

RECORD OF PROCEEDINGS

TOWN OF KREMMLING REGULAR TOWN BOARD MEETING November 15, 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 Miller, Trustee Bakke, Trustee Prewitt, Mayor Pro Tem Sammons, Trustee Pesch and Trustee Howell. Staff present: Town Manager Ashley Macdonald, Police Chief Jesse Lisenby, Public Works Director Dillon Willson, Town Clerk & Treasurer Teagan Serres, Accounts Payable Clerk Rebekah Sanguinetti, Public Works Technician Javier Castillo, Police Officer Bryson Hicks and Town Water Attorney Katie Randall.

Conflicts of Interest: None.

Additions/Deletions to the Agenda: None.

Correspondence

Town's Regulations Regarding Shipping Containers Memo

Alan Hassler, *Range Avenue*, asked the Board of Trustees if he could comment on behalf of the Planning Commission regarding the Town's regulations regarding shipping containers. MAYOR PRYOR allowed Mr. Hassler's comments. Mr. Hassler explained he requested more information regarding shipping container regulations and the Planning Commission has deemed the excessive amount of shipping containers are beginning to raise issues and concerns. The Planning Commission is requesting the Board of Trustees consider adopting more regulations regarding shipping containers in order to better enforce the Building Code and restore setback compliance. This item was not pulled for any further discussion or action.

Mayoral Announcements, Proclamations & Appointments:

Employee Recognition

MAYOR PRYOR explained this evening the Board of Trustees will be recognizing employees for their hard work and years of service.

Ms. Macdonald informed the Board of Trustees Officer Hicks is running late and requested to move his recognition until he arrives. MAYOR PRYOR and the Board of Trustees accepted.

MAYOR PRYOR recognized and congratulated Javier Castillo, Public Works Technician, for one year of service with the Town of Kremmling. Mr. Castillo has an outstanding work ethic that is paired with his expertise and experience operating heavy machinery that has elevated the services we are able to provide for the community. Mr. Castillo's expertise allows Town staff to

complete several projects in-house that are often outsourced. Mr. Castilo is pleasant, friendly and works well with the public. We are lucky and thankful to have Javi on our team.

MAYOR PRYOR recognized Chief Lisenby and explained his official years of service extends beyond just one year, but it is important to take a moment and celebrate Jesse Lisenby's success in serving as our Police Chief for the last twelve months. Chief Lisenby shows his commitment and dedication to our community by showing a tremendous amount of empathy and grace for his staff and is an excellent steward of managing the Police Department's Budget. He embodies the values this Board adopted to be approachable and show pride in his work with a balance of old school and modern policing. Thank you Chief Lisenby for celebrating a year of service with the Kremmling community and we look forward to many more.

Citizen Comments: None.

Consent Agenda:

TRUSTEE MILLER MOTION TO APPROVE the Consent Agenda. TRUSTEE PESCH SECONDS. Voice vote taken; 6 “aye” votes, 0 “nay” votes. MOTION PASSED.

Staff Reports:

Public Works Report: MAYOR PRO TEM SAMMONS commended Mr. Willson for obtaining his Class B Water Operator License. Mr. Willson thanked the Board of Trustees and reported his Class A License test is scheduled for early December.

Kremmling Police Department Report: Chief Lisenby reported the newly purchased patrol vehicle that had been stolen from the dealership had been located and an arrest was made. The dealership reported there were no damages made to the new patrol vehicle and it is currently at L.A.W.S. preparing to be outfitted.

Town Manager Report: The Board had no questions for the Town Manager.

Town Engineer Report: The Board had no questions for the Town Engineer.

Local Liquor Licensing Authority:

MAYOR PRO TEM SAMMONS MOTION TO pause the Regular Meeting of the Board of Trustees and open the Local Liquor Licensing Authority. TRUSTEE HOWELL SECONDS. Roll Call vote taken; Trustee Prewitt, Trustee Howell, Trustee Bakke, Trustee Pesch, Trustee Miller and Mayor Pro Tem Sammons, 6 “aye” votes, 0 “nay” votes. MOTION PASSED.

Public Hearing - Transfer of Ownership of Retail Liquor Store License Application at 200 Park Avenue, Cold Beer & Whiskey, LLC:

MAYOR PRYOR opened the Public Hearing for the transfer of ownership application of a Retail Liquor Store license at 200 Park Avenue. MAYOR PRYOR entered the application as contained in the packet from the Town Clerk's office into the record of the hearing.

Ms. Serres presented the transfer of ownership application for a Retail Liquor Store license at 200 Park Avenue and explained the application is complete and contains all pertinent materials and no departments stated any concerns with issuing the license. Notice of the Public Hearing was posted in accordance with state law.

MAYOR PRYOR asked for Public Comments and there were none.

