Regular Meeting Minutes of
The Board of Trustees
Town of Gilcrest, Colorado
304 8th Street – Town Hall
October 7, 2024, 7:00 P.M.

1. CALL TO ORDER: 7:00 P.M.

a. Pledge of Allegiance
b. Roll Call – Mayor Nothem; Trustees: Castro, Fulton, Howton, Agripino, Garza, Howard
c. Dan Dean, Town Administrator, Brenda Joseph, Town Clerk/Treasurer

2. APPROVAL OF THE REGULAR AGENDA:

Motion – Trustee Howton, Motion to approve the Regular Agenda, **2nd – Trustee Castro.** All voted Aye. **Motion carried (6-0).**

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

None

4. CONSENT AGENDA:

a. Board of Trustee Minutes for September 23, 2024
b. Bills for Approval
c. Third Quarter Financial Report

Motion – Trustee Howton, Motion to approve the Consent Agenda, **2nd – Trustee Fulton,** All voted Aye. **Motion carried (6-0).**

5. OLD BUSINESS:

None

6. NEW BUSINESS:

a. VERO Agreement

Mayor Nothem welcomed Matthew Brouker, representative with Vero Broadband, LLC., 1023 Walnut Street, Boulder, Colorado (CO.), to the Board meeting.

Town Administrator Dean explained that VERO Networks was awarded a grant in May to install fiber optic internet to communities along the Highway 85 corridor including Gilcrest, VERO representatives have been meeting with Town Staff for the past few months. He added that VERO has proposed a lease agreement with the Town for a

small area, 20' x 20', just South of the Town's sewer ponds to locate their equipment. It, in part, is in the Watson Avenue right-of-way which dead-ends at the South boundary of the ponds.

Also, he explained that the proposed lease is for an initial five-year period with two automatic renewal periods of five years each. In addition, he explained that the initial lease amount is $200.00 per month. He further explained that this would be increased by 3% at each renewal. VERO has incorporated changes to the lease as recommended by Corey Hoffmann, Town Attorney.

Mayor Nothem asked if they are an internet provider as well. Matthew Brouker, representative of Vero Broadband, LLC explained that they are a broadband/fiber optics company which offers high speed internet. He added that Vero Networks was awarded a grant from the Southern Colorado Economic Development District (SCEDD) via the Colorado Broadband Office (CBO) to set up broadband internet. They will be placing the fiber optics/broadband internet within the town limits of Gilcrest. They will also be putting it in place for the mobile/trailer home park that is located on the Northeast side of Highway 85. He further explained that they have been installing fiber optics in Evans, Colorado as well. He added that renters, homeowners, and businesses will all have the option to sign up and purchase internet services through Vero.

In addition, Mayor Nothem asked if Vero installs it themselves or do they use a contractor to do this. Matthew Brouker responded that they do use a contractor. Glass Roots Construction will be doing the work. Mayor Nothem also asked if once the fiber optics is installed will there be representatives in the area to service the lines? Matthew answered yes there are about seven full-time Vero employees working in Evans to help.

Also, Trustee Fulton asked if they would offer senior citizen discounts and what will the prices be for the Vero internet services? Matthew Brouker, representative with Vero Broadband, LLC explained that it will be anywhere from $30.00 to $49.95 depending on the megabits per second (mbps) desired by the customer. The speed will also depend on what a person's computer can handle. He added that they do not have contracts, and the customer can cancel their service if they choose. Trustee Fulton also asked if the high-water tables, in Gilcrest, will affect the lines. She also asked will the weather affect them? Matthew responded no; the high-water tables will not affect it. He added that since the fiber optic lines are in the ground they are not affected by rain, wind, or snow.

Additionally, Trustee Fulton commented that she had a person named Chris, a field representative, from Vero contact her about possibly using her land behind her house as a place to store the equipment in exchange for mowing the field two times a year. She added that they briefly discussed it, and she called him back multiple times to discuss it further and he never returned her call. Matthew apologized to Trustee Fulton.

In addition, Trustee Agripino asked, is this something that is placed on a tower or just under ground? He further explained due to where his house is located, he is wondering

how it will reach their property. Trustee Garza also asked if there is a tower and if so, where is the tower located? Matthew responded that the fiber optics will be placed in the ground. It is not wireless; it is one hundred percent fiber optics. This way the weather will never bother it. The lines all run underground and connect back to Denver, CO.

Additionally, Town administrator Dean explained that there will be a six by twelve concrete pad and a box, which will be two feet by two feet and five-six feet tall. He further explained that the lines will be underground, and that Vero/Grass Roots Construction will need to get permits from the Town before they can start work in the streets, in the right of way.

