



WORK SESSION & REGULAR MEETING – Silverton Board of Trustees
Silverton Town Hall – Monday, October 28, 2024
Call to Order & Roll Call –Work Session @5:00pm, Regular Meeting @7:00pm

ATTENTION: The Town of Silverton Trustee meetings are being conducted in a hybrid virtual/in-person. Instructions for public participation in Town Trustee meetings are as follows:

- Zoom Webinar Link: <https://us02web.zoom.us/j/88637487127>
- By Telephone: Dial 669-900-6833 and enter Webinar ID 886 3748 7127 when prompted.
- YouTube (live and recorded for later viewing, does not support public comment):
www.youtube.com/channel/UCmJgal9lUXK5TZahHugprpQ

If you would like to make a public comment during a specific Agenda Item, please submit a request to the Town Administrator at gkaasch-buerger@silverton.co.us

MEETING PROTOCOLS: Please turn off cell phones; be respectful and take personal conversations into the lobby. The public is invited to attend all regular meetings and work sessions of the Board of Trustees. Regular Meeting Closing Public Comment must be related to an agenda item.

Work Session @ 5:00pm

- 1) 5pm RVs and Workforce Housing in the New Land Use Code
- 2) 6pm EQRs for Water and Sewer Rates

Regular Meeting @ 7:00pm

- 1) Staff and/or Board Revisions to Agenda
- 2) Public Comment - *Comments must be limited to three (3) minutes in duration.*
- 3) Presentations/Proclamations
- 4) New Business
 - a) PUBLIC HEARING: Kendall Mtn. LLC dba Silverton Greenworks – Regulated Marijuana Business License Renewal Application
 - b) San Juan County Sheriff's proposed 2025 Budget and Contract
 - c) The Silverton-San Juan Fire and Rescue Authority IGA amendments providing for wildland firefighting capability and operations both inside and outside the current service areas
 - d) Resolution 2024-24 A Resolution of the town of Silverton authorizing a municipal lease financing agreement with Caterpillar Financial Services Corporation for the lease of a 2024 model 938-14 loader
- 5) Consent Agenda
 - a) Payroll
 - b) Meeting Minutes 10.14.24
 - c) Accounts Payable
 - d) SPECIAL EVENT NOTICE: Mistletoe Market December 13th, 2024



- 6) Staff Reports
- 7) Committee/Board Reports
 - a) 10.15 Planning Commission
 - b) 10.16 Historic Review Committee Work Session
 - c) 10.16 BPMD
 - d) 10.17 Library Board Meeting
 - e) 10.21 Finance Committee
- 8) Trustee Reports
- 9) Continued Business
 - a) Traffic Impact Fee Proposed Changes for Local Contractors
 - b) 2025 Facilities Fee Increase for Current Contracts
- 10) Public Comment
- 11) Request for an executive session for the purpose of receiving legal advice under CRS 24-6-402(4)(b) conferences with the attorney for the purposes of receiving legal advice regarding the ongoing Silverton Square litigation.
- 12) Direction on Demolition of Silverton Square

Adjourn

Up-coming Meeting Dates:

- 10.29 @ 5pm San Juan Regional Planning Commission and Town Board LUC Work Session at Town Hall
- 11.12 @ 5:30pm Silverton Housing Authority Meeting
- 11.12 @ 7pm Regular Meeting (*NOTE: this meeting is on a Tuesday as we will be closed for Veteran's Day on 11.11*)
- 11.14 @ 3pm Personnel and Ordinance Committee
- 11.18 @ 9am Finance Committee Meeting
- 11.19 @ 7pm San Juan Regional Planning Commission
- 11.25 @ 7pm Regular Meeting

End of Agenda

October 28, 2024
WORK SESSION
MEETING PACKET



AGENDA MEMO

SUBJECT: Occupancy of Recreational Vehicles
STAFF CONTACT: Lucy Mulvihill
MEETING DATE: 10.28.2024

Overview:

In recent years, staff have identified gaps and conflicts in the codes regulating the seasonal use of Recreational Vehicles (RVs) by the workforce (referred to as "workforce RVs"). In this memo, "RVs" and "campers" are used interchangeably. The purpose of this memo is to outline the current code regulating RVs, identify gaps and conflicts, describe enforcement challenges, provide examples of policies from other communities, and pose key questions to guide the development of a comprehensive policy allowing the seasonal use of RVs by the workforce.

History:

Silverton Municipal Code (SMC) Chapter 16 – Zoning prohibits campers from being used for residential purposes or in conjunction with commercial operations ([Sec 16-5-30](#)). However, starting in 2016, in response to a local and national housing crisis, a series of emergency ordinances with sunset clauses were adopted annually to allow the seasonal workforce to live in RVs throughout town.

While no related memo was found, it appears the town chose to amend the nuisance code each year to protect existing workforce RVs instead of permanently amending the zoning code. This annual emergency approach allowed for reevaluation of the policy each year. In 2020, the town adopted a permanent version of the ordinance ([Sec. 7-2-17](#)) without a sunset clause. It is unclear why the zoning code was not amended at that time. After speaking with former planning staff, it seems a more permanent solution with additional regulations was proposed but rejected by the Board.

Since the original ordinance was passed over eight years ago, long-term RV occupancy is still not permitted under the zoning code but is protected under the nuisance code. Each year, more RVs are used for residential occupancy in town.

Staff worked with the P&O Committee from June to August to start developing a comprehensive policy for the seasonal use of RVs by the workforce. This policy aims to balance the town's limited housing market with the need for seasonal workforce housing while minimizing impacts on neighbors. After three meetings, several questions remain. The goal of this work session is to address these questions and finalize directions for the new policy.

Staff worked with the P&O Committee June-August, to begin developing a comprehensive policy to allow our seasonal workforce to occupy RVs. One that recognizes the constraints of a limited housing market values our seasonal workforce and recognizes and mitigates the impacts of RVs on neighbors. After 3 meetings, there remain a few questions. The purpose of this work session is to answer these questions and finalize directions for a comprehensive policy to allow our seasonal workforce to occupy RVs

Key Terms and Code Sections:

- Recreational Vehicle (RV): Vehicle-type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The basic types are:
 1. Travel Trailer: A vehicular portable unit, mounted on wheels, of such a size or weight as not to require special highway movement permits when drawn by a motorized vehicle, and of a body width of no more than eight feet and six inches (8'6"), excluding awnings, and a body length of no more than 35 feet when factory equipped for the road.



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2. Tent recreational vehicle: A portable unit mounted on wheels and constructed with collapsible partial side walls which fold for towing by another vehicle.
 3. Truck recreational vehicle: A portable unit, designed to be loaded onto, or affixed to, the bed or chassis of a truck. Truck recreational vehicles are of two basic types:
 - a. Slide-in recreational vehicle - A portable unit designed to be loaded onto and unloaded from the bed of a pickup truck.
 - b. Chassis-mount recreational vehicle - A portable unit designed to be affixed to a truck chassis.
 4. Motorhome: A vehicular unit built on a self-propelled motor vehicle chassis.
- **SMC Zoning Sec. [16-5-30. - Campers.](#)**
 - **SMC Nuisances [Sec. 7-2-17. - Campers.](#)**

Policies from Neighboring Communities

Some communities allow RV occupancy outside of RV parks:

- Estes Park, CO: Long-term workforce RV occupancy is permitted from May 1 to October 31 with a permit ([Ordinance No. 06-24](#)).
- Ouray, CO: Workforce RV occupancy is allowed with a Temporary RV Workforce Housing Permit ([Temporary RV Workforce Housing Permit Program](#)).

P&O Committee Recommendations

- The shortage of workforce housing is impacting local businesses.
- RVs should be utilized seasonally and temporarily to meet workforce housing needs.
- A comprehensive policy regulating seasonal and temporary RV occupancy for the workforce should be adopted, minimizing neighborhood impacts.
- Permits should be required for all workforce RVs, including fees, site plans, and employee verification.
- Only one RV should be allowed per improved zoning lot.
- Workforce RVs in mobile home parks must comply with applicable zoning regulations.
- Workforce RVs connected to utilities should pay applicable Town utility fees or EQR charges.
- RVs may only be occupied from May 1 to October 1.
- RVs must be occupied by their owners and not rented to others.

Questions for the Board of Trustees

1. Zoning
Which zoning districts should allow workforce RVs?
 - Estes Park: Commercial/industrial zoning only.
 - Ouray: R-1, R-2, C-1 Commercial, and C-2 Industrial.
 - Silverton (current): R-1, R-1A, R-2, BA, BP (back half of lots only), and E-D zones.
2. Non-Residential Lots
Should workforce RVs be allowed in non-residential improved lots?
 - Estes Park: Allowed
 - Ouray: Allowed
 - Silverton (current): Allowed
3. Vacant Land
Should workforce RVs be allowed on vacant land?



AGENDA MEMO

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- Estes Park: Not allowed
- Ouray: Not allowed
- Silverton (current): Allowed.

4. Utilities

How would the Town like to manage the following utilities?

Water

- Estes Park: RV occupants must have access to portable drinking water by a food-grade hose or other means of delivery from a structure located on the same parcel with an approved water tap.
- Ouray: Lots must be improved with a water tap. RVs must have access to city water via a hose or from a structure located on the same property
- Silverton (current): Not included

Sewer

- Estes Park: No Sewer hook-up is required; however, any black water holding tank in use must be regularly dumped at a permitted RV dump station.
- Ouray: Sewer hook-up for an RV is allowed so long as the discharge hose that attaches to the sewer cleanout includes a cam lock or other RV sewer locking mechanism to ensure a leak-resistant connection, along with a sewer hose seal for odor-proofing. If not directly connected to the sewer, the RV black water holding tank must be dumped every 3 to 5 days to ensure odors are suppressed and the Owner is required to ensure that there is adequate water in the holding tank so aerobic bacteria are hydrated for effective waste breakdown and odor elimination. Charged EQR.
- Silverton (current): RV/campers shall be fully self-contained; and holding tanks shall be emptied on a regular basis at an approved dump station

Electric

- Estes Park: The qualified occupant must have a supply of electricity from a source on the same parcel. The use of a generator is not allowed at any time.
- Ouray: The RV must have a supply of electricity from a source on the same parcel. No use of a generator is allowed at any time.
- Silverton (current): Generators permitted 8:00 am – 9:00 pm.

5. Capacity

Should there be a cap on the total number of workforce RVs in town?

- Estes Park: Not included.
- Ouray: Yes, 10 in town total.
- Silverton (current): Not included.

6. Inspection Required

Should there be an inspection required before the issuance of a permit, to ensure compliance?

- Estes Park: Inspection required.
- Ouray: Inspection required.
- Silverton (current): Not included.

Budget

Permit fees would cover the cost of site plan reviews and inspections, while utility fees would offset RVs' impact on the water and sewer systems.



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Staff Recommendation

Adopting regulations in line with Ouray and Estes Park will ensure a sustainable workforce RV program while minimizing neighborhood impacts.

Attachments:

- 6/11/2024 P&O Committee Meeting Memo, attached
- 7/11/2024 P&O Committee Meeting Memo, attached
- 8/15/2024 P&O Committee Meeting Memo, attached
- [SMC Zoning Sec. 16-5-30. – Campers](#), linked only
- [SMC Nuisances Sec. 7-2-17. – Campers](#), linked only
- [Estes Park Ordinance No. 06-24](#), linked only
- [Ouray Temporary RV Workforce Housing Permit Program](#), linked only

Motion or Direction:

Provide direction to include a comprehensive Workforce RV policy in the Land Use Code (LUC) or future ordinances.



BOARD PACKET MEMO

SUBJECT: Residential Occupancy in Recreational Vehicles

STAFF CONTACT: Lucy Mulvihill, Bevan Harris, Gloria Kaash-Burger

Overview:

Over the past few years, staff has identified gaps and conflicts within the many codes regulating the use of Campers, *any recreation, mobile vehicles designed for temporary occupancy, and having self-contained utilities* ([Sec 16-1-20](#)). For the purpose of this memo, RVs and Campers are used interchangeably, so long as it meets the above definition. The purpose of this memo is to explain the current code regulating RVs, identify gaps and conflicts, outline frequent requests from citizens, and explain the enforcement issues staff have encountered. Staff is looking for direction from the P&O committee on whether an amendment to the code is necessary to maintain the health, safety, and welfare of residents and continue to execute the vision of the Master Plan, and if staffs need to bring this issue to the Planning Commission June 18 and the Board of Trustees June 24.

History:

Silvertown Municipal Code (SMC) Chapter 16 – Zoning states that *it is not intended to allow campers to be occupied for residential purposes or to allow them to be occupied in conjunction with any commercial operation* (sec 16-5-30). However, beginning in 2016, a series of emergency ordinances with sunset clauses were adopted annually to allow emergency workforce housing to occupy campers throughout town. Staff was unable to locate a memo, however, we believe, the town intentionally amended the nuisance code annually to trigger protection over the existing RVs occupied by the local workforce, rather than amend the zoning code, which would allow it outright, a more permanent action. Adopting multiple emergency ordinances with sunset cases allowed the town to re-evaluate the policy each year. What is unclear is why staff did not amend the zoning code in 2020 rather than adopt the original ordinance without a sunset clause. After talking with former planning staff, it seems the planning department introduced a more permanent solution with more regulations, but that was turned down by the Board. It has been over 7 years since the original ordinance was introduced, yet residentially occupied RVs are still not permitted within the Zoning Code, and each year we see more RVs utilized for residential occupancy within town.

Code:

Chapter 16- Zoning

[Sec. 16-5-40. - Camper parks.](#)

- Camper parks are designated areas within the town to host campers, either long-term (30+ days) or short-term.
- Camper parks may be established in the E-D District only.
- The minimum land area for a camper park shall be one block or 60,000 square feet.
- Sec 16-5-40 outlines regulations on camper parks.
- Camper parks are a Use Subject to Review, therefore they are required to be reviewed by the Planning Dept, Planning Commission, and Board of Trustees before the use is permitted.

[Sec. 16-5-30. - Campers.](#)

The occupancy of campers is allowed within the Town only as a convenience for visiting friends and relatives or during construction of a dwelling unit. This Section is not intended to allow campers to be occupied for residential purposes or to allow them to be occupied in conjunction with any commercial operation.

Convenience for visiting friends and relatives

- Campers occupied by visiting friends and relatives for no more than 20 days are permitted on or adjacent to occupied residential property
- Each occupied residential property shall be allotted a total of 20 camper days per calendar year during which campers may be parked for occupancy on or adjacent to the subject property.
- Sec 16-5-30 outlines regulations on campers occupied by visiting friends and relatives for now more than 20 days

During the construction of a dwelling unit

- Campers occupied during the construction of a dwelling unit are permitted on associated residential property.

- Camper units may be parked for occupancy on private property by the property owner in any residential zone during the construction of a dwelling unit for a period not to exceed 180 days and only between May 1 and October 31 of any given year. Campers so parked must meet all setback requirements of the zone. Said occupancy shall not take place prior to the issuance of a building permit for the new construction and shall terminate upon occupancy of the new dwelling or six months from the date of the building permit or on October 31 of that year, whichever comes first.
- Sec 16-5-30 outlines regulations on campers used during the construction of a dwelling unit

Sec. 16-5-20. - Mobile home parks.

- Mobile home parks may be established in the R-2 and the E-D Districts only, either in connection with a camper park or independently. If in connection with a camper park, the area for campers shall be separate and distinct from the area for permanent mobile homes.
- No camper units of any kind shall be allowed within the mobile home park, except for one which is owned and being kept in storage by a resident of the park.

Chapter 7 Health, Sanitation, and Animals – Nuisances **outside of Land Use Code**

Sec. 7-2-17. - Campers.

- Qualifying Employees, *person is employed at least 30 hours/week or for four days/week. If the person is self-employed, then a business license or other document demonstrating employment shall be deemed acceptable for purposes of verifying the employment requirements*, my occupy a camper from May 15 to October 15 without any limitation to the number of days.
- Vehicle types: RVs, motorhomes (Types A, B, C), fifth-wheel trailers and truck campers are permitted; tear-drop trailers, tent campers, vans, tents and yurts are prohibited.
- Allowed as a temporary use in R-1, R-1A, R-2, BA, BP (back half of lots only), and E-D zones. Prohibited in P zone.
- One (1) RV/camper per 2,500 square feet of lot area.
- RV/camper shall be parked entirely on private property and shall comply with all setbacks.
- RVs/campers shall have a current vehicle license.
- RV/campers shall be fully self-contained; and holding tanks shall be emptied on a regular basis at an approved dump station.
- No generators or loud noises are allowed before 8:00 a.m. or after 9:00 p.m.
- Campers shall be required to pay the Town's transfer station fee and the property shall be kept neat and orderly and free of trash/rubbish accumulation.
- RVs/campers shall be issued a Town permit to be placed inside the front windshield of the vehicle.
- This Ordinance shall remain in full force and effect unless otherwise amended or terminated by the Town of Silverton Board of Trustees;

Gaps within the Code:

- Can RVs be parked on vacant property as a conceive for visiting friends, relatives, or property owners?
- Can Workforce RVs be occupied on vacant property?
- Can Workforce RVs be occupied within Mobile Home Parks (MHP)? Vacant lot within a MHP?
- Clarify whether the property shall be improved, with utilities and a dwelling unit, or if RVs shall be allowed on vacant land.
- Maximum allowable number of RVs per property?
- Are Work
- Whether this section of code supersedes the Zoning Code.
- Do Tiny Home meet Camper definition*
- If a Camper Park and MHP are developed in conjunction, what are the minimum standards that apply?*

*Addressed in the Land Use Code Update

Requests for residents

- Reduced minimum land area or Camper Parks

- We have seen this in multiple variance applications for reduced minimum land area for Camper Parks including the Joyce Tiny Home Park and Hart RV Park
- RVs for occupancy within Mobile Home Parks
- Multiple Workforce RVs on one lot, often vacant land

Direction:

Direct staff to amend the code to allow Workforce RVs within Mobile Home Parks

And/or

Direct Staff to present the issue to the Planning Commission on June 18th and the Board of Trustees on June 24th

Or

Direct staff to make no changes to the current code nor present the issues to the Planning Commission or Board of Trustees.



BOARD PACKET MEMO

SUBJECT: Residential Occupancy in Recreational Vehicles

STAFF CONTACT: Lucy Mulvihill, Bevan Harris, Gloria Kaash-Burger

Overview:

In recent years, staff have identified gaps and conflicts in the codes regulating the use of campers and recreational vehicles (RVs) designed for temporary occupancy with self-contained utilities ([SMC Sec 16-1-20](#)). For this memo, RVs and campers are used interchangeably, as long as they meet the defined criteria.

At its meeting on June 11, 2024, the Personnel and Ordinance Committee (P&O) directed staff to revisit the topics of long-term RV occupancy by the local workforce and short-term RV occupancy by visiting family and friends. Staff was asked to prepare a redlined ordinance reflecting the feedback from the P&O. The attached redlined ordinance incorporates this feedback. Note that the P&O did not address RV use for visiting friends due to time constraints, so changes to this section were not included.

This memo provides additional information to aid in the ongoing discussion of RV occupancy outside designated RV parks.

Neighboring Communities that allow Occupancy of RVs outside RV Parks.

Community	Occupancy of RV permitted outside of RV Park	Code
Lake City, CO	YES, subject to special use permit	Sec 23-16. – Supplementary regulations (4).
Mt. Crested Butte, CO	Yes, temporary use (>7 days per month)	21-133 Parking
Pagosa Springs, CO	Yes, temporary use (>14 days per year)	4.4.2. Temporary uses and structures allowed (B)
Estes Park	Yes, long-term for eligible workforce (May 1 – Oct 31), permit is required.	Ordinance No. 06-24

HB 24-1154 Accessory Dwelling Units

HB 24-1154, passed on May 13, 2024, sets requirements for accessory dwelling units (ADUs) for subject jurisdictions and supportive jurisdictions. While Silverton is not a subject jurisdiction, it can qualify as a supportive jurisdiction, bringing potential grant funds. Housing Authority Director Anne Chase is exploring this and will present it to the Board of Trustees later.

