

**Special Meeting Minutes of
The Board of Trustees
Town of Gilcrest, Colorado
304 8th Street – Town Hall
March 21, 2022
7:00 P.M.**

1. CALL TO ORDER: 7:00 P.M.

- a. Pledge of Allegiance
- b. Roll Call – Mayor Chavez, Mayor Pro -Tem Nothem, Trustees: Castro, Lester, Esquivel, Fulton, Tapia
- c. Town Staff Present: Larry Lorentzen, Town Administrator; Brenda Joseph, Town Clerk/Treasurer, Bob Meisner, Public Works Supervisor

2. APPROVAL OF THE REGULAR AGENDA:

Motion – Trustee Nothem, Motion to approve the Regular Agenda. **2nd – Trustee Tapia**. All voted Aye. **Motion carried (6-0)**.

3. PUBLIC INVITED TO BE HEARD ON MATTERS NOT ON THE AGENDA:

Manny Agripino, owner/general contractor, of the house under construction at 815 Starbird Ave. explained that he has been working with his attorney, Town Administrator Lorentzen, and the Town Attorney, Cory Hoffman, and was at the meeting to discuss with the Town Board the options to allow him to occupy his house while he looks for one share of CBT to purchase. He said that he had not realized it would be this hard to find one water share and did not realize he needed it before he could move into the house.

Mr. Agripino stated he is working with a water broker, Terry Wiedeman, who has a client with 14 water shares to sell. Manny explained Terry must find buyers to close on all 14 shares at the same time. He pointed out that he invited Town Administrator Lorentzen to contact Mr. Wiedeman for more of a detailed explanation. In addition, Manny Agripino stated that his attorney advised him to give the Town some options that would allow him to be in good standing with the Town of Gilcrest while looking to purchase one share of water.

Manny Agripino explained that he spoke with Town Administrator Lorentzen already and provided him with his attorney's suggestion of a Town lien on the property. Town Administrator Lorentzen explained to the Board that the idea that Manny Agripino came up with is the possibility of the Town putting a lien on his house which would allow the Town to grant a conditional temporary Certificate of Occupancy. Lorentzen stated that Manny Agripino's attorney and the Town's attorney would discuss this suggestion further and they would talk about the possibility of putting together a contract between Manny Agripino and the Town. There would be a time frame on the agreement no longer than 120 days with interest accruing and a clause for the lien amount to increase with the market value of the water to make sure lien would be sufficient to cover increasing cost of water. Town Administrator Lorentzen noted that at this time no discussion is needed by the Board. This is to make them aware of the information.

Mayor Chavez asked if Manny Agripino is occupying the house now. Manny Agripino said yes, he is. Mayor Chavez asked if he was occupying the house without the certificate of occupancy. Manny Agripino stated he thought that once he had the final inspection he could move into the house and that he was not aware that providing the one water share of CBT was a condition he had to meet before he moved into the house. He also stated he did not think it would be this hard to buy one share of water. Town Administrator pointed out that the agreement he made with the Town of Gilcrest prior to building the house is in the Board minutes of April 6, 2021. The Building Permit states the water share is required prior to a certificate of occupancy. At this time, Manny Agripino only has permission to use the water for outside irrigation while building the house.

4. CONSENT AGENDA:

- a. Board of Trustee Minutes for March 7, 2022
- b. Bills for Approval

Motion – Trustee Lester, Motion to approve the Consent Agenda, 2nd – **Trustee Tapia**. All voted Aye. **Motion carried (6-0)**.

5. OLD BUSINESS

- a. Ordinance 2022-02 Approving Conditional Use Permit for Outdoor Storage in the Light Industrial Zone -1st Reading

Town Planner McCool pointed out that on February 15, 2022, the applicant submitted a revised sketch of the site plan for the purpose of discussion at the public hearing and noted the encroachment on the property line would hamper the functionality of the business owners' trucks. The applicant has indicated the goal of the March 21st meeting is not to request Board action on the Conditional Use Permit application but to obtain Board feedback on what to install for the fence. The Owner would be open to building a wood fence and install it so that the posts were on the outside to provide the break-up of the mass of the fence if that eliminated the off-set in the fence. The applicant's preferred option would be to install a metal fence because of the reduced maintenance and increased life expectancy but sacrificing the land for the off-set makes it too prohibitive.

