

## RECORD OF PROCEEDINGS

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### TOWN OF KREMMLING REGULAR TOWN BOARD MEETING June 21, 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 6:00 PM. Trustees present: Trustee Bakke, Trustee Howell, Trustee Prewitt, Trustee Pesch and Mayor Pro Tem Sammons and Trustee Miller. Staff present: Town Manager Ashley Macdonald, Interim Police Chief Jesse Lisenby, Public Works Director Dillon Willson, Town Clerk & Treasurer Teagan Serres, Accounts Payable Clerk Rebekah Sanguinetti, Utility Billing Clerk Caitlin Parks, Police Technician Karla Hassler and Town Attorney Melinda Culley.

**Conflicts of Interest: None.**

**Additions/Deletions to the Agenda:** Town Manager, Ashley Macdonald, informed the Board of Trustees staff provided an addition to Correspondence from the Chamber of Commerce regarding Kremmling Days. Ms. Macdonald requested a modification to New Business Item #4 Airport Hangar Ground Lease - Construction of New Aircraft Hangar to be presented as Ordinance No. 710. Additions to the agenda accepted by the Board of Trustees.

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

- **Recodification Committee Appointment**

Trustee Jim Miller volunteered to be the Board of Trustees liaison for the Recodification Committee. MAYOR PRO TEM SAMMONS MOTION TO APPOINT Trustee Miller to the Recodification Committee. TRUSTEE PESCH SECONDS. Voice vote taken; all “aye” votes. MOTION PASSED. MAYOR PRYOR APPOINTED Trustee Miller to the Recodification Committee which will dissolve upon the final recodification of all Titles.

- **Library Advisory Committee**

Town Clerk & Treasurer Teagan Serres volunteered to be the Town representative for the Library Advisory Committee.

TRUSTEE BAKKE MOTION TO APPOINT Teagan Serres to the Library Advisory Committee. TRUSTEE PESCH SECONDS. Voice vote taken; all “aye” votes. MOTION PASSED. MAYOR PRYOR APPOINTED Teagan Serres to the Library Advisory Committee.

**Citizen Comments:**

Chris Sammons, *10th Street*, commented regarding safety concerns of diagonal parking on Highway 9.

**Consent Agenda:**

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

**Staff Reports:****Public Works Report:**

MAYOR PRO TEM SAMMONS requested clarification regarding mowing the right of ways. Mr. Willson confirmed Public Works Staff will continue to mow the right of ways and have not completed the project yet due to other projects that took precedence. TRUSTEE PESCH requested an update regarding the project status of the pedestrian path next to the Kremmling Mercantile. Mr. Willson confirmed staff are still awaiting a signature on the Easement Deed before the project may proceed and there has been a meeting with two contractors but no bids received to date. TRUSTEE PESCH requested an update regarding the Pavilion Project. Mr. Willson confirmed the contractor is awaiting finalization of their bond and all materials for construction have been purchased. TRUSTEE PREWITT requested a project update regarding the water feature at the Town Square. Mr. Willson confirmed the contractor has visited the site and is awaiting final plans in order to proceed. TRUSTEE PESCH requested an update regarding the reclaim water for the School District. Mr. Willson confirmed the Public Works Department is finalizing plans with the Sanitation District and the Town’s Water Attorney.

**Kremmling Police Department Report:**

MAYOR PRYOR requested clarification regarding the Code Enforcement issue on Jackson Avenue. Chief Lisenby confirmed the Police Department has been working to resolve the issue. TRUSTEE MILLER requested an update regarding the Flock Camera status. Chief Lisenby confirmed the cameras are still in place and functioning until the Flock camera technicians come to remove them. TRUSTEE MILLER reported multiple OHV/ATV vehicles crossing Highway 40 which is prohibited. MAYOR PRO TEM SAMMONS requested an update regarding the status of the Police Departments newest Patrol Officer. Chief Lisenby confirmed the newest Officer is still in training and will be patrolling on his own as soon as possible.

**Town Manager Report:**

Ms. Macdonald reported OHV/ATV directional signs will be installed shortly. Ms. Macdonald reported the Reuse Water Agreement is still under review from the Town’s Water Attorney. Ms. Macdonald reported the field work audit was completed on Tuesday June 20, 2023. TRUSTEE HOWELL requested an update regarding mosquito mitigation. Ms. Macdonald confirmed aerial sprays will be conducted this evening subject to weather. The larvicide applications have been

conducted each week by hand and the contractor is still awaiting FAA approval for drone application.

