

## RECORD OF PROCEEDINGS

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### TOWN OF KREMMLING REGULAR TOWN BOARD MEETING March 19, 2025

The Board of Trustees for the Town of Kremmling met in the Boardroom located at 203 Park Avenue, Kremmling, Colorado 80459. With Mayor Wes Howell presiding, the meeting was called to order at 6:00 PM. Trustees present: Jim Miller, Wes Howell, Erik Woog, Dave Sammons, Brad Perry, Brady Mathis, and Leo Pesch. Staff present: Town Clerk & Treasurer Teagan Serres and Chief of Police Jesse Lisenby. Chris Masar, Contracted Town Planner was present virtually.

**Conflicts of Interest:** None.

**Additions/Deletions to the Agenda:** None.

**Citizen comments. (Comments are limited to five minutes.):**

There were no citizen comments.

#### Consent Agenda

- Expenditures Dated February 20, 2025 - March 19, 2025
- Recording of Proceedings from February 17, 2025, Special Meeting
- Recording of Proceedings from February 19, 2025, Regular Meeting
- Recording of Proceedings from February 24, 2025, Special Meeting
- Recording of Proceedings from March 6, 2025, Special Meeting
- Recording of Proceedings from March 7, 2025, Special Meeting
- Recording of Proceedings from March 14, 2025, Special Meeting

TRUSTEE MILLER MOTION TO APPROVE the Consent Agenda as presented. TRUSTEE PERRY SECONDS. Voice vote taken: 6 "aye" votes, 0 "nay" votes. MOTION PASSED.

#### Staff Reports:

- Public Works & Town Engineer

Public Works Director Dillon Wilson was absent from the meeting, so Town Clerk and Treasurer Teagan Serres presented the Public Works staff report. The Board of Trustees expressed concerns about waiting until Memorial Day to replace the large American flag at the west end of town, and they requested that the new flag be installed sooner.

- Kremmling Police Department

Chief of Police Jesse Lisenby reported that the High Visibility Enforcement (HVE) program hours have increased due to entering the summer months. He plans to renew the HVE Grant with the Grand County Sheriff's Office in June. All officers will participate in training this spring without interrupting services. Chief Lisenby is reviewing Use by Special Review Permits approved in the last ten years and will report to the Planning Commission and Board of Trustees on any approvals that haven't met their conditions. He has applied for the 2025 Justice Assistance Grant (JAG) and expects a response in June. Additionally, the Peace Officer Standards and Training (POST) Grant is open until March 31, 2025. This reimbursement grant will cover eligible expenses for police training and equipment. Chief Lisenby plans to seek reimbursement for training costs anticipated in the state's 2025 fiscal year, which would offset already budgeted expenses. The Board of Trustees supports this application. TRUSTEE MATHIS asked for clarification on the HVE program, which Chief Lisenby explained is a DUI enforcement initiative that reimburses the Town for officers' overtime costs.

- Town Clerk & Treasurer

Town Clerk and Treasurer Teagan Serres reported that significant time has been spent on the Town Manager hiring process, as well as preparing for and facilitating meetings with five meetings in February and eight in March. A pre-application meeting for a Use by Special Review application was held with Planning Commission Chair Alan Hassler, who will support these meetings until a Town Manager is hired. He plans to recuse himself from discussions once an application is submitted and will disclose any ex parte communication at the public hearing, allowing the applicant to request his recusal if they wish. So far, \$2,194 has been collected from \$13,474 in tax liens, and while there have been some inquiries about the Treasurer/Finance

Director position, no applications have been received yet. The 2024 audit is set for the week of June 16, 2025.

#### New Business

1. **Public Hearing: Discussion & Action Item.** Rezoning Application at 416 S 3rd Street from Multiple Family Residential (R-2) to Industrial, *Nick Potohnick*.

MAYOR HOWELL opened the Public Hearing on the rezoning application at 416 S 3rd Street from Multiple Family Residential (R-2) to Industrial.

