

## RECORD OF PROCEEDINGS

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### TOWN OF KREMMLING REGULAR TOWN BOARD MEETING May 17, 2023

The Board of Trustees, for the Town of Kremmling, met in the Boardroom located at 200 Eagle Avenue, Kremmling, Colorado 80459. With Mayor Grover Pryor presiding, the meeting was called to order at 6:01 PM. Trustees present: Trustee Bakke, Trustee Howell, Trustee Prewitt, Trustee Pesch and Mayor Pro Tem Sammons. Trustees absent: Trustee Miller. Staff present: Town Manager Ashley Macdonald, Interim Police Chief Jesse Lisenby, Public Works Director Dillon Willson, Town Clerk & Treasurer Teagan Serres, Code Enforcement Official Gary Green, Accounts Payable Clerk Rebekah Sanguinetti, Contracted Town Planner TJ Dlubac and Town Attorney Melinda Culley.

**Conflicts of Interest:** None.

**Additions/Deletions to the Agenda:** Town Manager, Ashley Macdonald, requested the addition of a request for a fee waiver for the Community Chipping days be added to the agenda as New Business Item #8. Addition to the agenda accepted.

#### **Mayoral Announcements, Proclamations & Appointments**

- Sworn Officer Appointment and Badge Pinning Ceremony, Officer Crocker

Interim Chief Lisenby led Officer Crocker in his Sworn Officer Appointment and his grandson Mason performed the badge pinning.

- Board of Adjustments Appointments

Mayor Pryor presented two applicants and explained there are currently three vacancies on the Board of Adjustments.

TRUSTEE HOWELL MOTION TO APPOINT Dave Buckley to the Board of Adjustments. TRUSTEE PESCH SECONDS. Voice vote taken; all "aye" votes. MOTION PASSED. MAYOR PRYOR APPOINTED Dave Buckley to the Board of Adjustments for a term of three years expiring in 2026.

MAYOR PRO TEM SAMMONS MOTION TO APPOINT Tim Vermeer to the Board of Adjustments. TRUSTEE PESCH SECONDS. Voice vote taken; all "aye" votes. MOTION PASSED. MAYOR PRYOR APPOINTED Tim Vermeer to the Board of Adjustments for a term of three years expiring in 2026.

#### **Consent Agenda:**

TRUSTEE HOWELL MOTION TO APPROVE the Consent Agenda. MAYOR PRO TEM SAMMONS SECONDS. Voice vote taken; all "aye" votes. MOTION PASSED.

**Citizen Comments:** None.

#### **Staff Reports:**

**Public Works Report:** TRUSTEE PESCH requested an update regarding the Water Plant overflow status and processes. Mr. Willson explained the bypass valve has been turned on and there are options if the reservoir does spill. TRUSTEE PESCH commended the Public Works crew on getting potholes filled. TRUSTEE BAKKE requested an update regarding gophers in the parks. Mr. Willson confirmed the vendor will be in Kremmling within the next two weeks.

**Kremmling Police Department Report:** MAYOR PRO TEM SAMMONS requested an update regarding the purchased patrol vehicle. Chief Lisenby confirmed the patrol vehicle has been ordered and will be processed at the outfitting company soon. MAYOR PRO TEM SAMMONS requested clarification regarding phasing out the current vehicle surplus. Chief Lisenby confirmed the Police Department will retain current vehicles for now. Ms. Macdonald explained

the surplus vehicles will be phased out through the Capital Improvement Plan. TRUSTEE BAKKE requested to see better Code Enforcement regarding beautification like towing vehicles.

**Town Manager Report:** The Board had no questions regarding the Town Manager Report.

**Town Engineer Report:** MAYOR PRO TEM SAMMONS requested clarification if all current Capital Projects are engineered and ready to begin.

**Town Attorney Report:** The Board had no questions for the Town Attorney.

**New Business:**

**1. Discussion and Action - Water Treatment Plant Improvements Construction Manager at Risk Bid Review and Selection:**

Nicholaus Marcotte, Element Engineering, presented the Construction Manager at Risk (CMAR) and bidding process. MAYOR PRO TEM SAMMONS requested clarification regarding grants. Mr. Marcotte confirmed the Water Treatment Plant Project Needs Assessment made the Water Treatment Plant Improvements Project eligible for multiple grants. MAYOR PRO TEM SAMMONS requested clarification regarding Board collaboration. Mr. Marcotte confirmed that is the intention of the CMAR process.

Mr. Marcotte introduced the Integrated Water Services, Inc. representatives. Principal-in-Charge Christian Baumgart, General Superintendent Kelly Sinclair, and Project Manager Nicholas Boger provided the presentation highlighting their experience in the CMAR process, high altitude work environments and safety.

Discussion regarding Integrated Water Services, Inc. presentation included the following topics:

- Clarification regarding the options for membrane filters and filtration systems.
- Clarification regarding the project timeline.

Mr. Marcotte introduced the Hensel Phelps Construction Company representatives. Project Director Preston Randall, Senior Estimator Mike Ferraro, Project Manager Gabe Barnett and Project Superintendent Freddi Baladez provided the presentation highlighting their experience in the CMAR process, membrane filtration treatment, controlled budget procedures and transparency.

Discussion regarding the Hensel Phelps Construction Company included the following topics:

- Clarification regarding the Project Director being a Certified Operator.
- Clarification regarding the construction phase and storage procedures.
- Clarification regarding the estimated project completion date.

MAYOR PRO TEM SAMMONS MOTION TO SELECT HENSEL PHELPS for the Water Treatment Plant Construction Manager at Risk. TRUSTEE PESCH SECONDS. Voice vote taken; all "aye" votes. MOTION PASSED.

