BOARD OF TRUSTEES
MINUTES
MONDAY, October 13th, 2025, at 7:00 PM
BOARD MEMBERS & MAYOR MEET IN PERSON AT TOWN HALL

I. **Call To Order:** Meeting called to order at 703pm by Mayor Lee Berenato

II. **Roll Call:** Present in person; Lee Berenato, Martin Gitlin, Randall McDonald, Mickey Frey, Tammy Frey, Mark Basham, Town Clerk Chelsea Nihiser. Public Comment Via Zoom: Sarah Walen

III. **Motion to Approve Agenda:** M. Gitlin motioned to approve the agenda. T. Frey seconded. Motion passes with all in favor.

IV. **Bills for Approval:** L. Berenato inquires why the invoice for Georgetown is so high, coming in at $67,000. Clerk informs the Board that Georgetown has not invoiced the Town since February/March of 2025, so this is an invoice for six months of wastewater treatment. Relatively not an excessive amount. M. Gitlin motioned to approve the bills, T. Frey seconds, motion passes with all in favor.

V. **Approval of Minutes:**
September 8th, 2025: M. Basham motions to approve the minutes from September 8th, 2025. M. Frey seconds the motion, motion passes with all in favor.
September 22nd, 2025: M. Gitlin motions to approve the minutes from September 22nd, 2025. M. Basham seconds the motion, motion passes with all in favor.

VI. **Public Comment –** Sarah Walen joins board via Zoom, unsure if her contribution should be help under public comment or action item e. She is concerned about RV storage/boondocking on the lot across the street from her home, just as the residents of 510 Main Street are concerned about similar issues on the lot behind their apartments. S. Walen states that these vehicles are obstructive and also pose a potential safety concern. She does not know if the property owner is renting the lot for use by strangers, or if they are allowing friends/family the opportunity to store their vehicles here, but she suspects it is a rental situation. She feels hesitant bringing the issue up at all, as she does like her neighbors and does not want to cause any problems for them, but she does not want it to be used as a rental spot. L. Berenato informs the Board and Sarah that the situation sounds similar to what is going on at 510 Main Street, with campers and RV's being stored and random folks spending the night and coming and going without any oversight. L. Berenato and the Town Clerk have been looking into the Town's Ordinances trying to find the best way to enforce and regulate this issue, and thus far it is a bit unclear the best way to proceed. The situation at 510 Main Street involves people staying on the property via a service called Harvest Host's, which does not involve the exchange of currency, just the exchange of lodging space and potential fringe benefits such as wine complementary from the winery host as an example. As there is no money being exchanged or profit being made, then the host does not technically need a business license. The Town Clerk interjects and informs the Board and S. Walen that although what L. Berenato is saying is true, the situation across the street from Sarah is a bit different because the adjacent lot, which is developed and owned by the same person, is licensed as a Short-Term Rental. The lot in question is used in their parking plan for their STR. The Clerk speculates that maybe the STR guests are parking their large campers/RV's here as part of their stay. Although the situations seem similar, the fact that one is connected to a licensed STR changes the situation a bit. S. Walen states that in some cases, she knows that large vehicles are being stored because sometimes campers will be dropped off with a truck, and not be touched until days later when the truck comes back to get the camper; but she does understand that this may be a fragile request for regulation. S. Walen just wanted to

bring the matter to the Boards attention as they move forward with reviewing Ordinances and regulations and consider making changes. L. Berenato requests that S. Walen bring this matter to his attention the next time a camper/RV shows up in the lot in question. T. Frey asks if the Town has a Zoning Board, and if so, if they could do something about this. The Town Clerk informs the Board that although the Town does have a Zoning Board, by ordinance they have authority over the Land Use Code, Development, and Building Permit related matters. They do not have any authority over license requirements for Business Licenses and STR Licenses. With that being said, the Clerk also states that the LUC does have specific provisions regulating the use of RVs, but off the top of her head it is only for storage within the floodplain and she does not know if that would apply here. T. Frey suggests that the STR Committee meet to review the language of the Ordinance and decide if it is appropriate to revise the language. L. Berenato and the Town Clerk will investigate the LUC and other Ordinances to see if there is a provision somewhere that may be helpful. The Town Clerk will keep this as an agenda item for future meetings so that it can be reviewed on an ongoing basis.

VII. Administrative Items:

a. **Mayor Report:** L. Berenato reports that he and M. Basham have almost finished up the ADA ramp at the Church. They need to deck one portion still, other than that this project is completed.

b. **Town Clerk Update:** Clerk reports that the bathrooms at Dinger Park have been locked for the season. The Clerk will get with Jr and they will winterize the plumbing in the pavilion and will shut off the water at the main this week. Clerk postponed ordering fill until next spring for the playground, as it did not make sense to order new fill just to allow it to get snowed on for the next 6 months. Clerk checks in with M. Frey to see if he plans on doing fire mitigation at the park this fall or next spring, and he says he plans to do it this weekend. He will borrow the chainsaw from Town Hall to complete the job. L. Berenato asks M. Frey if the dump truck is running, which M. Frey did not know so the Town Clerk informs the Board that the dump truck needs a fuel pump installed. The part has been ordered but has not been installed yet. L. Berenato asks M. Frey to assist him with bringing the Red Plow Truck and the Dump Truck to Milos Speed Shop on Friday to have the oil changed on the plow truck and to have the dump truck serviced. M. Frey is agreeable.