Chris Masar provided the staff presentation for a request to rezone the property located at 416 3rd Street from Multiple Family Residential (R-2) to Industrial (I). The applicant, Nick Potohnick, aims to align the property's zoning with its current and historical use as a light industrial storage facility since approximately 1946. The property includes a 2,800 sq. ft. office warehouse and a 655 sq. ft. shed. While the proposed rezoning adheres to most criteria, such as consistency with the Comprehensive Plan and compatibility with nearby industrial uses, it is important to note that a variance was previously granted by the Board of Adjustment for a three-foot-four-inch (3' 4") setback. Additionally, a Use by Special Review application was approved on March 18, 2025, allowing for an 8-foot fence. The Planning and Zoning Commission recommended approval of the rezoning request during their meeting on March 18, 2025. Staff also recommends approval, concluding that the application meets all criteria required by the Kremmling Municipal Code.

MAYOR HOWELL asked for public comments, and there were none. MAYOR HOWELL closed the Public Hearing at 6:18 p.m.

The Board of Trustees discussed the rezoning application and deliberated that the application makes sense and is consistent with the use of the property as well as the surrounding area.

TRUSTEE SAMMONS MOTION TO APPROVE the Rezoning request from Multiple Family Residential (R-2) to Industrial (I) located at 416 3rd Street, finding the application meets all criteria required in §17.05.020.D of the KMC. TRUSTEE PESCH SECONDS. Voice vote taken: 6 "aye" votes, 0 "nay" votes. MOTION PASSED.

2. **Discussion & Action Item.** Estates at the Bluff Annexation Agreement Negotiations Report.

Town Clerk & Treasurer Teagan Serres reported on the Estates at the Bluff Annexation Agreement Negotiations. Discussions have been held with the property owner regarding annexation terms, with specific points of contention including water system development fees, the upgrade fee for a larger tap, and a contribution towards a future sidewalk. The owner disputes the current \$10,000 per tap fee for 36 mobile homes (\$360,000 total), offering \$198,000 based on a prior \$5,500 rate, and requests that the sidewalk payment be reduced from \$75,000 to \$25,000. Additionally, the owner agreed to pay \$12,000 for the tap upgrade. The Board is asked to provide direction on whether to accept the water tap fees at the current or old rates, and the appropriate amount for the sidewalk payment. The owner believes their offered amounts are reasonable considering the long-standing history and their willingness to pay for the tap fees at the old rate.

Discussion included the following topics:

- Clarification regarding the owner's opportunity to construct the sidewalk at their own cost. It was decided to seek input from the Public Works Director and the Town Engineer on this matter.
- Concerns regarding the distance between mobile homes and street widths, as they may not meet the Kremmling Municipal Code requirements. Clarification is needed regarding when this issue could be addressed.
- Clarification regarding the mobile homes' ability to each have a curbstop and the ability to be individually metered. Ms. Serres clarified that the new mobile homes each have a curb stop and are individually metered. The same can eventually be implemented for the older existing homes.
- Clarification regarding the benefit to the Town if the property is annexed.
- Clarification regarding who would be responsible for the infrastructure if annexed.

The Board of Trustees discussed the need for more information before making any decisions or taking further action. They expressed that they would be comfortable with paying tap fees at the previous rate but require clarification on several issues, including sidewalks, curbstops, meter

pits, the distance between homes, and street widths. The Board concluded that it would be best to wait until a new Town Manager is onboarded, as that person could take over negotiations and provide additional information to the Board.

**3. Discussion & Action Item.** Planning and Land Use Development Process Review & Part-Time Planner Job Description.

Ms. Serres explained that the Mayor and Board had expressed concerns about the current arrangement with Community Planning Strategies (CPS) for planning services and regarding the Town Manager serving as Planning Director. The options discussed included continuing the contract with CPS, putting the contract out for bid, or hiring a part-time planner. Ms. Serres reported that the town paid CPS \$84,452.21 in 2024, with a net cost of \$23,821.34 to the town; the remainder was subject to reimbursement from developers and applicants. She also indicated that available administrative salaries could potentially fund a part-time planner at a rate of \$25 to \$30 per hour for 20 hours a week. Staff requested direction from the Board on how to proceed, considering the options of continuing with CPS, bidding the contract, or hiring a part-time planner.

The Board of Trustees discussed and deliberated on hiring a part-time planner with a pay range of \$40 to \$50 per hour. They will also continue to utilize CPS for on-call services as needed, which will be determined by the Town Manager and the Board of Trustees on a case-by-case basis. The Board directed staff to post the job description for the part-time planner tomorrow, reflecting the pay range of \$40 to \$50 per hour.

