



**MINUTES**  
**Meeting of the Board of Trustees**  
**Town of Red Cliff Chambers, 400 Pine Street, Red Cliff**  
**TUESDAY, JULY 18, 2023**

**CALL TO ORDER at 7:04 pm**

**ROLL CALL**

Mayor Duke Gerber	Trustee Mary Walker	Trustee Ben Kleimer
Mayor Pro Tem Art Fox	Trustee Cassi MacUmbler	Trustee Dana Veljacic (arrived at 7:57pm)
Clerk Melissa Matthews	Administrator Barb Smith	Absent: Trustee Ondrej Mertlik

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA** - *Items to be added or pulled from the agenda*

Motion by Duke Gerber to approve the agenda, seconded by Mary Walker, unanimously approved.

**APPROVAL OF MINUTES**

1. June 20, 2023

Motion by Cassi MacUmbler to approve the minutes, seconded by Art Fox, unanimously approved with Mary Walker abstaining.

**PUBLIC COMMENTS** - *For items not on the agenda, please keep comments to five minutes or less.*

None.

**DISCUSSION AND ACTION ITEMS**

1. Building Permit Deposit Fee Structure and rules enforcement

Trustee Ondrej Mertlik did some outside research and has the following to share with the Board:

- Many communities around the valley have policies similar to each other regarding these types of rules and regulations. These could possibly serve as examples that we might be able to model/base our building rules and regulations on. A typical requirement is a \$10,000 refundable deposit from the owner prior to start of construction. If there are no violations, the deposit is returned to the owner. This incentivizes the builder/owner to follow the rules.
- Mertlik also noted that it might make sense to structure the deposit amount on the valuation of the project. If it is a set fee across the board, it may discourage people from applying for a permit and doing small projects sneakily. A proposed fee structure could look something like:

<b>Building Permit Deposit Fee Structure</b>	
<b>Building Permit Valuation</b>	<b>Deposit Amount</b>
\$0 - \$50,000	\$500
\$50,001 - \$100,000	\$1,000
\$100,001 - \$500,000	\$2,500
\$500,001 and above	\$5,000

Discussion by the Board and staff reflected on previous discussions and convictions that this is necessary in order to prevent future noncompliance issues. The Board inquired about the capacity of staff to enact this new policy, and staff ensured that this would not be too much. The Board also agreed that the proposed fee structure is a well-suited solution.

Motion by Cassi MacUmbler to direct staff to implement the proposed Building Permit Deposit Fee Structure, seconded by Ben Kleimer, unanimously approved.

2. Noise considerations within Town limits

There have been a few complaints from residents regarding high decibels and the late hours of the music at Mango's. There has been one letter submitted by resident Jake Spears. Currently, the Town does not have a noise ordinance in place. Resident Spears was present and shared his experiences and gave suggestions to remedy the situation. These suggestions included: facing speakers on the rooftop away from town, not having bands playing late at night on weeknights, and to close the windows and doors on the second floor when there is a late show. It was also resolved that these situations are not louder than in the past, but that they are more frequent and often times on weeknights. The Board agreed with the validity of the complaints/comments and appreciated Spears coming with suggestions. Staff will communicate these ideas and concerns with the management of Mango's.

### **STAFF/TRUSTEE UPDATES**

Mayor, Duke Gerber:

- The bears are trying to get inside of places such as sheds, garages and homes. Residents should be aware and keep doors locked.