Also, Trustee Fulton also asked when they will start the project. Matthew Brouker, representative with Vero Broadband, LLC explained that they plan to start around November 2024 and have planned for about five to six months to complete the project. Trustee Garza replied that it will be nice to have it available to Gilcrest resident's next spring.

Furthermore, Trustee Fulton explained that the Town has been working on a project for repairing the sewer lines. She wondered if this would affect their project. Town Administrator Dean added that the sewer line project is currently out for bid. Matthew Brouker explained that they would love to work with the Town now on this to better coordinate, if possible, before starting the project.

Motion – Trustee Howton, Motion to approve the Communications Site Lease Agreement with Vero Broadband, LLC, **2nd – Trustee Howard,** All voted Aye. **Motion carried (6-0).**

b. Heather Ingersoll – Mural Request

Mayor Nothem and the Board of Trustees welcomed Heather and Will Ingersoll to the Board meeting. Town Administrator Dean then explained that Heather Ingersoll, Hometown Insurance, LLC. located at 305 Main Street, Gilcrest, has requested to be on the agenda to discuss a mural. Will and Heather Ingersoll presented a mural design they would like to paint on the side of their building located at 305 Main Street, Gilcrest. He added that he has included a picture of the mural in their Board packet. He also explained that the mural includes signage which the Town code does not permit.

Also, he further explained that the mural they have proposed would be considered a work of fine art except they have incorporated business signage into the mural, which is not permitted by Town code, Chapter 16, Article V - Signs, Section. 16-73.– Exemptions (3), which states that works of fine art which in no way identify a product or business and which are not displayed in conjunction with a commercial enterprise, which enterprise may benefit or realize direct commercial gain from such display are exempt.

Trustee Castro commented that she likes the mural and believes it will add to the view of the Town from the street instead of taking from it. Trustee Howard commented that she thinks it is a beautiful mural.

Mayor Nothem explained that there may be a waiver the Board of Trustees can consider for this. Trustee Castro commented that if so, she would be for the waiver. Trustee Agripino commented that even if there is not a waiver or if there is one, but it doesn't apply to this situation the Board of Trustees could consider adding one or changing the Town Code to allow it as a waiver.

Mayor Nothem asked Will and Heather Ingersoll how long the mural is expected to last? Will Ingersoll responded that if it is approved, they would put a sealer on it, and it would be expected to last at least ten years.

Trustee Agripino asked who would be painting it? Heather Ingersoll responded that the painter would be Chelsea Hoffman. Her business is named Easelyinspired, out of Greeley, Colorado. Trustee Garza asked if approved when would they start painting it? Heather Ingersoll explained that Chelsea is waiting to hear back from them before setting a date, but she also has other projects she is working on.

Next, Will Ingersoll asked for clarification from the Town on what part of the mural is considered the sign? Is it the verbage and the logo or just the logo? Town Administrator Dean explained that in the Town Code it allows for the mural as works of fine art under the exemptions, but it does not allow for the mural to contain anything that identifies a product or business within the mural. The Town would need to look into the possibility of a waiver, but it would need to be approved by the Town Board of Trustees. He also pointed out, if a waiver were to be approved, they would still be subject to the signage requirements, not to exceed the sign size.

After discussion, Mayor Nothem and the Board of Trustees thanked Will and Heather Ingersoll for coming to the Board meeting to discuss their mural request and Town Administrator Dean commented that he will contact them regarding the waiver. No action was taken.

c. School Pizza Party Discussion

Town Administrator Dean explained that over the years the Town has treated the Gilcrest Elementary School kids to a pizza party, gift certificates/receipts for a slice of pizza, milk, and ice cream just before their Christmas break. Last year, there were two hundred and seven kids, and the total cost was $1,919.80. He further explained that the Gilcrest Elementary School and Tracy, owner of Mama Ruth's Pizza Shop, have been contacted to get the information needed for this year's pizza party.

Additionally, Town Administrator Dean reported that Mama Ruth's Pizza Shop will give the Town gift receipts for $6.00 each, for each student, to get a slice of pizza and a drink. For twenty extra-large pepperoni pizzas and fifteen extra-large cheese pizzas, for

one hundred sixty-one kids and thirty staff, the cost is expected to be $560.00. Town Administrator Dean added that the cost for this year's pizza party would total $1,068.00. He further explained that the total also includes $35.00 for the cost to purchase Christmas cards to put the gift receipts in. It also includes $200.00 for the Weld RE-1 Food Service to purchase the milk and ice cream.

After briefly discussing, Mayor Nothem and the Board of Trustees asked Town Administrator Dean to please also include the Staff in the gift receipts this year. Mayor Nothem also asked Town Administrator Dean how much more it will cost to add additional gift receipts for the Gilcrest Elementary School Staff? Town Administrator Dean responded it is his understanding there are thirty Staff, but he will confirm this number. It will increase the total amount by about $200.00.

