

**TOWN OF SILVERTON
MINUTES OF THE BOARD OF TRUSTEES
REGULAR MEETING
February 8, 2016**

CALL TO ORDER:

The regular meeting of the Board of Trustees, which was properly posted, was called to order by Mayor Chris Tookey @ 7:37 PM at the Silverton Town Hall.

Mayor Christine M. Tookey

Trustees: Malcolm MacDougall, Tiffany deKay, Karla Safranski, Peter Maisel, David Zanoni, Larry Gallegos.

Administrator: Bill Gardner

Staff: Sara Mordecai, Michelle Hamilton, Blair Runion

Others: Please see sign-in sheet

- I. Staff and/or Board Revisions to Agenda:** Administrator Gardner asked that the EPA Update be included under department reports and that the Mayor be allowed to comment at that time.
- II. Public comment regarding agenda items:** Mike Geryak commented that John Sites and his crew did a heroic job clearing streets on this last storm.
- III. Appointments:** Becky Joyce – San Juan Public Health Department. Thanked the Board for having her. She introduced the Silverton Healthy Community Coalition and requested that town owned parks and facilities be smoke and vape free. As part of that request, she included Kendall Mountain Recreation Area, Memorial Park, Columbine Park, and the ball park by Visitor Center. She noted that they are not including Molas Lake Park in the proposal. She described each park. She said that enforcement would be the same as the leash law, compliant based. They would like to start a community group, a dialogue and a working group to address the situation. Youth speakers approached the podium. Martin Flores: No matter what the area of concern, smokers should not feel targeted. It is beneficial for smokers and non-smokers, and it is a way to coexist. Evan Alsup: Spoke about Kendall Mountain Recreation Area. He thinks it should be smoke free because he does not like to see people litter their butts; it is disrespectful to the land. Families who visit during events may get a bad impression by smokers. Paton Edwards: I would like to see smoke free parks because it would be more sanitary. I think we could treat Kendall Mountain Recreation Area a little better. Raul Acosta: I know we can't stop smoking worldwide but we can start at Kendall Mountain Recreation Area or other parks. Second hand smoking is really harmful. It won't chase others away. Blaze Braford: I believe it is disturbing for kids to

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see smoking. Luis Castro: I believe that the best way to solve the issue is to create designated areas for the public to smoke. Becky concluded by saying they would like the board's blessing to form a work group and involve the community. Trustee MacDougall advised that before anything comes before the board, they need to be very specific as to where designated areas are. Trustee Gallegos said that he thinks it's a good idea that we look at non-smoking at Kendall Mountain Recreation Area. Mayor Tookey asked Becky to get her group together and let Town Clerk Hamilton know when they are ready to approach the board. Trustee Safranski commented that she likes their approach to create a conversation. Administrator Gardner asked if the board would like to give Becky any direction, or let her take charge. Mayor Tookey responded that they want Becky to take charge.

IV. Consent Agenda: no discussion

Trustee MacDougall motioned and Trustee Gallegos seconded to approve the Consent Agenda. The motion passed unanimously with a roll call vote.

V. Department Reports:

Administrator Gardner welcomed the audience. He began his report by mentioning the Town Gov 101 presentation last Tuesday at Kendall Mountain Community Center. He mentioned that two trustees and Mayor attended and all of the candidates except two were there. He explained that the presentation gave an overview of what town staff does. There were reports from all department heads and key personnel. He announced that Silverton School Superintendent, Kim White, is interested in focus on civics next year and she would like a presentation to students. He then thanked Michelle Hamilton, Sara Mordecai and all staff who put in an enormous amount of work.

Next Mr. Gardner announced that the Silverton San Juan Fire Authority financial compilation has been completed and he will be reviewing it with the County Administrator. He said that the fire department has reviewed it and given their responses. He hopes to make the results public as soon as next week.

