NOVEMBER 17th, 2025, at 7:00 P.M.

1. CALL TO ORDER:

A. Pledge of Allegiance

B. Roll Call: Mayor Nothem; Mayor Pro-Temp Trustee Agripino; Trustees: Fulton, Garza, Howard, Howton, Shutt

C. Also Present - Lori Saine, Interim Town Administrator; Hana Ciembronowicz, Town Clerk/Treasurer; Teresa Kahler, Utility Clerk; Bob Choate, Town Attorney

D. Remarks by the Mayor to Utility Clerk Kahler on the sympathy of the town for her recent expected family losses.

E. Grand Opening welcome remarks by the Mayor. Utility (payments), court, and public works remain in the old location called Utility and Municipal Court. The new location is the Town Hall for administration, planning, permitting, treasurer activities, and elections.

2. APPROVAL OF THE AGENDA:

A. Motion by Trustee Howton to approve the agenda amended with item G concerning the holiday schedule of board meetings for December and January; **2nd by Trustee Fulton; Motion Passes (6-0)**

3. NEW BUSINESS:

A. CODE 2025-02: Greywater Use – 1st Reading

1. This is the first reading. The proposed code change was open to the public for questions. There were none. The proposed code change was opened to the board. Mayor Pro-Tem Agripino asked about the water rate would be. This is an enabling code, you are not turning the tap on; therefore, there is no rate.

Motion by Mayor Pro-Tem Agripino to approve the first reading of Resolution Code Change 2025-02 as written. **2nd by Trustee Howton. Roll Call Vote:** Mayor Pro-Tem Agripino, Yes; Trustee Fulton, Yes; Trustee Garza, Yes; Trustee Howard, Yes; Howard, Yes; Trustee Howton, Yes; Trustee Shutt, Yes; **Motion Passes (6-0)**

B. CODE 2025-03: Third Party Inspectors – 1st Reading

1. This is the first reading. The proposed code change was open to the public for questions. There were none. The proposed code change was opened to the board. There was none.

Motion by Trustee Howton to approve the first reading of Resolution Code Change 2025-03 as written. **2nd by Trustee Fulton. Roll Call Vote:** Mayor Pro-Tem Agripino, Yes; Trustee Fulton, Yes; Trustee Garza,

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Yes; Trustee Howard, Yes; Howard, Yes; Trustee Howton, Yes; Trustee Shutt, Yes; **Motion Passes (6-0)**

C. CODE 2025-04: Estate Zoning – 1st Reading

1. This is the first reading. The proposed code change was open to the public for questions.

⇒ There was a question whether this was mixed use. The Interim Town Administrator clarified it is not mixed use; it is for 1 to 5 acres to allow animals.

⇒ There was a comment from Menda Ide that Estate Zones are allowed to pay agricultural property taxes and not residential property taxes it will lower town revenue. Town Attorney Choate explained that taxes are paid by use. Town Attorney Choate also explained how this comment is incorrect. Regardless of the use, the home and all structures are assessed at the residential rate. With the size of the lots, there is little impact on the tax base. Interim Town Administrator explained that this zoning allows for potential growth of citizens who wish to have land that allows for animals on which to build a home; therefore, this change has the potential to increase the tax base. Town Attorney Choate clarified that if even one new home was built in estate zoning the town revenue would go beyond break even and increase the tax base.

⇒ The proposed code change was opened to the board. Trustee Fulton asked about those in the town that already with 1 to 5 acres would have zoning changes. Interim Town Administrator explained that their zoning remained unchanged, but they are welcome to apply should they like to change the zoning of their property.

