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## RECORD OF PROCEEDINGS

### TOWN OF KREMMLING REGULAR TOWN BOARD MEETING

May 15, 2019

The Board of Trustees, for the Town of Kremmling, met in the boardroom located at 200 Eagle Avenue. Mayor Grover Pryor called the meeting to order at 6:30 p.m. Trustees present: Gina Schroeder, Leo Pesch, Dave Sammons, and Erik Woog. Staff present: Town Manager Dan Stoltman, Police Chief Jamie Lucas, Public Works Director Jason Bock, and Town Clerk Joanna Eaton. Absent: Holly Martinson and Jason Wikberg.

WOOG MOVED TO APPROVE THE REGULAR TOWN BOARD MEETING MINUTES OF MAY 1, 2019. SAMMONS SECONDED. ALL "AYE" VOTES.

WOOG MOVED TO APPROVE THE EXPENDITURES FROM MAY 2, 2019 THROUGH MAY 15, 2019 IN THE AMOUNT OF \$89,687.99. SCHROEDER SECONDED. ALL "AYE" VOTES.

SCHROEDER MOVED TO APPROVE THE AGENDA AS PRESENTED. WOOG SECONDED. ALL "AYE" VOTES.

#### Citizens Comments:

Dawna Heller spoke on behalf of Badlands Storage, and her concern that recently passed Ordinance 688 was done improperly. Ms. Heller stated that she feels a conflict of interest occurred when trustee Woog voted on the ordinance, as he and Badlands Storage are neighbors, and Ordinance 688 impacts Badlands Storage. Ms. Heller stated that Trustee Woog has filed a law suit against Badlands Storage, and is further proof of a conflict of interest. Ms. Heller asked that the Town Board and Town Manager to look into her claims of a conflict of interest.

There were no more citizen comments.

**Mayoral Announcements, Proclamations, Appointments-** Mayor Pryor swore in Dave Lawley as a new town Police Officer. Chief Lucas introduced him as well, he mentioned how Mr. Lawley has a ton of experience and will make a great fit for the Town of Kremmling.

#### Police Chief Report-

- Chief Lucas had a department meeting relating to the Junk Ordinance and the clean up around town as the snow is melting. His plan right now is to work with the public on cleaning up their yards and offering any services he can do to help. The officers have been going around town giving notices to those who need to clean up around their property.
- Chief Lucas just got back from a POST grant meeting. He added that to this date he has received around \$15,000 in grants for equipment, trainings, etc. for the department.

#### The Public Works Director reported-

- Public Works turned on most of the sprinklers around the town and is working on getting the parks cleaned up. They are waiting on some parts to come in so they can start to water the towns parks with reuse water instead of using the already treated water.
- The town reservoir did spill over a couple of days ago, Jason added it is about 2 weeks early than average.
- There is a lot of snow up high so we shouldn't see any water shortage.

#### Managers report-

- The annual wood chipping will take place on June 29<sup>th</sup> near the cemetery.
- Dan had a meeting with Tesla, the vehicle company. They came to Dan asking about putting six super charging systems at the Kum n Go. As far as permitting goes, the Town doesn't have much to do with this discussion.
- Looking at transitioning from Debit to Credit Cards. This will help avoid fraud and be more secure.
- Mountain Parks rebate came back of over \$2000.00 This will go back into the general fund.

**Discussion & Action on the Agreement with Rebecca Guthrie** – Rebecca mentioned she feels good about it all, she has seen some serious inquiries on the sale of the property of Mark Smith. She will keep the Board updated if she needs to do an extension.

SCHROEDER MOTIONED TO GO INTO AN INDEPENDENT CONTRACTOR AGREEMENT BETWEEN THE TOWN OF KREMMLING AND REBECCA GUTHRIE FOR A FLAT FEE OF \$35,000 TO HELP FACILITATE THE SALE OF THE PROPERTIES OWEND BY ROBERT MARK SMITH. SAMMONS SECONDED. ALL “AYE” VOTES.