Mr. Gardner then gave an update on EPA discussions. He said that the EPA has extended the deadline to the Governor to the last day of February. Jeff Robbins is in Denver and he will continue face to face discussions with the EPA throughout the week. Mayor Tookey commented that the meeting they went to Denver for was not what she expected. CO, UT, NM, and the Navajo and Ute nations were all represented there. It was the first time they sat down as a group and were able to discuss things. That was positive. She said that we are probably the least involved. The other groups spoke about how they are impacted and she realized how the groups down below rely on the Animas. Martin Hessmark asked if they could meet before the meeting. They met for two hours and had good discussion. The Mayor mentioned that the Durango Mayor requested to have a meeting with the Governor, but couldn't get one. She said that Mark Eddy arranged a meeting with the Governor for 10 minutes, but that they ended up meeting for 30 minutes. She said that once everyone has had a chance to remark, they will hold a public

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hearing to inform the community. She finished by saying that Mark Eddy has been so good to us. Trustee Zanoni asked who initiated the meeting. Mayor Tookey said that she thought it was Durango, but that the Governor wouldn't meet with Durango without meeting with Silverton too. Trustee Zanoni asked if they recognized that Silverton and San Juan County are not dragging our feet, but rather we are trying not to get steam rolled. Mayor Tookey responded that the Governor is looking out for us. He has Silverton in his heart. Trustee Safranski thanked the Mayor for a good narrative. Trustee MacDougall commented that it is good to know that the Governor is considering us equal to our downstream partners. He said that he would like to request that they have an executive session with the town attorney as soon as he is back, so they can get appraised as to where negotiations are at and where they are going. Mayor Tookey said that the attorneys are still up there gathering information and holding discussion. They will inform the board when they return. Mayor Pro Tem Maisel said he thinks they should meet as town and county and then have a few days to digest before it is opened up to the public. Mayor Tookey said that she doesn't think any work will be this summer. They will probably get started this summer but real work won't happen until next year. Trustee Safranski asked if they were able to assess whether our downstream partners feel that we are the least affected.

Willy gave a comprehensive report about how each element of the community is affected, from law enforcement, to EMS, housing, etc. Trustee Safranski asked Mr. Gardner what he did with the scientists and what kind of response he got. Mr. Gardner responded that Mayor Pro Tem Maisel and Commissioner Fetchenhier did a lot of the design and assessment for science. He said he has been talking with scientists from Oregon State, CU, and School of Mines, to help enforce the importance of science based remediation. He met with seven top earth scientists from USGS. They would like to work with the EPA but it looks like the EPA is not willing to welcome them. He got one asset for the community, which is that the EPA indicated to him verbally that they would fund a scientist to interpret their reports. He said they are just working hard to find common ground. Trustee Safranski asked if they realize that this is a unique situation and they have a community that is willing to work with them and with new technologies and techniques. Mayor Tookey said that they do recognize that, but you can feel their frustration because they want to help but they are stuck in a box and they have so many hoops to jump through. Mr. Gardner said that the project manager for remediation, Rebecca Thomas, met with him and she pledged herself to clear communication with Silverton and San Juan County.

Next, gave some context on the projects that Michelle Hamilton and Sara Mordecai are working on. He also said that staff has been working on water infrastructure, housing, and downtown improvements. He said that they have spent several hours at a time in the last few weeks with Ken Charles identifying needs and projects. They have been meeting with the county, historic society, Blair Street Historic District Association, and Silverton School. He mentioned that John Sites is requesting a grant for engineering. He said that the Town is delaying physical work on Blair Street until 2017 because staff has been working with Ken and Bev, and they concluded that if they are patient, they can leverage

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for much greater funds. He then explained that they and the county are looking at the Avon. He mentioned the Space to Create opportunity, and then said that a backup plan is that they might look at a grant and loan for developing the building into workforce housing. Trustee Safranski mentioned that MSI did a lot of research on the Avon. Mayor Pro Tem Maisel mentioned that staff should also look at the report that Loren Lew did on the building.

