



MINUTES
Meeting of the Board of Trustees
Town of Red Cliff Chambers, 400 Pine Street, Red Cliff
TUESDAY, May 7, 2024

CALL TO ORDER at 7:50 pm

ROLL CALL

Mayor Duke Gerber	Trustee Bob Oppenheimer	Trustee Garrett Alexander
Trustee Ben Kleimer	Trustee Ondrej Mertlik	Deputy Clerk Chris Brown
Trustee Art Fox	Trustee Cassi MacUmbert	Administrator/Clerk Melissa Matthews
Planner Scot Hunn (virtually)		Attorney Richard Peterson-Cremer (virtually)

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 Garrett Alexander, unanimously approved.

APPROVAL OF MINUTES

1. April 16, 2024

Motion by Garrett Alexander to approve the minutes, seconded by Ben Kleimer, unanimously approved.

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

DISCUSSION AND ACTION ITEMS

1. Chris Laske, Special Use Permit Application for Lot 7A, Warren Subdivision

Planner Hunn explained that the Planning & Zoning Commission recommended approval with conditions. Attorney Peterson-Cremer recommended that the application to use Town property follow the process laid out in the Town code (11-2-30), noting that the rights of any land use do not vest until the conditions for the SUP are met. Chris Laske presented their project and explained the work/assessments that has been done and the goals for the project, which when complete will mean that the lot and the driveway will be within the code restrictions. Laske explained that by using the soil nail wall concept, means that the dirt/earth behind the wall is not moved and minimally disturbed. He expressed his opposition to having a third party look at the land, especially the State. He was amenable to using the already involved company, Kumar. Discussion by the Board included additional concerns about the stability of the hillside, emphasis on the need for involving experts to assess this, and discussion about a bond for the project to ensure completion to restoration. There was a discussion about other new builds on hillsides that have not had this requirement. Staff explained that this situation is different and involves the use of Town property. The Board confirmed that so long as the Town professionals recommend these conditions, the Board will likely follow those recommendations.

Motion by Garrett Alexander to Follow P&Z's recommendation of approval with the following conditions:

1. The Applicant shall be required to submit a complete application of the town for review of a new residential structure within six (6) months of issuance of the Special Use Review Permit and/or Grading Permit for the driveway improvements.
2. The Applicant shall adhere to the recommendations of the Kumar Report, and, specifically, that recommendations listed under "Continuing Services" of the Kumar Report (p. 8) be adhered to

during construction of the future residential structure but also as part of the driveway and soil nail wall construction.

3. The Applicant be required to engage a qualified pre-existing professional geotechnical engineer to perform additional geologic hazards investigations; or, at a minimum, to review the Miller Maps and any other pertinent (existing) hazards information and provide recommendations specific to cuts and fills, compaction, and retaining/soil nail wall construction prior to commencement of construction.
4. The Applicant shall work with the Town Attorney to execute the proper legal instrument to permit use of Town property for the soil nail wall construction, along with any specific terms and conditions. This document must be fully executed prior to construction of the soils nail wall and before any encroachments onto or within Town Property. This must be done within the requirements of Chapter 11, Article 2 of the Town code regarding permitting.

Motion seconded by, Cassie MacUmbur.

Further discussion included reiteration of gratitude for the professionalism of Laske and for the intense level of work he has done thus far.

Vote: unanimously approved.

2. Jen Henninger- Progression of the Vision and Future Alignment Assessment

Henninger presented the results from the Community Open House and Survey. The results are as follows:

- The Vision and Mission Statement for the town are generally supported, but there is a lack of understanding on the part of community members as to how the vision is meant to be achieved.
- There is a disconnect between the strategies outlined in the 2006 Plan and the currently adopted Zoning Code.
- There are recommendations outlined in the 2006 Plan that have been accomplished or are in process and should be celebrated.
- There are many 2006 Recommendations that have not been acted upon and have no specific action steps to achieve them.
- The community has some desires and action items that are not addressed in the 2006 Plan but are relevant to life now-nearly 20 years post plan adoption.
- There is community consensus on continuing to pursue some of the 2006 recommendations if there is clarity on how they can be accomplished and an understanding of what the priority is of each one.
- There are a handful of goals that are no longer relevant or important to citizens of Red Cliff.

