



MINUTES
Meeting of the Board of Trustees
Town of Red Cliff Chambers, 400 Pine Street, Red Cliff
TUESDAY, JANUARY 16, 2024

CALL TO ORDER at 7:03 pm

ROLL CALL

Mayor Duke Gerber	Trustee Ondrej Mertlik	Trustee Ben Kleimer
Trustee Garrett Alexander	Trustee Art Fox	Trustee Cassi MacUmbert
Deputy Clerk Chris Brown	Planner Scott Hunn	Attorney Richard Peterson-Cremer
Administrator/Clerk Melissa Matthews		Absent: 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 switching the order of the Discussion and Action Items, seconded by Ondrej Mertlik, unanimously approved.

APPROVAL OF MINUTES

1. January 02, 2024

Motion by Cassi MacUmbert (noting that her name is misspelled) to approve the minutes, seconded by Art Fox, unanimously approved with Garrett Alexander abstaining.

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

DISCUSSION AND ACTION ITEMS

1. Scope of work presentation for Vision and Future Development Alignment by Planner Scot and Jennifer Henninger

As per the request by the Board, staff has provided a scope of work for the Administrative Planning Grant. The Planning & Zoning Commission recommends that the Board of Trustees approves moving forward with this and recommends heavily focusing on the community outreach portion. Discussion by the Board included a desire for more of a breakdown of milestones and timelines.

Motion by Duke Gerber to approve the scope of work and the grant application, seconded by Ben Kleimer, motion passed with a 5-1 vote with Trustee Cassi MacUmbert dissenting.

2. Enforcement Hearing for 275 Water Street, Alavi

Attorney Richard Peterson-Cremer explained the nature and rules of this type of hearing. He noted that the issues at hand originated with the idea of building of a patio, retaining wall, and retainage in the embankment of Turkey Creek in 2021. The homeowner was informed that this type of project would require, at a minimum, a variance and an approved land use application for a development permit. He went over the factual background (also in his staff memo) which laid out the timeline of events as well as communications and actions between the property owner, staff, town planner and town attorney from 2021-2024. He also explained what a violation of the town code is and potential penalties of such violations. He listed the violations specific to 275 Water Street (also listed in the staff memo).

Staff presented multiple documented instances in which the owner was advised as to what is required for a project such as this. In summary, over the course of this time, the owner did not submit a completed application including the required deliverables for such a project, and therefore did not have a public hearing and was not issued a permit for the work performed. The work was done without a permit and within the live-stream setback on the subject property.

The property Owner had a chance to share his version of events as well. He explained his experiences with staff in regards to a drainage problem on the east and west sides of his property, which is shared with Town property. He believes that this has caused erosion and damage to his home, affecting the integrity of the soil. He explained that his intent was to repair a problem, not to develop. He believes this had to be done in order to protect his property.

There was discussion on the potential of the repair being to a preexisting nonconforming piece of the property, which staff noted that because it was completely torn out, there is a lost opportunity to document what was previously there. It was also reiterated that this hearing is about the lack of a development permit and that the drainage issue is separate. Public comment included a desire for the Board to enforce the Town Code.

After deliberation the board decided to give the property owner a six month deadline to submit all required deliverables together in a single development application package. The town attorney will follow up with the homeowner on the specific requirements.

Motion by Ben Kleimer to give a continuance to the homeowner providing time for him to come into compliance which includes submitting a full and complete development application by 6/16/24 when a follow up hearing will occur, seconded by Cassi MacUmbler.

Motion by Ben Kleimer to amend the motion to include that Planner & Attorney charges be considered to be charged to the owner, seconded by Duke Gerber, unanimously approved.

STAFF/TRUSTEE UPDATES

Mayor, Duke Gerber:

- Noted that the maintenance team did a great job with the snow and wind recently.

Administrator/Clerk, Melissa Matthews:

- The internet was out for almost 23 hours last week. It took Vero a while to get to the tower, as they had to acquire a snowmobile to get there. Their equipment had shut down due to low temperatures in the building. The solution was changing the batteries in the thermostat. A concern was the lack of landlines in Town and therefore potential challenges in an emergency situation. Staff is looking into options to mitigate this in the future.
- The food bank organization is now requiring that all recipients complete a registration form and write their 'card number' on the sheet each time they take food. Staff will be working to roll this new process out.
- We need to arrange for a new drop off place for the weekly food delivery. Ideally in Eagle-Vail or Minturn. Staff will follow up on Board suggestions.
- Garrett Alexander repaired one of our trucks in a pinch on Monday.
- Nomination packets for the upcoming election are due Monday January 22nd by 4pm.
- Kristina is working on the National Register application for the Old Town Hall.