**2. Discussion and Action -Grand Cliffs Planned Unit Development Preliminary Plan:**

Contracted Town Planner, TJ Dlubac provided the Board with an update explaining the Planned Unit Development application process and the action taken at the May 10, 2023 Planning and Zoning Commission meeting.

Joe Maglicic, the Developments Engineer, provided the applicants presentation highlighting the Accessory Dwelling Unit (ADU) plans, prohibitions on short term rentals, workforce housing restrictions, parking plans and drainage plan.

Discussion included the following topics:

- Clarification regarding snow removal plans.
- Clarification regarding creating an ADU fee schedule.
- Clarification regarding the width of the Tract E walkway to the school.
- Clarification regarding duplex versus townhome definitions.

TRUSTEE HOWELL MOTION TO APPROVE the Grand Cliffs Subdivision PUD Preliminary Development Plan incorporating the findings and comments discussed in the staff report finding that the review standards and criteria established in Section Sec. 17.03.080.G.10 of the Kremmling Municipal Code with the following conditions:

1. The Applicant shall adequately address the comments in the 2nd Referral Letter dated April 3, 2023 with the submittal of the Final Plan and Final Development Plan.
2. The Owner pays the Town the application and development fee balance prior to the Town accepting an application for the Final Plan and PUD Final Development Plan.
3. The Town Board shall establish an appropriate fee schedule for water and sewer for ADUs.
4. All Planning Commission conditions of approval of the Preliminary Plan shall be addressed with the submittal of the Final Plan and Final Development Plan.

MAYOR PRO TEM SAMMONS SECONDS. Voice vote taken; all "aye" votes. MOTION PASSED.

**3. Discussion and Action – Emergency Water Service Agreement with the Town of Hot Sulphur Springs:**

Ms. Macdonald presented the Emergency Water Service Agreement and explained if approved, the Board shall decide which rate to charge. The applicable rates are in-town water service, out-of-town water service, which are currently double the rate for in-town customers, or bulk water rate.

MAYOR PRO TEM SAMMONS MOTION TO APPROVE the Emergency Water Service Agreement with the Town of Hot Sulphur Springs with the Bulk Water rate. TRUSTEE PESCH SECONDS. Voice vote taken; all "aye" votes. MOTION PASSED.

**4. Discussion and Action – Resolution No. 2023-05-01 A Resolution Authorizing The Appointment Of Ashley Macdonald, Town Manager, As Plan Coordinator For MissionSquare 457 Employee Defined Contribution Retirement Plan:**

Ms. Macdonald explained the plan coordinator for the Town's retirement fund has not been updated in years and in order to have full capabilities of the plan the employees' contacts and coordinators need to be updated. MissionSquare requires any changes of the plan coordinator to be designated by official resolution.

MAYOR PRO TEM SAMMONS MOTION TO APPROVE Resolution No 2023-05-01 as presented. TRUSTEE PREWITT SECONDS. Voice vote taken; all "aye" votes. MOTION PASSED.

**5. Discussion and Action - Curbside Refuse Collection and Recycling Services Bid Review and Selection:**

Mr. Willson presented the two bids the Town received for Curbside Refuse Collection and Recycling Services from The Trash Company and Ranch Creek Waste.

Discussion included the following topics:

- Clarification regarding the recycling options.

MAYOR PRO TEM SAMMONS MOTION TO SELECT RANCH CREEK WASTE as the Curbside Refuse Collection and Recycling Services and authorize the Town Manager to enter into contract negotiations. TRUSTEE PESCH SECONDS. Voice vote taken; all "aye" votes. MOTION PASSED.

**6. Discussion and Action - Pavilion Project Bid Review and Selection:**

Mr. Willson presented the one bid the Town received for the Pavilion Project from A+ Construction, LLC.

Discussion included the following topics:

- Clarification regarding the construction timeline.
- Clarification regarding the budgeted amount for the Pavilion Project.

MAYOR PRO TEM SAMMONS MOTION TO SELECT A+ CONSTRUCTION for the Pavilion Project in an amount not to exceed \$250,000. TRUSTEE PESCH SECONDS. Voice vote taken; all "aye" votes. MOTION PASSED.

**7. Discussion and Action - 2022 Audit Engagement Letter:**

Ms. Serres presented the Audit Engagement Letter provided by McMahan and Associates. She explained the Board authorized the Town Manager to engage with McMahan and Associates in an amount not to exceed \$29,000 at the March 15, 2023 Regular Meeting. If the Board does not wish to increase the approved amount there is no action required. The Board did not see a need to increase the previously approved amount. NO ACTION TAKEN.

**8. Discussion and Action - Request for Fee Waiver for Community Chipping Days:**

This item was an addition to the agenda as New Business Item #8.

Ms. Macdonald explained the Grand County Wildfire Council wishes to host a chipping day on Town property. She explained the usual fee for a License Agreement on Town Property is \$100 and the Grand County Wildfire Council requested a fee waiver.

MAYOR PRO TEM SAMMONS MOTION TO APPROVE the request for fee waiver for the Community Chipping Days from the Grand County Wildfire Council. TRUSTEE PESCH SECONDS. Voice vote taken; all "aye" votes. MOTION PASSED.

**Board of Trustee Reports:** MAYOR PRO TEM SAMMONS reported the mosquito larvicide application will begin tomorrow, May 18, 2023. TRUSTEE BAKKE reported the recent legislation regarding the Second Amendment.

**Other:** None.

**Adjournment:**

TRUSTEE BAKKE MOTION TO ADJOURN. Voice vote taken; all "aye" votes. MEETING ADJOURNED at 8:18 PM.

  
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Teagan Serres, Town Clerk

  
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Grover Pryor, Mayor