



**MINUTES**  
**Meeting of the Board of Trustees**  
**Town of Red Cliff Chambers, 400 Pine Street, Red Cliff**  
**TUESDAY, NOVEMBER 7, 2023**

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

**ROLL CALL**

Mayor Duke Gerber	Trustee Cassi MacUmbler	Trustee Ondrej Mertlik
Trustee Ben Kleimer	Deputy Clerk Chris Brown	Administrator/Clerk Melissa Matthews
Trustee Art Fox	Co-Administrator Barb Smith	

Absent: Trustee Dana Veljacic and Trustee Mary Walker

**PLEDGE OF ALLEGIANCE**

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

Motion by Duke Gerber to approve the agenda with the deletion of Resolution 8, Series 2023 and changing Resolution 9, Series 2023 to be numbered as Resolution 8, seconded by Art Fox, unanimously approved.

**APPROVAL OF MINUTES**

1. October 3, 2023

Motion by Art Fox to approve the minutes noting that Cassie MacUmbler was absent, seconded by Bob Kleimer, unanimously approved with Cassi MacUmbler abstaining.

2. October 17, 2023

Motion by Cassi MacUmbler to approve the minutes noting that Melissa Matthews was absent, seconded by Art Fox, unanimously approved.

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

Residents Chris & Katherine Laske of 508 Water Street are researching the possibility of purchasing the empty lot (Lot 7) for sale on the north side of High Street. There is already an easement in place on the adjacent Town property, but they believe that they will likely need to add to that easement for the retaining wall. Understanding that the Board cannot make this decision at this time, the residents were inquiring about any known reasons for this not being granted if asked. Discussion by the Board concluded with them noting that they do not have any objections at this time, with the limited information available. The residents will continue to do their due diligence on this potential project.

**DISCUSSION AND ACTION ITEM**

1. Old Town Hall: State vs. National Registry

Staff explained that the State Office of Archaeology and Historic Preservation did a preliminary review of the Old Town Hall building in regards to eligibility for the State and/or National registry. They determined that the property is eligible under Criterion A in the area of Politics/Government. If the Town wishes to pursue one of these or both of these registrations, the application packet must be submitted by February 2024. There are some considerations regarding only applying for the State registry versus the National registry. The National registry would have more strict requirements, but could potentially provide more funding options than the State registry. The Board directed staff to move forward with the application process and will revisit which registry option to select early next year.

## **ORDINANCES & RESOLUTIONS**

### **RESOLUTION 5, SERIES 2023**

A RESOLUTION EXTENDING THE EXPIRATION OF THE WATER AND WASTEWATER USE RATE VARIANCES EXHIBITED IN RESOLUTION 2, SERIES 2021 FOR MANGO'S MOUNTAIN GRILL AND ROCKY MOUNTAIN ADVENTURE RENTALS LOCATED AT 166 ½ EAGLE STREET, RED CLIFF, COLORADO

Discussion on Resolutions 5 and 6 included: the elimination of a previous 'gallon per month' restriction; the lack of distinction between residential and commercial rates; and how SFEs are calculated for all service lines. Motion by Cassie MacUmbler to approve Resolution 5, Series 2023, seconded by Duke Gerber, unanimously approved.

### **RESOLUTION 6, SERIES 2023**

A RESOLUTION EXTENDING THE EXPIRATION OF THE WATER AND WASTEWATER RATE VARIANCES EXHIBITED IN RESOLUTION 3, SERIES 2021 FOR THE GREEN BRIDGE INN, CONVENIENCE STORE, AND RED CLIFF LIQUORS LOCATED AT 104 WATER STREET, RED CLIFF, COLORADO

Motion by Cassie MacUmbler to approve Resolution 6, Series 2023, seconded by Art Fox, unanimously approved.

### **RESOLUTION 7, SERIES 2023**

A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2023, TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE TOWN OF RED CLIFF FOR THE 2024 BUDGET YEAR

Motion by Duke Gerber to approve Resolution 7, Series 2023, seconded by Cassi MacUmbler, unanimously approved.

### **RESOLUTION 8, SERIES 2023**

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF RED CLIFF, COLORADO, AMENDING AND ADOPTING THE TOWN OF RED CLIFF FEE SCHEDULE FOR 2024

Motion by Cassie MacUmbler to approve Resolution 8, Series 2023, seconded by Duke Gerber, unanimously approved.

### **ORDINANCE 2, SERIES 2023 - SECOND READING**

AN ORDINANCE APPROPRIATING ADDITIONAL SUMS OF MONEY TO DEFRAY EXPENSES IN EXCESS OF AMOUNTS ORIGINALLY BUDGETED FOR THE FISCAL YEAR 2023, FOR THE TOWN OF RED CLIFF, COLORADO

Motion by Duke Gerber to approve Ordinance 2, Series 2023, seconded by Cassi MacUmbler, unanimously approved.

### **ORDINANCE 3, SERIES 2023 – SECOND READING**

AN ORDINANCE SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE TOWN OF RED CLIFF FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2024, AND ENDING ON THE LAST DAY OF DECEMBER 2024.