MAYOR PRYOR closed the Public Hearing for the transfer of ownership application of a Retail Liquor Store license at 200 Park Avenue.

The Board of Trustees had no questions or concerns regarding the transfer of ownership application of a Retail Liquor Store license at 200 Park Avenue.

MAYOR PRO TEM SAMMONS MOTION TO APPROVE the transfer of ownership application of a Retail Liquor Store license at 200 Park Avenue. TRUSTEE MILLER SECONDS. Voice vote taken; 6 “aye” votes, 0 “nay” votes. MOTION PASSED.

MAYOR PRO TEM SAMMONS MOTION to close the Local Liquor Licensing Authority and reconvene the Regular Board of Trustees Meeting. TRUSTEE HOWELL SECONDS. Roll Call vote taken; Trustee Prewitt, Trustee Howell, Trustee Bakke, Trustee Pesch, Trustee Miller and Mayor Pro Tem Sammons, 6 “aye” votes, 0 “nay” votes. MOTION PASSED.

New Business:

- 1. Discussion and Action Item - 2023 Board of Trustees Youth and Senior Donations for the West Grand School District Tuition Assistance Request; and, a donation consideration to the Grand County Housing Authority Senior Programming Assistance Request:**

Ms. Macdonald explained the Board of Trustees have had several discussions since the initial request from the West Grand School District (WGSD) at the September 20, 2023 Regular Board of Trustees meeting; where this item was tabled until October 18, 2023 due to multiple Board members being absent. The Board gave direction at the October 18, 2023 Regular Meeting to bring additional information regarding funding opportunities to balance youth and senior contributions to the community. Ms. Macdonald brought back information from Grand County's senior programming needs and informed the Board of Trustees the 2023 Donations Budget can allow for a total donation of \$12,000 split between WGSD and senior programming however the Board pleases.

Discussion included the following topics:

- Clarification regarding earmarking the donated funds for the specific items such as; food for Kremmling Senior Programs and Tuition Assistance for Kremmling Early Childcare.
 - Superintendent for West Grand School District, Elizabeth Bauer, and West Grand Early Childcare Center Director, Karla Suer confirmed the donated funds would be used one-hundred percent for Tuition Assistance for current students.
- Clarification regarding if Grand County has provided a specific amount of funding for Senior Citizen Programming.
 - Ms. Macdonald confirmed the County Officials have not provided a specific dollar amount, however, any donation would be needed and greatly appreciated in order to continue high quality Senior Citizen Programs.

TRUSTEE MILLER MOTION TO APPROVE a one time contribution in the amount of \$5,000 to Grand County Housing Authority for Kremmling Senior Food Programs and \$5,000 to the West Grand Early Childcare Center for Tuition Assistance. TRUSTEE PESCH SECONDS. Voice vote taken; 6 “aye” votes, 0 “nay” votes. MOTION PASSED.

Mayoral Announcements, Proclamations & Appointments:

1. Employee Recognition

Officer Hicks arrived so the Board of Trustees returned to Employee Recognition.

MAYOR PRYOR announced this November marks Officer Hicks’ 4th year of service with the Kremmling Police Department. Since his hire in 2019, Officer Hicks has done many things in an effort to serve this community. Shortly after being hired, he completed his field training and immediately became the only Police Officer for this Town. In a situation where many other officers would have walked away, Officer Hicks persevered and helped hold this agency together. Officer Hicks became a Field Training Officer, and he has helped train every other employee of the Kremmling Police Department who has come after him. He takes training seriously and often seeks opportunities to attend training events to improve his skills in order to better serve this Town. Officer Hicks works tirelessly and has become a staple of the Kremmling Police Department as well as the Town of Kremmling. The job of a Police Officer often goes unnoticed by most people and that is one indication it is done well. The safety and security of this Town is due, in part, to Officer Hicks' diligent efforts. We would like to take this opportunity to recognize the dedication to service and the commitment to this town given by Officer Bryson Hicks.

2. Discussion and Action Item - Resolution No. 2023-11-02 A Resolution Approving A Memorandum Of Understanding With The West Grand School District 1-JT:

Chief Lisenby presented Resolution No. 2023-11-02 and the Memorandum of Understanding (MOU) with West Grand School District explaining it is a statutory requirement to provide a School Resource Officer (SRO) to schools within a Police Department’s jurisdiction. The Town of Kremmling Police Department does not currently have an Officer trained to be an SRO therefore the Grand County Sheriff’s Department provides the SRO coverage. The MOU is to

memorialize that the Kremmling Police Department holds the statutory requirement however the Grand County Sheriff's Department will provide the SRO coverage instead.