Motion – Trustee Garza, Motion to approve $2,063.00 for the Gilcrest Elementary School Pizza Party, **2nd – Trustee Howton,** All voted Aye. **Motion carried (6-0).**

In addition, Trustee Agripino asked if any of the Town Staff or the Board of Trustees normally attend the Gilcrest Elementary School Pizza Party? Trustee Castro responded, yes, Laura Meisner used to attend. Mayor Nothem asked if any of the Board of Trustees would like to attend this year? Trustee Fulton responded she would like to attend on behalf of the Board of Trustees. Trustee Fulton asked what day is it planned for this year? Town Administrator Dean replied that the party is planned for December 20, 2024, which is the Friday before Christmas break.

d. 2025 Budget Presentation

Town Administrator Dean explained that State Statute requires a draft budget to be presented to the governing body no later than October 15th. He added that the Board also needs to set a public hearing for the budget. He further explained that the only thing that needs to be done at this meeting is for him to formally present the first draft of the budget. He mentioned that he still has a few items to incorporate.

In addition, Town Administrator Dean explained that the General Fund Budgeted Revenue is $1,113,835.00 versus the 2024 budgeted revenue of $1,080,136.00. Also, the General Fund Budgeted Expense is $1,181,766.00 versus the 2024 budgeted expense of $1,100,909.00. The All Fund ending balance in 2025 is $3,316,749.00 versus $3,265,666.00 projected for the end of 2024.

Also, he explained that the preliminary certification of assessment from the Weld County Assessor is $10,032,190.00, which will provide $316,888.00 in revenue with the Mill Levy at 31.586 Mills. He added that this amount is an increase of $2,780.00 from last year. However, adjustments will have to be made as the result of the passage of HB24B-1001 and SB24-233. Also, he explained that he spoke with the Weld County Assessor's office, and they plan to get the final valuation sent out to the Town by Friday, November 22, 2024.

Additionally, he pointed out that this draft includes a 3% cost of living salary increase and a maximum 2% merit for all staff. Also, Line item 10-0410-4450 for community cleanup activities has been budgeted for $3,000.00. He added that he also included $7,500.00 in line item 10-0510-4225 for special community activities such as the Pizza Party, Easter Egg Hunt, & Gilcrest Daze.

Furthermore, Town Administrator Dean explained that known contract increases for such things as Central Weld County Water District, the police, health, and property insurance, and more have been included. Also, he commented that the Town has an IGA with Weld County for mobility transportation services through VIA Mobility. He reported that last year the cost for the transit program was expected to be approximately $3,400.00. The cost for the coming year is expected to be $715.00. Weld County has also asked the Town for a letter of support that he will prepare.

Also, Town Administrator Dean mentioned that Staff will need to publish a notice of the Public Hearing in the newspaper. The date and time can also be added to the Newsletter. He pointed out that the Board of Trustees typically has the Public Hearing meeting prior to the meeting that they plan on adopting the budget. He added that the Final Budget should be adopted no later than December 15, 2024. He also mentioned that the December meetings are Monday, December 2, 2024, and Monday, December 16, 2024. He suggested that they plan on adopting the 2025 Budget at the December 2, 2024, Regular Board meeting. He further explained that if the Town does not receive the mill levy certification in time for the meeting, we will need to schedule a special meeting, likely for the following Monday, December 9, 2024. He also mentioned that he recommends the Public Hearing for the 2025 Budget be set for 7:00 p.m. on November 18, 2024.

In addition, Trustee Castro commented that at the last Budget Work Session she explained that she wanted to discuss an increase in pay for Town Clerk/Treasurer Joseph. She further explained that she does not see the discussion on tonight's Agenda. She added that over the last few years, the Board has been working on getting the Staff to competitive pay for their jobs. Town Administrator Dean explained that he has been working on it as requested. He and Town Clerk/Treasurer Joseph have also briefly discussed it. Town Clerk/Treasurer Joseph agreed.

Furthermore, Mayor Nothem commented that the current Board may possibly be here next year. He added that he remembered a past Mayor explaining to them that if needed they can decrease the Mill Levy. He further explained so please keep in mind that if needed they can consider decreasing the Mill Levy as a way to help residents out to try to offset for the increased water bill.

Motion – Trustee Howton, Motion to accept the 2025 Budget Draft, **2nd – Trustee Fulton,** All voted Aye. **Motion carried (6-0).**

Motion – Trustee Howard, Motion to set a Public Hearing for the 2025 Budget for

Monday, November 18, 2024, at 7:00 p.m., **2nd – Trustee Garza,** All voted Aye. **Motion carried (6-0).**

7. REPORTS:

a. Town Administrator

Town Administrator Dean reported that Fall Clean Up of leaves and branches has been scheduled for Saturday, November 2, 2024, and Saturday, November 16, 2024, both days will be from 8:00 a.m. to 3:00 p.m.

