

SPECIAL MEETING & REGULAR MEETING MINUTES – Silverton Board of Trustees

Silverton Town Hall – October 15, 2018

Call to Order, Roll Call & Pledge of Allegiance 6:05pm

PRESENT: Mayor Chris Tookey, Trustee Barbara Renowden, Trustee Tiffany deKay, Trustee Judith Graham, Trustee Molly Barela, Trustee Jess Wegert, Mayor Pro Tem Austin Lashley

ABSENT: none

STAFF: Michael Goldman, Michelle Hamilton, Mark Reavis, Todd Bove, Kelli Fries, Lisa Branner

Special Meeting 6:00 p.m.

1. Pledge of Allegiance and Reading of Protocols

2. Town Board/Library Board Michelle Hamilton- led a discussion to identify what elements need to be present in an operating agreement.

Colorado Revised Statute 24-90-107 provides that within 90 days of the formation of a library, an operating agreement between the Trustees and the Library Board shall be formed. Mayor Tookey did some research and found no record of an operating agreement being formed. Trustee Barela asked when the statute was adopted. Mr. Goldman stated that the Ordinance was drafted in 1905 then the statute was in place in 1932. He advised that an agreement should be in place between the Trustees and the Library Board.

Michelle Hamilton described the Library Board structure as an appointment by the Mayor with Trustee approval. She stated that Trustee Barela and Trustee Renowden were appointed as alternates for Mayor Tookey and confirmed that the Town has one vote represented on the Library Board. Jackie Kerwin commented that it has been working fine. Michelle Hamilton moved to the next bullet point in her notes, which was the question of ownership. She asked that the operating agreement define ownership of both the building and materials.

Jackie Kerwin referred to 24-90-109 (1)(b) and stated that the Library Board adopts their own bylaws and they will have all custody of the building and will employ employees, but that doesn't specify who fixes the windows, doors, etc. Jackie Kerwin commented that she doesn't understand why they need an operating agreement between the Library Board and the Town Trustees. Mr. Goldman explained that it will help everyone understand their roles, and that it will be a good time to iron out the duties for the town staff and the library board. Trustee Barela asked what the date on the original draft is. 1977

Michelle Hamilton commented that an agreement will allow for the Town and Library Board to work together and not step on each others' toes. Jackie Kerwin commented that she feels the Town needs to do the maintenance on the building. She said she takes care of hiring, firing, and maintenance of the books. She said in the past the Library was self sufficient but then a few years ago the Town took over building maintenance. Trustee deKay asked about capital improvements in the past, and what duties and responsibilities were the Town's vs. the Library Board's? Jackie Kerwin replied that the Library budget had a capital improvement line of \$3000 in the past and she had a 5 year plan laid out. Michelle Hamilton commented that capital improvements are a point of confusion, in particular how to administer and manage the current State Historic Fund grant. Jackie Kerwin asked that the Town Planner, Mark Reavis, be removed from the current capital improvement project and further projects. Mr. Goldman mentioned that an operating agreement should address ownership, roles, and decision making authority. Jackie Kerwin said that the Library Board gives her permission to purchase books, toilet paper, etc from the Library budget. Trustee Barela reiterated that an agreement needs to define ownership of the property. Michael Goldman commented that it will be beneficial to start a draft that the two Boards can go back and forth on to form an agreement. Trustee Barela are there other small municipalities that we can read about and compare to that are like us? Sara Wright from Colorado Library Consortium replied that they

no requirement on how often it should be checked. Trustee Wegert asked if a schedule will be lined out in the agreement. Todd Bove replied yes. Trustee deKay asked about relocating books and moving the library. Todd Bove replied that that situation has not been worked out yet and that is why we need a operating agreement. Trustee Barela said the library board had voted that everything was to be moved. She also asked if there has been any discussion on other uses for the modular building. Michelle Hamilton replied that staff has had some discussion to brainstorm ideas for other uses. Trustee Barela suggested just boarding it up and not using it. Trustee Barela asked about the ownership of of the Animas Street ROW mentioned in the Planner's report. Trustee deKay commented that the Board should receive legal advice about the property in question. Mayor Pro Tem Lashley mentioned that the train sent back a letter to town but the town has not responded.