Discussion included the following topics:

- Clarification regarding responsibilities during emergency responses.
 - Chief Lisenby confirmed the Kremmling Police Department will still respond to any and all emergency situations when needed.
- Concerns regarding no Kremmling Police Officer's obtaining the SRO training requirements.
 - Chief Lisenby confirmed obtaining an SRO trained Officer is a planned goal for the Kremmling Police Department.

TRUSTEE HOWELL MOTION TO ADOPT Resolution No. 2023-11-02 as presented.

TRUSTEE MILLER SECONDS. Voice vote taken; 6 "aye" votes, 0 "nay" votes. MOTION PASSED.

3. Discussion & Action Item - Resolution No. 2023-11-03 A Resolution Approving an Airport Hangar Lease Agreement:

Ms. Macdonald presented Resolution No. 2023-11-03 and explained the Town owns five airport hangars at the McElroy/Kremmling Airfield where one was vacated earlier in the year. Town staff located a Lessee interested and have reviewed and agreed to the terms of the Lease.

Discussion included the following topics:

- Clarification regarding if the annual rental amounts are fair but also enough to cover hangar expenses.
 - Ms. Macdonald confirmed the annual rates are comparable to the fair market value of airport hangars in Colorado and will cover budgeted expenses for the airport hangars.

TRUSTEE HOWELL MOTION TO ADOPT Resolution No. 2023-11-03 as presented. MAYOR PRO TEM SAMMONS SECONDS. Voice vote taken; 6 "aye" votes, 0 "nay" votes. MOTION PASSED.

4. Discussion & Action Item - Resolution No. 2023-11-04 A Resolution Appropriating Additional Sums Of Money To Defray Expenses In Excess Of Amounts Budgeted For Within the Solid Waste Fund For The Town Of Kremmling, Colorado:

- a. Public Hearing**
- b. Debate & Consideration**

MAYOR PRYOR opened the Public Hearing for Resolution No. 2023-11-04 A Resolution Appropriating Additional Sums of Money to Defray Expenses in Excess of the Amounts Budgeted for within the Solid Waste Fund for the Town of Kremmling, Colorado.

Ms. Serres presented Resolution No. 2023-11-04 and explained the 2023 Solid Waste Budget needs to be amended in order to provide transparency and accountability regarding the appropriations made to increase the budgeted amount to meet anticipated expenses with revenue coming from excess unbudgeted funds, unappropriated and unrestricted fund balances. She further stated that the Solid Waste Fund historically operates at a deficit, however, this year is operating at a much larger deficit.

Board discussion included the following topics:

- Concerns regarding the large deficit in the Solid Waste Fund compared to previous years.

The Board of Trustees directed staff to look deeper into the fund discrepancies to determine and resolve why the Solid Waste Fund is operating at more of a loss than usual.

MAYOR PRYOR asked for Public Comments and there were none.

MAYOR PRYOR closed the Public Hearing for Resolution No. 2023-10-04 A Resolution Appropriating Additional Sums of Money to Defray Expenses in Excess of the Amounts Previously Budgeted for within the Solid Waste Fund for the Town Of Kremmling, Colorado.

TRUSTEE HOWELL MOTION TO TABLE Resolution No. 2023-11-04 until the December 6, 2023 Special Meeting. TRUSTEE BAKKE SECONDS. Voice vote taken; 6 “aye” votes, 0 “nay” votes. MOTION PASSED.

5. Discussion & Action Item - Resolution No. 2023-11-05 A Resolution Appropriating Additional Sums Of Money To Defray Expenses In Excess Of Amounts Budgeted For Within the Water Fund For The Town Of Kremmling, Colorado:

a. Public Hearing

b. Debate & Consideration

MAYOR PRYOR opened the Public Hearing for Resolution No. 2023-10-05 A Resolution Appropriating Additional Sums of Money to Defray Expenses in Excess of Amounts Budgeted for Within the Water Fund for the Town Of Kremmling, Colorado.

Ms. Serres presented Resolution No. 2023-11-05 and explained the 2023 Water Budget needs to be amended in order to provide transparency and accountability regarding the appropriations made to increase the budgeted amount to meet anticipated expenses with revenue coming from excess unbudgeted funds, unappropriated and unrestricted fund balances. She further stated that many municipalities are expecting their Water Funds to operate at a deficit because of the high moisture levels this year. However, the Water Fund is operating at a much higher deficit than staff expected.

Board discussion included the following topics;

- Concerns regarding the large deficit in the Water Fund compared to previous years.

The Board of Trustees directed staff to look deeper into the fund discrepancies to determine and resolve why the Water Fund is operating at more of a loss than usual.

MAYOR PRYOR asked for Public Comments and there were none.