VIII. New Business / Action Items

a. **Methodist Church ADA Ramp Project Update (L. Berenato):** ADA Ramp is almost completed. PFSP plan on having their soup event next week on the 18th. L. Berenato inquires if they were approved for their liquor license, and the Clerk confirms that they have received their license from the State already.

b. **2026 Budget Update (Budget Committee):** Budget is almost done, still waiting on the 2026 numbers for Water Treatment Operations and Wastewater Treatment Operations. The Budget Committee needs to meet to review and finalize the 2026 budget once those final figures are received. Preliminary Budget is shared with the Board, and a Budget committee meeting is scheduled for Saturday October 18th at 1pm. M. Frey inquires if the cemetery committee has time to submit a budget request for 2026, and L. Berenato confirms he still has time but needs to submit the request in writing prior to Saturdays meeting.

c. **2024 Audit Update (L. Berenato):** The Town's 2024 Financial Audit is late to the State. The Town's new Auditor, Patrick Hall, submitted an extension request to the

State that was denied. The Town's new auditor is also not communicating in a manner that the Clerk or Mayor feels comfortable with. They have both emailed and left voice mails that go unanswered and do not receive responses. L. Berenato spoke with the new Auditor two weeks ago, and learned that the Auditor was out of the country and then caught covid, these being the reasons why he had not been responding to emails or voicemails. At that time, Patrick told L. Berenato he would be in touch with the Town Clerk the following week, but he did not. Since then, the Town Clerk has emailed twice requesting an update to share with the Board this evening but received no response. Eventually, the Town's property tax distributions will be withheld until the Audit situation is resolved. Also, the Town may need to begin to look into a different Auditor to contract services with.

d. **Clear Creek Regional Housing Authority Update (T. Frey):** T. Frey was appointed to the Clear Creek Regional Housing Authority Board under the understanding that they would meet quarterly. Unfortunately, this Board has been meeting at least on a monthly basis, and this has become quite time-consuming. T. Frey does not have the capacity to continue to represent the Town on the Regional Housing Authority Board any longer and will be stepping down. She would like the minutes of this meeting to serve as her official resignation, effective immediately. T. Frey requested the Town Clerk provide a copy of the minutes to her as soon as possible, so T. Frey can provide them to the authority. T. Frey suggests that the Board consider appointing Jessica Ballard-Culp as their representative in place of T. Frey. T. Frey will discuss this with Jessica, and if interested she can contact the Town Clerk. T. Frey feels that a voice on this authority is important for Silver Plume to have, however it is very frustrating because T. Frey feels that the mission of the authority should be to find the people that live here affordable places to live, not cater to the builders who have no idea what affordable housing for this county looks like.

e. **Zoning Regulation Violation at 510 Main Street (L. Berenato):** This was discussed in more detail during public comment but is an ongoing situation. The issue of Zoning Regulation Violations around the Town will continue to be an Agenda item for discussion on the future agendas, until the issue is resolved. In addition to the potential violations at 510 Main Street and across from S. Walen, there is also a fence being built along Main Street near the Brewery Springs building that is not permitted. L. Berenato reports that per the LUC, all new fences need a building permit regardless of the height of the fence. If the fence is over 4ft, then a variance from the Board of Adjustment is also required. L. Berenato informed the property owner of this over the weekend, and the property owner responded in an aggressive way, raising his voice at L. Berenato, using explicit language, and accusing L. Berenato of being the leader of the HOA. L. Berenato reports that the conversation was eventually de-escalated, and L. Berenato was able to explain the LUC provisions and requested the Property Owner contact the Town Clerk for more information and guidance on the next steps. This is another violation that needs to be monitored.

IX. Updates:

a. **Road and Bridge Committee**
b. **Budget Committee**
c. **Personnel Management Committee**
d. **Cemetery Committee:** No one showed up for the plotting event other than M. Frey and M. Gitlin. Will need to be rescheduled. R. McDonald suggests getting a surveyor

up to officially plot it out, and M. Frey feels that it should be done by the committee. The Town Clerk and M. Frey will get together to purchase material, and then a new date will be scheduled, hopefully before the temperature drops and snow starts to fly.

e. Short Term Rental Committee

f. Silver Plume Mountain Park Commission

g. Miscellaneous Updates:

- R. McDonald reports that although the Caboose relocation has been postponed twice in the last month, it is still anticipated that it will be relocated to the Railroad Museum to resume work on the project. This relocation is now scheduled for November 3rd, 2025.
- L. Berenato informs the Board that Chris Frey has resigned from his position as representative on the Clear Creek Fire Authority Board. L. Berenato will request that Chris Frey submit an official letter of resignation to the Town, however the minutes from this meeting will serve as his resignation, effective immediately, from the Fire Authority. L. Berenato requests that appointment of new representatives to the Clear Creek Fire Authority, as well as the Clear Creek Regional Housing Authority, be action items on the next Agenda.

X. Adjournment:

At 750pm T. Frey motions to adjourn the meeting of the Board of Trustees. M. Gitlin seconded the motion. Motion carried with all in favor.