Motion by Cassie MacUmbler to approve Ordinance 3, Series 2023, seconded by Art Fox, unanimously approved.

### **ORDINANCE 4, SERIES 2023 – SECOND READING**

AN ORDINANCE APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS IN THE AMOUNT AND FOR THE PURPOSE AS SET FORTH BELOW, FOR THE TOWN OF RED CLIFF FOR THE 2024 BUDGET YEAR.

Motion by Duke Gerber to approve Ordinance 4, Series 2023, seconded by Cassie MacUmbler, unanimously approved.

### **STAFF/TRUSTEE UPDATES**

Co-Administrator/Clerk, Melissa Matthews:

- Thank you to the Board and staff for their patience and help during a family medical emergency and ongoing challenges.
- Staff submitted the PROP 123 commitment filing. The process determined that the Town must commit to adding a total of one affordable house over the next three years. There is a Local Planning Capacity Grant Program (through DOLA) which could provide technical assistance to be considered. The second round of funding or this is expected to open in Spring 2024.
- At the Mayors/Managers/Commissioners meeting, the topics discussed were:
  - The EC Conservation district will likely be asking for a mill levy on an upcoming ballot to secure steady funding for operations. Currently, they are funded through grants alone, which is not ideal for budgeting and committing to future conservation efforts.
  - Many other water operators in the state are really struggling with the changing regulatory environment for water and wastewater providers and argue that it is becoming intolerable. Locally, the larger operators are going to start working together with some legal counsel to push back against CDPHE. Per John Volk, we are not affected by this yet, but could be in the future.
- Yesterday was the first of three meetings for the second round to complete the Eagle River Community Water Plan. This process began in 2018, but the group ran out of funding before the project was complete. The Eagle River Watershed Council was awarded another grant allowing the completion of the plan which is to essentially: present the current conditions of the rivers; explain risks of population growth and/or climate change and the threats this poses for the future; and to ultimately present strategies that the community can employ to minimize risk. They plan to finish this up by the end of the year.
- The Board approved an event application for Blacksheep Films for POD to film on Water Street, but the company decided to go with a different location.
- There was an event application by a resident (Satsky family) for a youth birthday party in the auditorium on Saturday, 11/4/2023. As this application came in too late to be on a meeting agenda before the date of the event, Melissa administratively approved this on the basis that this family has been approved to do this same event for many years in the past.
- Proposition HH is on the ballot and will be decided today. This affects the Town in regards to how much property tax revenue we will receive. We had the foresight to include the lowest number that would be expected should Prop HH pass. If it does not pass, Red Cliff will have additional revenue that we did not budget for.
- The Town is participating in the Eagle County Regional Housing Action Plan (funded through a \$200,000 DOLA grant for the housing needs assessment that was awarded to the Town of Avon, as well as a match by the Towns of Avon & Vail and Eagle County). Currently, the group has put out an RFP for consultant services and plans to commence work in January. Staff will be working to inventory our residential units to be included in the Plan. This project must be completed by November 2024. It is primarily in preparation for battles of land use regulations from the State (i.e. something like SB23-213).
- Per the board's direction, staff has been looking into finding a company that can provide a retirement savings program with the option to do an employer match. The company that has

come to the top and is by far the most well-known/used company for counties and towns is Colorado Retirement Association. This company does not charge the employer anything. They do charge the employee a minimal fee. They work with each individual employee to choose the right plan for them. Staff recommends implementing a plan with this company.

Motion by Cassi MacUmbler to implement a plan with the Colorado Retirement Association, seconded by Duke Gerber, unanimously approved.

- Colorado Preservation Inc received 20 nominations for their Endangered Places Program and we made it through the first round (13 projects did so). Our reviewer did a site visit on Oct 6<sup>th</sup> and presented our project later in the month. We are awaiting the results.
- SpeakUp ReachOut has been working to get a call box at the top of High Road near the Green Bridge to help with suicide prevention. In the past week, there was a pole installed for this. The next step is to get the phone line to it and the call box installed, which are both in the process of happening.
- The County Public Safety Team has invited us to support this year’s Salvation Army Thanksgiving and Christmas Food Box Deliveries. Staff will share the information with anyone interested.
- We have been working with the Town of Minturn for a couple of years to develop an Outdoor Responsible Recreation Guide. We were (finally) awarded a Marketing Matching Grant through the Colorado Tourism Marketing Matching Grant Program for \$30,000. Minturn will be contributing \$10,000 to the required \$15,000 match and Red Cliff budgeted \$2,500 for this. This leaves a \$2,500 deficit. We will start work on this project in January. In the meantime, staff will apply for the Rural Technical Assistance Program which may be able to provide the funding for the gap here and/or some of the \$2,500 that we planned to contribute.
- There had been some challenges getting the COVID Grant required documents submitted. We were able to get this done and are now in compliance.
- It is time to register winter OHVs. We have the new stickers and staff will be reaching out to residents to encourage them to do so.
- We had a visit from the Executive Director of CML. He mentioned that land use issues will likely continue to be one of the main legislative fights, and that CML is gearing up for this in the upcoming legislative session.
- We will be sending out letters tomorrow notifying all owners who are over 90 days past due on their water bill that they will have a lien on their property if their bill is not brought current
- The maintenance team is working hard to get all equipment ready for winter and snow.