**Town Engineer Report:**

The Board had no questions for the Town Engineer.

**Town Attorney Report:**

The Board had no questions for the Town Attorney.

**Local Liquor Licensing Authority:**

MAYOR PRYOR paused the Regular Meeting of the Board of Trustees and opened the Local Liquor Licensing Authority.

Ms. Serres presented Idlewild Spirits Liquor Sales Room Application. A review of the application found the establishment is current with sales tax and the Kremmling Police Department reported no issues directly related to the proposed establishment's liquor license. The establishment has legal possession of the premises through a lease agreement. Staff found no violations regarding State Liquor, local government or zoning laws, staff reported no objections and no comments have been received to date.

Discussion included the following topics:

- Clarification regarding off-premises versus on-premises sales.
- Clarification regarding the specifications of the Liquor Sales Room License type.

MAYOR PRO TEM SAMMONS MOTION TO NOT OBJECT to Idlewild Spirits Liquor Sales Room Application. TRUSTEE PESCH SECONDS. Voice vote taken; all “aye” votes. MOTION PASSED.

MAYOR PRYOR closed the Local Liquor Licensing Authority and reconvened the Regular Board of Trustees Meeting.

**New Business:**

1. **Discussion and Action - Employee Handbook Section II. C. 7. PTO Request in Excess of Eighty Consecutive Hours:**

Mrs. Hassler presented her PTO request in excess of Eighty hours to the Board of Trustees which is required per Section II. C. 7. of the Employee Handbook.

MAYOR PRO TEM SAMMONS MOTION TO APPROVE the PTO request in excess of eighty hours for Karla Hassler. TRUSTEE HOWELL SECONDS. Voice vote taken; all “aye” votes. MOTION PASSED.

2. **Discussion and Action - First Reading of Ordinance No. 709 An Ordinance Amending Title 15 of the Kremmling Municipal Code Regarding Building Regulations; Adopting by Reference the Grand County Building Code and Secondary Codes Amended and Adopted Therein:**

Ms. Serres presented the First Reading of Ordinance No 709 to adopt by reference the Grand County Building Codes. In order to streamline these processes staff recommends being concurrent with Grand County and our Local Fire Protection Districts Codes. Ms. Serres explained in order to adopt a Code by reference, it is required by law to do a first and second reading. June 21, 2023 is the first reading and the entirety of the proposed code has been submitted to the Board in writing. The Board had no issues or amendments to the proposed Ordinance.

TRUSTEE HOWELL MOTION TO APPROVE ORDINANCE NO. 709 An Ordinance Amending Title 15 of the Kremmling Municipal Code Regarding Building Regulations; Adopting by Reference the Grand County Building Code and Secondary Codes Amended and Adopted Therein and set the Public Hearing date to July 19, 2023. TRUSTEE PREWITT SECONDS. Voice vote taken; all “aye” votes. MOTION PASSED.

3. **Discussion and Action – Police Chief Hiring Process - Strategic Government Resources (SGR):**

Ms. Macdonald presented the two proposals submitted by SGR which included a limited scope and full service scope.

Discussion included the following topics:

- Clarification regarding the current attempt of in house recruitment attempts.
- Clarification regarding different job posting advertisement options.
- Clarification regarding the difference between the limited and full service scope.
- Concerns regarding the monetary value of using a contractor for the hiring process.
- Clarification regarding the costs of background checks in house versus through SGR.
- Concerns regarding the current labor market.
- Clarification regarding the executive position hiring process.

TRUSTEE HOWELL MOTION TO TABLE the Police Chief Hiring Process until the July 5, 2023 Work Session. TRUSTEE PESCH SECONDS. Voice vote taken; all “aye” votes. MOTION PASSED.

4. **Discussion and Action – Airport Hangar Ground Lease - Construction of New Aircraft Hangar:**

This agenda item was modified to Ordinance No. 710 during additions/deletions to the agenda.

The Town Attorney, Melinda Culley, informed staff that Leases that exceed a year must be approved by Ordinance pursuant to State Statutes. Ms. Macdonald explained a site plan was approved to construct a new aircraft hangar on the property however, permission from the property owners is necessary for construction.

