

**Regular Meeting Minutes of
The Board of Trustees
Town of Gilcrest, Colorado
304 8th Street – Town Hall
May 2, 2022
7:00 P.M.**

1. CALL TO ORDER: 7:02 P.M.

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

2. APPROVAL OF THE REGULAR AGENDA:

Motion – Trustee Lester, Motion to approve the Regular Agenda 2nd – Trustee Tapia. All voted Aye. Motion carried (5-0).

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

None

4. CONSENT AGENDA:

- a. Board of Trustee Minutes for April 18, 2022
- b. Bills for Approval

Motion – Trustee Nothem, Motion to approve the Consent Agenda, 2nd – Trustee Tapia. All voted Aye. Motion carried (5-0).

5. OLD BUSINESS:

- a. 815 Starbird Avenue - Escrow Agreement

Town Administrator Lorentzen pointed out to the Board a revised narrative has been distributed to each of their desks. The revised narrative includes the signed signature page signed by both the seller and purchaser of the Escrow Agreement for Agreement For Sale and Purchase of CBI Units which he explained he received from Manny Agripino on Monday, May 2, 2022. As noted in the original narrative included in the Board Packet, Town Administrator Lorentzen explained to the Board that as of Wednesday, April 27, 2022, Mr. Agripino had told him that his attorney was ok with the Escrow Agreement, and he would sign it and get it to him by Friday, April 29, 2022, for the 5-02-2022 Board packet, but as of Friday, April 29, 2022, Town Administrator Lorentzen had not yet received the signed Escrow Agreement. Town Administrator Lorentzen said that he recommends the Board approved the revised Escrow Agreement. Provided \$65,000.00 is submitted within three working days which would be 5:00 p.m. on May 5, 2022.

Also, that he be authorized to withdraw the Cease-and-Desist order and issue a Temporary Conditional Certificate of Occupancy for 815 Starbird Ave. The Temporary Certificate of Occupancy will be subject to be withdrawn should the transfer of the share of water to Gilcrest not proceed as required in the Escrow and Purchase Agreements.

Manny Agripino, 815 Starbird Ave., asked that before the Board proceed, he would like to visit with them. He wants to hold off the discussion of the Escrow Agreement for a second.

Mayor Chavez confirmed first with the Board to see if they have any questions regarding the Escrow Agreement. They acknowledged no they did not.

Manny Agripino, 815 Starbird Ave., proceeded by handing out six separate documents one copy to each Board Member. He stated he had received these from the Town pertaining to his building permit he briefly explained what each document was.

Manny Agripino explained that he has serious issues with the Sewer at 815 Starbird Ave. and the Building Permit and he wants to hold off on the Escrow Agreement at this time. He would like the Escrow Agreement revised. He said at this time he would like to rescind his signature from the Escrow Agreement.

Mayor Chavez said he will take all that Manny Agripino has stated under advisement, but regardless Manny will still have to pay for the water share.

Mayor Chavez instructed Town Administrator Lorentzen to schedule the Town Attorney to be at the Board meetings going forward relating to this subject. Also, Mayor Chavez instructed all Board of Trustees to hand all the documents that Manny Agripino passed out to them back to him and he gave them to Town Clerk Joseph and instructed her to send a copy of them to the Town Attorney and going forward all conversations with Manny Agripino and the Town need to be handled by Manny Agripino's Attorney contacting the Town Attorney.

Motion – Trustee Lester, Motion to move the 815 Starbird Avenue - Escrow Agreement to the May 16, 2022, Regular Board Meeting, 2nd – Trustee Tapia All voted Aye. Motion carried (5-0).

At 7:46 pm the Board took a short break and resumed the Board meeting at 7:51 pm.

6. NEW BUSINESS:

a. Menda Ide

Menda Ide explained that she wants to visit with the Board tonight about the sewer system Plans. She opened her presentation by informing the Town Staff and Board that the Town's money belongs to the citizens of the Town. She explained that there is not a lot of development in Gilcrest because of the poor infrastructure. Businesses that earn the Town a lot of sales tax revenue do not want to locate here. Businesses that want some form of outdoor storage tend to be who want to locate here due to other Towns will not let them. In addition, they do not earn a significant amount of sales tax revenue for the Town. She pointed out that in 2012, when she was on the Board, the Town was advised by the previous Town Engineer, at that time, not to put a lot of money into the current sewer system and to only fix what is necessary and to make plans to put the Towns money towards a new sewer treatment facility instead. She stated this is what they did do which was put money towards only what was needed, and it did not get them

anywhere and it did not work. She did not think it was worth the money that was spent. She does not want the Town to spend any more money on the sewer lagoon and she wants the Town to put the money towards a new sewer treatment facility. She stated the Town's discharge is not in compliance with the EPA and has not been for years and all the plans the current Board is planning will not bring the Town in compliance with the EPA regarding discharge.

In addition, Menda Ide pointed out on the Gilcrest Framework Plan map from the 2012 Comprehensive Plan Update where the Platteville and Gilcrest Coordination area is located. She said that in 2012 Platteville did a 208 Plan which is a water quality plan that deals mostly with sewer discharge. It resulted the Town of Gilcrest, and the Town of Platteville entering into an Intergovernmental Agreement (IGA). She further explained that it was developed in cooperation with Platteville to someday solve the Sewer problems which is of mutual concern for both Towns in hopes to build a future Sewer Treatment System and facility for both Towns. She noted the location is right across Highway 60 near the South Platte River. She also explained that Gilcrest got to this point due to any development that came into Town that needed a lot of water would not develop here due to the Town's current sewer system could not accommodate the new development.