Co-Administrator, Barb Smith:

- The federal grant that we applied for the Streetscape Project has still not provided feedback on the application and/or an answer on it.

1. General Account

ABC Parts	5093 · Repairs & Maintenance	\$ (60.09)
Ace Hardware	5110 · Road/Bridge	\$ (44.81)
Acorn Petroleum, Inc	5092 · Fuel	\$ (1,264.69)
Adobe	5041 · Postage, Print, Telephone, Supplies	\$ (19.99)
Amazon Marketplace	5100 · Building/Grounds	\$ (316.08)
Amazon Marketplace	5041 · Postage, Print, Telephone, Supplies	\$ (40.46)
Century Link - x664B (FAX)	5041 · Postage, Print, Telephone, Supplies	\$ (103.93)
Century Link - x199B	5041 · Postage, Print, Telephone, Supplies	\$ (189.53)
CML	5182 · Dues & Memberships	\$ (367.00)

Colorado State Treasurer	Payroll Liabilities (SUTA) - 2023 Q3	\$ (130.85)
FirstBank	5181 · Bank Service Charges	\$ (2.00)
Home Depot	5100 · Building/Grounds	\$ (183.47)
Home Depot	5110 · Road/Bridge	\$ (13.27)
IRS/US Treasury	Payroll Liabilities - Federal Wage Withholding – Oct '23	\$ (4,609.27)
Karp Neu Hanlon, PC	5013 · Attorney	\$ (117.50)
Linda Overcash-By the Numbers	5014 · Accounting/Bookkeeping/Finance	\$ (2,804.00)
Pinnacol Assurance	5072 · Worker's Compensation	\$ (1,392.00)
Shums Coda Consulting	5015 · Building Inspection	\$ (4,293.71)
The Paint Bucket	5110 · Road/Bridge	\$ (159.08)
USPS	5041 · Postage, Print, Telephone, Supplies	\$ (152.00)
Vero Broadband	5046 · Computer & Internet	\$ (140.00)
Waste Management	5086 · Trash Collection	\$ (146.40)
Xcel Energy x7086-0	5083 · Gen Ops: Xcel Town Hall	\$ (791.57)
Duke Gerber	5061 · Mayor	\$ (250.00)
Art Fox	5062 · Board Member	\$ (150.00)
Ben Kleimer	5062 · Board Member	\$ (150.00)
Cassandra MacUmbur	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	\$ (1,842.10)
Smith, Barbara J	Reimbursement - Health Insurance	\$ (349.15)
Brown, Chris	Payroll	\$ (502.77)
Brown, Chris	Reimbursement - Mileage	\$ (41.92)
Beyer, David	Payroll	\$ (1,127.24)
Sandoval, Lorenzo	Payroll	\$ (1,207.76)
Matthews, Melissa	Payroll	\$ (1,837.57)
Matthews, Melissa	Reimbursement - Health Insurance	\$ (349.15)
Matthews, Melissa	Reimbursement - Mileage	\$ (93.01)
Gallegos, Nick	Payroll	\$ (1,226.74)
Martinez, William	Payroll	\$ (1,811.18)
Martinez, William	Reimbursement - Health Insurance	\$ (349.15)

Motion by Duke Gerber to approve the General Account bill pay, seconded by Cassie MacUmbur, unanimously approved.

## 2. Enterprise Account

Altitude Septic	5032 · Repairs, Testing & Maintenance	\$ (12,280.00)
American Conservation & Billing Solutions	5028 · Meter Reads/Billing	\$ (649.75)
CenturyLink	5033 · Wastewater Ops - Utilities	\$ (61.54)
FirstBank	5181 · Bank Service Charges	\$ (17.00)
OC Trucking	5022 · Repairs, Testing & Maintenance	\$ (7,500.00)

Town of Red Cliff - General Fund	7000.2 · Operating Transfer Out - Jul-Dec 2023 R&B	\$(17,549.50)
Water Quality Control Professionals	5031 · WWTP Operators, 5032 · Repairs	\$ (1,944.74)
Water Quality Control Professionals	5021 · WTP Operators, 5022 · Repairs	\$ (1,793.29)

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

3. Community Fund Account

FirstBank	5181 · Bank Service Charges	\$ (2.00)
Kristina Finamore	5051 · Marketing & Town Events	\$ (129.50)

Motion by Duke Gerber to approve the community Fund Account bill pay, seconded by Cassie MacUmbler, unanimously approved.

**ADJOURNMENT**

Motion by Art Fox to adjourn, seconded by Cassie MacUmbler, unanimously approved at 8:41pm.