The bill mandates that ADUs be allowed by right on any parcel where a single-family dwelling is permitted. Local governments can define ADUs to include or exclude motor homes, multipurpose trailers, and recreational vehicles.

Silverton may choose to include RVs as ADUs. If so, RVs would be permitted under the same rules as ADUs per [SMC Sec. 16-8-80](#). If the Town chooses to move forward with this, staff recommends adding a clause limiting RV occupancy to May 1 - October 15.

Long-term RV Occupancy by the Local Workforce:

At the June 11, 2024, P&O meeting, staff received the following direction and prepared a rough redlined ordinance, attached.

- Permit long-term RV occupancy by local workforce outside RV parks, provided RVs have access to sewer and water.
- Allow long-term RV occupancy on private residential property with an existing dwelling, limited to one RV per property to prevent overcrowding. RVs must meet setback requirements similar to ADUs.

- Mixed feedback on allowing long-term RV occupancy on vacant land: some expressed concerns that RVs on vacant lots may turn into unregulated "mini RV parks," while others noted the need for workforce housing, and advocated for RVs on vacant land. All agreed strict enforcement is necessary moving forward.
- Mixed feedback on the maximum number of RVs on vacant land: some suggested a minimum of two RVs, others preferred no more than one RV per 2500 sq. ft. All agreed strict enforcement is necessary moving forward.
- General agreement to allow long-term RV occupancy in all zoning districts, though some had concerns about R-1 and R-1A zones.
- Agreement to allow long-term RV occupancy in Mobile Home Parks if connected to water and sewer.
- Agreement that RVs connected to utilities should pay town utility fees.

Further Direction Needed:

- Should long-term RV occupancy by the local workforce be allowed on vacant land?
- What should be the maximum number or density of RVs on vacant land?
- Should long-term RV occupancy by the local workforce be permitted in R-1 and R-1A zones?
- Is the current application process sufficient, or should a temporary use permit be required?

Short-term RV Occupancy by Visiting Family and Friends:

Further direction is needed on the following:

- Should RVs be allowed to park on or adjacent to residential property with an existing dwelling as a convenience for visiting friends/family?
- Should RVs be allowed to park on or adjacent to vacant land by the landowner or for visiting friends/family?
- Should a fee be required?
- Should a permit be required?

Direction:

- Direct staff to draft an ordinance addressing long-term RV occupancy by the local workforce and short-term RV occupancy by visiting family and friends.
- Direct staff to bring the topic and/or ordinance to the Planning Commission and Board of Trustees.



BOARD PACKET MEMO

SUBJECT: Residential Occupancy in Recreational Vehicles

STAFF CONTACT: Lucy Mulvihill, Bevan Harris, Gloria Kaash-Burger

Overview:

In recent years, staff have identified gaps and conflicts in the codes regulating the use of campers and recreational vehicles (RVs) designed for temporary occupancy with self-contained utilities ([SMC Sec 16-1-20](#)). Specifically code sections [Sec. 16-5-30. – Campers](#), [Sec. 7-2-17. - Campers](#). For the purpose of this memo, “RVs” and “campers” are used interchangeably, as long as they meet the defined criteria.

At its meeting on June 11, 2024, the Personnel and Ordinance Committee (P&O) directed staff to revisit the topics of long-term RV occupancy by the local workforce and short-term RV occupancy by visiting family and friends. Due to time constraints, the P&O did not address RV use for visiting friends.

At its meeting on July 11, 2024, the P&O Committee did not reach a consensus on all points related to long-term RV occupancy by the local workforce, and they did not discuss short-term RV occupancy by visiting family and friends. The purpose of today’s meeting is to discuss both topics further.

This memo provides additional information to aid in the ongoing discussion of regulations related to RV occupancy. Staff are seeking direction to inform the Land Use Code update. If the P&O does not reach a consensus, staff recommend bringing the topic to the Board of Trustees through a work session.

Neighboring Communities that allow Occupancy of RVs outside RV Parks.

Community	Occupancy of RV permitted outside of RV Park	Code
Lake City, CO	YES, subject to special use permit	Sec 23-16. – Supplementary regulations (4).
Mt. Crested Butte, CO	Yes, temporary use (>7 days per month)	21-133 Parking
Pagosa Springs, CO	Yes, temporary use (>14 days per year)	4.4.2. Temporary uses and structures allowed (B)
Estes Park	Yes, long-term for eligible workforce (May 1 – Oct 31), a permit is required.	Ordinance No. 06-24

Overview of the Estes Park VBASE pilot program.

At the July 11th P&O Committee meeting, there was interest in the Estes Park VBASE pilot program. Below is an overview of the program's elements:

- Temporary Use Permit Required for Workforce RVs:
 - Permit must be submitted by the business owner.
 - Permit must include a site plan.
 - Application fee: \$50.
 - Monthly permit fee: \$100.
 - Permit must be displayed visibly.
- On-Site Employment Requirement:
 - The qualified occupant must be employed by the property owner.
- Town Inspection Required.
- Only One RV Permitted Per Parcel.
- Not Permitted in Residential Zoning Districts.
- Utility Requirements:

- Workforce RVs must have an electricity supply from the same parcel (generators are not permitted).
- Access to water must be available via a food-grade hose or other delivery means from a structure with an approved Town water tap.
- A sewer hookup is not required; however, black water tanks must be regularly dumped at a permitted RV dump station.

Long-term RV Occupancy by the Local Workforce:

- What the P&O has consensus over
- Workforce housing has become increasingly difficult to find, negatively affecting local businesses.
- To address this issue, RVs should be utilized for workforce housing.
- The Town should adopt regulations governing long-term RV occupancy for the local workforce.
- Permits should be required for all long-term RV occupancy by the local workforce (workforce RVs) outside RV parks, and permits should include a site plan.
- One workforce RV should be allowed per lot with dwelling units.
- Workforce RVs should be allowed in Mobile Home Parks, provided they comply with all applicable zoning regulations.
- Workforce RVs connected to utilities should pay Town utility fees.
- Workforce RVs should be occupied seasonally from May 1 to October 1.
- Qualified employees must occupy their own RVs; RVs should not be rented out to qualified employees.

Mixed feedback/Still in Question

- Zoning Districts: Which zoning districts should allow workforce RVs? (There is general consensus on all zoning districts except for concerns about R-1.)
- Vacant Land: Should workforce RVs be allowed on vacant land? (No consensus has been reached on this.)
 - Proponents: Some members believe that allowing workforce RVs on vacant land would make it easier for the local workforce to find housing. However, they stress the importance of adopting strict regulations that are enforced.
 - Opponents: Some members are concerned that this could lead to "unregulated mini RV parks," which could have a significant impact on surrounding neighborhoods and be unfair to those operating RV parks around town.

Short-term RV Occupancy by Visiting Family and Friends:

Further direction is needed on the following:

- Should RVs be allowed to park on or adjacent to residential property with an existing dwelling as a convenience for visiting friends/family?
- Should RVs be allowed to park on or adjacent to vacant land by the landowner or for visiting friends and family?
- Should a fee be required?
- Should a permit be required?

Direction:

- Direct staff to include regulation and procedural requirements in the Land Use Code governing the occupancy of RVs.
- Direct staff to bring the topic and/or ordinance to the Board of Trustees.



WORK SESSION AGENDA MEMO

SUBJECT: Water and Sewer Rates- EQR Discussion
STAFF CONTACT: John Sites
MEETING DATE: 10/28/24

Overview:

During the Utility Committee's last meeting on September 25 regarding water and sewer rate solutions, Staff presented EQR "hybrid" rates that considered implementation of EQR base rates along with usage to meet our capital improvement needs and implement equitable rates for 2025 and beyond. During that meeting the Committee requested further details on EQR rates, including an impact analysis for various user groups which are being presented at this Work Session.

EQR Rates for Base Rates:

The Town adopted the attached EQR rates to make *plant investment fees* for water and sewer more equitable for commercial and multi-family services. These EQRs closely align with EQR standards suggested by the EPA. Staff is asking the Board to consider the revenue and customer implications of applying these EQRs to water and sewer utility base rates. The new base rate would be calculated by multiplying the current base rate by the equivalent EQR.

Why are EQR based rates equitable and sensical?

- EQR rates are generally considered to be a fair and equitable option for utilities because these rate setting methodologies result in cost-based rates that generate revenue from each class of customer in proportion to the cost to *serve* each class of customer.
- Water rates are considered fair and equitable when each customer class pays the costs allocated to the class and thus *cross-class subsidies* are avoided.
- Stability and predictability of revenue
- Simple to administer and understand
- Legal and defensible

Comparison with Ouray

- Ouray implements an EQR system WITHOUT metering. Their EQR structure is similar to the one the Town uses for plant investment fees.
- Silverton's monthly water + sewer base rate is \$116.135; Ouray's monthly base rate is \$174.90
- Ouray's base rates are 34% higher than Silverton's even after the recent rate increase.
- Ouray is comparable to Silverton in that they are supporting major infrastructure improvements including new wastewater and water treatment facilities.
- Ouray has a slightly higher population than Silverton (898 vs. 690) which puts them in a more advantageous position with respect to revenue. More rate payers equal more revenue, and smaller systems typically require higher rates.

EQR Categories:

For this discussion, Staff is lumping EQRs into two major categories, *commercial and residential*. In the recommended options (below) we are recommending the full EQR, year-round for all *residential* EQRs. For example, it is equitable for a multi-family structure with four residential units to pay four full EQRs, or the equivalent of four standard base rates. However, it is not equitable for a seasonal *commercial* business that is in operation (or with greatly reduced revenue) six months per year to pay XXX EQR multipliers year-round.



WORK SESSION AGENDA MEMO

SUBJECT: Water and Sewer Rates- EQR Discussion
STAFF CONTACT: John Sites
MEETING DATE: 10/28/24

EQR Options (recommended):

1. Charge the full EQR base rate to Commercial, Hotel and RV categories, which are typically seasonal businesses, six months out of the year between May and October and charge the standard base rate November through April.

Multifamily, vacation rental and ADU services would pay the EQR year-round. The financial impacts to EQRs in these categories would be substantially less because the EQR multiplier is smaller, or these fees would be spread out among however many family units are served depending upon the type of service.

2. Charge a percentage of the proposed EQR to Commercial, Hotel and RV categories, year-round.

Example (representative of a medium sized hotel for a single bi-monthly billing cycle):

EQR x 7.1 base rates (\$232.27 ea.) at 100% = \$1,649.12

EQR x 7.1 base rates at 50% = \$824.56

Multifamily, vacation rental and ADU services would pay the full EQR year-round.

*See attached spreadsheet for more detailed EQR impact options.

EQR Options (not recommended):

1. Application of full EQRs to utility rates to all categories year-round.
2. Do not implement EQRs.

EQR Implementation:

With the recent rate increase and temporary elimination of metering, Staff recommends implementation of EQR's to supplement lost revenue from overages. Staff will also recommend replacing our existing meters with an AMI (cellular) metering system and integrating water usage back into our billing. At that time, an EQR / usage hybrid billing system could be considered.

To implement EQR's Staff will need Direction from the Trustees to place an EQR option on a Board Agenda (Resolution) and make a motion to implement EQRs in billing *after* Staff has completed a customer inventory and categorized users for EQR multiplier application. Most of this data is compiled but will require verification.

Attachments:

- Silverton Plant Investment Fee EQR Rate Sheet
- EQR Impact Spreadsheet

Suggested Direction:

Direct Staff to place an EQR option on a Board Agenda or table the EQR discussion for further consideration. Staff highly recommends implementing EQRs for residential services regardless of whether commercial services are tabled.



EQR WORK SESSION BOARD PACKET MEMO FOR REFERENCE

SUBJECT: Update on the water metering system and options
MEETING DATE: October, 28 2024
STAFF CONTACT: Stephen Mead, John Sites

Overview: The board has directed for the pursuit of a well operating water meter system. The first step in this is getting an understanding of where the gaps are in our meter system and what it will take to fill those gaps. In response to continuing this pursuit there are updates to some of the gaps and information on a new option.

Project Scope

Large, very large. We have 600 meters, 231 read and 269 do not.

What has been learned on the additional meters is that they are not set to *water metered*, but to Transfer Station Extra. They are tied to a service that is not metered anymore. I have been told by Caselle tech support that Transfer Station Extra is or was a metered service. I recognize some of these names and they are from a long time ago, I first moved here in summer of 2004, and one name stands out as having bought their house in the 2005/2006 time period. The very helpful tech support said "I have never seen anything like this, I have seen worse though" I was then told about a service Caselle offers to help municipalities sort this type of thing out. It is a paid service. I have reached out on what charges are and how they structure them.

Neptune Update

The below numbers come from the Neptune 360 system

Overall: 563 Endpoints

2005: 11 of 11 (100%) endpoints reporting
2007: 190 of 434 (43.7%) endpoints reporting
2009: 21 of 25 (88%) endpoints reporting (1 missed read, 2 register errors)
2017: 39 of 39 (100%) endpoints reporting
2018: 13 of 13 (100%) endpoints reporting
2019: 41 of 41 (100%) endpoints reporting

Given these numbers they have an idea of our needs and have not been proactive following prompts for information in providing a detailed estimate of what it would take to upgrade to an AMI system.

In the end, all of the billing goes out through Caselle, so that meshing is critical.

I have requested a more detailed cost of upgrading to the Neptune cellular system, breaking down of what we have that would carry on, and how much we will need to upgrade. I have also asked for references to reach out to that are located in a similar climate.

Update from the Metron Option

I have connected with the following Public Works Directors:

Kevin Rosemeyer	Evergreen
Dillon Willson	Kremmling
Lucas Seffens	Fraser
Buff Borraas	Grand County (Winterpark)
Greg Teter	Parkville (Leadville)

All of these references spoke positively about their experience with Metron. All but Parkville uses the AMI or cellular system. Parkville has been with Metron for 10 years. Where they have had challenges with reading, they have gone cellular and have not had any issues with reading once going cellular.

Evergreen, Kremmling, Fraser, and Grand County.

All spoke highly of working with the Metron installation teams. They have different teams so some can be more efficient than others.

Number of units:

Evergreen 4,500 from 2021 into 2022. Metron did the half of these that are in the houses and Evergreen is working toward finishing the half that are in pits 6 feet deep. They have devised their own equipment to work with their unique situation of a 6 foot deep meter pit. Evergreen began their Metron Journey in 2007.

Fraser, Kremmling and Grand County are in the 800 range and have done installations in the last 1 to 3 years.

All said the first 80% goes quickly then the last 20% drags on due to second home owners. To help reach the finish line communications of high flat rates motivated folks. Some still don't bat an eye.

Waterscope, Metron's software has been great. All have utilized it to monitor for leaks. They will make courtesy calls and customers greatly appreciate it. One reference summed it up with it is great for the masses and the individual customer.

There is concern for alarm settings getting dialed in and pinging too many alerts resulting in too many customer call ins. "We don't have the staffing to be answering high call volumes. Also concern for calls from customers asking for an explanation of how they used so much water.

Evergreen has not had issue with this and has 408 of 4500 customers utilizing Waterscope. One manager said it is creepy, you can tell if folks are washing their hands after going to the bathroom.

I have consistently heard "We have found a lot of leaks." One said I found myself calling the same people that had been calling me for years because of their high water bill and complaining.

The meter monitors temperature. Some have used this feature some have utilized it less. Fraser had an average of 10 freeze broken meters per winter. Last winter, their first winter with Metron they had 2 on a winter that was above average for cold.

Leadville has found they just bulge out, they are useless, but do not break as in they are not flooding places. They are plastic and do not have a freeze plate like the brass bodied meters

Buff at Grand County had been the reader for 14 years and had been using Sensus. The first thing they did in their new role was make the switch.

When asked, they have said tech support is fine and have used their contact person's name.

Issues

There have been some cell service holes for Evergreen, none of the other municipalities have found this issue and a need for an extra antenna. They have found a day or two might go by without receiving data because of weather.

One piece of advice offered was to take pictures of old meter faces and the new ones for recording purposes.

Some minor bugs with Waterscope that are slow to be resolved, nothing major was one comment.

Billing

Evergreen is still working through the billing meshing and are switching services.

Both Fraser and Kremmling use Caselle, I plan to follow up with their billing departments. From the public works perspective, the meshing with Caselle has gone well but it is reliant on the data in Caselle. Kremmling had a more challenging time due to inaccuracies in the data in Caselle. It is an opportunity to make improvements. The municipalities I spoke with expressed that they don't deal with the billing side of things.

Metron Budget Impact:

500	¾ inch	\$225,500	Installation	\$90,000
32	1 inch	\$21,600	Installation	\$12,800
5	1 ½ inch	\$4,750	Installation	\$3,000
2	2-inch	\$2,700	Installation	\$1,600

Total materials \$251,500 Installation \$107,400

Grand total \$358,900

Metron will attempt to contact customers 3 times and then will turn them over to the municipality.

Regardless of if we continue with Neptune, switch to Metron, or go with another leading company this is an opportunity to invest in our Caselle data. There are other options to look into,

and there are a lot of competitors. In search of other companies to approach this stood out to me: “The **smart water metering market** size is projected to reach US\$7.36 billion by 2031 from US\$ 3.80 billion in 2023”

The take home is that there are and will be other options.

When asked Caselle tech support how Metron meshes with Caselle and if they had experience with Metron, I was told, “There are many companies out there that are great, and all will claim to be the best. It is the support that the companies provide that sets them apart.”

This was in the memo from the last meeting and it is working with our current system.

We have a meter body that measures the volume of use. On top of that is the register that broadcasts the readings. Both have a life expectancy of 20 to 25 years. The cost in April for a register is \$254.20, the entire meter is 320.10 for a 5/8 our common size, 465.40 for a 1 inch and 825.60 for a 1.5 inch. These can be swapped out in 15 to 20 minutes, it takes more time to coordinate with the property owner and access the meter than to swap them out. It was advised to first do this if the meter body is under 7 hundred thousand gallons. Using the base amount of water, 10,000 gallons, this is a ten-year-old meter body. To swap out the entire meter requires turning off the water, and took me a solid hour at my house. Then there is the Caselle side of the system. That would take an additional half hour per meter. A big take home for me is Caselle is not easy. The tech support guy the other day told me it took them 6 months to run similar reports to what I was asking for.

One report I asked for was one that would give us the installation dates for our meters.

Year	# or meters
23/24	12
21/22	34
19/20	21
17/18	70
15/16	3
13/14	0
11/12	19
09/10	14
07/08	325 +/-
No installation date	300+/-

Why this is important. Life expectancy for meters is 20 to 25 years. There has already been a notable decline in readings in recent years. This gives us a good idea of why our readings are dropping and how many more are looking to age out.

Things to note:

These numbers add up to more than the number of meters we are looking to read.

When a meter is replaced the old one can be placed in inventory, retired or just left in service. I have come across each of these examples. Having this information can allow us to project how many more meters we can anticipate not reading.

So why are we challenged with even the new meters not reading?

Common explanations from tech support as to why we are not reading a meter is that possibly a car was parked in the way. It is my understanding that in a typical municipality the meters are in the sidewalk, not in a crawl space. Another aspect of our municipality that is different is that our pipes are 7 feet underground.

The trainer that came and rode around with me to read meters in June felt like the metal skirting common on our buildings interfered with the signal. I was also told the antennae could be facing a direction that does not allow for us to park in a way that we can pick up the signal. I spent time with them trying to understand why we have homes that have been built in the last 5 or so years and we are not consistently picking up their meters. Readings on new builds that I picked up in June did not read in August. Being the operator of the vehicle and the equipment, I am doing everything the same. I have been told the weather can affect the readings. I am still trying to figure out this gap.

