Gilcrest

Regular Meeting Agenda of The Board of Trustees
Town of Gilcrest, Colorado
19750 County Road 31 – Town Hall

FEBRUARY 23rd, 2026, at 7:00 P.M.

ZOOM LINK:

https://us06web.zoom.us/j/87063777149?pwd=zkJShIhVrqOKXa22fjPbVCvWsrh8kL.1

1. CALL TO ORDER: 7:00 PM

A. Pledge of Allegiance

B. Roll Call

1. Board Member: Mayor Nothem, Present; Mayor Pro-Tem Agripino, Present; Trustee Fulton, Present; Trustee Garza, Present; Trustee Howard, Present; Trustee Howton, Present; Trustee Shutt, Present
2. Staff Also Present: Town Administrator Saine, Public Works Director Meisner, Town Attorney Choate, Town Engineer MacDonald (by Zoom), Town Planner Parko (by Zoom), Accountant Lorainne Trotter (by Zoom)

2. APPROVAL OF THE AGENDA:

A. **Motion made by Mayor Pro-Tem Agripino** to add the professional service agreement of the Town Administrator to the agenda. **2nd by Trustee Garza.**

1. Town Attorney Choate advised that this item be requested to be added to a future agenda instead of the current one as to not inadvertently violate the Open Meetings Law which required full and timely notice with sufficient details.
2. Mayor Pro-Tem Agripino stated he had spoken to CML about putting it on to the agenda.
3. Mayor Nothem gave his recommendation that it be placed on a future agenda, not the current one.
4. Trustee Garza stated that adding and removing to the agenda is something that this board does normally.
5. Town Attorney Choate advised of the changing legal landscape and that the public has the statutory right to notice of at least 24 hours in advance. It is common to make minor changes to an agenda, but there are multiple cases where a Colorado court has found it a violation to put substantive items on an agenda without statutory notice.

6. Mayor Pro-Tem Agripino asked for his motion to be heard and stated that issues down the road with adding this item would be addressed down the road.
7. **Roll Call Vote: Mayor Pro-Tem Agripino, Yes; Trustee Fulton, No; Trustee Garza, Yes; Trustee Howard, Yes; Trustee Howton, No; Trustee Shut, Yes. Motion Passes (4-2)**

B. Mayor Pro-Tem Agripino moved to move New Business above Presentations

1. Town Administrator Saine stated that we had Accountant Loraine Trotter to give the budget update, Town Engineering Gene MacDonald to give the sewer update, Roger Seiner from RE1 to give the school district update online to be heard.
2. Mayor Pro-Tem Agripino stated that the Farmer's Market / Cultural Impact, Budget Update, and all Town Administrator items can be removed.
3. **The Mayor amended his motion to remove only the budget update presentation of Accountant Loranne Trotter and all Town Administrator Presentations.**
4. **2nd Trustee Garza**
5. **Roll Call Vote: Mayor Pro-Tem Agripino, Yes; Trustee Fulton, No; Trustee Garza, Yes; Trustee Howard, Yes; Trustee Howton, No; Trustee Shut, Yes. Motion Passes (4-2)**

3.<u>NEW BUSINESS:</u>

A. <u>2026-01 Consideration of a Conditional Use Permit for Hydrovac Reclamation Services</u>

1. Open for Public Comment

⇒ Brooks Faro – He stated he has his own hydro-vac system and it adds a lot of water to the system. He expressed his opinion that the system needs net-water out of the system. He expressed that the land being used belongs to himself and Terry Wiedeman. This means that

the trucks had to go through town by the schools and that is unacceptable. He is opposed to the conditional use permit.

⇒ Terry Wiedeman - He is opposed to the conditional use permit and the access it would need and the trucks coming through town as would be needed.

⇒ Menda Ide - Her concern is what will be dumped in the hydro-vac area and the reputation of the company. She was for preservation of the land. She is opposed to industrial use on the town roads. She is opposed to the Conditional Use Permit.

2. Town Attorney Choate clarified that this is not approval of the conditional use permit. There would need to be a permit application. This is to allow an application to be submitted under that use.
3. **Motion made by Trustee Garza to approve. There is no second. No Vote. Motion Fails.**

B. New Town Hall and Utility Hall Signage Expenditure

1. Town Administrator Saine expressed that this would be the signage as discussed at the last meeting.
2. Mayor Nothem clarified which building was which and the hours.
3. Town Administrator Saine spoke to the incoming phone services that will route to the correct departments for faster service. We are also working toward expended web and on-line services.
4. Mayor Pro-Tem explained the cost discussed and that the expenditure was discussed in detail at the last meeting.
5. **Trustee Howton made a motion to approve the expenditure for the new Town Hall signage. Trustee Fulton 2nd.**
6. **Roll Call Vote: Mayor Pro-Tem Agripino, Yes; Trustee Fulton, Yes; Trustee Garza, Yes; Trustee Howard, Yes; Trustee Howton, Yes; Trustee Shut, Yes. Motion Passes (6-0)**

