



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

CALL TO ORDER at 7:03pm

ROLL CALL

Mayor Duke Gerber	Mayor Pro-Tem Art Fox	Trustee Garrett Alexander
Trustee Ondrej Mertlik	Deputy Clerk Chris Brown	Trustee Ben Kleimer
Trustee Bob Oppenheimer	OPEN SEAT	Administrator/Clerk Melissa Matthews
Planner Scot Hunn	Attorney Richard Peterson-Cremer	

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 addition of Item #3 Memorandum of Understanding with Downtown Colorado, Inc. and move discussion item #1 ahead of the Enforcement Hearing, seconded by Garrett Alexander, unanimously approved.

APPROVAL OF MINUTES

1. July 02, 2024

Motion by Garrett Alexander to approve the minutes, seconded by Art Fox, unanimously approved with Duke Gerber abstaining,

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

DISCUSSION AND ACTION ITEMS

1. James Dilzell with Eagle River Watershed Council

Presentation of the Eagle River Community Water Plan, which has been a seven year long project in which Red Cliff was a key stakeholder in. He also presented data and updates on the Wearyman Restoration Project and upcoming potential projects including Eagle River Restoration within the Camp Hale area.

ENFORCEMENT HEARING

1. 275 Water Street, Christian Alavi

A continuation of a previous hearing regarding construction of a patio without a land use permit as well as changes made to the bank of Turkey Creek. Staff recapped the history of the work done and the past communication with the homeowner which spans about two years, as well as the alleged violations. Staff outlined the multiple attempts to get the homeowner to bring the project into compliance. At the prior enforcement hearing in January, 2024, the Board voted to give the homeowner the chance to fulfill the Board's request within six months. As of this hearing, none of the requirements have been met.

The homeowner shared his account of the situation, leading up to this enforcement hearing and gave his explanation as to why the project has not been brought into compliance. The homeowner did not indicate whether or not intends to do so.

Public comment included a resident noting work done on this property before and noted that they will look for photos to help with understanding what the property looked like prior to the unpermitted work. Staff explained options for moving forward and the Board agreed that fines were necessary at this point, as well as paying for the attorney fees associated with this enforcement attempt.

Motion by Ben Kleimer to find that the property owner is in violation of the Town of Red Cliff land use code: 16-3-170 commencing and continuing development without having first complied with the provisions of the land use code; 16-5-50 failing to submit an application for development approval to the Planning Commission; 16-6-20 failing to comply with applicable development standards pertaining to flood damage prevention (Chapter 16, Article 10), environmental impact reports (Chapter 16, Article 11), and nonconforming uses and structure (Chapter 16, Article 13); 16-6-35 failing to submit a drainage study prepared by a professional engineer for a development that materially alters existing drainage patterns; 16-4-40 engaging in development activities within ten horizontal feet of the mean annual high water mark of Turkey Creek within the live stream setback; 16-6-10 structure within rear ten-foot setback and to fine the homeowner \$1,000.00 for each violation of which there are six plus attorney fees which is allowed in the code 16-3-190(b), seconded by Duke Gerber, unanimously approved.

DISCUSSION AND ACTION ITEMS

2. Discuss potential support of a Feasibility Study for the Green Bridge

At the previous meeting, Erin Ivie with SpeakUp ReachOut presented on suicide statistics in the Valley with a focus on challenges with the Green Bridge. Their organization is hoping to do a feasibility study that would be focused on if it is possible to implement a bridge barrier on the Green Bridge as a prevention measure. This would include historical, geographical, environmental, and engineering feasibility and be highly comprehensive. They are not asking for our 'blessing' to implement a barrier at this time, but to look at if it is a possibility.

Board discussion concluded with agreement that the Town should support the study, and further support of potential changes to the bridge would need additional discussion. The Board directed staff to provide the organization with a letter of support for the feasibility study, and noted that any additional requests will need to be brought to the Board.

3. Memorandum of Understanding with Downtown Colorado, Inc.

We have been selected to participate in DCI's Challenge Program which is a 6-month intensive technical assistance program with access to extensive training, workshops, and technical assistance to help us revitalize and restore the Old Town Hall building. Kristina Finamore and I have begun this process and have found the program to be highly valuable thus far. They have waived the registration fees, but we will need to prepare to pay for three community members to attend the workshops in October as well as obtain a DCI membership. The membership offers other valuable resources throughout the next 12 months as well.

Motion by Garrett Alexander to approve the MOU with Downtown Colorado, Inc., seconded by Duke Gerber, unanimously approved.

