

**Regular Meeting Minutes of
The Board of Trustees
Town of Gilcrest, Colorado
304 8th Street – Town Hall
October 17, 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: Fulton, Tapia Esquivel, Lester; Absent - Trustees: Castro
- 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 amending it by putting 7b. Police Report before 3. Public Invited to Be Heard on Matters Not on The Agenda **2nd – Trustee Fulton**. All voted Aye. **Motion carried (6-0)**.

Trustee Castro was not present for roll call, but she arrived at 7:01 pm and was present to vote on the Approval of The Regular Agenda.

7b. Police Report:

Corporal Bender began by explaining that this is his first time presenting the Police Report to the Board of Trustees for the Town of Gilcrest, so he wanted to start off by briefly sharing his professional background with them. He also reported that the Platteville Police Department has recently hired a new officer, Matt Schwab. In addition, he asked if anyone has any questions relating to the September 16, 2022, train incident. After acknowledging that there were no questions, at this time, he explained that it is still an ongoing investigation. It is possible that the Platteville Police Department will receive more information this week and are expecting more forward movement. He commented that Highway 85 and Highway 66 are both dangerous highways regarding traffic. He continued by pointing out that during the month of September, officers worked 10 car crashes. In addition, officers worked 32 suspicious persons, 9 disturbances and 3 attempted suicides. The Board thanked Corporal Bender and the Platteville Police Department for their service to the Town of Gilcrest.

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

Barb Kirkmeyer, 6100 CR 4, Brighton, CO. explained that she was at the meeting tonight to introduce herself. She mentioned that she used to serve as a Weld County Commissioner. Also, she is currently a member of the Colorado State Senate. She stated that tonight she is not at the meeting in either of those capacities. She is at the meeting tonight as a candidate running for election to the U.S. House to

represent Colorado's 8th Congressional District. She briefly described a few of the projects she has worked on in the past which included safety improvements for the Highway 85 Corridor, emergency management and transportation.

Manny Agripino, 815 Starbird Ave., Gilcrest, CO and Melissa Agripino, 815 Starbird Ave., Gilcrest, CO. both attended the meeting. Melissa explained that she was at the meeting tonight to give her husband, Manny Agripino, her three minutes according to Roberts Rules to allow him to continue speaking after his time is up.

Manny also stated he has listened to the audios of the Board meetings in the past 12 months and Mayor Chavez used the "F" bomb seventeen times on open/public record. Manny then stated that he and an officer have spoken about this, and it is considered a class 3 misdemeanor for cussing in public, under harassment, under Colorado Statute. He continued to explain that all he has to do is go down to the Town Hall in Platteville and file a complaint with the Platteville Police Department. He added that this is no way for a Board member to act even if upset.

In addition, he stated that in a Board Meeting where there was bid rigging and steering going on by the Mayor the Mayor suggested that Rain for Rent was a very lousy company and referred to one of the employees/former colleagues in a derogatory way. He further explained that he knows people from Rain for Rent. He served on a Board with them, and he works with Rain for Rent and provided two names of the men he has contacted out of Bakersfield, CA. He continued by stating he has provided them with the Board Meeting audio, 8/15/22, and they will be contacting Town Clerk Joseph with a CORA request for the official copy of the 8/15/22 Board Meeting. He commented that he is a resident, and he owes \$7,000 to something that he won't argue tonight.

Manny explained that he was at the meeting tonight to ask Mayor Chavez and Trustee Lester to resign. He said that if they are still on the Board after the election he will be filing for a recall.

Manny also shared that the concrete cylinder issue regarding the concrete cylinders located on Town property, next to his home, has been resolved by him working with Public Works Supervisor, Bob Meisner. He Thanked Bob. He continued by explaining he and Public Works Supervisor, Bob Meisner came up with an agreement for Manny to put up a fence around his property.

Trustee Lester stated that he would like to go on the record. He explained that Manny Agripino had made a statement last time when he was not at the meeting. Trustee Lester apologized for not being at that meeting. He continued by stating that he thinks there is some confusion by what he said in a past meeting. He believes Manny has pulled out about five seconds of that approximately five minute conversation which was his comment. He pointed out that the conversation being discussed was about a text message that was received by Trustee Castro not him. He stated that they did not discuss that the text message was from Manny but that it was from "somebody". Trustee Lester continued by explaining that Trustee Castro had some concerns about

that text message, and she asked Town Administrator Lorentzen about it. He continued by stating that he had made a comment about the text message which was that it could be construed as threatening. He emphasized that he did not say Manny had threatened anyone on the Board.

Mayor Chavez recognized Manny's concerns and spoke directly to Manny Agripino, his wife, Melissa Agripino, and their daughter and stated that he does apologize for his foul language and shook hands with each of them. Mayor Chavez also apologized to the Board and the people of the Town.

4. CONSENT AGENDA:

- a. Board of Trustee Minutes for October 3, 2022
- b. Bills for Approval
- c. Weld County Referral

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

5. OLD BUSINESS:

- a. IGA with Platteville - Gilcrest Fire District - Impact Fees
Town Administrator Lorentzen reported the Platteville-Gilcrest Fire Chief Durkee could not attend this meeting after all but explained that he can be at the next Regular Board Meeting on November 7, 2022 meeting.

Motion – Trustee Esquivel, Motion to continue the IGA with Platteville - Gilcrest Fire District - Impact Fees to the next Regular Board meeting, November 7, 2022, **2nd – Trustee Tapia**. All voted Aye. **Motion carried (6-0)**.