Also, he reported that as mentioned at the last meeting Kimberly Bloemen, Interim Superintendent, Weld County School District RE-1, has scheduled monthly school/town partnership meetings. He added that Mayor Nothem, Mayor Pro Tem Agripino, and he attended the meeting that was on Wednesday, September 25, 2024. He further explained that the topics of discussion included the EPA, Environmental Protection Agency, Grant the school has applied for, and their revised facilities use policies. The EPA grant is designed to enhance energy efficiency, modernize HVAC, heating, ventilation, and air conditioning systems, and implement solar and backup storage systems in crucial district buildings. With these enhancements, the district's capacity to provide support during disasters, an important aspect of its service to the community, will be significantly strengthened.

Additionally, Town Administrator Dean reported that Jeremy Long, the property owner at 209 Main Street, recently stopped by the Town Hall. He visited with him about building a house at 209 Main Street. Town Administrator Dean added that the property is zoned R-3, High Density Residential. It is a permitted use at this location. In addition, Jeremy Long also asked if he could live in his RV while he is building the house. He further explained that it is not allowed to live in an RV, even on a temporary basis in Gilcrest and he has explained this to Mr. Long.

Also, Town Administrator Dean reported that Town Attorney, Corey Hoffmann, has sent the Town a memo regarding Citizen Accommodations Under the Americans with Disabilities Act and Fair Housing Act. He added that he has included the memo in the Board packet for their review.

Town Administrator Dean concluded his report by mentioning that the Weld County Commissioners have invited them and him to a breakfast meeting to discuss the State of the County. It will be held on Tuesday, October 22, 2024, beginning at 7:30 a.m. at the Aims Community College Welcome Center, 4901 W. 20th Street in Greeley. He added that he has included the flyer in the Board packet for their information. He also explained that if any of them need assistance registering for this event, please let Town Staff know. Town Administrator Dean also mentioned that he plans to attend.

In addition, Mayor Nothem mentioned to also remember that the Weld County Board of Commissioners, have invited them to the 2024 Town and County Dinner that is this

month as well, on Wednesday, October 30, 2024. He pointed out that if their schedule allows and they plan to attend, the invitation notes that they need to RSVP by Wednesday, October 16, 2024.

Additionally, Trustee Garza added that she wanted to remind them, as mentioned in her email invite that this Wednesday, October 9, 2024, at the Platteville-Gilcrest Fire Protection District, in Platteville, Congressman Lopez and her will be there for Congressman Lopez to present the Platteville-Gilcrest Fire Protection District a certificate, Congressional Recognition Presentation, for their part in responding to the Alexander Mountain Fire. Also, she pointed out that they are included in the twenty-two Fire Districts that responded to the Alexander Mountain Fire and they have been put on the Congressional Record. She added please join them, if your schedule allows, in recognizing the Platteville-Gilcrest Fire Protection District for receiving this honor.

b. Board of Trustees

Trustee Castro asked the status of the service animals' matter that the Board of Trustees discussed previously, September 9, 2024. Town Administrator Dean responded that he is currently working on the proper language for it.

Also, Trustee Castro commented that at the last Board meeting Town Administrator Dean explained to them that a temporary employee will be hired to help Public Works while an employee is out on medical leave. She asked if Town Administrator Dean could please provide them with the information again to allow them to better understand the situation. Town Administrator Dean commented that due to it is medical leave he can not provide much information. He explained that without going into much detail an employee is currently out on FMLA leave, Family and Medical Leave Act. The employee has exhausted his accrued time off benefits. Trustee Castro asked how long has the employee been off? Town Administrator Dean responded that he would prefer not to go into much detail. Currently, the employee is about halfway through FMLA. Town Staff has hired a temporary employee to work thirty-two hours a week as a Public Works Worker.

Mayor Nothem mentioned that although we can not get hit with a hurricane here, unforeseen things can happen. He added that Weld County School District RE-1 is working on a plan to become a place people could go for safety, if ever needed, during a disaster. He asked the Board of Trustees to please be thinking about things and/or ways the Town can prepare for the unexpected as well.

8. <u>EXECUTIVE SESSION:</u> - If Needed

9. <u>ADJOURNMENT:</u>

Motion – Trustee Howton, Motion to adjourn the meeting at 7:57 p.m. on October 7, 2024, **2nd – Trustee Howard.** All voted Aye. **Motion carried (6-0).**

TOWN OF GILCREST

ATTEST:

Steve Nothem, Mayor

Brenda Joseph, Town Clerk