Town Clerk Hamilton asked if the Board has any questions regarding her staff report. Trustee MacDougall asked about Brainstorm. He acknowledged that the company would be providing fiber optic network to the town and county owned buildings, but wanted to know when that fiber would be available to the public. Ms. Hamilton explained that Brainstorm had mention some connection problems with Century Link down in Durango and they projected two weeks before any connectivity happens with the town or county. She explained that the town and county would be anchor institutions that would lay the groundwork for providing services to the public, but she did not know how long that might take. Ms. Hamilton explained the quote she received from Brainstorm, which would provide all of the town's internet and telecommunications services for a competitive monthly rate. Next, trustee MacDougall asked about the Avon Hotel and art space housing. Ms. Hamilton replied that they would discuss it in detail under new business. Lastly, Trustee MacDougall asked about the Planning Director application process. Ms. Hamilton explained that they received four new applications and correspondence from Bob Nevins, saying that he is in good health and would like to return to Silverton and be considered for rehire. Ms. Hamilton went on to say that there has been a hiring panel assembled that will be reviewing all of the applicants. Trustee MacDougall expressed that he would like to offer Bob Nevins his job back. Trustee Safranski said that the hiring committee will make that decision. Trustee MacDougall asked if they were going to make Bob re-apply for his job. Mayor Tookey replied that the committee would take it through the fair hiring process. Ms. Hamilton responded that the Town is an equal opportunity employer and bound to a fair and equitable hiring process. Trustee MacDougall asked for a copy of the correspondence with Bob Nevins.

VI. Trustee Reports:

Trustee Zaroni asked where the funds for the furnace repair came from. Town Clerk Hamilton explained that that's what reserved and unreserved fund balances are for, emergencies like the Visitor Center furnaces leaking carbon monoxide. He then said that he wants to see the weekly rental stuff back on the agenda. Next, Trustee Zaroni acknowledged that Mark Garcia was given the OK to do the codebook, but that he would like to shop it out and see if the company in Denver could take it back over. He said that Mr. Garcia's rate is \$60 p/hr and that is steep. Trustee Safranski remarked that Mark has intimate knowledge of our community and it would be nice to see it get done. Trustee Gallegos said that he would like to shop around. He said he thinks that when Mark was here a lot of things fell through the cracks. He thinks an RFP is in order. Trustee deKay said she would

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like to discuss housing, accessory dwellings, one lot spot zoning and things we can take into the private sector. Mayor Tookey said that it needs to go through the planning department and right now they are short staffed. The Mayor also said that land use needs to go through the planning commission. Trustee MacDougall agreed that land use is a planning commission problem, but that they definitely need to talk about housing before summer hits. Trustee deKay said that they can create policy and include the private sector. Trustee Safranski suggested that they put it on the agenda and talk about it. Trustee MacDougall commented that he would like to see the Board take more part in the creating of the agenda. Mayor Tookey said that the agenda is created by the Administrator and the Clerk.

VII. New Business

- 1. DSNGR donation request.** Events Coordinator, Blair Runion, gave a quick update on the weekend. She announced that she was approached by Paula from the train, asking the Town to give 20 Kendall Mountain lift tickets to train employees. Trustee MacDougall said that they are a good group of people and the train does a lot for the town. Trustee Safranski asked how many tickets the Town gave them last year and how many they used. The number was roughly the same and they used about half of them.

Trustee Gallegos motioned and Mayor Pro Tem Maisel seconded to donate 20 tickets to Durango & Silverton Narrow Gauge Railroad for employee appreciation.- The motion passed unanimously with a roll call vote.

- 2. DOLA Administrative Grant Request Letter.**

Trustee MacDougall motioned and Trustee Gallegos seconded to have Mayor Tookey and Mayor Pro Tem Maisel endorse the DOLA Administrative Grant request letter. The motion passed unanimously with a roll call vote.

- 3. Colorado Main Street Affiliate letter of support**

Trustee Safranski motioned and Trustee deKay seconded to support the Colorado Main Street program. The motion passed unanimously with a roll call vote.

- 4. SW Basin Roundtable letter of support for John Sites**

Trustee Gallegos motioned and Trustee MacDougall seconded to support John Sites in his role as the town seat at the Southwest Basin Roundtable. The motion passed unanimously with a roll call vote.

- 5. Space to Create letter of Intent to Apply**

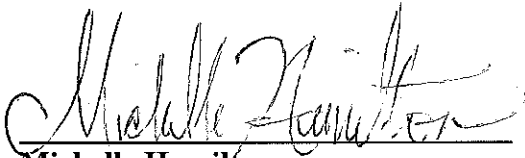
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Trustee Gallegos motioned and Trustee deKay seconded to direct staff to send the letter of intent for Space to Create. The motion passed unanimously with a roll call vote.

6. Lot Drawing for Candidates

IV. ADJOURNMENT:

Adjourned 9:24 PM



Michelle Hamilton
Clerk/Treasurer



Christine M. Tookey
Mayor