**Discussion & Action on Approval of Lease Agreement with Visionary Communications Inc. for the Purpose of Placing Over the Air Internet Equipment on the Town’s Water Storage Tanks-** Aaron Macarelli with Visionary Broadband was in attendance, with a lease for ten years, however, after five years, either party can terminate the lease. VCN will have the option to automatically renew the lease for two successive ten-year terms. The Town does not have anything in the agreement that states any increase in payment will occur during the course of the lease. Mayor Pryor asked if they would run their own power meter, Aaron said they would like to and would be responsible for their own usage instead of going through the Towns. The cost would be around \$40.00 to run their own. Dan Stoltman preferred them have their own meter to help keep things separate from the Town. Dan is waiting on a few comments back from the Towns Attorney which shouldn’t be much and won’t affect the contract.

WOOG MOVED TO APPROVE THE LEASE AGREEMENT WITH VISIONARY COMMUNICATIONS CONTINGENT ON THE TOWNS ATTORNEY APPROVAL OF THE SAID CONTRACT. SAMMONS SECONDED. ALL “AYE” VOTES.

**Discussion & Action on Awarding of Bid for 2019 Waterline Project-** Jason Bock mentioned how the Town sent out five bid packets to those interested. He received two back. Maximum Services bid won. The county changed a few things with the price of materials going up by a little.

SAMMONS MOVED FOR THE TOWN TO GO FORWARD WITH THE CONTRACT BETWEEN MAXIMUM SERVICES IN THE AMOUNT OF 159,507.50 TO EXTEND OUR 8 INCH WATERLINE THROUGH THE AIRPORT.SCHROEDER SECONDED. ALL “AYE” VOTES.

**Discussion & Action on Approval for Proposed Water Credit Policy-** Manager Stoltman brought to the board a new Water Credit Policy. He mentioned it is not uncommon to have in a municipality. This was brought up from an extremely high-water leak from a resident in town. This policy would be for those who have a physical water leak in their home, and would have to exceed 50% over their average water usage from the last 12 months. Dan asked the Board what preferred method they would like to see for that charge. Either a straight fee above the 50 % or a tired system. An application would have to be filed out in order to verify that a leak has occurred and has been fixed.

SCHROEDER MOTIONED TO ACCEPT THE PROPOSED TIRED SYSTEM WATER CREDIT POLICY AS PRESENTED IN THE PROPOSAL. PESCH SECONDED. ALL “AYE” VOTES.

The Board of Trustees adjourned at 7:09 pm and reconvened as the Liquor Authority for the Town of Kremmling.


SAMMONS MOVED TO APPROVE THE BREWPUB LIQUOR LICENSE TRANSFER FROM GRAND ADVENTURE BREWERY TO THE DEAN WEST. PESCH SECONDED. ALL “AYE” VOTES.

The Liquor Authority for the Town of Kremmling Adjourned at 7:12 pm and the Board of Trustees reconvened.

SCHROEDER MOTIONED TO GO INTO EXECUTIVE SESSION FOR: (1) SCHROEDER MOVED TO GO INTO EXECUTIVE SESSION FOR: (1) CONSIDERATION OF DOCUMENTS PROTECTED BY MANDATORY NONDISCLOSURE PROVISIONS OF THE COLORADO OPEN RECORDS ACT UNDER C.R.S SECTION 24-6-402(4)(G); AND (2) FOR THE PURPOSE OF DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS UNDER C.R.S SECTIONS 24-6-402(4)(E) REGARDING THE TOWN CLERK POSITION.SAMMONS SECONDED. ALL “AYE” VOTES. A Roll call vote was taken. Motion passed 4-0.

SAMMONS MOTIONED TO INSTRUCT THE TOWN MANAGER TO NEGOTIATE UP TO \$45,000.00 SALARY AND OFFER THE POSITION OF TOWN CLERK TO JOANNA EATON. PESCH SECONDED. ALL "AYE" VOTES.

WOOG MOVED TO ADJOURN AT 7:25 PM. SAMMONS SECONDED. ALL "AYE" VOTES.

  
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Joanna Eaton, Town Clerk

  
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Grover Pryor, Mayor