6. Trustee Reports - Trustee Wegert spoke about the most recent planning commission meeting. Mark Reavis talked about the sidewalks around the greenhouse, referencing urban trails like on 8th and 12th.

Trustee Renowden stated that the website not update with current minutes, agendas, etc. Michelle Hamilton replied that it's a work in progress.

Trustee Wegert commented that staff needs to put more into the Vistor Center. Todd Bove replied that there are a lot of projects to be done but they need prioritization.

Trustee deKay asked for the Board to consider not to publicly discuss future meeting times until after a meeting for time efficiency. Trustee Renowden replied that the public needs to know when the meetings are.

Mayor Tookey mentioned that they had regular meeting with the SWCCOG. Michelle Hamilton mentioned that she will draft a letter of request for hardship to SWCCOG for the Mayor to sign and submit. The Board gave their approval.

7. Continued Business

a. Consideration of Attorney RFP – Board Discussion

Discussion: Michelle Hamilton today was deadline and one came in at 4:58pm. There are 5 applicants to review on the 17th and then interviews to do after.

Trustee Graham moved and Trustee deKay seconded to extend the deadline for the RFP. The motion passed unanimously with a roll call vote.

Mayor Pro Tem Lashley mentioned that he is concerned about the RFP and he wondered if they should have had an attorney look it over before they put it out. Trustee deKay asked if 5 candidates is a good applicant pool. Mayor Tookey replied that it's good for this area. Mr. Goldman replied 3-5 applicants is average. Trustee Graham commented that the Town has an attorney and that there is no rush. She suggested that they have another attorney go over it take the time to do it right. Mayor Pro Tem Lashley is concerned the time line is far beyond what is appropriate. Trustee Wegert commented that he was concerned last week with only 2 applicants but feels comfortable with moving forward now. Mayor Pro Tem Lashley asked if they should extend and give more time to review. Trustee Graham commented that she would like to extend the period for applicants to apply and for the Board to review the

concerns. Michelle Hamilton replied that staff has been active with negotiation and review and that there are no concerns.

Trustee Barela moved and Trustee Graham seconded to approve Clear Mtn Enterprise Molas Lake parking lot plowing contract. The motion passed unanimously with a roll call vote.

2. Silverton Snowmobile Club/Town of Silverton grooming contract

Trustee Barela moved and Trustee Graham seconded to approve Silverton Snowmobile Club/Town of Silverton Grooming Contract. The motion passed unanimously with a roll call vote.

b. Resolution 2018-05 Opposition of Amendment 74

Trustee Renowden commented that she doesn't like this telling others how to vote. Michelle Hamilton commented that many state agencies, including CML are advocating for it and asking for local support. Trustee Renowden replied that it's going to throw tax over 11%.

Trustee Wegert moved and Trustee deKay seconded to approve and adopt Resolution 2018-05. The motion passed with 6 yays and 1 no by Trustee Renowden via roll call vote.

c. Resolution 2018- 06 Support for Proposition 110

Mayor Pro Tem Ashley commented that he does not agree with a tax increase and will not vote to endorse the proposition. Mayor Tookey replied if we have no motion we can let it die. Trustee Wegert mentioned that the County approved the same Resolution at their meeting. No motion was made.

d. Approval and adoption of preliminary 2019 budget

Trustee Wegert moved and Mayor Pro Tem Ashley seconded to approve and adopt the Town of Silverton 2019 preliminary budget. The motion passed unanimously with a roll call vote.

9. Public Comment – None

10. Adjourn @ 9:17


Michelle J. Hamilton, Clerk/Treasurer


Christine M. Tookey, Mayor