MAYOR PRYOR closed the Public Hearing for Resolution No. 2023-10-05 A Resolution Appropriating Additional Sums of Money to Defray Expenses in Excess of Amounts Budgeted for Within the Water Fund for the Town of Kremmling, Colorado.

TRUSTEE HOWELL MOTION TO TABLE Resolution No. 2023-11-05 until the December 6, 2023 Special Meeting. TRUSTEE MILLER SECONDS. Voice vote taken; 6 “aye” votes, 0 “nay” votes. MOTION PASSED.

6. Discussion Item - Public Hearing: 2024 Draft Budget & 10 Year Capital Improvement Plan:

MAYOR PRYOR opened the Public Hearing for the 2024 Draft Budget & 10 Year Capital Improvement Plan.

Ms. Macdonald presented the 2024 Draft Budget & 10 Year Capital Improvement Plan (CIP) and outlined the Budget adoption timelines such as; preliminary Draft Budget discussions at the September 27, 2023 Board Retreat, the proposed annual Budget was formally presented to the Board at the October 4, 2023 Special Meeting, public presentation and access to the 2024 Draft Budget was available at the Budget Boonanza and Town Square Scare on October 21, 2023, the October 18, 2023 and November 15, 2023 Regular Meetings offered the opportunity for Public Hearings, the 2024 Budget adoption is scheduled for December 6, 2023 and each updated draft of the 2024 Budget has been available for public inspection at Town Hall since September 27, 2023. Ms. Macdonald further explained there have been no major changes to the 2024 Draft Budget or CIP since the October 18, 2023 Regular Board of Trustees Meeting.

MAYOR PRYOR asked for Public Comments and there were none.

MAYOR PRYOR closed the Public Hearing for the 2024 Draft Budget & 10 Year Capital Improvement Plan.

The Board had no discussion, direction or issues regarding the 2024 Draft Budget & 10 Year Capital Improvement Plan.

7. Discussion & Action Item - Cancel December 20, 2023 Regular Meeting, Schedule January 3, 2024 Special Meeting and Town Hall Holiday Closures:

Ms. Macdonald explained the Board of Trustees requested to cancel the December 20, 2023 Regular Board of Trustees Meeting. As a result, staff is proposing to schedule a Special Meeting on January 3, 2024 in order to conduct end of and beginning of year business. Additionally, administrative staff has requested that Town Hall be closed on Tuesday, December 26, 2023 as an unpaid holiday due to holiday travel plans. Town Manager Macdonald advised the Board that

she will be traveling out of state possibly between December 15th-18th in which Dillon Willson will serve as the Interim Town Manager.

The Board had no questions or concerns regarding proposed meeting date changes or proposed Town Hall Holiday closures.

TRUSTEE PREWITT MOTION TO CANCEL the December 20, 2023 Regular Board of Trustees Meeting, schedule January 3, 2024 Special Meeting and allow December 26, 2023 as an unpaid Holiday for employees. MAYOR PRO TEM SAMMONS SECONDS. Voice vote taken; 5 “aye” votes, 1 “nay” votes. MOTION PASSED.

Executive Session for a conference with the town water attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) – Water Rights & Agreements

TRUSTEE MILLER MOTION TO ENTER EXECUTIVE SESSION for a conference with the town water attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) for the purpose of Water Rights & Agreements. TRUSTEE PESCH 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 7:27 PM; and no decisions were made during the Executive Session. The recording will reside with the Mayor 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, Town Water Attorney Katie Randall, Town Manager Ashley Macdonald, Public Works Director Dillon Willson and Town Clerk and Treasurer Teagan Serres.

1. Report from Executive Session:
 - a. **Discussion, Direction or Action.** Water Rights & Agreements.

MAYOR PRYOR reported the Board of Trustees discussed the Town’s Water Rights and Agreements, specifically the reuse water program, during Executive Session. The Board of Trustees then directed staff to work with the Town’s Water Attorney and Engineers regarding the Town’s reuse water programs.

Board of Trustees Reports:

TRUSTEE BAKKE reported concerns regarding the dumpsters located behind the Old Fire Hall. Mr. Willson confirmed he has requested to have the dumpsters moved and has reported multiple problems with Ranch Creek Waste. Town staff, Ranch Creek Waste and the Home Owners Association that use the dumpsters have had discussions regarding a plan to move the dumpsters to a different location. TRUSTEE BAKKE reported multiple vehicles need to be moved from

streets that will inhibit snow plowing and removal. Ms. Macdonald confirmed Chief Lisenby and Mr. Willson have been working to address vehicle removal issues.

Adjournment:

MAYOR PRO TEM SAMMONS MOTION TO ADJOURN. Voice vote taken; 6 “aye” votes, 0 “nay” votes. MEETING ADJOURNED at 7:30 PM.

Teagan Serres, Town Clerk

Grover Pryor, Mayor