Costs from the last memo of working with our current system

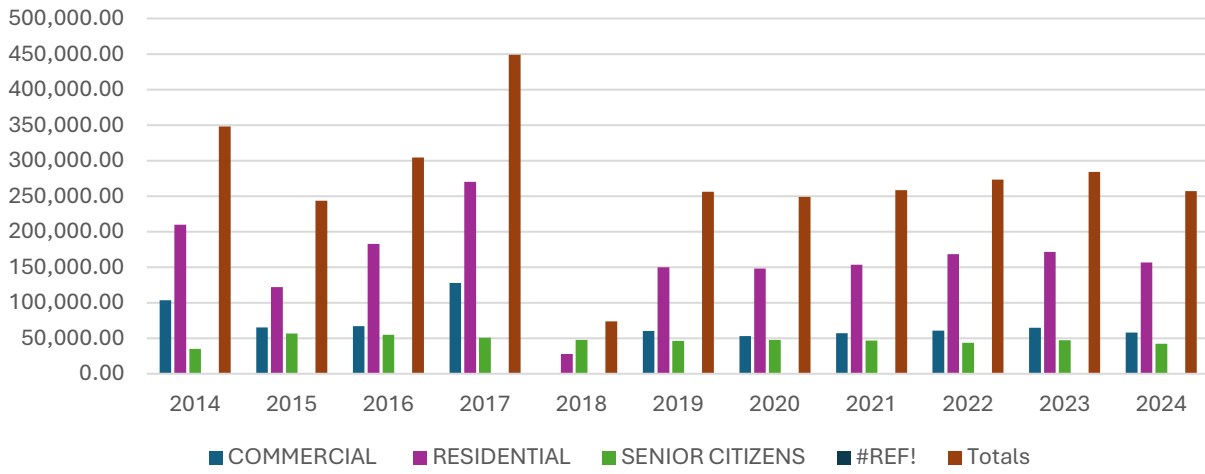
If we were to replace 269 5/8 meters at \$320.20 it would cost \$86,106.90. An estimate for the time required would be an hour per meter, and then the time to coordinate with property owners. If that averaged an hour, plus the Caselle side being a half hour, we are looking at 808.5 hours, approximately 100 days and 4.5 months. The town staff average salary is over \$25/hour, wages would be \$20,212.50 for a total of \$106,319.40. This still puts us with meters in service that are entering the end of their life expectancy.

At \$.01 per gallon a metered residence would need to use 35,770 gallons to pay for the meter and its installation with overage charges. Consider the average household in town, its size and occupancy rates. Aside from August billing cycle I have observed that it is the rarity for a residential meter to report overage usage.

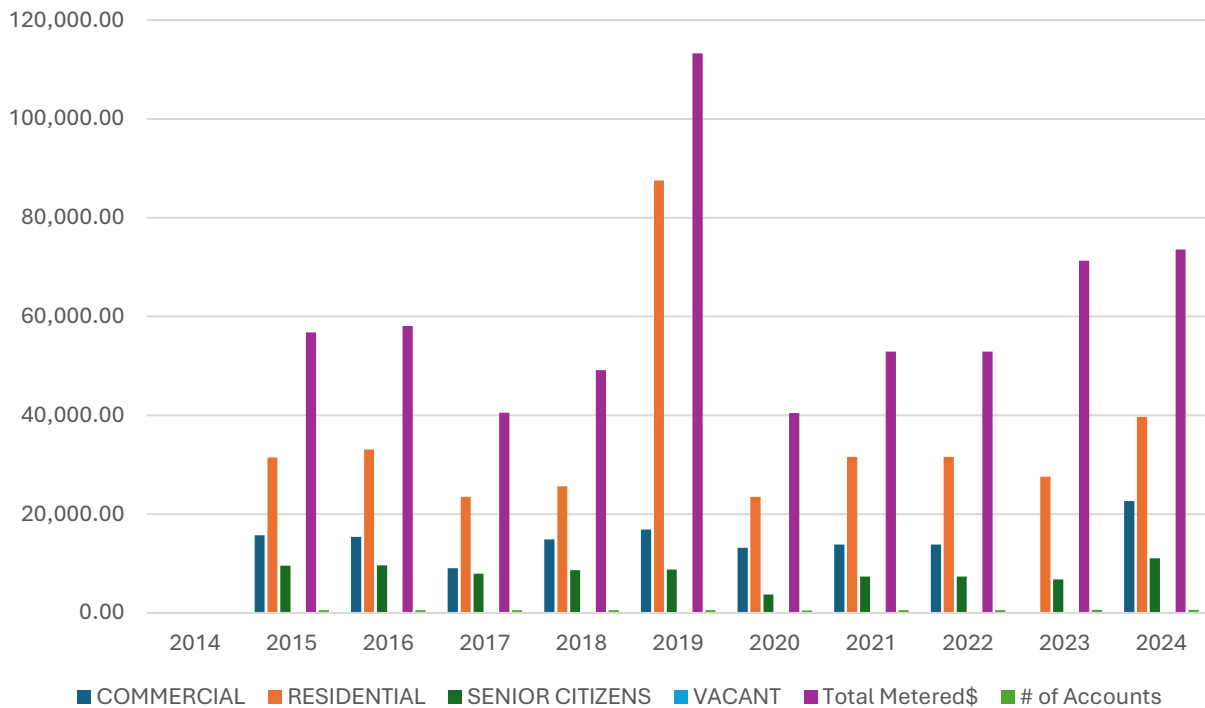
Budget Impacts

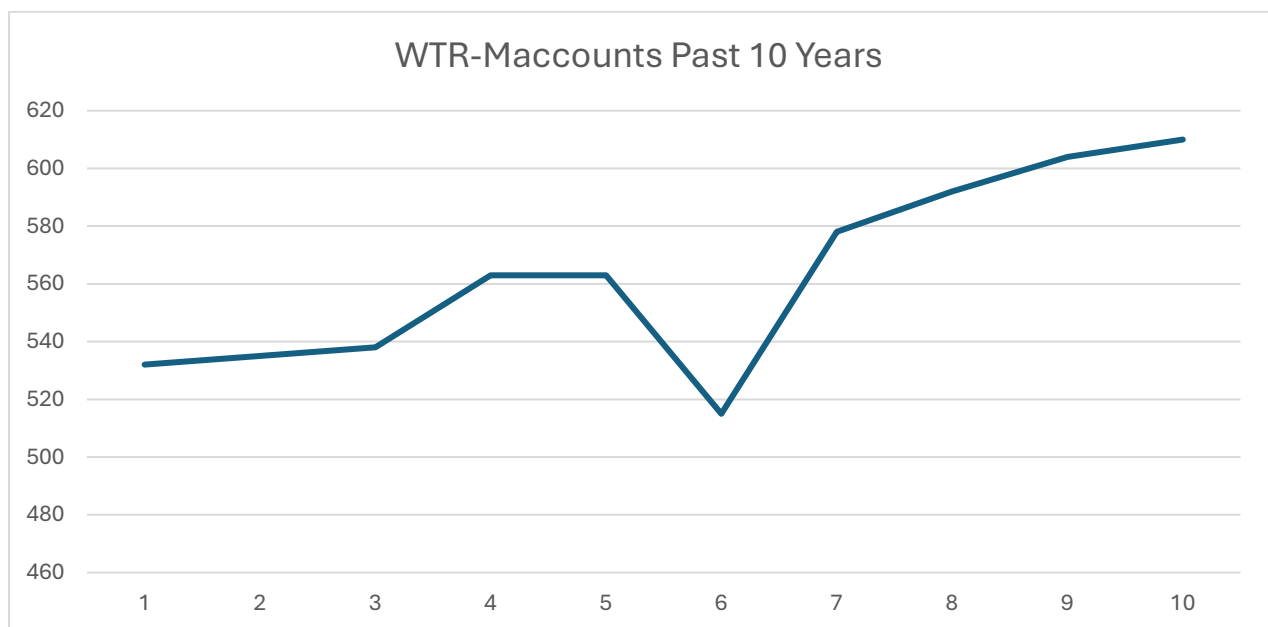
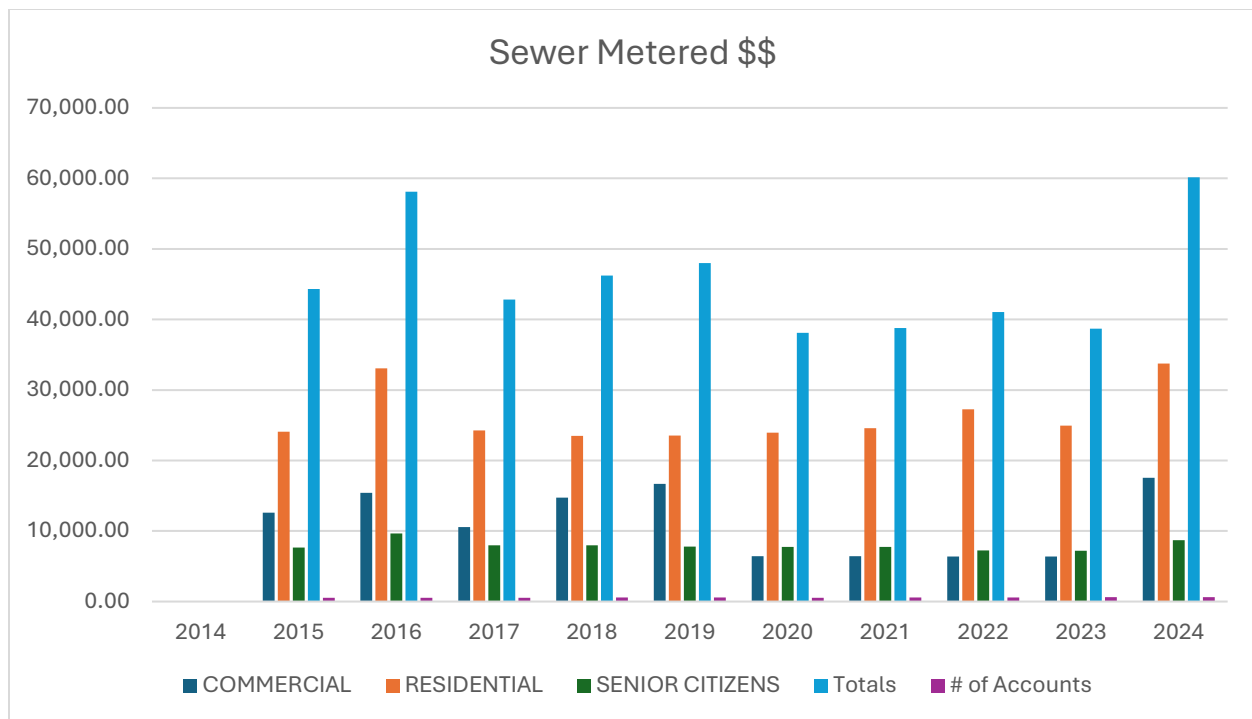
Here are graphs illustrating revenue generated from metering. This should illustrate 2 things. First, with the variations in these totals it makes it hard to forecast revues generated from utility billing. Second, as illustrated most in the August Sewer Metered\$\$ the metering makes a significant difference. Another thing to note, over half our meters do not read.

Water Metered\$\$\$ Generated



Aug, 2015-2024 Water metered \$\$\$





Summary:

Currently we have a minority of customers being metered, and an even smaller minority paying overages. Is that equitable? Staff recommends pursuing information on meter options, funding and information on steps needed to rectify our metering system. Pursue cleaning up data in Caselle with a culmination of effort coinciding with a new meter system. It is also worth considering how to fund part of the project through billing. Quarterly, bi-annual or annual billing

could be considered to save staff time and postage. We use approximately \$600 in postage and 40+ hours of staff time per cycle.

Section I – 2.1 Water and Sewer Tap Fees

A. Water Tap Fees

The plant investment fee for a new water tap and service connection (including those areas covered by a reimbursement agreement) shall be the current fee times the applicable equivalent residential unit (EQR) as listed below.

CLASSIFICATION	EQR
a. Single-family residence, mobile home, or condominium unit:	1.0
b. Multi-family residential units, duplexes, apartments, or living units served and billed in conjunction with commercial customers:	
1. Base fee includes first unit	1.0
2. Up to and including two bedrooms and not more than one and one-half bathrooms	0.8
3. Three bedrooms and over	1.0
4. Each coin-operated washing machine	0.3
5. Each business, office, or shop space with two bathrooms	0.6
6. Each business, office, or shop space with no bathrooms	0.2
c. Hotels, motels, lodges, boarding or rooming houses, camper parks, or rental units within a residence-base fee includes manager's quarters:	1.0
1. Each rental room, unit, or space with no bathroom or cooking facilities.	0.2
2. Each rental room with bathroom or each camper park toilet	0.4
3. Each rental room with bathroom and cooking facilities	0.5
4. Each coin-operated washing machine	0.3
d. Bars and Restaurants:	
1. For businesses with 25 or less seating capacity.	1.0
2. For the second 25 seating capacity or fraction thereof.	0.8
3. For each additional 25 seating capacity or fraction thereof (After the first 50)	0.6
e. Service Station or Car wash Facility – base fee:	1.0
Each wash rack or service repair bay (after the first one)	0.5
f. Commercial or Public Buildings such as stores, offices, warehouses, etc. having water services:	
1. Minimum per building up 2000 square feet in size...	1.0
2. For each additional 2000 square feet of area or fraction thereof	0.6
3. Additional for each pair of public restrooms...	0.4
g. Churches, including attached parsonage, or non-profit organizational hall with no regular eating facility...	1.0
h. Schools (public or private:)	
1. Base rate for 0-50 students...	2.0

- | | |
|--|-----|
| 2. Each additional 50 students or fraction thereof... | 1.0 |
| 3. Multiply above base rate by 1.2 factor if school has a
gymnasium with showers... | |
| 4. Multiply above base rate or aggregate rate by 1.2 factor if
school has a cafeteria | |
| | |
| i. Laundromat- per machine... | 0.3 |

EQR Impact Table

EQR Rate Multiplier	Service type examples in Silverton (approximate)	Water	Sewer	100% EQR per 2 month billing cycle
1	single family home; < 2000 sf business	\$136.78	\$95.49	\$232.27
2	2000-4000 sf business	\$273.56	\$190.98	\$464.54
3	small restaurant	\$410.34	\$286.47	\$696.81
4	gas station	\$547.12	\$381.96	\$929.08
5	small RV park	\$683.90	\$477.45	\$1,161.35
6	small hotel	\$820.68	\$572.94	\$1,393.62
7	hotel / restaurant	\$957.46	\$668.43	\$1,625.89
8	hotel / restaurant	\$1,094.24	\$763.92	\$1,858.16
9	large restaurant	\$1,231.02	\$859.41	\$2,090.43
10	RV Park	\$1,367.80	\$954.90	\$2,322.70
12	apartment building	\$1,641.36	\$1,145.88	\$2,787.24
14	large RV park	\$1,914.92	\$1,336.86	\$3,251.78
20	large hotel	\$2,735.60	\$1,909.80	\$4,645.40

Year Round EQR Percentage Examples	
75% EQR per 2 month billing cycle	50% EQR per 2 month billing cycle
N/A	N/A
\$348.40	\$232.27
\$522.60	\$348.40
\$696.81	\$464.54
\$871.01	\$580.67
\$1,045.22	\$696.81
\$1,219.42	\$812.94
\$1,393.62	\$929.08
\$1,567.82	\$1,045.21
\$1,742.02	\$1,161.35
\$2,090.43	\$1,393.62
\$2,438.83	\$1,625.89
\$3,484.05	\$2,322.70

October 28, 2024

BOARD OF TRUSTEES

REGULAR MEETING PACKET

October 28, 2024

1. Staff and/or Board Revisions to Agenda

This is an opportunity for staff to add, delete or amend items on the agenda as well as an opportunity for the board to revise the agenda as well. Trustees can use this agenda item to pull an item from the consent agenda that they have either need additional information or would like to have a discussion on and put it either in new business or in continued business. Typically, the Town Administrator will make an adjustment to the agenda since managing the agenda is their main responsibility.

October 28, 2024

1. Public Comment—*Comments must be limited to three (3) minutes in duration.*

The opening Public Comment is intended for a citizen to bring up any topic whether it is on the agenda or not. The citizen will be asked to state their name for the record.

The Mayor or Pro Tem will call out the public to comment as well as time the comment and let the public know when they have run out of time.

If a Trustee would like to discuss the comment, they can do so in Trustee Updates. It is not encouraged to engage in a dialogue on a public comment because if a public comment is not related to an agenda item, staff should be directed to either follow up with the citizen outside the meeting or include the topic in the next appropriate agenda (this can be a committee agenda or a board of trustee agenda).

If the comment is related to an agenda item, their comments can be brought up in the discussion of that agenda item.

Comments that are submitted via email about an agenda item will be accepted up until the agenda packet is constructed on noon on Wednesday before the Regular Meeting. Comments that are received after this deadline will be emailed to the trustees and not included in the packet. Comments that are emailed are not considered “official public comment” unless they are presented at the meeting or submitted for a Public Hearing before the Wednesday deadline.

Public Comments specific to a Public Hearing on the agenda should be encouraged to take place during the public hearing and not during the opening Public Comment, so that their comments can be recorded with the hearing.

Opening Public Comment is not addressed in the Silverton Municipal Code.

October 28, 2024

3. Presentations and Proclamations

Presentations can be scheduled with the board on a variety of topics that usually relate to board direction or goals. The Town Administrator schedules these presentations and works with the presenter to keep their presentation in 30 minutes or less including an anticipated questions and answer period with the Trustees.

Proclamations can be used to declare an emergency (SMC 2-7-30) or recognize a community member or organization for their service. Trustees can request a proclamation during the Trustee Updates agenda item.

October 28, 2024

4. New Business

Items that the Board of Trustees have not discussed will appear in this agenda item. If the topic has appeared in a committee prior to the regular meeting, the topic is still considered New Business for the entire board.

Per Silverton Municipal Code [2-2-110\(6\)](#):

New business. The Board of Trustees shall consider any business not heretofore considered, including the introduction or reading of ordinances and resolutions.

October 22, 2024

MEMORANDUM FOR: Silverton Board of Trustees (“BOT”)

SUBJECT: Marijuana Licensing Renewal Hearing

1. Issue. This memorandum is regarding the renewal of marijuana business licenses within the Town of Silverton and the process for the review of renewal application licenses pursuant to the Silverton Municipal Code (“Town Code”) and Colorado Marijuana Code (“MJ Code”).

2. Rule. Local governments, including municipalities, have the authority to regulate marijuana retail and medical businesses within their jurisdiction, see C.R.S. § 44-10-101 et seq. The enforcement of marijuana business licenses is conducted by the local licensing authority (“Licensing Authority”), which for Silverton is the Board of Trustees (“BOT”), as outlined in Code Section 6-4-30. Note, quasi-judicial decisions made by the Licensing Authority in suspending, revoking, or denying application for a marijuana license is subject to appeal by the applicant in District Court.

3. Analysis. Marijuana licenses are issued after a public hearing or review and approval by the Licensing Authority. The Licensing Authority may suspend or revoke an owner’s marijuana license for violation of the Town Code or Marijuana Code (See Code Section 16-7-270). The owner of a marijuana license may appeal to the District Court regarding a suspension or revocation of their license by the Licensing Authority pursuant to Colorado Rules of Civil Procedure (C.R.C.P.) Rule 106(a)(4) (See Code Section 16-7-280). The suspension, revocation, or nonrenewal of a marijuana license is a quasi-judicial function, and therefore, must be conducted as a public hearing.

4. Public Hearings. The Licensing Authority is not acting as a legislative body, but as a judiciary in quasi-judicial matters. The Licensing Authority’s decision will be based on the evidence presented at a hearing as it applies to the violation of the Town Code or MJ Code, and such a decision will not be persuaded by popular opinion. As such, the Licensing Authority will only consider the evidence of record. The Licensing Authority may set a public hearing on a matter involving alleged violations of the Code or MJ Code if they believe there is probable cause that a violation exists. Probable cause means there are reasonable grounds to believe a violation has occurred. The standard of proof for deciding to deny renewal of a license is based on a showing of “good cause” for the nonrenewal under a preponderance of the evidence standard. Preponderance of the evidence standard means the evidence presented at the hearing must show it is more likely than not (51%) that good cause exists to not renew the license.