Administrator, Barb Smith:

- We have been meeting about grants regarding the Streetscape construction project and will be writing some grants in the next couple of weeks. Our DOLA representative has been very responsive and willing to help. We have also made contact with the US DOT grant specialist for all federal grants who has been responsive and offered assistance. DOLA recommended cutting the package in half so that it could be funded through state grants alone. This would be much easier, but it is not be feasible. Therefore, we will be going for federal grants.
- The roof replacement is in progress. Staff looked into getting rid of the chimney because that has been the cause of some challenges. This cannot be done, as it is still in use. Therefore, repairs are going to need to be done to that as well.
- Once the roof and chimney repairs are done, we will be looking to replace ceiling tiles in the museum that were damaged.
- We have recently learned of grants for community buildings to upgrade their electric infrastructure, and staff will continue to look into these options.
- Our attorney wrote a letter to resident Christian Alavi regarding the unpermitted project at 275 Water Street giving him 21 days to respond. He has responded with a general plan. Staff has asked the attorney to get a more specific plan with dates and a timeline. He may come to the Board asking for a variance on the setback from the river.
- The owner of 326 Eagle Street had planned to bring a proposed project to the Board at the next meeting. However, staff learned today that the County Assessor's office is in the process of subdividing the property. This typically would go through the Town. Representatives for the County, our planner and our attorney are working to figure out if this application can move forward with this new information, as well as understanding how this was happening without the Town's involvement.

Clerk, Melissa Matthews:

- The Colorado State Patrol Family Foundation(CSPFF) is a non-profit organization committed to the proposition that nearly all motor vehicle fatalities are preventable (99% per National Highway Traffic Safety Administration). They offer scholarships to youth who have driving offenses for the Alive at 25 Defensive Driving Classes which aim to save lives through education. There are both online and in person options. The classes range in cost from \$20 - \$119. Staff is presenting the

opportunity to offer scholarships financed by the Community Fund to Red Cliff youth who are interested.

Motion by Cassie MacUmbler to establish a defensive driving scholarship for Red Cliff youth, funded by the Community Fund, not to exceed \$200 per recipient, seconded by Duke Gerber, unanimously approved.

- Regarding the concerns around potential liability with bike trails on Iron Mountain, staff discovered that the board passed Resolution 6, Series 2021, designating the Iron Mountain Open Space Park which established the area as a municipal park. This protects the town from liability.
- A local youth, AnieSoleil, wrote a letter to EcoTransit which provoked a phone call including Town staff, the interim Director of EcoTransit and two other ET staff members. It was a productive call that resulted in a better understanding on both ends. They are struggling with severe staffing shortages, so any sort of additional service to Red Cliff (or anywhere else in the valley) is on hold as they attempt to cover the areas that are already on the schedule. They seemed to understand our local challenges and needs and will strive for equity as staffing challenges are resolved. The Board directed staff to thank AnieSoleil and recognize her passion for our community.
- Attended the CML Annual Conference in Denver and there were some substantial conversations and presentations. Some key takeaways were: tips on succession planning and recruiting staff; significant focus on relationship building and collaboration and the values of this, with an emphasis on grant applications; and opportunities to build new relationships that will help with current projects/challenges as well as future ones. Also, at the Governor's Luncheon, Governor Polis was not received well. He spoke about SB-213 and essentially doubled down on the ideas included in that bill, warning that it will be coming back. CML's Executive Director explained that CML will be seeking to get a pledge from State lawmakers of "Partnership, Not Preemption", essentially looking to ensure a seat at the table for all stakeholders in the creation of any such bills in the future. In addition, they gave the 2023 Legislative Hero awards to Senator Barbara Kirkmeyer, R-Brighton and Senator Rachel Zenzinger, D-Arvada for all their work in the senate to ensure that this bill did not get passed.
- The Streetscape event on July 11<sup>th</sup> at Mango's was well attended and we got a few Easement Agreements signed. It was a good opportunity for staff to better understand resident's mindsets and how to better communicate with them regarding next steps. It was also a good occasion for residents to understand the status of the project and where the Town is going from here with it.
- There have been several issues with loitering/camping in Town recently. Town staff has intervened and there have not been any security concerns. Residents should be encouraged to call law enforcement if they feel that an issue such as this needs handled, as Town staff is not equipped to respond if there is a safety concern.
- Bears have been causing property damage and staff has contacted CPW. There has not yet been an attempt to trap the bears, but if additional property damage is done, they will consider such recourse.
- Upcoming events:
  - Sat, 7/22: All Town Yard Sale in collaboration with Minturn
  - Sat, 7/29: Movie Night showing Raiders of the Lost Ark starting at dark
  - Tues, 8/1: National Night Out in Minturn with free Rocky Mountain Tacos, face painting and live music
  - Thurs/Fri, 8/17-8/18: TransRockies
  - Sat, 8/19: Movie Night with movie TBD
  - Sun, 8/20: Ice Cream Social with Streetscape information and Easement Agreements available as well as celebrating back to school
  - Sun, 9/10: Community Unity Day