Eric Wernsman, Wernsman Engineering and Land Development, LLC and owner/applicant Tait Nelson joined the meeting. Eric Wernsman explained that Tait would like a chain link with the slats verses a wood fence. He pointed out that such a fence will hold up to the wind better than a wooden fence.

Discussion took place regarding the amount and location of the greenery regarding the positioning of the fence line.

Town Planner McCool stated the applicant needs to be approved for the conditional use permit and then the Site Development Plan. This would allow Tait Nelson to then move forward in building the new building.

Motion – Trustee Esquivel, Motion to continue Ordinance 2022-02 Approving Conditional Use Permit for Outdoor Storage in the Light Industrial Zone, 1st Reading, to the Board of Trustee meeting on April 4, 2022, 2nd – **Trustee Tapia**. All voted Aye. **Motion carried (6-0)**.

6. NEW BUSINESS:

a. Resolution 2022-06 - Platteville Gilcrest Fire Authority the Gilcrest Designated Emergency Response Authority

Town Administrator Lorentzen reported that the Weld County Office of Emergency Management contacted the Town as they had no record of the Town officially designating a Designated Emergency Response Authority (DERA) for Gilcrest since 1993. State Statute requires each municipality designate an emergency response authority for responding to hazardous substance incidents. The Fire District is the default DERA for municipalities, but when he contacted Dan Durkee, he said Carl Dwyer was the DERA for Platteville and suggested he should be the designee for Gilcrest also. Town Administrator Lorentzen explained that he contacted Platteville Police Chief Carl Dwyer and he agreed.

Motion – Trustee Nothem, Motion to approve Resolution 2022-06 - Platteville Gilcrest Fire Authority the Gilcrest Designated Emergency Response Authority, **2nd – Trustee Tapia**. All voted Aye. **Motion carried (6-0)**.

b. Letter of Engagement with BDO for 2021 Audit

Town Administrator Lorentzen informed the BOT that BDO is the firm that the Town has used for years as the Auditors. The total for the 2021 audit is \$20,000. This is \$2,300 more than the cost of the 2020 audit, a little less than a 12% increase. The Town has a history with the firm and the staff they use to perform the audit has stayed consistent. Despite the difficulty in getting the 2020 Audit completed, He believe the staff and Council have been satisfied with BDO and it is important to with a new Treasurer to have a firm whose staff is familiar with the Town's financial processes, software, and reports.

Motion – Trustee Esquivel, Motion to approve Letter of Engagement with BDO for 2021 Audit, **2nd – Trustee Fulton**. All voted Aye. **Motion carried (6-0)**.

c. Public Works Budgeted Purchases

i. Dust Control

Town Administrator Lorentzen pointed out the 2022 Budget includes \$15,000 for the dust control. He also reported Public Works Supervisor Meisner reached out to a number of companies but only received a quote from Envirotech in the amount of \$15,000. This is the same company the Town used last year and at an increase of \$1,000 in cost.

Motion – Trustee Nothem, Motion to approve \$15,000 for dust control with Envirotech **2nd – Trustee Tapia**. All voted Aye. **Motion carried (6-0)**.

ii. Street Sweeping

Town Administrator Lorentzen reported that the 2020 Budget includes \$5,000 for the Street Sweeping. He stated that Public Works Supervisor Meisner received the following phone quotes for sweeping: 5 Star Sweeping \$125 per hour plus 1 hour trip charge, All State Sweeping \$115.00 per hour plus \$130 trip charge and Armstrong Sweeping \$130.00 per hour plus 2-hour

trip charge. The Town has satisfactorily used the low bidder, 5 Star Sweeping in the past and Public Works Supervisor is requesting to use them this year. The cost has gone up from \$110 per hour last year.