- Barb will be taking the lead on the federal grant for the Streetscape Project; she is currently waiting on SGM for updated pricing for grant requests.
- Regarding the Board member position on the P&Z commission, Trustee Art Fox will continue to serve in this capacity.

Trustee Garrett Alexander:

- Attended the Board Retreat for EVTA: they are looking for ways to get Gypsum more involved as they are getting the same service as Eagle and not paying the new tax; there will possibly be an Eagle-Minturn, Hwy 6 circulator for free; they are continuing to look for employee housing options.
- Inquired about the plow policy on weekends/holidays and noted that on Monday, Pine Street bridge was particularly bad with cars needing to be pulled up the bridge.

Trustee Ben Kleimer:

- The Climate Action Collaborative has asked us to continue to participate. The cost is about \$380 to stay involved. After discussion, Kliemer will ask them if we can pay half instead of the entire amount as the Board doesn't see significant value in participating however wants to have some involvement.
- NWCOGG needs a Board Member. Kliemer will continue to represent Red Cliff, but would like to step down in the near future.

BILL PAY

1. General Account

Acorn Petroleum, Inc	5092 · Fuel - Reissued Lost Check	\$ (1,264.69)
Amazon Marketplace	5100 · Building/Grounds	\$ (35.82)
CCCMA	5043 · Education/Training	\$ (365.00)
Century Link - x664B (FAX)	5041 · Postage, Print, Telephone, Supplies - FINAL Fax Line Bill	\$ (16.98)
Century Link - x199B	5041 · Postage, Print, Telephone, Supplies	\$ (190.28)
Eagle County Animal Services	5050 · Animal Control	\$ (213.00)
FirstBank	5181 · Bank Service Charges - Stop Payment Fee	\$ (30.00)
Home Depot	5093 · Repairs & Maintenance	\$(4.75)
IRS/US Treasury	Payroll Liabilities - Federal Wage Withholding - Liab Period: 1/13 - 1/16/2024	\$4,967.43
Karp Neu Hanlon, PC	5013 · Attorney	\$ 282.00
Linda Overcash-By the Numbers	5014 · Accounting/Bookkeeping/Finance	\$ 1,288.50
Mitchell & Company, LLC	5046 · Computer & Internet	\$ 1,921.00
Pinnacol Assurance	5072 · Worker's Compensation	\$(1,009.00)
Waste Management	5086 · Trash Collection	\$ (142.25)
Xcel Energy x7923-0	5084 · Xcel Street Lights	\$ (16.01)
Xcel Energy x7080-4	5082 · Xcel TV Tower	\$ (66.45)
Xerox Financial Services - Copier	5041 · Postage, Print, Telephone, Supplies	195.00

Smith, Barbara J	Payroll - Payout of Remaining PTO Hours		\$4,968.64
Brown, Chris	Payroll		\$ 993.81
Brown, Chris	Reimbursement - Health Insurance		\$ 412.00
Beyer, David	Payroll		\$ 1,343.84
Finamore, Kristina	Payroll		\$211.04
Sandoval, Lorenzo	Payroll		843.56
Sandoval, Lorenzo	Reimbursement - Mileage		\$42.88
Matthews, Melissa	Payroll		\$1,940.03
Matthews, Melissa	Reimbursement - Health Insurance		\$412.00
Gallegos, Nick	Payroll		\$1,310.06
Martinez, William	Payroll		\$ 2,228.45
Martinez, William	Reimbursement - Health Insurance		\$412.00

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

2. Enterprise Account

CenturyLink	5033 · Wastewater Ops - Utilities		\$(61.54)
Karp Neu Hanlon, PC	5013 · Attorney		\$(592.00)
USDA/Rural Development	2075 · Refunding Bonds - Series A		\$ (777.00)
USDA/Rural Development	2085 · Refunding Bonds - Series B		\$ (829.00)
Xcel Energy -x8434-7	5033 · Utilities - WWTP		\$ (2,025.41)

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

ADJOURNMENT

Motion by Art Fox to adjourn, seconded by Garrett Alexander unanimously approved at 10:09 pm.