- a. **GOOD CAUSE**: For purposes of refusing or denying a license renewal, reinstatement, or initial license issuance, this term means:
 - i. The licensee or applicant has violated, has not met, or has failed to comply with any of the terms, conditions, or provisions of the Town Code Marijuana Code or any supplemental local laws, rules or regulations, or is a prohibited licensee under C.R.S. 44-10-307.

(1) Prohibited licensees are persons:

- a. convicted of a felony or serving a deferred sentence for a felony, or having a criminal history indicating he/she is not of good moral character [see C.R.S. 24-5-101(2)];
 - b. under 24 years of age;
 - c. who have failed to file taxes, pay license or other required fees;
 - d. who employs another person without criminal history check or whose criminal history makes them ineligible;
 - e. A sheriff, deputy sheriff, police officer, or prosecuting officer, or an officer or employee of the state licensing authority or a local licensing authority;
 - f. applying for a license for a location that is currently licensed as a retail food establishment;
 - g. defined as bad actors, ineligible issuers, terrorists, blocked persons, citizens of or controlled by covered countries;
 - h. whose criminal character or records poses a threat to the regulation or control of marijuana, such as violation of C.R.S. 18-18-406 – Offenses related to marijuana.
- ii. The licensee or applicant has failed to comply with any terms or conditions that were placed on its license or application pursuant to an order of the Licensing Authority or State.
 - iii. The licensed premises have been operated in a manner that adversely affects the public health or welfare or the safety of the immediate neighborhood in which the establishment is located.
- b. **PUBLIC HEARING PROCESS:** A hearing will be conducted according to the procedural rules established by the Licensing Authority prior to the public hearing. An example of a typical procedure is as follows.
- i. Overview of Record. (Code Enforcement)
 - ii. Rebuttal of Evidence. (Owner)
 - iii. Staff/Legal Interpretation and Application of relevant law.
 - iv. BOT Questions.
 - v. Findings. If the Licensing Authority believes a violation has occurred, they may suspend or revoke the license and/or impose fines and/or criminal penalties pursuant to the Town Code and the MJ Code.

5. Law enforcement is not limited in any way by the Town Code or Marijuana Code to investigate unlawful activity in relation to a regulated marijuana business.

6. If there is a criminal summons or complaint against an owner/licensee issued by law enforcement, the BOT should forego any negative action against a licensee pending the outcome of the criminal allegation in order to avoid 5th Amendment violations against the licensee.

7. Please feel free to contact me with any questions/concerns or to clarify if you believe any facts or assumptions in this memorandum are in error.

Very Respectfully,

A handwritten signature in black ink, appearing to read 'C.M. Buchner', with a stylized flourish at the end.

Clayton M. Buchner, J.D.
Town Attorney
Silverton, Colorado

24 05621

LOCAL AUTHORITY COPY



Colorado Marijuana Licensing Authority
Regulated Marijuana Business License Renewal Application

License Types & Fees (See Application Checklist for details on license types and fees.)			
<input checked="" type="checkbox"/> Retail Marijuana Store	<input type="checkbox"/> Tier 1 (Up to 1800 plants)	<input type="checkbox"/> Retail Marijuana Products Manufacturer	
<input type="checkbox"/> Retail Marijuana Cultivation Facility (Select Tier)	<input type="checkbox"/> Tier 2 (1801 to 3600 plants)	<input type="checkbox"/> Retail Marijuana Business Operator	
<input type="checkbox"/> Retail Marijuana Testing Facility	<input type="checkbox"/> Tier 3 (3601 to 6000 plants)	<input type="checkbox"/> Retail Marijuana Transporter	
<input type="checkbox"/> Hospitality Business	<input type="checkbox"/> Tier 4 (6001 to 10200 plants)		
<input type="checkbox"/> Hospitality and Sales Business	<input type="checkbox"/> Tier 5 (10201 to 13800 plants)		
<input type="checkbox"/> Mobile Hospitality Business	<input type="checkbox"/> Tier 5+		
<input type="checkbox"/> Hospitality Business within a Retail Food Establishment	(_____ plants in excess of 13801)		
<hr/>			
<input type="checkbox"/> Medical Marijuana Store	<input type="checkbox"/> Marijuana Research & Development Facility		
<input type="checkbox"/> Medical Marijuana Products Manufacturer	<input type="checkbox"/> Medical Marijuana Cultivation Facility		
<input type="checkbox"/> Medical Marijuana Testing Facility	<input type="checkbox"/> Class 1 (1-500 Plants)		
<input type="checkbox"/> Medical Marijuana Business Operator	<input type="checkbox"/> Class 2 (501-1500 Plants)		
<input type="checkbox"/> Medical Marijuana Transporter	<input type="checkbox"/> Class 3 (1501-3000 Plants)		
	<input type="checkbox"/> Class 3+ _____ (increments of 3000)		
Applicant's Legal Business Name (Please Print) KENDALL MTN., LLC		Marijuana License Number 402R-00264	
Registered Trade Name (DBA) SILVERTON GREEN WORKS			
Federal Taxpayer ID 46-5335081	Affiliated Colorado Sales Tax License # 30167250-0000	Name of Registered Agent (with CO SoS) COLE DAVENPORT	
Physical Address			
Street Address of Marijuana Business (include unit number) 1333 GREENE ST			
City SILVERTON	County SAN JUAN	State CO	ZIP 81433
Business Phone Number 678 372 7116	Email Address SILVERTONGREENWORKS@GMAIL.COM		
Mailing Address (if different from Business Address) *Correspondence and licenses will be mailed to this address.			
Address (include unit or apartment number) PO BOX 839			
City SILVERTON	County SAN JUAN	State CO	ZIP 81433
Primary Contact Person			
Primary Contact Person for Business COLE DAVENPORT		Primary Contact Phone Number 678 372 7116	
Primary Contact Email Address SILVERTONGREENWORKS@GMAIL.COM			

1. Do you have legal possession of the licensed premises?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
2. Is the licensee (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) under the age of twenty-one years?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Has the applicant or any business entity owned by the applicant ever owned or applied for a Marijuana license in this or any other jurisdiction, foreign or domestic that has been subject to any of the following actions since the last renewal: (1) denial; (2) surrender; (3) order to show cause; (4) suspension; (5) fine; (6) revocation; (7) stipulation or settlement; (8) withdrawn. If YES, provide details on a separate sheet, including jurisdiction, type of action, and date of action.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. In the past year, has the licensee (including all parent or subsidiary companies, if any) had a tax lien filed against it, or become delinquent in the payment or filing of any taxes, interest, penalties or judgments owed to the State of Colorado. If Yes, explain in detail on a separate sheet and attach copies of all available documentation.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. In the past year, has the licensee (including all parent or subsidiary companies, if any) been indicted, served with a criminal summons, charged with, or convicted of ANY crime or offense in any manner? Include ALL offenses regardless of class of crime or outcome, even if the charges were dismissed or you were found not guilty. If Yes, explain in detail on a separate sheet and attach it to your application. Provide official documentation from the court showing the final disposition for any felony charge or those related to a controlled substance. (Sealed or expunged non-convictions need not be disclosed).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
6. Within the last 12 months, has there been a change in ownership or ownership allocation, a transfer of stock, a change in the incorporation or in the corporate by-laws, or any other change affecting ownership or organizational structure of the licensee or its subsidiaries/affiliates? If yes, explain in detail on a separate sheet and attach copies of all available documentation concerning the changes. (i.e. New operating agreement)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Ownership Structure

List all CBOs 10% or greater and all Executive Officers, Managers and any other individual and/or entity that Controls the RMB.

Name GLE DAVENTPORT	Title OWNER	Direct Ownership % in Owner Entity 100%	Direct Ownership % in RMB 100%
Name	Title	Direct Ownership % in Owner Entity	Direct Ownership % in RMB
Name	Title	Direct Ownership % in Owner Entity	Direct Ownership % in RMB
Name	Title	Direct Ownership % in Owner Entity	Direct Ownership % in RMB
Name	Title	Direct Ownership % in Owner Entity	Direct Ownership % in RMB
Name	Title	Direct Ownership % in Owner Entity	Direct Ownership % in RMB
Name	Title	Direct Ownership % in Owner Entity	Direct Ownership % in RMB
Name	Title	Direct Ownership % in Owner Entity	Direct Ownership % in RMB
Name	Title	Direct Ownership % in Owner Entity	Direct Ownership % in RMB
Name	Title	Direct Ownership % in Owner Entity	Direct Ownership % in RMB

7. Are there any outstanding options and/or warrants or other contracts, that may be exercised into an Owner's Interest in the RMB within the next 60 days that would constitute a CBO? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No *If YES, attach list of persons	
8. Are there any other Persons, other than those listed in the Ownership Structure, that can Control the RMB? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No *If YES, attach list of persons	
9. Are any owners renewing their Owners Licenses with this application? If YES, then each must submit the Owner Renewal Applications (DR 8516 & DR 8581 - see website)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

10. Has the applicant exercised reasonable care to confirm that its CBO's, PBO's (that are Non-Objecting PBO's), Qualified Institutional Investors and Indirect Financial Interest Holders are NOT Person(s) prohibited under Section C.R.S. 44-10-307? (Publicly Traded Companies excluded) If NO, explain on a separate sheet	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
11. Have any CBO's been removed or moved to PBO ownership status since the prior application? If YES, list and explain.	<input type="checkbox"/> <input checked="" type="checkbox"/>

Local Licensing Authority (To be filled out by licensee) Include copy of Local License or Approval			
Local Licensing Authority		Local Licensing Authority Contact Name	
Contact Phone	Contact Email		
Current License Status With Local Authority			Date of Expiration

Indirect Financial Interest Holder - List those with 2 or more interests (PBO, lease, Intellectual Property agreements, finance and/or equipment lease agreements, etc.) or loans that are 50% or more of the operating capital as defined in Rule 2-230-1(A)(3).


Name of Interest Holder		Date of Birth (MMDDYYYY)	FEIN/SSN	
Address	City	State	ZIP	
List Types of Interests				
Name of Interest Holder		Date of Birth (MMDDYYYY)	FEIN/SSN	
Address	City	State	ZIP	
List Types of Interests				
Name of Interest Holder		Date of Birth (MMDDYYYY)	FEIN/SSN	
Address	City	State	ZIP	
List Types of Interests				
Name of Interest Holder		Date of Birth (MMDDYYYY)	FEIN/SSN	
Address	City	State	ZIP	
List Types of Interests				

Affirmation & Consent

I, COLE, as an owner for the applicant business, state under penalty for offering a false instrument for recording pursuant to 18-5-114 C.R.S. that the entire Renewal License Application statements, attachments, and supporting schedules are true and correct to the best of my knowledge and belief, and that this statement is executed with the knowledge that misrepresentation or failure to reveal information requested may be deemed sufficient cause for the refusal to issue a Marijuana license by the State Licensing Authority. Further, I am aware that later discovery of an omission or misrepresentation made in the above statements may be grounds for denial of the marijuana business application. I am voluntarily submitting this application to the Colorado Marijuana Licensing Authority, under oath, with full knowledge that I may be charged with perjury or other crimes for intentional omissions and misrepresentations pursuant to Colorado law or for offering a false instrument for recording pursuant to 18-5-114 C.R.S. I further consent to any background investigation necessary to determine my present and continuing suitability and that this consent continues as long as I hold a Colorado Marijuana License.

Note: If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your banking account(s) electronically.

Print Full Legal Name of Owner clearly below:

Applicant's Legal Business Name <u>KENDALL MTN., LLC</u>		Trade Name (DBA) <u>SILVERTON GREEN WORKS</u>	
Applicant's Last Name (Please Print) <u>DAVENPORT</u>	Applicant's First Name <u>COLE</u>	Applicant's Middle Name	
Signature 		REQUIRED	Date (MMDDYYYY) <u>05022024</u>

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Tax Check Authorization and Request To Release Information

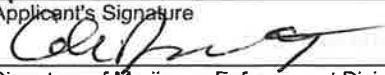
I COLE am signing this waiver on behalf of MYSELF
 (the "Applicant/Licensee") to permit the Colorado Department of Revenue and any other state or local taxing authority to release information and documents that would otherwise be confidential. If I am signing this waiver for someone other than myself, I certify that I have the authority to execute this waiver on behalf of the Applicant/Licensee.

The information and documentation obtained pursuant to this waiver will be used in connection with the Applicant/Licensee's application or licensure with the Colorado Marijuana Enforcement Division, which requires proof of compliance with certain tax obligations pursuant to several statutory provisions, including sections 44-10-202(1) and 44-10-307(1)(e), C.R.S. This waiver is made pursuant to section 39-21-113(4), C.R.S.; and any other similar law or ordinance concerning the confidentiality of tax returns and return information. This waiver shall be valid while the application is pending and, if the application is approved, (1) for one year from the date of licensure or; (2) if applying for an employee license under the medical marijuana code, for two years from the date of licensure. If the license is administratively continued pursuant to section 44-10-314 C.R.S., this waiver shall be valid until the state licensing authority takes final action to approve or deny the renewal of the license. Applicant/Licensee agrees to execute a new waiver for each subsequent licensing period in connection with the renewal of any license.

Applicant/Licensee requests that the Colorado Department of Revenue and any other state or local taxing authority release the following information and supporting documentation to the Colorado Marijuana Enforcement Division, which is acting as Applicant's/Licensee's duly authorized representative under section 39-21-113(4), C.R.S., solely to obtain the information specified below.

1. Whether the Applicant/Licensee has failed to file any state tax return with the Colorado Department of Revenue or any other state or local taxing authority by the required due date (determined with regard to any extension(s) of time for filing) for any tax year for which filing of a return might have been required.
2. Whether the Applicant/Licensee has failed to pay any tax, penalty, or interest liability within 30 days of the date on which the Colorado Department of Revenue or any other state or local taxing authority gave notice of the amount due and requested payment.
3. Whether the Applicant/Licensee has entered into a payment plan with the Colorado Department of Revenue or any other state or local taxing authority and whether Applicant/Licensee is current on any payments required by said payment plan.

Applicant/Licensee authorizes the Colorado Department of Revenue and any other state or local taxing authority to release any additional information or documentation necessary to answer the questions above. Applicant/Licensee authorizes the Colorado Marijuana Enforcement Division and its legal representatives to use the information and documentation obtained from the Colorado Department of Revenue and any other state or local taxing authority in any administrative action regarding the application or license. To assist the Colorado Department of Revenue and any other state or local taxing authority locate the tax records, Applicant/Licensee is voluntarily providing the following information (please type or print).

Applicant's Name (Individual/Business) <u>KENDALL MTN, LLC</u>		Social Security Number/Tax Identification Number <u>46-5335081</u>	
Street Address <u>1333 GREENE ST</u>	City <u>SILVERTON</u>	State <u>CO</u>	ZIP Code <u>81433</u>
Home Telephone Number		Business/Work Telephone Number <u>678 372 7116</u>	
Legal Last Name (Please Print) <u>DAVENPORT</u>	Legal First Name <u>COLE</u>	Full Middle Name	
Applicant's Signature 		REQUIRED	Date (MMDDYYYY) <u>08/20/24</u>
Signature of Marijuana Enforcement Division agent presenting this request			REQUIRED

Investigation Authorization/Authorization to Release Information

I, Colt, as an owner for this licensee, hereby authorize the Colorado Marijuana Licensing Authority, the Marijuana Enforcement Division, (hereafter, the Investigatory Agencies) to conduct a complete investigation into the background of the person(s) and/or entity, using whatever legal means they deem appropriate. I hereby authorize any person or entity contacted by the Investigatory Agencies to provide any and all such information deemed necessary by the Investigatory Agencies. I hereby waive any rights of confidentiality in this regard. I understand by signing this authorization, a financial record check may be performed. I authorize any financial institution to surrender to the Investigatory Agencies a complete and accurate record of such transactions that may have occurred with that institution, including, but not limited to, internal banking memoranda, past and present loan applications, financial statements and any other documents relating to my personal or business financial records in whatever form and wherever located. I authorize the release of this type of information, even though such information may be designated as "confidential" or "non-public" under the provisions of state or federal laws. I understand by signing this authorization, a criminal history check will be performed. I authorize the Investigatory Agencies to obtain and use from any source, any information concerning me contained in any type of criminal history record files, wherever located. I understand the criminal history record files contain records of arrests which may have resulted in a disposition other than a finding of guilt (i.e., dismissed charges, or charges that resulted in a not guilty finding). I understand the information may contain listings of charges that resulted in suspended imposition of sentence, even though I successfully completed the conditions of said sentence and was discharged pursuant to law. I authorize the release of this type of information, unless sealed or expunged by the court of record, even though this record may be designated as "confidential" or "non-public" under the provisions of state or federal laws.


The Investigatory Agencies reserve the right to investigate all relevant information and facts to their satisfaction. I understand the Investigatory Agencies may conduct a complete and comprehensive investigation to determine the accuracy of all information gathered. However, the State of Colorado, Investigatory Agencies, and other agents or employees of the State of Colorado shall not be held liable for the receipt, use, or dissemination of inaccurate information. I, on behalf of the applicant business, its legal representatives, and assigns, hereby release, waive, discharge, and agree to hold harmless, and otherwise waive liability as to the State of Colorado, Investigatory Agencies, and other agents or employees of the State of Colorado for any damages resulting from any use, disclosure, or publication in any manner, other than a willfully unlawful disclosure or publication, of any material or information acquired during inquiries, investigations, or hearings, and hereby authorize the lawful use, disclosure, or publication of this material or information. Any information contained within my application, contained within any financial or personnel record, or otherwise found, obtained, or maintained by the Investigatory Agencies, shall be accessible to law enforcement agents of this or any other state, the government of the United States, or any foreign country.

Print Full Legal Name of Owner clearly below:

Applicant's Legal Business Name <u>KENDALL MTN., LLC</u>		Trade Name (DBA) <u>SILVERTON GREEN WORKS</u>
Applicant's Last Name (Please Print) <u>DAVENPORT</u>	Applicant's First Name <u>Colt</u>	Applicant's Middle Name
Signature <u>[Signature]</u>		Date (MMDDYYYY) <u>0802024</u>

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Applicant's Request to Release Information

TO: (Leave this Blank)		FROM: (Applicant's Printed Name) COLE DAVE PORT	
<ol style="list-style-type: none"> 1. I/We hereby authorize and request all persons to whom this request is presented having information relating to or concerning the above named applicant to furnish such information to a duly appointed agent of the Marijuana Enforcement Division whether or not such information would otherwise be protected from the disclosure by any constitutional, statutory or common law privilege. 2. I/We hereby authorize and request all persons to whom this request is presented having documents relating to or concerning the above named applicant to permit a duly appointed agent of the Marijuana Enforcement Division to review and copy any such documents, whether or not such documents would otherwise be protected from disclosure by any constitutional, statutory, or common law privilege. 3. If the person to whom this request is presented is a brokerage firm, bank, savings and loan, or other financial institution or an officer of the same, I/we hereby authorize and request that a duly appointed agent of the Marijuana Enforcement Division be permitted to review and obtain copies of any and all documents, records or correspondence pertaining to me/us, including but not limited to past loan information, notes co-signed by me/us, checking account records, savings deposit records, safe deposit box records, passbook records, and general ledger folio sheets. 4. I/We do hereby make, constitute, and appoint any duly appointed agent of the Colorado Marijuana Enforcement Division, my/our true and lawful attorney in fact for me/us in my/our name, place, stead, and on my/our behalf and for my/our use and benefit: <ol style="list-style-type: none"> (a) To request, review, copy sign for, or otherwise act for investigative purposes with respect to documents and information in the possession of the person to whom this request is presented as I/we might; (b) To name the person or entity to whom this request is presented and insert that person's name in the appropriate location in this request: (c) To place the name of the agent presenting this request in the appropriate location on this request. 5. I grant to said attorney in fact full power and authority to do, take, and perform all and every act and thing whatsoever requisite, proper, or necessary to be done, in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as I/we might or could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that said attorney in fact, or his substitute or substitutes, shall lawfully do or cause to be done by virtue of this power of attorney and the rights and powers herein granted. 6. This power of attorney ends twenty-four (24) months from the date of execution. 7. The above named applicant has filed with the Colorado Marijuana Licensing Authority an application for a Marijuana license. Said applicant understands that it is seeking the granting of a privilege and acknowledges that the burden of proving its qualifications for a favorable determination is at all times on the applicant. 8. I/We do, for myself/ourselves, my/our heirs, executors, administrators, successors, and assigns, hereby release, remise, and forever discharge the person to whom this request is presented, and his agents and employees from all and all manner or actions, causes of action, suits, debts, judgments, executions, claims, and demands whatsoever, known or unknown, in law or equity, which the applicant ever had, now has, may have, or claims to have against the person to whom this request is being presented or his agents or employees arising out of or by reason of complying with the request. 9. A reproduction of this request by photocopying or similar process shall be for all intents and purposes as valid as the original. 			
Applicant's Legal Business Name KENDALL MTN, LLC			
Trade Name (DBA) SILVERTON GREEN WORKS			
Applicant's Last Name (Please Print) DAVANTON		First Name COLE	
Signature 		Full Middle Name	
		Date (MMDDYYYY) 08/20/2024	

REQUIRED


AFFIRMATION OF REASONABLE CARE – PRIVATE COMPANY

Pursuant to section 44-10-309(4) C.R.S. and Rule 2-230(D), Applicant or Licensee affirms that, prior to submission of this application, it exercised reasonable care to confirm its Passive Beneficial Owners, (including any Qualified Institutional Investors) and Indirect Financial Interest Holders, are not Persons prohibited from being issued or holding a license by section 44-10-307 C.R.S., or otherwise restricted from holding an interest under the Colorado Regulated Marijuana Business Code. An Applicant's or Licensee's failure to exercise reasonable care is a basis for denial, fine, suspension, revocation or other sanction by the State Licensing Authority.

