

## RECORD OF PROCEEDINGS

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### TOWN OF KREMMLING SPECIAL TOWN BOARD MEETING January 3, 2024

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: Jim Miller, Dave Sammons, Wes Howell, Doug Prewitt, and Grover Pryor. Trustees absent: Guy Bakke and Leo Pesch. Staff present: Public Works Director Dillon Willson, Town Clerk & Treasurer Teagan Serres, and Accounts Payable Clerk Rebekah Sanguinetti. Town Manager Ashley Macdonald and Town Attorney Melinda Culley were present virtually.

#### **Conflicts of Interest: None.**

**Executive** Session for the purpose of purchase acquisition, lease, transfer, or sale of any real or personal property interest, under C.R.S. Section 24-6-402(4)(a) - **Kremmling Library Property.**

MAYOR PRO TEM SAMMONS MOTION TO ENTER EXECUTIVE SESSION for the purpose of purchase acquisition, lease, transfer, or sale of any real or personal property interest, under C.R.S. Section 24-6-402(4)(a) regarding the Kremmling Library Property. TRUSTEE HOWELL SECONDS. Roll Call Vote was taken, Mayor Pro Tem Sammons, Trustee Prewitt, Trustee Howell, and Trustee Miller. 4 “aye” votes, 0 “nay” votes; MOTION PASSED.

The Executive Session concluded at 6:18 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 Miller, and Town Clerk & Treasurer Teagan Serres. Town Attorney Melinda Culley and Town Manager Ashley Macdonald were present virtually.

#### **Agenda Items:**

##### **1. Discussion & Action Item. Expenditures Dated December 7, 2023 - January 3, 2023.**

TRUSTEE HOWELL requested clarification regarding the purchase of Voter Magic Software. Ms. Serres explained it is election software which is a one-time purchase that can be used for all future Town of Kremmling elections. TRUSTEE HOWELL requested further clarification regarding the 2024 Election Budget regarding the amount budgeted to the Elections category.

Ms. Serres confirmed the amount is more than what is budgeted in Elections for 2024; however, the purchase can be split between the Administrative and Election categories. And, staff is reviewing and making adjustments to Administrative Dues & Subscriptions for the purchase of the Voter Magic Software so the purchase does not exceed overall expenditures.

The Board had no further questions regarding the Expenditures Dated December 7, 2023 - January 3, 2023.

TRUSTEE PREWITT MOTION TO APPROVE the Expenditures dated December 7, 2023 – January 3, 2024, in the amount of \$204,559.33. TRUSTEE MILLER SECONDS. Voice vote taken; 3 “aye” votes, 1 “nay” votes. MOTION PASSED.

**2. Discussion & Action Item. Resolution No. 2024-01-01 A Resolution of The Board of Trustees for The Town of Kremmling, Colorado Adopting The 2024 Board of Trustees Open Meeting Schedule.**

Ms. Serres presented Resolution No. 2024-01-01 and explained the Board of Trustees are required to adopt their open meeting schedule annually. She further explained the Kremmling Municipal Code is extremely specific regarding the Board of Trustees meeting schedule; however, for traditional housekeeping and transparency purposes staff recommends annual adoption of the open meeting schedule.

The Board of Trustees had no questions or concerns regarding Resolution No. 2024-01-01 or the 2024 open meeting calendar.

TRUSTEE HOWELL MOTION TO APPROVE Resolution No. 2024-01-01 as presented. MAYOR PRO TEM SAMMONS SECONDS. Voice vote taken; 4 “aye” votes, 0 “nay” votes. MOTION PASSED.

**3. Discussion & Action Item. Resolution No. 2024-01-02 A Resolution Designating Public Places Within the Town of Kremmling for Posting of Public Notices and Designation for Legal Publications for the Town of Kremmling.**

Ms. Serres presented Resolution No. 2024-01-02 and explained the Colorado Revised Statutes requires municipalities to designate official public notice and legal publication locations. She further explained the Town’s website will continue to be the official location for posting public notices and the front door of Town Hall will serve as a secondary location noting that the secondary location will be used concurrently with the primary location. The Sky-Hi Newspaper will continue to be the official location for legal publications. Ms. Serres advised the Board there should not be any additional financial impacts because current operations are not being changed.

The Board of Trustees had no questions or concerns regarding Resolution No. 2024-01-02.

MAYOR PRO TEM SAMMONS MOTION TO APPROVE Resolution No. 2024-01-02 as presented. TRUSTEE HOWELL SECONDS. Voice vote taken; 4 “aye” votes, 0 “nay” votes. MOTION PASSED.

**4. Discussion & Action Item: Resolution No. 2024-01-03 A Resolution of The Board of Trustees for The Town of Kremmling, Colorado Supporting the Grant Application from The Department of Local Affairs for The Local Planning Capacity for A Community Development Readiness Assessment.**

Ms. Macdonald presented Resolution No. 2024-01-03 which is an official action for authorization of the Town Manager to submit a grant application for the Local Planning Capacity Grant Program as a result of Proposition 123. The Board previously adopted a Resolution that supports pursuing such applications at the October 4, 2023, Special Meeting. She reported the Town has been invited to submit a full application after submitting a pre-application and attending a meeting with Department of Local Affairs (DOLA) representatives as a result of the pre-application. The Town Manager wishes to request \$60,000; \$48,000 from DOLA and a \$12,000 match from the Town of Kremmling. This money will be used for consultant and legal fees to assist in completing a Community Development Readiness Assessment which will help the Town stay on track to receive funds for affordable housing and meet the baseline requirements of Proposition 123.