Motion – Trustee Castro, Motion to approve 5 Star Sweeping for Street Sweeping for up to the budgeted amount of \$5,000, **2nd – Trustee Fulton**. All voted Aye. **Motion carried (6-0)**.

iii. Road Base

Town Administrator Lorentzen stated that the 2022 Budget includes \$6,000 for the road base. He reported Public Works Supervisor Meisner received three phone quotes for road base material: Varra for \$14.00 per ton delivered, Martin Marietta for \$23.82 per ton delivered and Bucklin for \$17.00 per ton delivered. He explained the Town has been getting the road base from Varra for a number of years, and Public Works Supervisor Meisner is requesting approval of the purchase from Varra in the amount of \$14.00 per tib delivered.

Motion – Trustee Esquivel, Motion to approve the Road Base for road base for the budgeted amount of \$6,000, **2nd – Trustee Tapia**. All voted Aye. **Motion carried (6-0)**.

iv. Generator

Mayor Chavez confirmed with Town Administrator that due to this was already an approved purchase in the 2022 Town Budget a vote is not needed.

d. Discussion – Utility Clerk Position

Town Administrator Lorentzen explained that Utility Clerk Kahler submitted a resignation letter stating she had been offered a position with the Town of LaSalle. She then stated she would rescind her resignation if she would be approved for \$2.00 per hour raise to \$23.00 per hour.

Discussion took place on the cost of a \$2.00 per hour raise vs. the inconvenience and extra work load on the remaining staff, especially to the Town Clerk just getting familiar with her own job duties.

Motion – Trustee Tapia, Motion to approve Utility Clerk Kahler for a raise, to be paid \$23.00 an hour, **2nd – Trustee Lester**. All voted Aye. **Motion carried (6-0)**.

e. Purchase Request Laptops for Board

Motion – Trustee Esquivel, Motion to approve the Purchase Request for 7 HP Chromebooks in the amount of \$2,653.00, **2nd – Trustee Fulton**. All voted Aye. **Motion carried (6-0)**.

8. REPORTS:

a. Code Enforcement Report

Town Administrator Lorentzen explained that there really has not been any significant issues for Code enforcement at this time. The biggest issue would be the need for residents and business owners to remove snow from sidewalks in a timely manner.

b. Police Report

Town Administrator Lorentzen pointed out that Platteville Police Chief Carl Dwyer has included the statistics of Crime in Colorado in his report.

c. Town Administrator Report

Town Administrator Lorentzen reported that the cease and desist was delivered to 815 Starbird Ave. on March 10, 2022. Manny Agripino had not brought the Town any documentation on the cost and availability of CBT shares, prior to March 10, 2022, as he said he would. He reported that he did get a call from Manny Agripino's attorney wanting contact information for the Town Attorney.

In addition, Town Administrator Lorentzen reported that he will be meeting with Troy Renken, Platteville's Town Manager on Monday, March 21, 2022, to discuss gravel mining operations in general, and he will update him on Lembke's proposed project. He will be able to update the Board at the next meeting on Platteville's opinion towards gravel mining operations within the joint planning area.

d. Board of Trustees

Trustee Castro asked for an agenda item at the next Board meeting to consider giving staff a \$300.00 bonus in lieu of the holiday dinner which never happened this year.

Trustee Esquivel asked for volunteers from the Board to help put the stuff in the eggs for the Annual Easter Egg hunt. After discussion it was suggested that the Board will meet Monday, April 4, 2022, at 6:00 pm in a work session, prior to the Special Board meeting to stuff the plastic Easter eggs.

8. **EXECUTIVE SESSION:**


None

9. **ADJOURNMENT:**

Motion – Trustee Lester, Motion to adjourn the meeting at 8:47 P.M. on March 21, 2022, 2nd – Trustee Tapia. All voted Aye. Motion carried (6-0).



ATTEST:


Brenda Joseph, Town Clerk

TOWN OF GILCREST


Tyson Chavez, Mayor