RESOLUTIONS

RESOLUTION 8, SERIES 2024

A RESOLUTION ADOPTING THE EAGLE RIVER COMMUNITY WATER PLAN

The Board decided to table this until the next meeting so that they can fully review the Community Water Plan.

STAFF/TRUSTEE UPDATES

Administrator/Clerk, Melissa Matthews:

- As recommended by our attorney, we will have an Executive Session on August 20th.
- We received a Transfer of Liquor License application for the liquor store at the Green Bridge Inn. We have therefore issued them a Temporary Liquor License for 120 days. There will be a Liquor Board meeting in the next month for this.
- We had our CIRSA (insurance) inspection and audit today, which we passed with flying colors. Lorenzo Sandoval has been prepping for this and did a great job.
- CDOT will be giving us some of their road mill from the bridge when they start that work later this week which we will use for our road repairs.
- The fire mitigation in Minturn and Eagle-Vail will begin next week. They will bring a load of wood chips up to be spread at the cemetery.

Trustee, Garrett Alexander:

- EVTA - Transitioning from ECO to CORE Transit. There is a new outreach group to get community feedback directly.

Trustee, Ben Keimer:

- Inquired about a protocol and decorum for the maintenance staff after suicide happens at the bridge. Staff will look into options.

BILL PAY

1. General Account

Colorado State Treasurer	Payroll Liabilities (SUTA) - 2024 Q2	\$ (126.77)
Community Planning Strategies	5012 · Planner	\$ (2,000.00)
Eagle County Animal Services	5050 · Animal Control	\$ (230.00)
Empower Retirement Plans	Payroll Liabilities:Retirement Plans - PPE 06/30/2024	\$ (1,375.45)
Home Depot	5100 · Building/Grounds	\$ (98.10)
Hunn Planning & Policy, LLC	5012 · Planner	\$ (299.43)
IRS/US Treasury	Payroll Liabilities - Federal Wage Withholding	\$ (2,087.62)
Karp Neu Hanlon, PC	5013 · Attorney	\$(3,127.50)
Karp Neu Hanlon, PC	5013 · Attorney	\$ (880.00)
Mitchell & Company, LLC	5046 · Computer & Internet	\$ (175.00)
Xcel Energy x7923-0	5084 · Xcel Street Lights	\$ (15.69)
Xcel Energy x7080-4	5082 · Xcel TV Tower	\$ (73.84)
Xerox Financial Services - Copier	5041 · Postage, Print, Telephone, Supplies	\$(195.00)
Beyer, David	Payroll	\$ (1,020.26)
Brown, Chris	Payroll	\$ (1,187.93)
Brown, Chris	Reimbursement - Health Insurance	\$ (412.00)
Finamore, Kristina	Payroll	\$ (505.27)

Sandoval, Lorenzo	Payroll	\$ (1,751.06)
Sandoval, Lorenzo	Reimbursement - Mileage	\$ (21.44)
Matthews, Melissa	Payroll	\$ (2,141.44)
Matthews, Melissa	Reimbursement - Health Insurance	\$ (412.00)
Matthews, Melissa	Reimbursement - Mileage	\$ (21.44)
Gallegos, Nick	Payroll	\$ (1,310.04)
Martinez, William	Payroll	\$ (1,395.21)
Martinez, William	Reimbursement - Health Insurance	\$ (412.00)
Vayan, Katelyn	Payroll	\$ (332.84)

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

2. Enterprise Account

Dana Kepner Company	5022 · Repairs, Testing, Maintenance - WTP	\$ (1,413.23)
USDA/Rural Development	2075 · Refunding Bonds - Series A	\$ (777.00)
USDA/Rural Development	2085 · Refunding Bonds - Series B	\$ (829.00)
Xcel Energy -x1529-6	5023 · Utilities - WTP	\$ (616.27)
Xcel Energy -x8434-7	5033 · Utilities - WWTP	\$ (2,096.00)

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

3. Community Fund Account

Kristina Finamore	Reimb-5051 · Marketing & Town Events - Kids' Lunch Program	\$(175.41)
Town Of Red Cliff- General Fund	7000.2- Operating Transfer Out	\$(8,182.04)
Vail Honeywagon	5051 · Marketing & Town Events - Town Clean Up	\$(1,270.62)

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

ADJOURNMENT

Motion by Art Fox to adjourn, seconded by Duke Gerber, unanimously approved at 9:32 pm.