Trustee Ben Kleimer:

- Attended the NWCOGG Board meeting. Kleimer also has a meeting scheduled with the Executive Director to discuss the organization and its functions.
- Attended the Climate Action Collaborative meeting and noted that their vision is to do such things that the county would likely be unable to do. Although there hasn't been much action taken by this group yet, Kleimer believes that it is still good for Red Cliff to stay involved with them. They are working to hone in on more specifics and he is hopeful that they will be moving towards creating deliverables soon.

Trustee Dana Veljacic:

- Attended the EVTA Board Meeting which will now be meeting once a month. The Executive Director presented the idea of contracting with a company to help with options to get residents to/from transportation hubs. This is particularly a challenge in the Gypsum/Eagle area. This could include a micro service option. The costs would be about a million dollars, and is not in the current budget.

**BILL PAY**

1. General Account from 7/4/2023

ABC Parts	5093 · Repairs & Maintenance	\$ (58.14)
Acorn Petroleum, Inc	5092 · Fuel	\$ (783.66)
Cash	6017 · Capital Outlays - Streetscape Project	\$ (300.00)
Century Link - x664B (FAX)	5041 · Postage, Print, Telephone, Supplies	\$ (102.34)
Century Link - x199B	5041 · Postage, Print, Telephone, Supplies	\$ (184.90)
IRS/US Treasury	Payroll Liabilities - Federal Wage Withholding - June 2023	\$ (4,662.66)
Linda Overcash-By the Numbers	5014 · Accounting/Bookkeeping/Finance	\$ (1,686.75)
Pinnacol Assurance	5072 · Worker's Compensation	\$ (369.00)
RAM Roofing	5100 · Building/Grounds	\$ (32,000.00)
Shums Coda Consulting	5015 · Building Inspection	\$ (1,227.63)
Vero Broadband	5046 · Computer & Internet	\$ (140.00)
Xcel Energy x7086-0	5083 · Gen Ops: Xcel Town Hall	\$ (1,058.22)
Duke Gerber	5061 · Mayor	\$ (250.00)
Art Fox	5062 · Board Member	\$ (150.00)
Ben Kleimer	5062 · Board Member	\$ (150.00)
Cassandra MacUmber	5062 · Board Member	\$ (150.00)
Dana Veljacic	5062 · Board Member	\$ (150.00)
Mary Walker	5062 · Board Member	\$ (150.00)
Ondrej Mertlik	5062 · Board Member	\$ (150.00)
Smith, Barbara J	Payroll	\$ (1,842.11)
Smith, Barbara J	Reimbursement - Health Insurance	\$ (349.15)
Beyer, David	Payroll	\$ (1,239.13)
Sandoval, Lorenzo	Payroll	\$ (1,330.68)
Matthews, Melissa	Payroll	\$ (1,722.11)
Matthews, Melissa	Reimbursement - Health Insurance	\$ (349.15)
Matthews, Melissa	Expense Reimbursement - various	\$ (343.36)
Gallegos, Nick	Payroll	\$ (1,235.67)
Martinez, William	Payroll	\$ (1,264.14)
Martinez, William	Reimbursement - Health Insurance	\$ (349.15)

Motion by Cassie MacUmbler to approve the General Account bill pay, seconded by Art Fox, unanimously approved.