Motion by Trustee Garza to approve the first reading of Resolution Code Change 2025-04 as written. **2nd by Trustee Howton. Roll Call Vote:** Mayor Pro-Tem Agripino, Abstain; Trustee Fulton, Yes; Trustee Garza, Yes; Trustee Howard, Yes; Howard, Yes; Trustee Howton, Yes; Trustee Shutt, Yes; **Motion Passes (5-0-1)**

D. CODE 2025-05: Septic for (I) Industrial and (E) Estate Zoning—1st Reading

1. This is the first reading. The proposed code change was open to the public for questions.

2. There was a comment from homeowner Mena Ide that this encourages homes not to hook up to the sewer system and that allowing the systems to continue is dangerous to the ground water. Trustee Garza explained

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that part D and G explained the extensive oversight for ground water protection including, but not limited to:

- ⇒ Comply with the standards of 5 CCR 1002-43 (Regulation No. 43), the Weld County OWTS Regulation, and any Town design standards adopted by resolution.
- ⇒ Be designed by a qualified and licensed professional engineer or installer approved by the Weld County Department of Public Health and Environment.
- ⇒ Be located and constructed to ensure compliance with minimum horizontal setback distances from structures, property lines, water bodies, wells, animal enclosures, and other features as required by Regulation No. 43 and this Code.
- ⇒ Maintain a minimum fifty-foot (50 ft) setback from any manure storage, animal housing, or livestock confinement area to prevent contamination of soils or groundwater.
- ⇒ Disposal of industrial wastewater, hazardous waste, oils, grease, or chemicals into any OWTS is prohibited. Only domestic wastewater as defined in the Water Quality Control Act, C.R.S. 25-8-103, may be discharged.
- ⇒ Mayor Nothem explained when a public sewer becomes available within 400 feet they are REQIRED to tap into it. This saves the town from spending the capital immediately to push a sewer to these specific types of properties, but at the same time requires them to tap into the sewer system when it becomes available.

3. Interim Town Administrator explained that long term, the Town of Gillcrest will be required by the state to enter regional sewer systems and do away with the ponds. This resolution code helps us bridge the gap and looks long term at that eventuality. Homeowner made another comment about developers up front cast.

4. The Town Attorney advised that cash-in-lieu discussions are not a part of this amendment and are part of the boarder discussion at the more appropriate time and not in the middle of a specific amendment.

Motion by Trustee Howard to approve the first reading of Resolution Code Change 2025-05 as written. **2nd by Trustee Howton. Roll Call Vote:** Mayor Pro-Tem Agripino, Abstain; Trustee

Fulton, Yes; Trustee Garza, Yes; Trustee Howard, Yes; Howard, Yes; Trustee Howton, Yes; Trustee Shutt, Yes; **Motion Passes (5-0-1)**

5. A comment unrelated to the legislate item was made by homeowner Menda Ide that the mayor / trustee who abstains from the vote must tell the board and citizens what the conflict of interest is and the financial impact amount. Mayor Pro-Tem Agripino asked Town Attorney Choate to clarify their obligations. Town Attorney Choate explained that these items are legislation and there is no obligation for disclosure as there would be with quasi-judicial items. Even then, disclosure is required only in the event that you do NOT recuse yourself, not in the event that you DO. He reiterated once again there is no obligation whatsoever on a legislative matter.

E. CODE 2025-06: Pavement Design–1st Reading

1. This is the first reading. The proposed code change was open to the public for questions. There were none. The proposed code change was opened to the board. There was none.

Motion by Trustee Howton to approve the first reading of Resolution Code Change 2025-06 as written. **2nd by Trustee Garza. Roll Call Vote:** Mayor Pro-Tem Agripino, Yes; Trustee Fulton, Yes; Trustee Garza, Yes; Trustee Howard, Yes; Howard, Yes; Trustee Howton, Yes; Trustee Shutt, Yes; **Motion Passes (6-0)**

F. RESOLUTION 2025-07: Delinquent Taxes

1. This is the first and final reading. It was opened for public comment. There was none. The proposed code change was opened to the board.

⇒ There was a question by Trustee Garza if the lien on the property. Town Clerk Ciembronowicz explained that this is tied to the property. One home has an insurance settlement that usually pays the lien to keep the home free and clear. Town Attorney Choate explained that these also go onto the tax property bill and should you not pay your property tax for four years, you lose your home.

Motion by Trustee Garza to approve Resolution Code Change 2025-07 as written. **2nd by Trustee Howton. Roll Call Vote:** Mayor Pro-Tem Agripino, Yes; Trustee Fulton, Yes; Trustee Garza, Yes; Trustee Howard, Yes; Howard, Yes; Trustee Howton, Yes; Trustee Shutt, Yes; **Motion Passes (6-0)**

G. RESOLUTION 2025-08: Re-scheduling Regular Board Meetings for the Holiday Schedule, Weld County Tax Resolution, and Payroll

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1. This resolution moves the January Regular Board Meetings to the 2nd Monday and 4th Monday in January and the December 1st meeting to the 8th. This is the first and final reading. It was open for public comment. There was none.