The Board of Trustees had no questions or concerns regarding Resolution No. 2024-01-03.

TRUSTEE PREWITT MOTION TO APPROVE Resolution No. 2024-01-03 as presented. TRUSTEE HOWELL SECONDS. Voice vote taken; 4 “aye” votes, 0 “nay” votes. MOTION PASSED.

**5. Discussion & Action Item: Capital Purchase of Plow Truck.**

Mr. Willson explained the Capital Purchase of a plow truck was approved at the December 6, 2023, Special Meeting within the 2024 Budget and Capital Improvement Plan (CIP). He further explained the recent bids he received are slightly greater than the budgeted amount of \$110,000. He clarified the bids obtained for the CIP were good for a limited number of days before they are subject to change. Therefore, Mr. Willson requested the Board of Trustees approve the purchase of a new plow truck in an amount not to exceed \$113,000.

The Board of Trustees had no questions or concerns regarding the request to increase the budgeted amount for the Capital Purchase of a new plow truck.

TRUSTEE HOWELL MOTION TO APPROVE the purchase of a new plow truck in an amount not to exceed \$113,000. MAYOR PRO TEM SAMMONS SECONDS. Voice vote taken; 4 “aye” votes, 0 “nay” votes. MOTION PASSED.

**6. Discussion & Action Item. Ordinance No. 712 An Ordinance Establishing a Water Activity Enterprise of The Town of Kremmling, Colorado and Ratifying Certain Actions Previously Taken by The Board of Trustees of The Town.**

Ms. Culley presented Ordinance No. 712 and explained this Ordinance will formally establish the Water Fund as an Enterprise Fund for Taxpayer Bill of Rights (TABOR) purposes. She further explained that establishing a Water Enterprise Fund will not affect the current operation of the Water Fund and will be beneficial for applying for loans and grants.

The Board of Trustees had no questions or concerns regarding Ordinance No. 712.

TRUSTEE MILLER MOTION TO APPROVE Ordinance No. 712 as presented. MAYOR PRO TEM SAMMONS SECONDS. Voice vote taken; 4 “aye” votes, 0 “nay” votes. MOTION PASSED.

**7. Discussion & Action Item. Ordinance No. 713 An Emergency Ordinance Authorizing a Loan from The Colorado Water Resources and Power Development Authority; Authorizing the Form and Execution of The Loan Agreement and A Governmental Agency Bond to Evidence Such Loan; Ratifying Prior Determinations of The Town Board Acting by And Through Its Water Activity Enterprise; And Prescribing Other Details in Connection Therewith.**

Ms. Culley presented Ordinance No. 713 and explained the Town received a \$300,000 design and engineering grant for the construction of the new Water Treatment Plant. She further explained that the grant is structured as a loan for Taxpayer Bill of Rights (TABOR) purposes. Ms. Culley stated Ordinance No. 713 is presented as an emergency ordinance, however, since the entirety of the Board of Trustees is not present the ordinance cannot be adopted as an emergency ordinance.

The Board of Trustees had no questions or concerns regarding Ordinance No. 713.

TRUSTEE MILLER MOTION TO APPROVE Ordinance No. 713 as a non-emergency ordinance. TRUSTEE PREWITT SECONDS. Voice vote taken; 4 “aye” votes, 0 “nay” votes. MOTION PASSED.

**8. Discussion & Action Item. Resolution No. 2024-01-04 A Resolution Levying Property Taxes for the Year 2023 to Help Defray the Costs of Government for The Town of Kremmling, Colorado for the 2024 Budget Year.**

Ms. Macdonald explained the Board of Trustees adopted the annual budget in accordance with the Local Government Budget Law on December 6, 2023. She further explained due to the passage of SB23B-001 in the 2023 Extraordinary Session there are changes affecting the 2023 assessment calendar. As a result, the deadline to certify to the County Commissioners of Grand County was changed from December 15, 2023, to January 10, 2024. Due to SB23B-001 Grand County was required to send an Amended Certification of Valuation and the amended amount is lesser than the previously adopted amount. The Town of Kremmling must adopt a new resolution with the correct assessed value and certify it to the Grand County Board of Commissioners by January 10, 2023. Town Staff does not anticipate expenditures to exceed revenues in the 2024 Budget since it was adopted with conservative revenues. Staff will monitor the 2024 Budget closely and inform the Board if any Amendments are necessary.

MAYOR PRYOR announced he resigned from Mayor effective immediately pursuant to moving outside of the Town of Kremmling jurisdiction in the near future. TRUSTEE HOWELL requested clarification regarding the Mayor Pro Tem position and who will act as Mayor until the April 2, 2024, election. Ms. Culley confirmed that Dave Sammons is currently Mayor Pro Tem, and he can serve as Mayor until the election; additional options include appointing a current Trustee as Mayor or accepting applications for the appointment of Mayor until the April 2, 2024, election. There was no further discussion regarding the Mayor Vacancy and Appointment. Questions were directed to the Town Clerk or Town Attorney for future discussion or agenda items regarding the election.

**Adjournment:**

TRUSTEE MILLER MOTION TO ADJOURN. Voice vote taken; 4 “aye” votes, 0 “nay” votes. MEETING ADJOURNED at 6:40 PM.

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Teagan Serres, Town Clerk

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Wes Howell, Mayor