3. Tree at Fort Arnette (Monument) Park

Staff briefed the Board on the status of the case which is vandalism and Eagle County Sheriff's Department is currently doing an investigation. The cost of the damage is to the point this is now a felony charge. The town will wait to pursue a civil case until the criminal case is closed.

RESOLUTIONS

RESOLUTION 6, SERIES 2024

A RESOLUTION OF THE TOWN OF RED CLIFF ADOPTING THE MUNICIPAL ISSUANCE OF LETTERS OF SUPPORT POLICY

Motion by Cassie MacUmbur to approve Resolution 6, Series 2024, seconded by Garrett Alexander, unanimously approved.

STAFF/TRUSTEE UPDATES

Mayor Duke Gerber

- Will be working on drawings for the horseshoe pit design.

Administrator/Clerk, Melissa Matthews:

- The Town signed on to the Vail Pass Stakeholder Letter regarding completion of the Vail Pass narrows project.
- Kristina Finamore submitted a last minute application to use the auditorium for her son’s birthday party on 4/28/2024. This was last minute because of weather impacting the initial plan of having it in the park. Staff administratively approved this. She did her own setup and clean up and paid the \$50 fee.
- Attended the IMTPR retreat where the group approved new bylaws and had thorough discussions about the group’s purpose moving forward. By teaming up and supporting each other’s requests, local CDOT projects have a better chance of getting funded.
- Attended the CCCMA annual conference in Glenwood Springs where I learned a lot about grant opportunities and met people to help with this. Also made contacts to help with fleet management, human resources and was exposed to a multitude of leadership training.
- Attended Congressman Neguse’s Town Hall in Eagle with Trustee Ben Kleimer. We discussed Red Cliff’s needs with his staff and spoke with the congressman directly. His staff plans to visit Red Cliff in the near future and we will continue to follow up with that.
- The 2023 Audit will be taking place over the next few weeks, so staff will be focused on that.
- Town Clean Up Day will be on Saturday, May 18. We will have three roll-off dumpsters and allow for tires to be dropped. The ‘thank you’ party will be at 3:00pm at the old baseball field where we will provide food and drinks to all volunteers. Mango’s is helping with the food, but we will need volunteers to cook and serve.
- The Kid’s summer program will begin mid June and will be led by Kristina Finamore. This will be one day each week and we will provide lunch and an activity.
- Nan & Steve at 237 Water Street requested a one-time forgiveness of their excess water bill for the months of January and February (\$784) due to a toilet flapper leak. They have since bought water sensors to notify of any leaks in the future.
- The Regional Housing Action Plan group (of which we are involved in) is trying to get more responses on the housing needs assessment survey from the entirety of the County.
- We have received the digital assets that were done by the Colorado Tourism Office for the Responsible Recreation and Visitation Guide with Minturn. The quality is very high and we look forward to using them as part of our education of tourists.
- The Town now has an Instagram account (@Red_Cliff_Colorado).
- We were awarded the RTAP grant through the State which can be used for marketing our Responsible Recreation and Visitation Guide.
- We have connected with OEDIT (Office of Economic Development and International Trade) and they will be helping us find funding for all of our big projects such as streetscape, old town hall, bridges, rock scaling, etc.

Deputy Clerk Chris Brown:

- Highway Clean up day went great. We had some volunteers show up and gathered 7 bags of garbage from the sides of Hwy 24.

