that there are 7 Water/Sewer accounts that are also significantly past due. Per ordinance if more than 3 months delinquent the Board can authorize the Town Clerk to certify these amounts to the County Treasurer to lien all these properties. M. Basham motions, T. Frey seconds, motion passes with all in favor.

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. **Short Term Rental Committee:** N/A
f. **Silver Plume Mountain Park Commission:** N/A
g. **Miscellaneous Updates:** Town Clean up this weekend. Volunteers are requested as the Board's time allows. Rotary will donate trash bags, and the Clerk has secured dumpsters.

X. Adjournment: T. Frey motioned to adjourn the meeting at 817pm. M. Gitlin seconded. Motioned passes with all in favor.