I, COLE, as Controlling Beneficial Owner or Manager for
Print

KENDALL MTN, LLC, state under penalty of perjury, pursuant to §18-8-503, that the foregoing is true and correct to the best of my knowledge, information and belief.

Signature



REQUIRED

Date (MMDDYYYY)

08202024

AFFIRMATION OF REASONABLE CARE – PUBLICLY TRADED CORPORATION

Pursuant to section 44-10-309(5) C.R.S. and Rule 2-230(D), Applicant or Licensee affirms that, prior to submission of this application, it exercised reasonable care to confirm its Non-objecting Passive Beneficial Owner, (including any Qualified Institutional Investors) and Indirect Financial Interest Holders, are not Persons prohibited from being issued or holding a license by section 44-10-307 C.R.S., or otherwise restricted from holding an interest under the Colorado Regulated Marijuana Business Code. An Applicant's or Licensee's failure to exercise reasonable care is a basis for denial, fine, suspension, revocation or other sanction by the State Licensing Authority.

I, COLE, as Controlling Beneficial Owner or Manager for
Print

KENDALL MTN, LLC, state under penalty of perjury, pursuant to §18-8-503, that the foregoing is true and correct to the best of my knowledge, information and belief.

Signature



REQUIRED

Date (MMDDYYYY)

08202024

I was charged with assault and I got 3 months probation and a \$1000 fine.

Renewal Application Required Disclosures

- ☐ Provide a copy of the Local Licensing Authority or Local Jurisdiction approval, licensure, and/or documentation demonstrating timely submission of pending local license renewal application.
- ☐ Provide a list of any sanctions, penalties, assessments or cease and desist orders imposed by any securities regulatory agency, including but not limited to, the United States Securities and Exchange Commission or the Canadian Securities Administrators

First renewal of the year for each entity must include the following:

- ☐ Consolidated Financial Statements - (which may be prepared on either a calendar or fiscal year basis) that were prepared in the preceding 365 days, and which must include a balance sheet, a cash flow statement, and a profit & loss statement. (See separate PTC requirements on PTC Addendum)
- ☐ Audited (required for PTC only) ☐ Not Audited ☐ If available online, cite location _____
- ☐ A copy of any contracts, agreements, royalty agreements, equipment leases, financing agreement, security contract or any other IFIH required to be disclosed by Rule 2-230(A)(3).
- ☐ A copy of any management agreement(s).
- ☐ **Tax Documents** - Documentation or statement establishing compliant return filing and payment of taxes related to any RMB, in which the Person is, or was, required to file and pay taxes. (Please do not send entire tax return).

Provide each of the following (only if changed since the last submission):

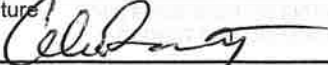
- ☐ Organizational Documents - Indicate which document is being provided.
- ☐ Articles of Incorporation ☐ By-Laws ☐ Shareholder agreement
☐ Operating Agreement for LLC ☐ Partnership Agreement for partnership ☐ No Change
- ☐ Corporate Governance Documents - Indicate which document is being provided.
- ☐ Required for Publicly Traded Companies ☐ Permitted, but not required for Privately held companies ☐ No Change
- ☐ Certificate of Good Standing from jurisdiction where Entity was formed. (Must be U.S. or country that authorizes the sale of marijuana).
- ☐ No Change
- ☐ Proof of Possession of Licensed Premises. Provide all applicable amendments and/or extensions - Indicate which document is being provided.
- ☐ Deed ☐ Lease ☐ Sublease ☐ Rental Agreement
☐ Contract ☐ Mobile Hospitality Only ☐ No Change
- ☐ Facility Diagrams - Provide a Legible and Accurate diagram for the facility. The diagram must include a plan for the Licensed Premises and a separate plan for the Security/Surveillance, including camera location, number and direction of coverage. If the diagram is larger than 8.5x11 inches, the Licensee must also provide a PDF copy of the diagram. (Indicate which document is being provided)
- ☐ Licensed Premises ☐ Security and Surveillance ☐ No Change
- ☐ Organizational Chart, including the identity and ownership percentage of all CBO's.
- ☐ No Change
- ☐ Provide proof of general liability insurance (Hospitality renewals only)

RMB - Regulated Marijuana Business
CBO - Controlling Beneficial Owner
PBO - Passive Beneficial Owner

IFIH - Indirect Financial Interest Holder
QII - Qualified Institutional Investor

QPF - Qualified Private Fund
PTC - Publicly Traded Company

Affirmation of complete application

Signature 	REQUIRED	Printed Name COLE DAVENPORT	Date (MMDDYYYY) 08022024
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COLORADO
Department of Revenue

Marijuana Enforcement Division
1697 Cole Blvd., Suite 200
Lakewood, CO 80401

September 23, 2024

KENDALL MOUNTAIN LLC
Silverton Green Works
License Type: Retail Marijuana Store
License #: 402R-00264
Expiration date of license: 10/01/2024
1333 Greene Street
Silverton, CO 81433

To whom it may concern:

The purpose of this correspondence is to inform you that should the renewal license investigation for KENDALL MOUNTAIN LLC continue past the date of expiration for the current license, the license will be administratively continued by the State Licensing Authority pursuant to 44-10-314 until the completion of the renewal license investigation. At the completion of the renewal license investigation, the Marijuana Enforcement Division will notify you of the outcome of the investigation.

Sincerely,

Dominique Mendiola
Senior Director



AGENDA MEMO

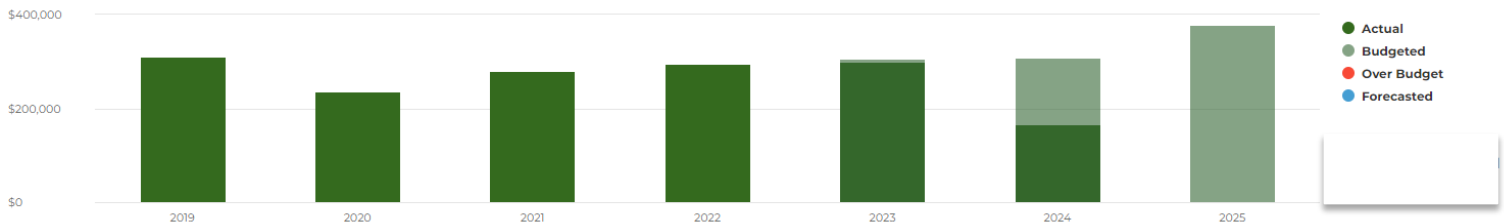
SUBJECT: San Juan County Sheriff Preliminary 2025 Budget
STAFF CONTACT: Gloria Kaasch-Buerger
MEETING DATE: October 28, 2024

Overview:

The Town of Silverton contracts with San Juan County's Sheriff Office for Law Enforcement within Town limits. This is considered one of the Town and County's shared services, but it has its own contract and is not included in the Intergovernmental Agreement between the Town and County. The County pays 100% of the law enforcement insurance which has increased in recent years. The Town and County split the remaining budget with the Town paying 60% and the County paying 40%. If the budget is not spent down, the Town receives a refund from the County.

Budget Impact:

Expenditures / Law Enforcement



The 2025 proposed budget is a \$68,918 increase from 2024.

The Town will anticipate a \$58,000 refund from the 2024 sheriff's budget in 2025.

The Sheriff will be available to answer Trustee questions.

As part of the yearly appropriation process, the Town Board will be asked to review the attached contract as well.

Attachments:

- Sheriff's 2025 Preliminary Budget
- Sheriff's 2024 Law Enforcement Contract

Motion or Direction: [with amendments]

Direction to the Town Administrator to add the Sheriff's proposed 2025 budget to the 2025 General Fund Budget.

Direction to draft the 2024 Law Enforcement Contract with the San Juan County Sheriff.

**2025 PRELIMINARY BUDGET
SAN JUAN COUNTY, COLORADO**

SHERIFF - EXPENDITURES

	2022	2023	Budget 2024	8/31/2024 Year to Date	Year End Est.	Budget 2025
Personnel	290,182	343,700	500,462	255,341	390,000	521,472
Workers Comp Ins.	10,571	9,921	11,000	0	11,000	11,500
Supplies	19,465	23,110	18,000	9,931	15,000	15,000
Telephone/Internet	6,603	7,310	8,200	4,370	7,000	8,000
Postage	1,267	624	500	324	500	500
Printing	0	1,253	250	0	0	250
Training	1,443	161	2,500	2,234	2,500	2,500
Dues - Meetings	0	3,076	2,500	632	1,500	2,000
Ads - Legal Notices	0	472	300	0	0	300
Bonds	0	0	0	0	0	0
Vehicle Maintenance	8,792	17,087	8,000	5,018	7,500	8,000
Gasoline	13,759	19,262	17,500	15,196	22,500	23,000
Transient Persons	0	0	500	0	0	0
Dispatch Services	0	23,126	24,000	17,763	35,800	36,000
Vehicle Insurance	2,400	0	6,000	0	6,000	6,000
Insurance	7,477	11,962	8,000	0	8,000	8,000
Matching Grant Funds	0	0		0	0	0
Rescues	0	0	150	0	0	150
Communications Towers	7,896	7,215	7,400	5,554	8,350	8,500
Special Events (4th of July)	0	0	1,000	0	0	500
Miscellaneous	0	1,679	1,000	478	750	328
Sub-Total	369,854	469,957	617,262	316,842	516,400	652,000
JAIL	910	260	10,000	13,468	14,000	15,000
TOTAL	370,764	470,217	627,262	330,310	530,400	667,000

Adjustments

Personnel - Alpine Ranger	-29,185
Grant	-17,500
Escrow	10,000
Total	630,315

Town 60%	378,189
County 40%	252,126

2024 Town Estimated Refund 58,000

2024 TOWN-COUNTY LAW ENFORCEMENT CONTRACT

This Agreement, entered into this 12th day of February 2024, by and between the County of San Juan, Colorado, the San Juan County Sheriff, and the Town of Silverton, Colorado, shall cover the provision of law enforcement services by the San Juan County Sheriff in and for the Town of Silverton, Colorado as set forth in the terms and conditions herein.

WITNESSETH:

WHEREAS, consolidation of law enforcement services and personnel has proven beneficial to both the Town and the County in eliminating duplicated services, achieving maximum coordination of trained personnel, and providing efficient use of public funds and tax dollars; and

WHEREAS, it has been mutually agreed upon by the parties hereto that the percentage split of law enforcement expenses as between the Town and the County should occur on a 60:40 basis. However, it is mutually recognized that in any one year one of the entities may be facing a budgetary crisis that prevents their full financial participation. And it is mutually agreed that a modified split may be entered into for that contract year without effecting any change in the underlying agreement that law enforcement expenses; and

WHEREAS, Section 30-11-410 C.R.S. allows for the contracting of law enforcement services as between Colorado municipalities and counties;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein and other good and valuable considerations, it is agreed by and between the County of San Juan, the San Juan County Sheriff, and the Town of Silverton, Colorado as follows:

1. This Agreement shall be for a period of twelve (12) consecutive months beginning January 1, 2024 and ending on December 31, 2024 unless otherwise modified or extended by mutual agreement of the parties hereto.
2. This Agreement shall be subject to cancellation by any party hereto upon giving ninety (90) days written notice prior to the date of termination.

The Town of Silverton shall pay to the County of San Juan the sum of three hundred thirty-three thousand ninety-four and no/100 dollars (\$333,094.00) for Fiscal Year 2024 for the services provided hereunder. The sum to be paid shall be rendered in twelve (12) equal monthly installments of twenty-seven thousand seven hundred fifty-seven and 83/100 dollars (\$27,757.83) each, beginning in January 2024. Any funds remaining in the budget at the end of the Fiscal Year, or any expense overruns, shall be divided between the Town of Silverton and San Juan County on a 60% - 40% basis such refund to be made by the refunding party no later than March 15, 2025.

3. Scope of Services


- a. The Sheriff's Department shall furnish such routine patrol, within the Town's corporate limits, for traffic and other matters as the Sheriff in his/her discretion shall determine necessary in order to carry out the terms of this Agreement.
- b. Except as provided in Section (g) below, the Sheriff's Department and the Town shall have concurrent jurisdiction to enforce all Town Code violations. At the request of the Town Board of Trustees or other Town Official designated by the Town Board, the Sheriff's Department shall aid the Town in the issuance of citations for any violations of the Town Code.
- c. The Sheriff's Department shall investigate all traffic accidents which occur within the Town's corporate limits.
- d. The Sheriff's Department shall be the Designated Emergency Response Authority and shall assist in all emergencies arising within the Town's corporate limits.
- e. The Sheriff's Department shall establish and keep a filing and records system for processing all data relative to the incidence of arrests, reports of crime and disposition of all cases.

- f. The Sheriff's Department shall provide investigative services for the Town of Silverton as the Sheriff in his/her discretion shall determine necessary in order to carry out the terms of this Agreement and as is consistent with good law enforcement practices and procedures.
 - g. The Sheriff's Department shall assume the responsibility for animal control and shall enforce all municipal ordinances governing animals-at-large within the corporate limits of the Town of Silverton.
 - h. The Sheriff's Department shall provide traffic control within the Town's corporate limits. Such traffic control measures may include the use of radar and related technology.
 - i. The Sheriff or his designated representative shall report to the Town Board of Trustees a minimum of once per quarter.
 - j. The Sheriff shall retain the authority and responsibility for the hiring, firing, and training of personnel in the Sheriff's Department as authorized by Section 30-10-506, C.R.S. No Sheriff's Department personnel, including special deputies or volunteers, shall be considered Town employees by virtue of this Agreement.
 - k. The Sheriff's Department and/or County shall be responsible for payment of all wages to personnel used by the Sheriff's Department in implementing this Agreement, including payroll taxes, insurance, workers' compensation, etc.
 - l. San Juan County will provide the year to date expenditure report for the Sheriff's Department to the Town of Silverton on an annual basis in September.
 - m. San Juan County will notify the Town of Silverton of any known or anticipated budget increase in excess of 5% by no later than April 15th. The Town of Silverton will notify San Juan County of any increase in needs for services that would result in an anticipated increase in excess of a 5% of the budget. Should a known or anticipated increase in any fund listed in this Agreement that would result in an increased contribution of more than 5% for the following year's contribution occur after the April 15th notification deadline, the County shall notify the Town of their potential contribution increase within 30 days of receiving the information that would cause the County to anticipate a budget increase. The Town shall have the right to approve or disapprove any expenditures resulting in an increase of more than 5% of the budget at its sole discretion.
 - n. The Sheriff's Department shall conduct its required duties with the courtesy and professionalism consistent with the high standards of Colorado Law Enforcement agencies.
5. The foregoing constitutes the entire Agreement between the County of San Juan, the San Juan County Sheriff, and the Town of Silverton. This Agreement may be modified, as circumstances warrant, upon further agreement between the parties hereto. Any such modifications shall be reduced to writing and appended to this Agreement with the same formality as with which this instrument was executed.

IN WITNESS WHEREOF, the parties hereto have signed and sealed this instrument on the day and date first written above.

COUNTY OF SAN JUAN


Austin Lashley, Chairman
Board of County Commissioners


Bruce Conrad
San Juan County Sheriff

TOWN OF SILVERTON


Shane Fuhrman, Mayor
Town Board of Trustees

Ladonra L. Jaramillo

ATTEST:
County Clerk and Recorder
SEAL

[Signature]

ATTEST:
Town Clerk/Treasurer
SEAL





AGENDA MEMO

SUBJECT: Silverton San Juan Fire and Rescue Authority IGA Amendment
STAFF CONTACT: Gloria Kaasch-Buerger
MEETING DATE: October 28, 2024

Overview:

The Town and County have an Intergovernmental Agreement (IGA) that established the Silverton-San Juan Fire and Rescue Authority (SSFRA) signed in 2011.

SSFRA is proposing an expansion of their services to include Wildland firefighting. This requires approval from both the Town and County.

The SSFRA will be present at the meeting for questions.

Budget:

There is no 2025 budget impact to the Town.

Staff Recommendations:

The Town Attorney has reviewed the document and has no concerns.

Master Plan Priority:

None. Operational Priority.

Attachments:

- Silverton-San Juan Fire and Rescue Authority IGA

Suggested Motion or Direction:

Motion to approve the Silverton-San Juan Fire and Rescue Authority IGA amendments providing for wildland firefighting capability and operations both inside and outside the current service areas

**THE SILVERTON-SAN JUAN FIRE AND RESCUE AUTHORITY
IGA AMENDMENTS PROVIDING FOR WILDLAND FIREFIGHTING CAPABILITY
AND OPERATIONS BOTH INSIDE AND OUTSIDE THE CURRENT SERVICE AREAS**

WHEREAS, on October 26, 2011, San Juan County (the “County”) and the Town of Silverton (the “Town”) (Sometimes collectively the “Parties”) entered into the Intergovernmental Agreement for the Creation of the Silverton-San Juan Fire and Rescue Authority (the “IGA”); and

WHEREAS, the IGA authorized and provided for the successful creation and ongoing operation of the Silverton-San Juan Fire and Rescue Authority (the “Authority”) within the Town and all of the County excluding that portion of the south end of the County which is included in, and served by, the Durango Fire Protection District; and

WHEREAS, the Parties seek to amend the IGA to allow for potential Wildland firefighting capabilities and operations by the Authority; and

WHEREAS, the Parties seek to amend the IGA to allow for the Authority to deploy Wildland firefighting operations, as needed and within its financial and operational capabilities, both within its current service area of Silverton and the County, and throughout other areas of Colorado and in other states in the United States of America; and

WHEREAS, the Parties hereby find that amendment of the IGA to allow for the expansion of the Authority powers and operations into Wildland firefighting, both locally and outside the area could directly benefit the citizens of the Town and the County, including by:

- Having a trained and operational Wildland firefighting resource available locally to quickly deploy against local Wildland fire threats*
- Providing for ongoing critical firefighting training and experience to Authority personnel*
- Providing for regular professional firefighter opportunity to Authority personnel*
- Providing for potential income to the Authority, which in turn can augment the local firefighting budget*

THEREFORE, the Parties hereby amend the IGA as follows:

1. Section 1.3 shall be amended to state:

The Authority boundaries shall consist of the area presently served by the Silverton-San Juan Volunteer Fire Department which includes the Town of Silverton and all of San Juan County excluding that portion of the south end of the County which is included in, and served by, the Durango Fire Protection District. The Authority is authorized to operate outside the boundaries through mutual aid agreements, and through the deployment of Wildland fire operations in any areas of the United States of America.