Discussion included the following topics:

- Clarification regarding the length and terms of the Lease.
- Clarification regarding the process due to shared ownership of McElroy Airfield with Grand County.
- Clarification regarding the size and location of the new aircraft hangar.

MAYOR PRO TEM SAMMONS MOTION TO ADOPT Ordinance No. 710 as presented. TRUSTEE HOWELL SECONDS. Voice vote taken; all “aye” votes. MOTION PASSED.

5. **Discussion and Action - Resolution No. 2023-06-01 A Resolution Approving A Processed Materials Agreement With Grand County:**

Ms. Macdonald presented Resolution No. 2023-06-01 and explained prior agreements regarding the Gravel Pit with Grand County.

Discussion included the following topics:

- Clarification regarding the uses permitted.
- Clarification regarding if the proposed agreement is equivalent to the Town’s part ownership of the property.
- The desire and need to make best use of the gravel with current projects.

MAYOR PRO TEM SAMMONS MOTION TO APPROVE Resolution 2023-06-01 A Resolution Approving A Processed Materials Agreement with Grand County. TRUSTEE PESCH SECONDS. Voice vote taken; all “aye” votes. MOTION PASSED.

6. **Discussion and Action - Resolution No. 2023-06-02 A Resolution Approving An Agreement For Shared Employees And Equipment With The Kremmling Sanitation District:**

Ms. Macdonald presented Resolution No. 2023-06-02 and explained the changes to the Shared Employees Agreement. There was a significant increase in compensation for the Utility Billing Clerk and the Town Manager is not included in the proposed agreement. Ms. Macdonald confirmed that the Sanitation District approved the Shared Employee Agreement as presented in the packet.

TRUSTEE PREWITT MOTION TO APPROVE Resolution No. 2023-06-02 and “Exhibit A” as presented. TRUSTEE MILLER SECONDS. Voice vote taken; all “aye” votes. MOTION PASSED.

#### 7. **Discussion and Action - July 5, 2023 Work Session Cancellation:**

The Police Chief Hiring Process was tabled until the July 5, 2023 Work Session. NO ACTION TAKEN.

#### **Executive Session:**

TRUSTEE MILLER MOTION TO ENTER EXECUTIVE SESSION for a conference with the town attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) – **Workplace Investigation** and for discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees – **Town Manager**. MAYOR PRO TEM SAMMONS SECONDS. Roll Call Vote was taken; Mayor Pro Tem Sammons, Trustee Prewitt, Trustee Howell, Trustee Bakke, Trustee Pesch and Trustee Miller. 6 “aye” votes, 0 “nay” votes; MOTION PASSED.

**The Executive Session concluded at 8:22 PM; and no decisions were made during the Executive Session. The recording will reside with the Town Attorney for 90 days.** Those present during the executive session were: Mayor Pryor, Mayor Pro Tem Sammons, Trustee Prewitt, Trustee Howell, Trustee Bakke, Trustee Pesch, Trustee Miller and Town Attorney Melinda Culley.

#### **Report from Executive Sessions:**

- **DISCUSSION, DIRECTION OR ACTION.** Workplace Investigation
- **DISCUSSION, DIRECTION OR ACTION.** Town Manager

MAYOR PRYOR announced that the Board of Trustees have heard the issues by Town employees and will be taking steps to address the issues with the help of the Town Attorney. Ms. Culley explained the Board of Trustees met with her to discuss and receive legal advice on specific legal matters under C.R.S. 24-6-402(4)(b) regarding the workplace investigation and discussion regarding a personnel matter related to the Town Manager. The Board of Trustees

gave the Town Attorney direction to prepare memorandums to the employees involved in the investigation.

TRUSTEE MILLER MOTION TO DIRECT THE TOWN ATTORNEY TO PREPARE memorandums for the employees who were involved in the workplace investigation. TRUSTEE PESCH SECONDS. Voice vote taken; all “aye” votes. MOTION PASSED.

**Board of Trustee Reports: None.**

**Other: None.**

**Adjournment:**

TRUSTEE HOWELL MOTION TO ADJOURN. Voice vote taken; all “aye” votes. MEETING ADJOURNED at 8:28 PM.

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Teagan Serres, Town Clerk

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Grover Pryor, Mayor