C. ADDED - Service Agreement of the Town Administrator

1. Mayor Pro-Tem Agripino made a motion that the board request a 30 day notice of termination.

2. Mayor Nothem reminded that criticism of employees does not occur in public forums but by Executive Session.
3. January the 12th the Interim Town Administrator Saine's contract was on the agenda when she was made full-time.
4. Trustee Howton commented that board members, nor the public were informed it would be on the agenda with the required advance notice.
5. Town Administrator Saine stated she serves at the pleasure of the board, so if the board is no longer pleased with her service, she would submit her request to resign.
6. The Mayor Pro-Tem asked the Town Attorney if they could give her the contract 30 days pay, but have her cease all work on behalf of the town and have her turn over her laptop, keys, and cell phone. It was indicated she could return to remove her personal property.
7. The Town Attorney stated that he would have to read through the contract to give his counsel.
8. Mayor Pro-Tem requested a five minute break that the Town Administrator could exit and the meeting could continue.
9. It was reminded that the Town Clerk was not present and the Town Administrator was the acting Town Clerk and therefore could not exit and a Town Clerk must be present to run the meeting.
10. Mayor Pro-Tem Agripino made a motion to end the meeting.
    - ⇒ Mayor Nothem reminded we had a check to be approved.
    - ⇒ Town Attorney Choate reminded of the pressing town water requiring action by the board.
11. No vote taken and the Town Administrator acting as Town Clerk remained.

4.<u>PRESENTATIONS:</u>

A. Farmer's Market/Cultural Impact Presentation – Fitzler's Farms
   1. They left to be heard on the next meeting

B. Capital Improvement Updates
   1. The Town Engineer discussed the status of the pay apps (7, 8, and 9) and the ten change orders.

2. The project is now ahead of schedule.
3. Two RFI's came in with questions on the asphalt.
4. The project is roughly 55% complete.
5. The 8th Street lift station is currently underway.
6. There was discussion about the Town Engineer Contract amount.

C. Weld RE-1 Updates – Updated the board on what the District is doing. The district is looking at its operating needs and capacity needs which might include a Bond and or MLO. He would like to return.

5. OLD BUSINESS:

A. Planning Commission Interviews and Process - Tabled
B. 1st Reading - ADU Ordinance - Tabled
C. 1st Reading - Industrial Code Alignment Ordinance – Tabled
D. Conversion of Temporary Use Permits to Perpetual Water Contracts

1. **Motion by Mayor Pro-Tem Agripino** to approve the temporary use permits to perpetual water contracts. **2nd by Trustee Shutt. Roll Call Vote: Roll Call Vote: Mayor Pro-Tem Agripino, Yes; Trustee Fulton, Yes; Trustee Garza, Yes; Trustee Howard, Yes; Trustee Howton, Yes; Trustee Shut, Yes. Motion Passes (6-0)**

6. PUBLIC INVITED TO BE HEARD ON MATTERS NOT ON THE AGENDA:

(This time is allowed for individuals to address the Board on anything that is not listed on the Agenda. If you would like your issue to be placed on a future agenda, please make the Board aware. Speakers are limited to three (3) minutes and the information offered will be taken under consideration. No discussion or responses will be given during this period.)

A. Gilcrest Fire Marshal presented extensively on the Federal Wildfire Resilience Code. The town has until April 26th to accept or pass the code. The code will be presented at the March 9th meeting.
B. Menda Ide – 510 12th Street Gilcrest – No town employee or board member can use a business that the town employes for their personal use. There is discussion that Mayor Pro-Tem Agripino

was using Duran Excavating to dig a ditch for them. Menda Ide expressed that it was her hope that the desire to push a forced resignation of Town Administrator Lori Saine was not for the same reasons that the last Town Administrators, Town Attorney, Town Planner, etc... were removed for going against the wishes of the personal development projects of board members.

Trustee Howard made the motion for the Town Administrator to stay for the reminder of the meeting. 2nd Mayor Pro-Tem Agripino. Vote Vote (Yea 6, Nea 0).

7. AGENDA: Motion by Mayor Pro-Tem Agripino to approve the consent agenda. 2nd Trustee Shutt. Roll Call Vote: Mayor Pro-Tem Agripino, Yes; Trustee Fulton, Yes; Trustee Garza, Yes; Trustee Howard, Yes; Trustee Howton, Yes; Trustee Shut, Yes. Motion Passes (6-0)

A. Minutes of the Regular Meeting of the Board of Trustees Meeting February 9th, 2026
B. Bills (1) and Reports (2) for approval
C. Sewer Project Report and Check Approval – Pay App #7

8. REPORTS

A. Trustee Fulton stated that she does not know why this evening with the Town Administrator occurred and would like to discuss it in executive session.
B. Trustee Howard asked about the amount of water in the retention pond and asked if there is a leak. Director of Public Works was not concerned about the amount of water.
C. Trustee Garza had a field trip coordination and a Hispanic heritage event, and potential parade,
D. Trustee Howton stated that he hoped Town Administrator would rescind her resignation and the the board recognizes the repercussions to the town.
E. Mayor Nothem also stated that he desired the Town Administrator to retract her resignation. The Mayor stated that if the Town Administrator would like to retract her resignation, he would like to take a vote. The Town Administrator was not ready to decide.
F. Town Attorney stated they would need to identify the essential authority to accept a retracted resignation.

G. Trustee Howard asked for a document or training on what you can and cannot do on the board.
H. Town Attorney Choate clarified that he represented the Town as an entity as Governed by the Town Hall.
I. Fire Marshall made comments on the town code as related to events, vendors, and changing fire code.

9. **ADJOURNMENT:** 8:47 PM

ATTEST

BY _____

BY: _____
Town Clerk
Hana Cienkowski

TOWN OF GILCREST SEAL COLORADO