- b. Discussion - Allowed Uses in Light Industrial Zoning District

Town Administrator Lorentzen pointed out that Town Planner McCool sent some information regarding this topic which has been included in the packet. The Board discussed that they would like to table this until some time in the first of 2023 and they would like to have Town Planner McCool attend that meeting.

Motion – Trustee Castro, Motion to table the Discussion - Allowed Uses in Light Industrial Zoning District until the first of 2023, **2nd – Trustee Tapia**. All voted Aye. **Motion carried (6-0)**.

6. NEW BUSINESS:

- a. Scheduling Board/Staff Holiday Dinner

After discussion, the Board directed Town Administrator Lorentzen to take the Staff and one guest each out to either dinner or lunch. The Board will not be attending this year.

b. Elementary School Pizza Party

Town Administrator Lorentzen reported that last year, in 2021, the Town spent \$1,700 for the Elementary School Pizza Party which was for Mama Ruth's Pizza - \$565, Two hundred McDonalds \$5 gift cards - \$1,000, Weld RE-1 Food Service for milk and ice cream - \$129. He added, prior to Covid, the Town had also put together little gift packages with the McDonalds Card and candy in a little Christmas sock which would be another couple of dollars of the budget. \$2,000 would be adequate for this year, 2022. In addition, he mentioned that rather than McDonalds gift cards, the Town could do a \$5 coupon from Mama Ruth's to keep the money locally. Trustee Nothem inquired if the \$2,000 also includes the teachers and all the Gilcrest Elementary school staff. Town Administrator Lorentzen confirmed the \$2,000 will be adequate for all students, teachers, and staff.

After discussion, the Board directed Town Administrator Lorentzen to please find out the cost for a slice of pizza and a drink from Mama Ruth's Pizza Shop.

Motion – Trustee Castro, Motion to table Elementary School Pizza Party until the Regular Board Meeting on November 7, 2022, 2nd – **Trustee Tapia**. All voted Aye. **Motion carried** (6-0).

c. Scheduling Public Hearing for 2023 Budget

Mayor Chavez reminded everyone that the upcoming 2023 Budget Work Sessions are scheduled for before the Regular Board Meetings, from 6:00 pm – 7:00 pm, on November 7, 2022, and November 21, 2022.

Motion – Trustee Esquivel, Motion to schedule the Public Hearing for the 2023 Budget on November 21, 2022, at 7:00 pm 2nd – **Trustee Tapia**. All voted Aye. **Motion carried** (6-0).

7. REPORTS:

a. Code Enforcement Report

Town Administrator Lorentzen pointed out that the September 2022 Closed Cases have been included in the Board packet. He reported that Jessica McKay's house that she had moved on to 600 SE Plaza has been demolished and everything has been fully cleaned up. Also, 100 6th street has been fully cleaned up as well. In addition, the residents at 475 Starbird have gotten rid of their goats. He added the family explained they have had the goats there for many years.

Town Administrator Lorentzen reported

b. Police Report

The Police Report has been moved to the beginning of the meeting before 3. Public Invited To Be Heard on Matters Not On The Agenda.

c. Town Administrator Report

Town Administrator Lorentzen reported that the Head Start Preschool has a pre-application meeting planned for October 19, 2022. At the last meeting, the Board asked Staff to talk to the manager of the existing Head Start program in Gilcrest about whether this new school would harm their program. He explained that the Conditional Use application requires a public hearing and Board action on the Conditional Use which will be a quasi-judicial action. As such the Board is prohibited from ex-parte communication, which is gathering any information concerning the application which could influence their decision outside of the public hearing. He further explained that he will make sure the manager of the existing head start program is given notice of the conditional use application and public hearing. Any concerns can be brought up in the public hearing. His understanding is that essentially what they are doing is closing the Greeley and Brighton Head Start programs due to the shape of the building in Brighton and location of the Building in Greeley and choosing a central location.

In addition, he reported that Manny Agripino, 815 Starbird Ave. was in court on October 12, 2022, and plead guilty for occupying his home without a Certificate of Occupancy. He was fined \$15,000 with \$8,000 suspended.

d. Board of Trustees

Trustee Castro suggested that residents not yet put their pumpkins out because unfortunately they are being stolen right off the front step.

Trustee Nothem asked Town Administrator Lorentzen how long a previous Board of Trustee must wait before they can run again for Trustee. Town Administrator Lorentzen explained due to the Board of Trustee position is a full four years he/she would need to wait a full four years. The term out time is a full four years. Term limits

Trustee Castro pointed out that LaSalle has no term limits. She explained that she asked LaSalle about this, and they explained that they got rid of the term limits due to lack of interest of residents to run for the Board of Trustees.

Mayor Chavez explained that he would like to apologize to anyone on the Board and in the room if he has offended them with his language. He added that he is not sure how the misdemeanor laws work that Manny Agripino referred to earlier in the meeting but with Manny Agripino asking for Mayor Chavez's resignation he would like to know does anyone in the room want him to resign too. Trustee Lester added that Manny asked for

his resignation too, so he is asking them as well. Mayor Chavez asked each person in the room, and it was unanimous that no one present at the Board meeting is asking them to resign their position on the Town Board of Trustees.

8. EXECUTIVE SESSION – if needed

9. ADJOURNMENT:


Motion – Trustee Castro, Motion to adjourn the meeting at 7:59 P.M. on October 17, 2022, 2nd – **Trustee Tapia**. All voted Aye. **Motion carried (6-0)**.

ATTEST:


Brenda Joseph, Town Clerk



TOWN OF GILCREST


Tyson Chavez, Mayor
Steve Nothem Mayor Pro Tem