2. Section 4.3 shall be amended to state:

The Authority shall have the following powers:

- a. To make and enter into contracts, including those with the Parties hereto, which contracts may include but may not be limited to those for the provision of Wildland firefighting operations, essential fire protection and response services on behalf of the Parties hereto, the provision of hazardous response services on behalf of the Parties hereto, and the enforcement of such fire codes as may now be in place in the respective jurisdictions of the Parties hereto, or as the Parties hereto may adopt in the future. Enforcement of the Parties' adopted fire codes shall be undertaken pursuant to Fire Code Enforcement Services Agreements between the Authority and each respective party hereto.
- b. To provide fire protection and prevention services as well as hazardous materials emergency response services within the service area of the Authority and outside the Service area through mutual aid agreements, as provided herein and to undertake and offer related training so as to improve the efficiency and effectiveness of these services.
- c. To maintain and deploy Wildland firefighting operations both within its current service area of Silverton and the County, and throughout other areas of Colorado and other states of the United States of America.
- d. To sue and be sued in its own name.
- e. To apply for, accept, receive and disburse grants, loans, and other financial or technical aid as such aid may be available to such intergovernmental firefighting departments.
- f. To invest any unexpended funds that are not required for immediate operation of the Authority in accordance with the laws of the State of Colorado.
- g. As may be provided in subsequent agreements between each Party and the Authority referenced in subsection (a) above, to administer and enforce such fire codes and regulations as may be adopted by each Party within their respective legal jurisdictions subject to any such administrative appeals processes the Parties may implement so as to hear complaints filed by any owner, lessee, agent, or occupant within each Party's respective jurisdiction who may be aggrieved by any order of the Authority issued pursuant to this provision.
- h. To acquire, construct, maintain, and operate any buildings, facilities or improvements as may be necessary or appropriate to serve the respective fire protection needs of the Parties hereto provided, however, that nothing contained in this provision shall in any way obligate the Parties to provide the Authority any funds for such buildings, facilities or improvements, the funding of which shall be at the absolute discretion of the Parties.
- i. To incur debt, liabilities or obligations subject to appropriation and applicable law, provided that no debt, obligation or liabilities shall constitute a debt, liability or obligation of the Parties.

- j. As funds may be made available, to make contributions to an appropriate firefighter pension fund(s).
- k. To maintain liability insurance and workers compensation benefits to employees, including volunteers of the Authority. Said insurance coverages may be as provided by San Juan County.

3. Unless specifically amended hereby, all terms, provisions, authorizations, and limitations of the 2011 IGA shall remain fully effective.

IN WITNESS WHEREOF, the Parties hereto set their hands and seals,

Town of Silverton
Board of Trustees

San Juan County
Board of County Commissioners (BOCC)

Mayor

Chair

Name, Clerk

Name, Clerk

ATTEST:

Clerk, Board of Trustees date

Clerk, BOCC date



AGENDA MEMO

SUBJECT: Resolution 2024-24 A Resolution of the town of Silverton authorizing a municipal lease financing agreement with Caterpillar Financial Services Corporation for the lease of a 2024 model 938-14 loader

STAFF CONTACT: John Sites, Gloria Kaasch-Buerger

MEETING DATE: October 28, 2024

Overview:

The Town typically leases three key pieces of heavy equipment (road grader and two loaders) for short terms between five and eight years. While more expensive than owning older equipment, this equipment allows us to maintain the streets and utilities, specifically snow removal, in a reliable and efficient manner. After a certain number of hours, the equipment becomes less reliable and requires more major upkeep. For example, despite regular manufacturer recommended maintenance, at the end of our last lease in 2018 we had a hydraulic pump failure on the grader which disabled it for two weeks and a cost of \$20,000 to repair. We have several other pieces of equipment in our fleet that we currently own and maintain. However, these pieces are not crucial with respect to snow removal. Staff recommends updating leases on new equipment to maintain the current level of snow removal service or rethinking the level of service we would like to offer.

During the last lease turn over cycle in 2019, the Town opted to stagger the leases to reduce the financial impact of timing them to expire simultaneously. The lease you are currently contemplating expires at the end of 2024 and the equipment is scheduled to be replaced in early 2025. Subsequently, the next loader expires at the end of next year and the grader in 2026. Staff would recommend leasing the equipment for the same term lengths in the future to maintain the stagger.

At the end of the lease period, the Town can either make a final “buyout” payment to own the equipment or roll the earned equity, less the final payment, into a new lease. We have typically rolled the equity into new pieces of equipment as we are recommending now.

Budget Impact:

See attached Lease Summary and Quotes for payment, interest and total costs.

After reviewing the attached options with the finance committee meeting on October 21st, staff has written the resolution for the 7-year lease amount.

Since the 2019 leases, equipment costs have increased by over 30% which is a significant budget impact to keep in mind and should be considered with the Master Plan Priority identified.

Attachments:

- Lease Summary
- Resolution 2024-24
- Quote from Cat Financial

Staff Recommendation:

After reviewing the attached options with the finance committee meeting on October 21st, staff has written the resolution for the 7-year lease amount of \$355,116.98.



AGENDA MEMO

SUBJECT: Resolution 2024-24 A Resolution of the town of Silverton authorizing a municipal lease financing agreement with Caterpillar Financial Services Corporation for the lease of a 2024 model 938-14 loader

STAFF CONTACT: John Sites, Gloria Kaasch-Buerger

MEETING DATE: October 28, 2024

Master Plan Priority:

Strategy E Town Capacity and Governance: Action #4 Ensure that the Town's budget adequately covers the cost of public services that are provided by the Town. Proactively plan to ensure that adequate funding can be maintained over the long term and can keep pace with future cost increases.

Suggested Motion or Direction:

Motion to adopt Resolution 2024-24 A Resolution of the town of Silverton authorizing a municipal lease financing agreement with Caterpillar Financial Services Corporation for the lease of a 2024 model 938-14 loader [as written or with amendments]

2025+ CAT LOADER LEASE OPTIONS SUMMARY

QUOTE	2025	2026	2027	2028	2029	2030	2031	2032	INTEREST	TOTAL
8 YEAR	\$26,923	\$48,080.21	\$48,080.21	\$48,080.21	\$48,080.21	\$48,080.21	\$48,080.21	\$48,081.21	5.49%	\$363,485.47
7 YEAR	\$26,923	\$54,698.83	\$54,698.83	\$54,698.83	\$54,698.83	\$54,698.83	\$54,699.83		5.49%	\$355,116.98
6 YEAR	\$26,923	\$63,991.36	\$63,991.36	\$63,991.36	\$63,991.36	\$63,992.36			5.49%	\$346,880.80
5 YEAR	\$26,923	\$77,963.34	\$77,963.34	\$77,963.34	\$77,963.34				5.49%	\$338,777.36



RESOLUTION 2024-24

A RESOLUTION OF THE TOWN OF SILVERTON AUTHORIZING A MUNICIPAL LEASE FINANCING AGREEMENT WITH CATERPILLAR FINANCIAL SERVICES CORPORATION FOR THE LEASE OF A 2024 MODEL 938-14 LOADER

WHEREAS, the Town of Silverton, in the County of San Juan and State of Colorado (the “Town”) is a municipal corporation duly organized and existing under the laws of the State of Colorado; and

WHEREAS, is authorized by state law to acquire equipment for municipal purposes and to enter into leases for the same, which leases may include an option to purchase and acquire title to the leased property or trade in with equity; and

WHEREAS, the Board of Trustees, as the governing body of the Town of Silverton, has determined that a true and real need exists for the acquisition for a 2024 MODEL 938-14 Loader (Equipment”) through lease agreement for the amount of \$355,116.98 through Caterpillar Financial Services Corporation (“Lease Agreement”), for the use in the proper operation of the Town of Silverton; and

WHEREAS, the Town has taken the necessary steps under applicable law to arrange for the acquisition and financing of such Equipment; and

WHEREAS, either there are no legal bidding requirements under applicable law to arrange for the leasing of such property under the Lease Agreement or the Town has taken the steps necessary to comply with the same respect to the Equipment to be acquired under the Lease Agreement; and

WHEREAS, C.R.S. § 24-82-801 allows for the Town’s procurement of personal property under a lease agreement to be authorized by resolution of the Board of Trustees and in accordance with the Town’s adopted purchasing policy in effect at the time of approval of such agreement; and

WHEREAS, the Board of Trustees desire to approve the Lease Agreement in substantially the form attached hereto, to complete the purchase of the Equipment.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILVERTON, COLORADO THAT:

Section 1. Recitals. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the Board of Trustees.

Section 2. Findings and Authorizations. The Board of Trustees of Silverton makes the following findings and representations:

- (a) Board of Trustees previously approved the purchase of the Equipment via verbal Resolution.
- (b) Board of Trustees authorizes the Mayor to execute a Lease Agreement with Caterpillar Financial Services Corporation following review and approval of the Lease Agreement by the Town Attorney. The Mayor, the Town Attorney, and Town Staff, as necessary and appropriate, are authorized to execute and deliver on behalf of the Town all documents necessary to acquire the Equipment, and the Mayor and Town Attorney are further authorized to negotiate and approve on behalf of the Town such revisions to the Lease Agreement and supporting documents as deemed necessary or desirable as long as any such revisions do not materially increase the obligations of the Town.

Signature of Party to Sign Lease Agreement
Gloria Kaasch-Buerger, Town Administrator

- (c) The complete and correct name of the Lessee is the Town of Silverton, a political subdivision of the State of Colorado. The Town is and at all times shall be a duly organized and existing entity under the laws of Colorado with the full power and authority to own its properties and to transact the business and activities in which it is presently engaged or presently proposes to engage. The Town does not do business under any other assumed business names.
- (d) The Town maintains its offices at 1360 Greene St., Silverton, Colorado 81433.
- (e) The Town will perform all acts within its power which are or may be necessary to maintain its legal status as a duly organized and existing entity under the laws of Colorado, which status is the basis for the interest portion of the rental payments coming due under the Lease Agreement, and to at all times remain exempt from federal income taxation under the laws and regulations of the United States as presently enacted and construed or as hereafter amended.
- (t) The acquisition of the Equipment is necessary, convenient, in the furtherance of, and will at all times be used in connection with, the Town's governmental and proprietary purposes and functions and are in the best interests of the Town. No portion of the Equipment will be used directly or indirectly in any trade or business carried on by any person other than a governmental unit of the State for lawful municipal purposes.

- (g) The meetings at which the Board of Trustees considered and adopted this Resolution were properly noticed and conducted as open meetings in accordance with Colorado law.
- (h) There are no legal or governmental proceedings or litigation pending against the Lessee which might adversely affect the transactions contemplated in or the validity of the Lease Agreement.
- (i) Finally, the Board of Trustees authorizes the Mayor, Town Attorney, and Town Staff to take such other actions as may be necessary and that do not increase the financial obligations of the Town to execute the Lease Agreement and to complete the acquisition of the Equipment

Section 3. Severability. Should any one or more sections of the provisions of this Resolution be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, the intention being that the various sections and provisions are severable.

Section 4. Effective Date. This Resolution shall become effective upon its adoption by the Board of Trustees.

THIS RESOLUTION was approved and adopted the 28th day of October, 2024 by the Board of Trustees of the Town of Silverton, Colorado.

TOWN OF SILVERTON, COLORADO

Dayna Kranker, Mayor

ATTEST:

Melina Marks, Town Clerk

Caterpillar Financial Services Corporation

Finance Proposal

CUSTOMER

Name: TOWN OF SILVERTON

Address _____
City _____
State _____

Good if: _____
Acknowledged by _____ Nov-6-2024
Funded by _____ Nov-6-2024

DEALER

WAGNER EQUIPMENT CO. E25Z
Sales person _____
Dealer contact _____
Telephone _____

Quote number _____ 4763627
Fax Number _____
Quote Date _____ 07-Oct-24
Quote Time _____ 03:21:38 PM

FINANCE PROPOSAL

This is Caterpillar Financial Services Corporation's confirmation of the following finance proposal. This is a proposal only and is subject to credit approval, execution of documentation, and execution and approval of the application survey.

Finance Type _____ Governmental Lease
Number of Payments _____ 8 Annual
Payments _____ in Advance

Quoted By _____ David Maloney
Report Created By _____ David Maloney

	<u>Model</u>	<u>Ann. Hours</u>	<u>Qty</u>	<u>Sale Price</u>	<u>Amount Financed</u>	<u>Payment</u>	<u>Balloon</u>	<u>Fixed Rate</u>
New	938-14	500	1	299,860.00	300,260.00	See Amort. Schedule	1.00	5.4900%

Special Conditions:
938-14

Serial Number - , Model Year - 2024, Standard Environment;
Major Attachments-Air Conditioning, Cab, Ride Control, Tires; Blades/Buckets/Rippers-Quick Coupler, Autolube, Aggregate Counterweight;
Manual Configuration and Work Tools:

Payment Structure – Asset
1 Annual payment(s) 26,923.00
6 Annual payment(s) 54,698.83
1 Stub payment(s) 1.00

	<u>Model</u>	<u>Insurance</u>	<u>Payment w/Insurance</u>
New	938-14	3,738.63	Amort. Sch.

The estimate for insurance is provided through Caterpillar Insurance Company (Provided by Westchester Insurance Company in Rhode Island) and is not an offer to contract for insurance.

CONDITIONS

Insurance: The customer must provide evidence of physical damage and liability insurance in an amount and from an insurance carrier satisfactory to CFSC. CFSC must be named on the policies, as loss payee and additional insured, as applicable, and a certificate of insurance, in form and substance acceptable to CFSC, must be provided to CFSC.

Taxes: All taxes are the responsibility of the customer and may or may not be included in the above payment amount.

Equipment: The equipment cannot be delivered until all documents are executed by CFSC. All equipment must reside in the United States at all times.

Approval: This proposal is subject to, among other things, final pricing, credit approval and document approval by CFSC.

The terms and conditions outlined herein are not all-inclusive and are based upon information provided to date. This proposal may be withdrawn or modified by Lessor at anytime. This proposal does not represent an offer or commitment by CFSC to enter into a transaction or to provide financing and does not create any obligation for CFSC. A commitment to enter into the transaction described herein may only be extended by CFSC after this transaction has been approved by all appropriate credit and other authorities within CFSC.

Caterpillar Financial Services Corporation
2120 West End Avenue, Nashville, TN 37203
(615)-341-1000

Date

October 28, 2024

5. Consent Agenda

The Consent Agenda's purpose is to group routine meeting discussion points into a single action item. If Trustees would like to pull an item from this agenda for discussion to amend or deny this can take place at the beginning of the meeting during agenda item #1 Staff and/or Board Revisions to the Agenda.

Typical items found in the consent agenda:

1. Payroll report (for transparency)
2. Meeting Minutes
3. Accounts payable (for transparency)
4. Sales Tax (for transparency)
5. YTD Actuals (for transparency)
6. Renewal Licenses
7. Special Event Applications for established events
8. Contracts

Suggested Motion:

Motion to approve the consent agenda items.

Statistical Summary

Company: Z9X - Town of Silverton Service Center: 0075 Northern California Status: Cycle Complete
 Week#: 42 Pay Date: 10/18/2024 P/E Date: 10/12/2024
 Qtr/Year: 4/2024 Run Time/Date: 13:36:42 PM EDT 10/15/2024

Taxes Debited	Federal Income Tax	3,679.42
	Earned Income Credit Advances	0.00
	Social Security - EE	2,867.08
	Social Security - ER	2,867.11
	Social Security Adj - EE	0.00
	Medicare - EE	670.55
	Medicare - ER	670.53
	Medicare Adj - EE	0.00
	Medicare Surtax - EE	0.00
	Medicare Surtax Adj - EE	0.00
	Federal Unemployment Tax	0.00
	FMLA-PSL Payments Credit	0.00
	FMLA-PSL ER FICA Credit	0.00
	FMLA-PSL Health Care Premium Credit	0.00
	Employee Retention Qualified Payments Credit	0.00
	Employee Retention Qualified Health Care Credit	0.00
	COBRA Premium Assistance Payments	0.00
	State Income Tax	1,698.89
	Non Resident State Income Tax	0.00
	State Unemployment Insurance - EE	0.00
	State Unemployment Insurance Adj - EE	0.00
	State Disability Insurance - EE	0.00
	State Disability Insurance Adj - EE	0.00
	State Unemployment/Disability Ins - ER	92.49
	State Family Leave Insurance - EE	0.00
	State Family Leave Insurance - ER	0.00
	State Family Leave Insurance Adj - EE	0.00
	State Medical Leave Insurance - EE	0.00
	State Medical Leave Insurance - ER	0.00
	State Medical Leave Insurance Adj - EE	0.00
	State Cares Fund - EE	0.00
	Transit Tax - EE	0.00
	Workers' Benefit Fund Assessment - EE	0.00
	Workers' Benefit Fund Assessment - ER	0.00
	State Child Care Fund - EE	0.00
	State Child Care Fund - ER	0.00
	Local Income Tax	0.00
	School District Tax	0.00
	Total Taxes Debited	12,546.07

Other Transfers	ADP Check Acct. No.XXXXXXXXXX8915Tran/ABAXXXXXXXXX	2,050.78		
	Full Service Direct Deposit Acct.	34,012.51		
Total Amount Debited From Your Account			48,609.36	48,609.36
Bank Debits & Other Liability	Adjustments/Prepay/Voids	0.00		48,609.36
Taxes- Your Responsibility	None this payroll			
				48,609.36

Statistical Summary - Statistics

Company:Z9X - Town of Silverton
 Week#:42
 Qtr/Year:4/2024

Service Center:0075 Northern California
 Pay Date:10/18/2024
 Run Time/Date:13:36:42 PM EDT 10/15/2024

Status:Cycle Complete
 P/E Date:10/12/2024

Statistics	Amount	Number of Pays
Gross Pay	46,302.87	
Vouchers		
eVouchers		32
Checks (A)	2,050.78	3
Direct Deposits (B)	34,012.51	29
Adjustments/Prepay/Voids (C)	0.00	
Net Payroll (A + C)	2,050.78	
Net Cash (A + B)	36,063.29	
Net Pay Liability (A + B + C)	36,063.29	
Other Transfers (D)	36,063.29	
Taxes - debited from your account (E)	12,546.07	
Total Amount Debited from your Account (D + E)	48,609.36	
Taxes - your responsibility (F)	0.00	
Company Liability (C + D + E + F)	48,609.36	
Net Cash pays 1,000.00 or more		18
Flagged Pays		9

Statistical Summary - Federal Taxes

Company:Z9X - Town of Silverton
 Week#:42
 Qtr/Year:4/2024

Service Center:0075 Northern California
 Pay Date:10/18/2024
 Run Time/Date:13:36:42 PM EDT 10/15/2024

Status:Cycle Complete
 P/E Date:10/12/2024

Federal Tax Type	EE Withheld	ER Contribution	EE Taxable Amount	ER Taxable Amount
Federal Income Tax	3,679.42		44,979.23	
Social Security	2,867.08	2,867.11	46,243.71	46,243.71
Medicare	670.55	670.53	46,243.71	46,243.71
FMLA-PSL Payments Credit		0.00		
FMLA-PSL ER FICA Credit		0.00		
FMLA-PSL Health Care Premium Credit		0.00		
Employee Retention Qualified Payments Credit		0.00		
Employee Retention Qualified Health Care Credit		0.00		
COBRA Premium Assistance Amount		0.00		

Statistical Summary - State Taxes

Company:Z9X - Town of Silverton
Week#:42
Qtr/Year:4/2024

Service Center:0075 Northern California
Pay Date:10/18/2024
Run Time/Date:13:36:42 PM EDT 10/15/2024

Status:Cycle Complete
P/E Date:10/12/2024

State Code	State Tax Type	EE Withheld	ER Contribution	EE Taxable Amount	ER Taxable Amount	Experience Rate	State Tax Rebate Amount
CO	State Income Tax	1,698.89		44,979.23			
CO	Unemployment Tax		92.49		46,243.71	0.20	

Statistical Summary - Hours & Earnings

Company:Z9X - Town of Silverton
Week#:42
Qtr/Year:4/2024

Service Center:0075 Northern California
Pay Date:10/18/2024
Run Time/Date:13:36:42 PM EDT 10/15/2024

Status:Cycle Complete
P/E Date:10/12/2024

Field Number	Hours/Earnings Code	Description	Hours	Earnings
1	Regular		1,512.41	43,570.32
2	Overtime		9.09	189.15
3	PTO	P.T.O.	54.05	365.61
3	HOL	holiday work	91.73	2,177.79
3	CTM	Comp Time T	30.75	

Statistical Summary - Deductions

Company:Z9X - Town of Silverton
Week#:42
Qtr/Year:4/2024

Service Center:0075 Northern California
Pay Date:10/18/2024
Run Time/Date:13:36:42 PM EDT 10/15/2024

Status:Cycle Complete
P/E Date:10/12/2024

Deduction Code	Description	Deduction	Category
401	CCOERA EE 4	1,264.48	Other
AFL	AFLAC PRETAX	36.48	Other
CK1	CHECKING	29,857.66	Deposit
CK2	CHECKING	3,333.87	Deposit
DEN	Den Pre Tax	20.00	Other
SV1	SAVINGS	820.98	Deposit
VIS	Vis Pre Tax	2.68	Other



WORK SESSION, HOUSING AUTHORITY & REGULAR MEETING – Silverton Board of Trustees
Silverton Town Hall – Monday, October 14, 2024
Call to Order & Roll Call –Work Session @5:00pm, Housing Authority @6:40pm, and Regular Meeting @7:00pm

ATTENTION: The Town of Silverton Trustee meetings are being conducted in a hybrid virtual/in-person. Instructions for public participation in Town Trustee meetings are as follows:

- Zoom Webinar Link: <https://us02web.zoom.us/j/88637487127>
- By Telephone: Dial 669-900-6833 and enter Webinar ID 886 3748 7127 when prompted.
- YouTube (live and recorded for later viewing, does not support public comment):
www.youtube.com/channel/UCmJgal9lUXK5TZahHugprpQ

If you would like to make a public comment during a specific Agenda Item, please submit a request to the Town Administrator at gkaasch-buerger@silverton.co.us

MEETING PROTOCOLS: Please turn off cell phones; be respectful and take personal conversations into the lobby. The public is invited to attend all regular meetings and work sessions of the Board of Trustees. Regular Meeting Closing Public Comment must be related to an agenda item.