In addition, she indicated that the property taxes and Town utilities have gone up and are not affordable. She likes living in Gilcrest and has lived here for a long time and would like to be able to continue to live here but is concerned with making it affordable for not just her but for others. She would like to meet with the Board sometime soon to also talk about the Capital Improvement Plans.

Discussion took place. The Board requested that the second meeting with Menda Ide be June 6, 2022. Menda Ide agreed but asked if it could be a work-session at 6:00 pm. She also asked that nothing be finalized for the Sewer Plans between now and then because she is going to ask the Board to change their plans and go through more planning process. Town Administrator explained that they have moved forward on the design and that the funding has been approved but that no agreements for the loan or grants have been signed or finalized that is set to take place sometime this fall. It was agreed by all the Board will meet with Menda Ide on June 6, 2022, at 6:00 pm, in a work-session.

b. Discussion – MMOF Funding for On Demand Transit Service

Town Administrator Lorentzen explained that he has provided the Board with a handout titled Via Mobility Pilot. Weld County Public Works is putting together an application to CDOT for MMOF grant funding for on-demand, free to the customer, transit service along 85, to serve seniors and others needing transportation for shopping, medical, and work. The grant will require a 50% match from the applicant and Weld County is looking for the effected communities to participate on a population basis. The grant application needs to be in by June 6th, so Weld County was hoping to have a letter for support from participating municipalities soon. He was hoping to get more information for the meeting with estimates of costs.

Motion – Trustee Lester, Motion to move the Discussion regarding MMOF Funding for On Demand Transit Service to the May 16, 2022, Regular Board Meeting, 2nd – Trustee Esquivel. All voted Aye. Motion carried (5-0).

c. Hwy 85 Access Plan Amendment

Town Administrator Lorentzen stated the Hwy 85 Access Control Plan Amendment Request does not affect the Town of Gilcrest, but a vote is required of the ACP TAC Committee members, including Gilcrest, for any amendment to the adopted Hwy 85 Access Plan. If the Town of Gilcrest does not vote it automatically counts as a No vote. It is an amendment to the Hwy 85 Access Plan to modify the Marion Avenue access onto Hwy 85 in Platteville to right-in / right-out only.

Motion – Trustee Castro, Motion to Approve the Hwy 85 Access Plan Amendment, 2nd – Trustee Lester. All voted Aye. Motion carried (5-0).

d. Work session scheduling

Town Administrator Lorentzen suggested the Board schedule a work session with Town Planner McCool to go over the Town Code for Zoning Code

Discussion took place. The Board asked Town Administrator Lorentzen to please set up a work session with Town Planner McCool for Monday, May 23, 2022, at 6:00 p.m.

Town Administrator Lorentzen explained that newer Board members have not met our contracted IT consultant, Mike Roybal, and he would like to present his concerns with the current systems cyber security issues and possible solutions.

Discussion took place. The Board asked Staff to please contact Mike Roybal with IT Colorado Support and let him know that they would like to schedule a work session some time when they are working on the 2023 Town Budget.

8. REPORTS:

a. Town Administrator Report

Town Administrator Lorentzen reported that the Town has not yet received a written detailed plan and schedule on the gravel mining operations and pipeline system to the Platte. He thinks they need another work session with the applicant once they have this information and prior to getting the petition for annexation.

In addition, Craig Sparrows planning consultant is putting together a site plan sketch for a multifamily development of the 11-acre vacant portion of the lot which is not taken up with the solar farm on WCR 42 and Elm Street. Craig also purchased 59 acres located south of 4th Street, between Railroad Street and WCR 29 from the Eugene Nelson Trust. The property is zoned light industrial and Craig states he has plans for a Dollar Store on a portion of the property adjacent to Railroad Street.

Town Administrator Lorentzen said he will send an e-mail to Manny Agripino, 815 Starbird Ave., to let him know that his Attorney will need to contact the Town Attorney going forward. He does not want to be the go between.

b. Board of Trustees

Trustee Castro asked if the Town had received a request to help with Valley High Schools Prom or anything for the Seniors. Town Administrator Lorentzen said that the Town has approved the annual ad in the North Weld Herald Newspaper. It was budgeted for already.

Trustee Nothem asked Town Administrator Lorentzen what is going on with 815 Starbird Ave. Mayor Chavez said he did not want any further discussion on it. In addition, Trustee Nothem said he had no idea that the Town was putting in a new Sewer Pond. He asked is that correct information. Town Administrator Lorentzen said no. The Town is not putting in a new sewer pond. They agreed to put a new liner in at the current sewer lagoon. He said he explained this to Menda Ide.

9. EXECUTIVE SESSION:


None

10. ADJOURNMENT:

Motion – Trustee Lester, Motion to adjourn the meeting at 9:00 P.M. on May 2, 2022, 2nd – Trustee Tapia. All voted Aye. Motion carried (5-0).



TOWN OF GILCREST



Tyson Chavez, Mayor

ATTEST:



Brenda Joseph, Town Clerk