2. Enterprise Account from 7/4/2023

American Conservation & Billing Solutions	5028 · Meter Reads/Billing	\$ (973.50)
CenturyLink	5033 · Wastewater Ops - Utilities	\$ (60.78)

Motion by Cassi MacUmbler to approve the Enterprise Account bill pay, seconded by Duke Gerber, unanimously approved.

3. Community Fund Account from 7/4/2023

Kristina Finamore	5051 · Marketing & Town Events	\$ (452.30)
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Motion by Cassi MacUmbler to approve the General Account bill pay, seconded by Ben Kleimer, unanimously approved.

4. General Account from 7/18/2023

Ace Hardware	5032 · Repairs, Testing & Maintenance - WWTP	\$ (85.48)
Colorado Dept of Revenue	Payroll Liabilities - State Wage Withholding-2023 Q2	\$ (2,508.00)
Colorado State Treasurer	Payroll Liabilities (SUTA) - 2023 Q2	\$ (125.63)
Eagle County Animal Services	5050 · Animal Control	\$ (213.00)
Home Depot	5100 · Building/Grounds	\$ (5.40)
Karp Neu Hanlon, PC	5013 · Attorney	\$ (1,108.37)
Mitchell & Company, LLC	5046 · Computer & Internet	\$ (82.50)
USPS	5041 · Postage, Print, Telephone, Supplies	\$ (66.00)
WalMart	5032 · WWTP Maintenance	\$ (103.74)
Waste Management	5086 · Trash Collection	\$ (141.50)
Xcel Energy x7080-4	5082 · Xcel TV Tower	\$ (74.50)
Xerox Financial Services - Copier	5041 · Postage, Print, Telephone, Supplies	\$ (209.62)
Smith, Barbara J	Payroll	\$ (1,842.10)
Smith, Barbara J	Reimbursement - Health Insurance	\$ (349.15)
Beyer, David	Payroll	\$ (1,030.37)
Sandoval, Lorenzo	Payroll	\$ (1,083.13)
Sandoval, Lorenzo	Reimbursement - Mileage	\$ (60.55)
Matthews, Melissa	Payroll	\$ (1,475.01)
Matthews, Melissa	Reimbursement - Health Insurance	\$ (349.15)
Gallegos, Nick	Payroll	\$ (1,226.73)
Martinez, William	Payroll	\$ (1,349.74)
Martinez, William	Reimbursement - Health Insurance	\$ (349.15)

Motion by Ben Kleimer to approve the General Account bill pay, seconded by Cassi MacUmbler, unanimously approved.

5. Enterprise Account from 7/18/2023

Ferrellgas	5026 · Utilities: Propane	\$ (24.00)
USDA/Rural Development	2075 · Refunding Bonds - Series A	\$ (777.00)
USDA/Rural Development	2085 · Refunding Bonds - Series B	\$ (829.00)
Water Quality Control Professionals	5021/5031 · WTP/WWTP Operators 5022/5032 · Repairs	\$ (3,371.92)
Xcel Energy -x8434-7	5033 · Utilities - WWTP	\$ (1,842.70)

Motion by Duke Gerber to approve the Enterprise Account bill pay, seconded by Cassi MacUmbler, unanimously approved.

6. Community Fund Account from 7/18/2023

Kristina Finamore	5051 · Marketing & Town Events	\$ (400.90)
Melissa Matthews	Reimb-5051 · Marketing & Town Events	\$ (1,046.00)
The BookWorm	5051 · Marketing & Town Events - Birthday Books	\$ (161.23)
Walmart	5051 · Marketing & Town Events	\$ (50.80)

Motion by Cassi MacUmbert to approve the Community Fund Account bill pay, seconded by Art Fox, unanimously approved.

**ADJOURNMENT**

Motion by Art Fox to adjourn, seconded by Duke Gerber, unanimously approved at 8:53pm.