Present: Trustee Halvorson, Trustee Schnitker, Trustee Wakefield, Trustee Gardiner, Trustee George, Mayor Pro Tem Harper, Mayor Kranker

Absent:

Staff: Administrator Kaasch-Buerger, CDD Lucy Mulvihill

Work Session @ 5:00pm

- 1) Land Use Code Rewrite Work Session

Present: Trustee Halvorson, Trustee Schnitker, Trustee Wakefield, Trustee Gardiner, Trustee George, Mayor Pro Tem Harper, Mayor Kranker

Absent:

Staff: Administrator Kaasch-Buerger, Deputy Clerk Valerie Coniff, CDD Lucy Mulvihill, Silverton Housing Authority Director Anne Chase (On Zoom)

Silverton Housing Authority @ 6:43pm

- 1) DOH Letter of Intent

- Silverton Housing Authority Director Anne Chase provided an update as to what is going on with the Silverton Housing Authority.

Direction was given by the board to submit a Letter of Intent for the December 2, 2024, Colorado Division of Housing Proposition 123 Homeownership Grant.



Trustee Halvorson moved, Trustee Schnitker seconded to approve entering a Predevelopment Agreement with Tributary Development LLC.

Trustee George moved, Mayor Pro Tem Harper seconded to grant signatory authority to the Silverton Housing Authority Director, Anne Chase.

2) Public Comment

- No public comment.

Adjourn @6:49

Present: Trustee Halvorson, Trustee Schnitker, Trustee Wakefield, Trustee Gardiner, Trustee George, Mayor Pro Tem Harper, Mayor Kranker

Absent:

Staff: Administrator Kaasch-Buerger, Deputy Clerk Valerie Coniff, Silverton Housing Authority Director Anne Chase (Zoom), Attorney Clayton Buchner (Zoom), Public Works Director John Sites (Zoom)

Regular Meeting @ 7:01pm

1) Staff and/or Board Revisions to Agenda

- No revisions

2) Public Comment - *Comments must be limited to three (3) minutes in duration.*

- Melody Skinner spoke about Memorial Park's parking lot and created a sign for the park.
- Sally Barney spoke about funding for Baker's Park and the Creative District. Ms. Barney also spoke about the LUC re-write and supports limits.
- Cole Davenport discussed his license renewal and thanked the board for moving forward with Dark Skies.
- Chris Bridges and Shannon Moore spoke on Zoom about the rental rate increase at Kendall Mountain Lodge.
- Brette on Zoom spoke about the Kendall Mountain Lodge fee increase.
- Sierra Segrest on Zoom spoke about the Kendall Mountain Lodge Fee increase.
- Walt Brown spoke on Zoom about the LUC and structure heights.
- Joe Feyder spoke on Zoom about the fee increase at Kendall Mountain Lodge.
- Emily Smith spoke on Zoom about the fee increase at Kendall Mountain Lodge.
- Heidi Severson spoke on Zoom about the fee increase at Kendall Mountain Lodge.
- Kenny Segrest spoke on Zoom about the fee increase at Kendall Mountain Lodge.
- Lisa Branner spoke on Zoom spoke about municipal support for local non-profits.

3) Presentations/Proclamations

a) Silverton Singletrack Baker's Park Update-Klem Branner

- Klem Branner presented a PowerPoint about Baker's Park
- The board was thankful for the vision of the park, and the multi-use purposes that are accessible to different ability levels.

4) New Business

a) PUBLIC HEARING: Resolution 2024-21 A Resolution to Amend Water and Sewer Utility Rates and Fees

- Administrator Kaasch-Buerger explained the resolution.



- Gilbert Archuleta understands the purpose and need for the rate increase, but would like to see the board go to an EQR system.
- Public Works Director John Sites spoke about meters and the different programs that allow them to read and bill correctly.
- The board and staff discussed what needs to be done now and what should be done in the future regarding utility fees.
- Cole Davenport spoke on Zoom about how utilities are billed and how citizens know if their meter works.
- Ben Blue spoke on Zoom about the on-line billing system.

Trustee Schnitker moved, and Trustee Halvorson seconded to approve Resolution 2024-21 A Resolution to Amend Water and Sewer Utility Rates and Fees. With staff direction not to charge overages at the next billing cycle. Passed unanimously with roll call.

- b) PUBLIC HEARING: 2025 Draft Budget and Notice for Adoption on December 9, 2024
- Administrator Kaasch-Buerger presented the first draft of the 2025 budget.
 - Wesley Berg spoke as an advocate for local non-profits.
 - Michael Ackerman spoke about outdoor recreation and the revenue it generates.
 - Josh Jespersen spoke about outdoor recreation and the need for a recreation budget.
 - Melody Skinner spoke on Zoom about wanting to clear out the parking area at Memorial Park.
 - Cole Davenport spoke about promoting outdoor recreation.
 - Calvin Davenport spoke on Zoom about outdoor recreation and the Silverton Single Track Society.
 - Administrator Kaasch-Buerger presented the current 2024 budget and projections for the 2025 budget.
 - Mayor Kranker reported on what the past budget investments have accomplished for the community.

Trustee Halvorson moved, and Trustee George seconded to accept the first Draft of the 2025 Budget with the proposed addition of a 3% COLA increase for staff. Passed with 6-yas, 1- No

- c) REQUEST FOR PUBLIC HEARING: Kendall Mtn. LLC dba Silverton Greenworks – Regulated Marijuana Business License Renewal Application
- Administrator Kaasch-Buerger explained the hearing request.

Staff was given direction to schedule a public hearing regarding the Kendall Mtn. LLC dba Silverton Greenworks renewal application for October 28, 2024 at 7PM.

5) Consent Agenda

- a) Payroll
- b) Meeting Minutes 9.23.24
- c) Accounts Payable
- d) August Sales Tax
- e) Letters of Support to State Representatives in support of the proposed Empty Home Tax
- f) Department of Revenue MOU
- g) KIND SILVERTON LLC - Regulated Marijuana Business License Renewal Application

Trustee Wakefield moved, and Mayor Pro Tem Harper seconded to approve the Consent Agenda. Passed unanimously with roll call.



- 6) Staff Reports
 - a) BPMD Update—Perker Newby’s email and newsletter
 - Administrator Kaasch-Buerger presented.
- 7) Committee/Board Reports
 - a) 9.25 Utility Committee Meeting
 - The Board commended Steve’s work with the meters.
 - b) 9.26 Region 9 Meeting
 - Administrator Kaasch-Buerger spoke about a new freight train project in Farmington.
- 8) Trustee Reports
 - Mayor Kranker opened a discussion about the Kendall Mountain Community Center rate increase.
 - Attorney Clayton Buchner clarified the facilities contract.
- 9) Continued Business
 - a) Zanoni Warranty Deed Update
 - Silverton Housing Authority Director Anne Chase updated the board regarding the Zanoni Warranty Deed.

Mayor Pro Tem Harper moved, and Trustee Gardiner seconded to convey the Zanoni Property to the Silverton Housing Authority with a reversionary clause. Passed unanimously with roll call.

- b) Contract with Canyon Construction Company for the Sewer Collection Systems USDA-Funded Project
 - Public Works Director John Sites gave an overview of the sewer collection contract.

Trustee Gardiner moved, and Trustee George seconded to authorize Staff to complete contract documents with Canyon Construction and issue the Notice to Proceed for the Wastewater Infrastructure Improvements Project at the Pre-Construction meeting. Passed unanimously with roll call.

- 10) Public Comment
 - Melody Skinner spoke on Zoom about budget priorities.
 - Joe Feyder spoke on Zoom about the Kendall Mountain fee increase and the existing contracts.
- 11) Request for executive session pursuant to §24-6-402(4)(f), C.R.S. for the Town Administrator’s Annual Performance Review and Requested Contract Amendments.

Trustee Gardiner moved, and Trustee Halvorson seconded to table the Request for executive session pursuant to §24-6-402(4)(f), C.R.S. for the Town Administrator’s Annual Performance Review and Requested Contract Amendments. Passed unanimously with roll call.

Adjourn @ 9:49

Up-coming Meeting Dates:

- 10.15 @7pm San Juan Regional Planning Commission
- 10.16 @5pm Historic Review Committee Training
- 10.17 @6pm Wildlife Coalition Meeting
- 10.21 @9am Finance Committee Meeting
- 10.28 @5pm LUC Work Session on RVs @6pm EQR Work Session @7pm Regular Meeting



End of Agenda

Report Criteria:

Report printed and checks created

Due Date	Vendor Number	Name	Invoice Number	Net Due Amount	Pay	Payment Amount	Discount Amount	Remittance
10/28/2024	102	AT&T	03020239	61.86	Y	61.86	.00	Vendor Address
10/28/2024	2172	B&K Cleaning Services, LLC	00003	418.50	Y	418.50	.00	Vendor Address
10/28/2024	248	CANON	741853	2,272.24	Y	2,272.24	.00	Vendor Address
10/28/2024	283	CENTURYLINK	33410469	163.84	Y	163.84	.00	Vendor Address
10/28/2024	2074	CivicPlus	300422	4,500.00	Y	4,500.00	.00	Vendor Address
10/28/2024	2129	Clarion	9802	14,577.67	Y	14,577.67	.00	Vendor Address <i>LUC</i>
10/28/2024	2129	Clarion	9900	7,798.56	Y	7,798.56	.00	Vendor Address
10/28/2024	2098	DISA Global Solutions, INC	2527985	437.50	Y	437.50	.00	Vendor Address
10/28/2024	745	GERYAK, MICHAEL	10/18/202	1,100.00	Y	1,100.00	.00	Vendor Address
10/28/2024	786	GREEN ANALYTICAL LABORA	2410033	419.00	Y	419.00	.00	Vendor Address
10/28/2024	786	GREEN ANALYTICAL LABORA	2410034	348.00	Y	348.00	.00	Vendor Address
10/28/2024	895	Image Net Consulting, LLC	83174876	279.42	Y	279.42	.00	Vendor Address
10/28/2024	961	Joe Goodwin	10/27/24	154.00	Y	154.00	.00	Vendor Address
10/28/2024	2165	Mountain Dog Marketing, Inc.	369	650.00	Y	650.00	.00	Vendor Address
10/28/2024	1238	Mountain Studies Institute	6227	1,000.00	Y	1,000.00	.00	Vendor Address
10/28/2024	2181	Ramboll Americas Engineering	19400617	30,388.45	Y	30,388.45	.00	Vendor Address <i>Brownfield Project</i>
10/28/2024	1484	RICHARDSON, JOHN	10/23/202	1,021.85	Y	1,021.85	.00	2
10/28/2024	2119	Sarah Moore	24-22	1,570.00	Y	1,570.00	.00	Vendor Address
10/28/2024	1626	Securo	25205	1,327.86	Y	1,327.86	.00	Vendor Address
10/28/2024	1725	SOUTHWEST LAND SURVEYI	10/25/202	1,600.00	Y	1,600.00	.00	Vendor Address
10/28/2024	1830	Terra EnviroNow	10.15	6,000.00	Y	6,000.00	.00	Vendor Address
10/28/2024	1852	The WhistleStop	1677	1,632.23	Y	1,632.23	.00	Vendor Address
10/28/2024	1978	WAGNER EQUIPMENT CO	P01C0331	418.72	Y	418.72	.00	Vendor Address
Totals:				78,139.70		78,139.70	.00	

Number of invoices to be fully paid:	23
Number of invoices to be partially paid:	0
Number of invoices with no payment:	0
Total number of invoices listed:	23
Total checks from invoices selected:	21
Total adjustment checks:	0
Total adjusted invoices:	0
Total negative checks not created:	0

Cash Requirements Summary

Date	Net Due Amount	Payment Amount	Discount Taken
10/28/2024	78,139.70	78,139.70	.00
	78,139.70	78,139.70	.00

JE for transactions, CD2 transaction type for payment.

Admin		Cash acct		01-10000020	
		Period: 9/24		10-20210000	
		AP CC			
Tran Date	Post Date	Description	Amount	Acct #	Full Description
	22-Sep	22-Sep AUTOMATIC PAYMENT - THANK YOU	\$ (341.38)		

Clerk Dept.		Cash acct		01-10000020	
		Period: 9/24		10-20210000	
		AP CC			
Tran Date	Post Date	Description	Amount	Acct #	Full Description
	9-Sep	10-Sep SPEEDWAY 44852 AZTEC NM	\$ 76.20	10-46100-614	150th Anniversary
	9-Sep	10-Sep TOMOJAPANESESTEAKHOUSE FARMINGTON NM	\$ 81.43	10-46100-614	150th Anniversary
	9-Sep	10-Sep CITY-MARKET #0421 DURANGO CO	\$ 4.65	10-46100-614	150th Anniversary
	9-Sep	10-Sep WAL-MART #2270 DURANGO CO	\$ 286.53	10-46100-614	150th Anniversary
	9-Sep	11-Sep STAR LIQUORS DURANGO CO	\$ 251.53	10-46100-614	150th Anniversary
	9-Sep	11-Sep HOBBY-LOBBY #0118 FARMINGTON NM	\$ 85.18	10-46100-614	150th Anniversary
	9-Sep	11-Sep SW C&C FARMINGTON FARMINGTON NM	\$ 291.05	10-46100-614	150th Anniversary
	14-Sep	15-Sep FP MAILING SOLUTIONS 630-8275773 IL	\$ 724.50	10-41940-531	Postage
	16-Sep	17-Sep ADOBE *ADOBE 408-536-6000 CA	\$ 386.99	10-41940-331	Software
	19-Sep	20-Sep Prime Video *VK6X03QO3 888-802-3080 WA	\$ 4.74	10-46100-614	Operating Supplies
	22-Sep	22-Sep AUTOMATIC PAYMENT - THANK YOU	\$ (1,091.94)		
	23-Sep	24-Sep GJSENTINEL.COM 970-242-5050 CO	\$ 950.40	10-41940-540	Advertising
	23-Sep	24-Sep AMZN Mktp US*IH6GR5Y13 Amzn.com/bill WA	\$ 33.62	10-45120-614	Operating Supplies
	23-Sep	24-Sep AMZN Mktp US*806019I53 Amzn.com/bill WA	\$ 121.64	10-45120-614	Operating Supplies
	24-Sep	25-Sep Mailchimp 678-9990141 GA	\$ 39.50	10-41940-531	Postage
	26-Sep	27-Sep AMAZON MKTPL *XA9LE7QL3 Amzn.com/bill WA	\$ 51.81	10-45120-614	Operating Supplies
	26-Sep	27-Sep Amazon.com*6M48T5E43 Amzn.com/bill WA	\$ 66.98	10-45120-614	Operating Supplies
	26-Sep	27-Sep AMAZON MKTPL *066I48SG3 Amzn.com/bill WA	\$ 218.04	10-45120-614	Operating Supplies

FPR Dept.		Cash acct		01-10000020	
		Period: 9/24		10-20210000	
		AP CC			
Tran Date	Post Date	Description	Amount	Acct #	Full Description
	14-Sep	15-Sep BIG R OF FARMINGTON FARMINGTON NM	\$ 75.72	10-45120-614	Operating Supplies
	22-Sep	22-Sep AUTOMATIC PAYMENT - THANK YOU	\$ (2,053.09)		

Public Works		Cash acct		01-10000020	
		Period: 9/24		10-20210000	
		AP CC			
Tran Date	Post Date	Description	Amount	Acct #	Full Description
	2-Sep	3-Sep SXM*SIRIUSXM.COM/ACCT 888-635-5144 NY	\$ 62.93	10-43120-614	Operating Supplies
	4-Sep	6-Sep THE HOME DEPOT #1534 DURANGO CO	\$ 5.90	10-43120-614	Operating Supplies
	10-Sep	10-Sep ORANGE ALUMINUM CORP 714-464-2181 CA	\$ 70.32	10-43120-430	Tool repair
	10-Sep	11-Sep eBay O*17-12045-67884 San Jose CA	\$ 306.62	10-43120-614	Operating Supplies
	13-Sep	15-Sep AMAZON MKTPL *1G0608F53 Amzn.com/bill WA	\$ 69.82	52-43256-614	Operating Supplies