   Motion by Trustee Howton to approve Resolution Code Change 2025-08 as written. **2nd by Trustee Howard. Voice Vote: Motion Passes (6-0)**

4. EXECUTIVE SESSION: NONE

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

A. Minutes of The Board of Trustees Regular Meeting November 3rd, 2025

B. Bills and Reports for Approval

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.)

7. OLD BUSINESS:

A. Public Hearing on 2026 Proposed Budget with Staff Recommendations

1. The draft budget has been available and posted at the Town Hall since mid-October as publicized in the Greely Tribune, Utility Office, Town Hall, and Post Office. In addition, many copies were hand delivered to residents.
2. Water Fund – For the past years, the water fund was losing $100,000 a year. The Public Works, Town Clerk, Utility Clerk, Accountant, and Interim Town Administrator spent many weeks looking and adjusting staff salaries to reappropriate house to other funds. There also needed to be a building in capital improvement / maintenance fund in this system for proactive, not reactive maintenance (unlike what was done with the sewer). In addition, the actual cost of water shares the town pays continues to rise which is a cost over which we have no control. **We can now say the water fund is balanced and solvent for this year due to these efforts.** The town can also absorb the increases in water shares for this year and not pass it on to the residents. It was a labor of love and sacrifice by town staff on behalf of the citizens they serve.

B. 2026 Fee and Fine Schedule

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1. A summary of the fee schedule was presented where items remained the same and others were increased for inflation rounding down and keeping with whole numbers.
2. The fine schedule was created at the direction of the board which includes warning. There was extensive discussion on the purpose of pet licensing. The fine schedule clock begins January 1st at the board direction.

C. The items above were open to public comment.

1. Homeowner Menda Ide commented that the budget was not available until November 14th. The Town Clerk clarified that the proposed budget has been available for view at the Town Hall since October 15th and was published in the Greely Tribune, Utility Hall, Town Hall, and Post Office at that time. Once the budge is finalized it will be published on the website.
2. There was a question on a $90,000 fee for the water. This is the Weld County Central Water District shares which the town pays for the actual water. While the cost of the actual water is going up for the town, the balancing of the water budge ensures that the fees for the citizens do not reflect this increase.
3. Public hearing on the budget was closed at 8:02 pm

8. REPORTS:

A. Police Report

1. No questions or concerns

B. Interim Town Administrator

1. There is a property on 12th street that is being patrolled more frequently. We have offered a plan forward for these homeowners to enter their home. We have no heard from the property owners at this point.
2. Updates Fence, landscaping, and outdoor storage ordinances will be forthcoming in the following months.
3. Trustee Garza is presenting one of our ordinances in the American City County Exchange in Texas which could be picked up nationally. She is being covered by a scholarship and does not cost the town any money.

C. Town Trustees

1. Trustee Toward – There are people dumping items into the retention pond.
2. Trustee Garza – USPS stopped their contract with UPS for Platteville and Gilcrest which is effectively shutting down holiday deliveries. This

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encourages more porch theft. If you sent it to other houses outside Gilcrest, it will impact our base tax revenue from internet based sales. There is a resident in town that has a farm stand and has started a pantry. We should consider a recognition for this individual.

3. Trustee Fulton – Trustee Fulton indicated her frustration with the ending of the USPS and UPS contract
4. Mayor Nothem – The Christmas light contest will take place on December 10th and the tabulation will be on the 11th. 1st place is $100, 2nd place is $75, 3rd place is $50. Trustees to mail their choice to the Town Clerk. No board members or staff are eligible.

D. Public Works

1. The board commended public works for getting the landscaping up to date and ready for the grand opening

9. **ADJOURNMENT:** Adjournment at 8:17

1. No vote is needed to adjourn the meeting

Attested by:

_____ _____

Mayor Steve Nothem Town Clerk Hana Ciembronowicz

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