**4. Discussion & Action Item.** Resolution No. 2025-03-01 A Resolution of the Board of Trustees of the Town of Kremmling Making an Appointment to the Colorado River Basin Round Table.

Ms. Serres presented Resolution No. 2025-03-01 and explained that the Colorado River Basin Round Table is a collaborative body focused on water management within the Colorado River Basin. Each town in Grand County collectively appoints one member with a three-year staggered term. Adam Cwiklin, with extensive experience in natural resource management, water policy, and community service, is the sole person who has expressed interest. His qualifications include a Bachelor of Science in Natural Resource Biology, decades of experience in water resource management, including a role as Fraser's water and wastewater superintendent, and ongoing commitments to local water stewardship.

The Board of Trustees did not have any questions or concerns regarding Resolution No. 2025-03-01.

TRUSTEE PERRY MOTION TO APPROVE Resolution No. 2025-03-01 as presented.  
TRUSTEE MILLER SECONDS. Voice vote taken: 6 “aye” votes, 0 “nay” votes. MOTION PASSED.

**5. Discussion Item.** Treasurer's Report.

Ms. Serres provided the Treasurer's Report. The 2023 audit was completed in August 2024, with positive results and resolution of any negative issues. The 2024 audit is scheduled for the week of June 16th. The 2025 budget is being closely monitored. Sales tax budget figures for 2021-2025 were presented, showing an increasing trend. Water Sales for 2024 totaled \$660,327.80, and 2025 sales are projected at \$1,147,583. Loan payments for 2025 related to water are significant, totaling \$629,565.06. Reserve fund requirements per the Comprehensive Financial Management Policy (CFMP) were discussed, with 41% of operating costs (or 150 days) being the target. Water Enterprise and General Fund reserve amounts held at COLOTRUST and CSAFE were detailed, along with the General Account at United Business Bank.

**6. Executive Session** pursuant to C.R.S. Section 24-6-402(4)(e) for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators – **Regarding Town Manager Contract**

TRUSTEE MATHIS MOTION TO ENTER EXECUTIVE SESSION pursuant to C.R.S. Section 24-6-402(4)(e) for the purpose of determining positions relative to matters that may be subject to

negotiations, developing strategy for negotiations, and/or instructing negotiators – Regarding Town Manager Contract. TRUSTEE SAMMONS SECONDS. Roll Call Vote was taken, Trustee Perry, Trustee Mathis, Trustee Sammons, Trustee Pesch, Trustee Woog, and Trustee Miller. 6 “aye” votes, 0 “nay” votes; MOTION PASSED.

The Executive Session concluded at 8:18 p.m., and no decisions were made during the Executive Session. The recording will reside with the Town for 90 days. Those present during the executive session were Mayor Howell, Trustee Perry, Trustee Miller, Trustee Mathis, Trustee Woog, Trustee Sammons, Trustee Pesch, Town Clerk & Treasurer Teagan Serres, and Chief of Police Jesse Lisenby.

**7. Report from Executive Session (if needed)**

**a. Discussion/Direction/Action on Town Manager Contract**

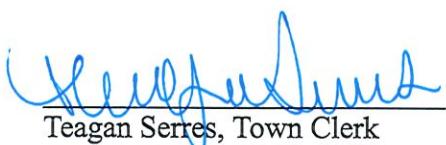
MAYOR HOWELL reported that the Board of Trustees met in an executive session to discuss the Town Manager contract and negotiations related to the contract. He further reported that the Mayor will continue negotiations with the Town Manager candidates.

**Board of Trustees Reports & Future Agenda Items for Consideration:**

MAYOR HOWELL reiterated that the job description for the part-time planner position will be posted tomorrow, March 20, 2025. It will be available internally until March 27, 2025, after which it will be posted publicly if there are no internal applicants. TRUSTEE SAMMONS reported that he has spoken with the contractor responsible for larvicide mosquito operations, and everything is ready to proceed, with operations set to begin in April or May. He also mentioned that aerial spraying may be necessary by the third weekend in June.

**Adjournment:**

TRUSTEE SAMMONS MOTION TO ADJOURN. Voice vote taken; all “aye” votes. The meeting was adjourned at 8:27 PM.



Teagan Serres, Town Clerk



Wes Howell, Mayor