BILL PAY

1. General Account

Ace Hardware	5100 · Building/Grounds	\$(26.58)
Advanced Diesel Pro	5093 · Repairs & Maintenance	\$1,065.83

Amazon Marketplace	5100 · Building/Grounds	\$(152.90)
Amazon Marketplace	5041 · Postage, Print, Telephone, Supplies	\$(20.77)
Barb Smith	5014 · Accounting/Bookkeeping/Finance	\$(570.00)
Century Link - x2191	5041 · Postage, Print, Telephone, Supplies	\$(185.36)
Colorado Dept of Revenue	Payroll Liabilities - State Wage Withholding-2024 Q1	\$(2,847.00)
Community Planning Strategies	5012 · Planner	\$(6,600.00)
Community Planning Strategies	5012 · Planner	\$(8,300.00)
Eagle County Animal Services	5050 · Animal Control	\$ (230.00)
Eagle County Landfill	5100 · Building/Grounds	\$ (11.97)
Empower Retirement Plans	Payroll Liabilities:Retirement Plans - PPE 04/30/2024	\$(1,065.36)
FirstBank	5181 · Bank Service Charges	\$ (10.00)
Geary Pacific Supply	5100 · Building/Grounds	\$ (133.31)
Hotel Colorado	5043 · Education/Training	\$ (489.58)
IRS/US Treasury	Payroll Liabilities - Federal Wage Withholding - Liab Period: 4/13-4/16/2024	\$(2,007.76)
J.G. Plumbing & Heating	5100 · Building/Grounds	\$ (672.62)
Karp Neu Hanlon, PC	5013 · Attorney	\$(1,037.50)
Linda Overcash-By the Numbers	5014 · Accounting/Bookkeeping/Finance	\$(2,203.75)
Pinnacol Assurance	5072 · Worker's Compensation	\$ (455.00)
Restaurants	5043 · Education/Training - Meals	\$ (12.37)
Vero Broadband	5046 · Computer & Internet	\$ (140.00)
Waste Management	5086 · Trash Collection	\$ (164.05)
Xcel Energy x7923-0	5084 · Xcel Street Lights	\$ (15.26)
Xcel Energy x7086-0	5083 · Gen Ops: Xcel Town Hall	\$(1,554.78)
Duke Gerber	5062 · Board Member	\$ (250.00)
Art Fox	5062 · Board Member	\$ (150.00)
Ben Kleimer	5062 · Board Member	\$ (150.00)
Cassandra MacUmber	5062 · Board Member	\$ (150.00)
Garrett Alexander	5062 · Board Member	\$ (150.00)
Ondrej Mertlik	5062 · Board Member	\$ (150.00)
Robert Oppenheimer	5062 · Board Member	\$ (150.00)
Beyer, David	Payroll	\$(1,168.49)
Brown, Chris	Payroll	\$(1,127.04)
Brown, Chris	Reimbursement - Health Insurance	\$ (412.00)

Sandoval, Lorenzo	Payroll	\$(1,145.50)
Matthews, Melissa	Payroll	\$(2,191.26)
Matthews, Melissa	Reimbursement - Health Insurance	\$ (412.00)
Matthews, Melissa	Reimbursement - Mileage	\$ (131.32)
Gallegos, Nick	Payroll	\$(1,310.04)
Martinez, William	Payroll	\$(1,522.58)
Martinez, William	Reimbursement - Health Insurance	\$ (412.00)

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

2. Enterprise Account

American Conservation & Billing Solutions	5028 · Meter Reads/Billing	\$(817.75)
CenturyLink	5033 · Wastewater Ops - Utilities	\$(63.03)
Town of Red Cliff - General Fund	2600 - Due to Other Funds -Final 2023	\$(11,039.30)
Water Quality Control Professionals	5031 · WWTP Operators, 5032 · Repairs	\$(2,250.99)
Water Quality Control Professionals	5021 · WTP Operators, 5022 · Repairs	\$(2,053.21)
Xcel Energy -x1529-6	5023 · Utilities - WTP	\$(763.49)

Motion by Ondrej Mertlik to approve the Enterprise Account bill pay, seconded by Garrett Alexander, unanimously approved.

3. Community Fund Account

FirstBank	5181 · Bank Service Charges	\$ (2.00)
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Motion by Cassie MacUmbler 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 9:51pm.