27-Sep		27-Sep LATE FEE		\$	29.00	autopay was not set up yet*	
Library		Cash acct		01-10000020			
		Period: 9/24	AP CC	10-20210000			
Tran Date		Post Date	Description	Amount	Acct #	Full Description	
	28-Aug	29-Aug	AMAZON MARK* RK5Q344P0 HTTPSAMAZON.C WA	\$ 213.23	11-45500-641	Collection	
	28-Aug	29-Aug	AMZN Mktp US*RK2VK1LC0 Amzn.com/bill WA	\$ 29.16	11-45500-641	Collection	
	30-Aug	31-Aug	AMAZON MARK* RK80A89X2 HTTPSAMAZON.C WA	\$ 5.82	11-45500-641	Collection	
	30-Aug	31-Aug	AMAZON MARK* RK03V6PZ1 HTTPSAMAZON.C WA	\$ 27.05	11-45500-641	Collection	
	30-Aug	2-Sep	AMAZON MARK* RK5Q344P0 HTTPSAMAZO CREDIT	\$ (14.62)	11-45500-641	Collection (credit)	
	1-Sep	2-Sep	Amazon.com*ZT2PA2472 Amzn.com/bill WA	\$ 21.89	11-45500-641	Collection	
	3-Sep	4-Sep	AMAZON MARK* ZT5EN5GB2 HTTPSAMAZON.C WA	\$ 31.91	11-45500-641	Collection	
	4-Sep	6-Sep	STARBUCKS STORE 06615 EDWARDS CO	\$ 14.66	11-45500-580	Travel & Meals	
	5-Sep	6-Sep	SOUTH RIDGE SEAFOOD GRILL BRECKENRIDGE CO	\$ 60.08	11-45500-580	Travel & Meals	
	6-Sep	6-Sep	Subway 10715 Breckenridge CO	\$ 13.93	11-45500-580	Travel & Meals	
	7-Sep	8-Sep	CITY MARKET #7430 FUEL BRECKENRIDGE CO	\$ 80.35	11-45500-580	Travel & Meals	
	7-Sep	8-Sep	AMAZON MKTPLACE PMTS Amzn.com/bil CREDIT	\$ (111.95)	11-45500-641	Collection (credit)	
	7-Sep	8-Sep	AMAZON MKTPLACE PMTS Amzn.com/bil CREDIT	\$ (126.78)	11-45500-641	Collection (credit)	
	6-Sep	9-Sep	SKYWALK DELI 970-4538786 CO	\$ 25.97	11-45500-580	Travel & Meals	
	9-Sep	10-Sep	AMAZON MKTPL*Z82CA3LK0 Amzn.com/bill WA	\$ 196.88	11-45500-641	Collection	
	7-Sep	11-Sep	BEAVER RUN RESORT BRECKENRIDGE CO	\$ 407.16	11-45500-580	Travel & Meals	
	11-Sep	12-Sep	TARGET 00000935 GRAND JUNCTIO CO	\$ 76.00	11-45500-641	Collection	
	12-Sep	12-Sep	BUZZSPROUT* INVOICE 66 WWW.BUZZSPROU FL	\$ 12.00	11-45500-540	Advertising	
	13-Sep	15-Sep	AMAZON MARK* ZW8OX10P3 HTTPSAMAZON.C WA	\$ 187.30	11-45500-641	Collection	
	18-Sep	20-Sep	DEMCO INC 800-9624463 WI	\$ 33.43	11-45500-641	Collection	
	18-Sep	20-Sep	OTC BRANDS *800-875-8480800-2280475 NE	\$ 88.92	11-45500-614	Programs	
	19-Sep	22-Sep	SILVERTON GROCERY SILVERTON CO	\$ 6.20	11-45500-614	Programs	
	22-Sep	22-Sep	AUTOMATIC PAYMENT - THANK YOU	\$ (2,129.22)			
	23-Sep	24-Sep	WM SUPERCENTER #2270 DURANGO CO	\$ 10.38	11-45500-614	Programs	
	23-Sep	24-Sep	AMAZON MKTPL*A81492LR3 Amzn.com/bill WA	\$ 13.14	11-45500-641	Collection	
Building Dept.		Cash acct		01-10000020			
		Period: 9/24	AP CC	10-20210000			
Tran Date		Post Date	Description	Amount	Acct #	Full Description	
	30-Aug	2-Sep	THE HOME DEPOT #1534 DURANGO CO	\$ 99.81	* Need information from Bevan on GL Coding		
	6-Sep	8-Sep	TAYLOR G WRIGHT INNOVATIONMED UT	\$ 105.00			
	11-Sep	12-Sep	USPS PO 0783340592 SILVERTON CO	\$ 9.90	10-41940-531	Postage	
	18-Sep	20-Sep	AATCO TRANSMISSIONS MONTROSE CO	\$ 210.92			
	22-Sep	22-Sep	AUTOMATIC PAYMENT - THANK YOU	\$ (20.65)			
Events & Communications		Cash acct		01-10000020			

Period: 9/24		AP CC	10-20210000		
Tran Date	Post Date	Description	Amount	Acct #	Full Description
	22-Sep	22-Sep AUTOMATIC PAYMENT - THANK YOU	\$ (972.53)		
	26-Sep	27-Sep HTTPS://SCRIBE.HOW/B SCRIBEHOW.COM CA	\$ 29.00	10-46100-614	Operating Supplies
Planning Dept.		Cash acct	01-10000020		Full Description
Period: 9/24		AP CC	10-20210000		
Tran Date	Post Date	Description	Amount	Acct #	
	22-Sep	22-Sep AUTOMATIC PAYMENT - THANK YOU	\$ (32.34)		



AGENDA MEMO

SUBJECT: Special Event Notice – Mistletoe Market
STAFF CONTACT: Ana Mendiluce
MEETING DATE: October 28th, 2024

Overview:

Lisa Branner and the Silverton Creative District have submitted a Special Event Application for the Mistletoe Market to be held on December 13th, 2024, at Kendall Mountain Community Center. The Mistletoe Market is a holiday craft fair that is a free event to the public featuring shopping, arts and crafts, live entertainment, and refreshments. The event will be staffed by volunteers under the direction of the Silverton Creative District. This event allows local artists, businesses, and non-profits to showcase their creations and encourages citizens to support them.

Suggested Motion or Direction:

Motion to APPROVE or DENY the Silverton Creative District's Special Event Application for the Mistletoe Market.



Town of Silverton

Notice of Intent to Conduct a Special Event or Civic Function Within Incorporated Town Limits

Date of Notice: 10/11/24 Organization Holding Event: Silverton Creative Di

Contact Name: _____ Phone#: 970 749 3244

Contact E-Mail: lisa@silvertoncreativedistrict.org

Contact Address: PO Box 372

City: Silverton State: CO Zip: 81433

Event Description: Mistletoe Market is a holiday craft fair featuring
live entertainment, food, a cash bar and festive shopping
with local artists and creatives.

Event Date(s): 12/13/24 Event Times: 5 pm to 8 pm*

Proposed Event Location/Route/Parking Plan:

(Please refer to attachment requirements)

Kendall Mountain Community Center. *Please note we will need the facility from 10 am - 10 pm to allow for setup and breakdown.

Event Scope: *(list # of participants, employees and volunteers expected and events planned)*

We anticipate 20 vendors plus approximately 100 attendees. Activities to include shopping, arts and crafts, live entertainment and refreshments. The event will be staffed by volunteers under the direction of the Silverton Creative District (5 - 8 people). The event is free to the public but there will be a small fee charged to vendors to help cover event production costs.



Town of Silverton

Will this event have vendors? ☒ YES ☐ NO

Will this event serve food and drinks? ☒ YES ☐ NO

Will this event have alcoholic beverages? ☒ YES ☐ NO

If YES, a Special Event Liquor Permit License Will Be Required.

Will this event have ticket sales or an admission fee? ☐ YES ☒ NO

Will there be camping during this event? ☐ YES ☒ NO

Will Animals, Dangerous Vehicles or Materials, or Explosives be used for this event?

☒ NO ☐ YES **If YES, Please Explain Below.**

Compliance Agreement

The undersigned hereby certifies that I/we agree to assume any and all responsibility and to abide by all rules, regulations and conditions as set forth in the town of Silverton rules, regulations, conditions and stipulations of this permit, and codes for traffic control. The undersigned shall follow the manual on uniform traffic control devices, latest edition, as it relates to this permit and special conditions. If any requirements or conditions of this permit are not in compliance, the permit shall be revoked by order of the Code Enforcement Officer. I/we agree to vacate the right-of-way as directed by the Code Enforcement Officer.

Release & Indemnification

In consideration for being permitted to enter upon the property of the Town of Silverton or personal property included in filming, or for the purpose of conducting business or events upon said premises, I, the undersigned, hereby acknowledge, represent and agree as follows:

- I acknowledge that my presence on the Town's property may involve risk of injury, loss or damage.
- I expressly assume all risks of injury, loss, damage to myself or any third party arising out of or in any way related to my presence on the Town's property.
- I exempt, release, and discharge the Town, its officers, its employees, and its agents from any and all claims, demands, and actions for such injury, loss, or damage, arising out of or in any way related to my presence on the Town's property.
- I agree to defend, indemnify, and hold harmless the Town, its officers, employees, agents, insurers, and self insurance pool from and against all liability claims, and demands on account of injury, loss or damage which arise out of or are in any way related to my presence on the Town's property.
- **I further agree to be fully responsible for and to render payment to the Town for, any damages to the Town's property, which occurs during my use of such property and which is in any way related to my presence on or use of Town property.**

This Release and Indemnification Agreement shall be effective as of the date set forth below and shall be binding upon me, my successors, representative, heirs, executors, assigns, transferees, and any other person(s) who may enter the premises upon my invitation.



Town of Silverton

Executed this 11 day of October, 2024 by the person whose name and signature appear below.

Signature of Responsible Party

Printed Name: Lisa Branner 8/21/24

Please attach to this application documents showing the following:

1. Location Map – The Location Map should include clearly marked boundaries and any detour(s), barrier(s) proposed, parking area, security arrangements, and medical personnel location(s).
2. Operations Plan with an explanation of Safety, Medical, and Security Plans.
3. Certificate of Liability Insurance Naming the Town of Silverton, all Vendors and Event Participants as additionally insured.
4. Written permission from property owner to occupy the premises for proposed event.

Official Use Only Below this Line

Department	Approval	Disapproval	Date
San Juan County Sheriff			
Silverton Town Staff			
Silverton Board of Trustees			
Silverton/San Juan EMS			

Action of the Board of Trustees: _____ Public Hearing Held On: _____

\$200 Fee Paid: _____

Date: _____ Attest: _____

10/11/24

Town Clerk/Treasurer

Town of Silverton
1360 Greene ST.
PO Box 250
Silverton, CO 81433
970-387-5522

Application for a Special Events Liquor Permit



**Town of
Silverton**

In order to qualify for a Special Events Liquor Permit, You **Must Be a Qualifying Organization Per 44-5-102 C.R.S. and One of the Following** (See back for details.)

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Social | <input type="checkbox"/> Athletic | <input checked="" type="checkbox"/> Philanthropic Institution |
| <input type="checkbox"/> Fraternal | <input type="checkbox"/> Chartered Branch, Lodge or Chapter | <input type="checkbox"/> Political Candidate |
| <input type="checkbox"/> Patriotic | <input type="checkbox"/> National Organization or Society | <input type="checkbox"/> Municipality Owned Arts Facilities |
| <input type="checkbox"/> Political | <input type="checkbox"/> Religious Institution | |

Type of Special Event Applicant is Applying for:

- | | |
|--|-----------------|
| <input checked="" type="checkbox"/> Malt, Vinous And Spirituous Liquor | \$25.00 Per Day |
| <input type="checkbox"/> Fermented Malt Beverage | \$10.00 Per Day |

DO NOT WRITE IN THIS SPACE

Liquor Permit Number

1. Name of Applicant Organization or Political Candidate Silverton Creative District	State Sales Tax Number (Required) 98306111
--	--

2. Mailing Address of Organization or Political Candidate (include street, city/town and ZIP) PO Box 372 Silverton CO 81433	3. Address of Place to Have Special Event (include street, city/town and ZIP) Kendall Mountain Community Center 1 Kendall Place Silverton CO 81433
--	---

4. Authorized Representative of Qualifying Organization or Political Candidate Lisa Branner	Date of Birth 08/24/73	Phone Number 9707493244
---	----------------------------------	-----------------------------------

Authorized Representative's Mailing Address (if different than address provided in Question 2.)
same as above

5. Event Manager same as above	Date of Birth	Phone Number
--	---------------	--------------

Event Manager Home Address (Street, City, State, ZIP) 1521 Cement St Silverton CO 81433	Email Address of Event Manager lisa@silvertoncreativedistrict.org
---	---

6. Has Applicant Organization or Political Candidate been Issued a Special Event Permit this Calendar Year? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes How many days? <u>7</u>	7. Is the premises for which your event is to be held currently licensed under the Colorado Liquor or Beer codes? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes License Number _____
--	---

8. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed? ☒ Yes ☐ No

List Below the Exact Date(s) for Which Application is Being Made for Permit

Date	Date	Date	Date	Date
12/13/24				
Hours From .m.	Hours From .m.	Hours From .m.	Hours From .m.	Hours From .m.
To 11 am .m.	To .m.	To .m.	To .m.	To .m.
To 11 pm .m.	To .m.	To .m.	To .m.	To .m.
Date	Date	Date	Date	Date
Hours From .m.	Hours From .m.	Hours From .m.	Hours From .m.	Hours From .m.
To .m.	To .m.	To .m.	To .m.	To .m.
Date	Date	Date	Date	Date
Hours From .m.	Hours From .m.	Hours From .m.	Hours From .m.	Hours From .m.
To .m.	To .m.	To .m.	To .m.	To .m.

Oath of Applicant

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Signature	Title Executive Director	Date 10/11/24
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Report and Approval of Local Licensing Authority (Town or County)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended.

THEREFORE, THIS APPLICATION IS APPROVED.

Local Licensing Authority (Town or County)	<input type="checkbox"/> Town <input type="checkbox"/> County	Telephone Number of Town/County Clerk
Signature	Title	Date

DO NOT WRITE IN THIS SPACE - FOR TOWN OF SILVERTON USE ONLY

Liability Information

License Number	Liability Date	State	Total
			\$.

(Instructions on Reverse Side)

Application Information and Checklist

The following supporting documents must be attached to this application for a permit to be issued:

- ☐ Appropriate fee.
- ☐ Diagram of the area to be licensed (not larger than 8 1/2" X 11" reflecting bars, walls, partitions, ingress, egress and dimensions. **Note:** If the event is to be held outside, please submit evidence of intended control, i.e., fencing, ropes, barriers, etc.
- ☐ Copy of deed, lease, or written permission of owner for use of the premises.
- ☐ Certificate of good corporate standing (NONPROFIT) issued by Secretary of State within last two years; **or**
- ☐ If not incorporated, a NONPROFIT charter; **or**
- ☐ If a political Candidate, attach copies of reports and statements that were filed with the Secretary of State.

- ☐ Application must first be submitted to the Local Licensing Authority (town or county) at least thirty (30) days prior to the event.
- ☐ Public notice of the proposed event and procedure for protesting issuance of the permit shall be conspicuously posted at the proposed location for at least (10) days before approval of the permit by Local Licensing Authority. (44-5-106 C.R.S.)
- ☐ State Licensing Authority must be notified of approved applications by Local Licensing Authorities within ten (10) days of approval.
- ☐ Check payable to the Town of Silverton

Qualifications for Special Events Permit

(44-5-102 C.R.S.)

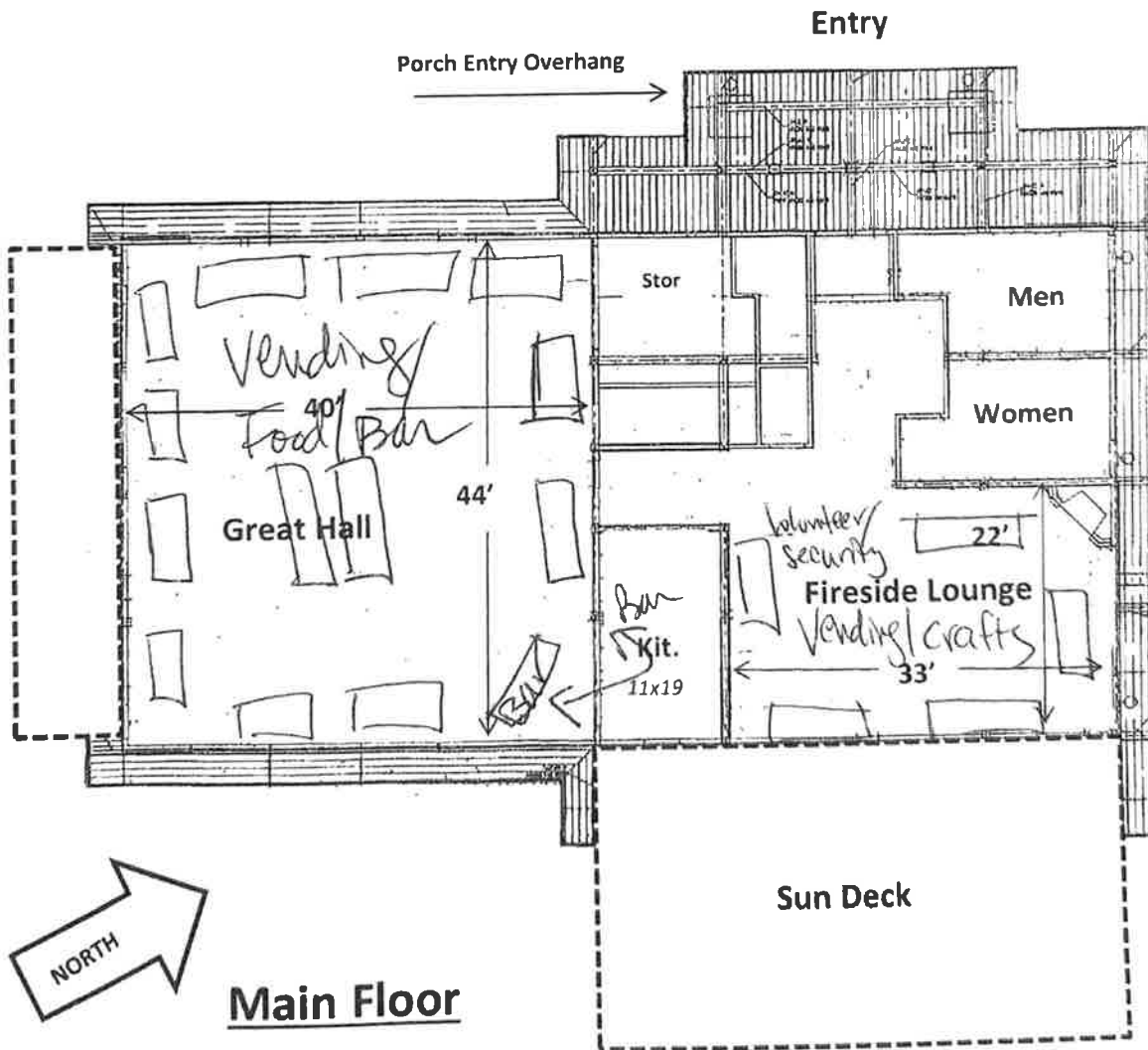
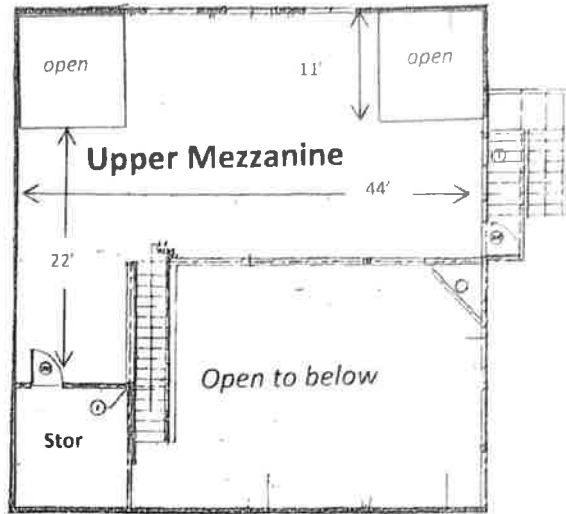
A Special Event Permit issued under this article may be issued to an organization, whether or not presently licensed under Articles 4 and 3 of this title, which has been incorporated under the laws of this state for the purpose of a social, fraternal, patriotic, political or athletic nature, and not for pecuniary gain or which is a regularly chartered branch, lodge or chapter of a national organization or society organized for such purposes and being non profit in nature, or which is a regularly established religious or philanthropic institution, and to any political candidate who has filed the necessary reports and statements with the Secretary of State pursuant to Article 45 of Title 1, C.R.S. A Special Event permit may be issued to any municipality owning arts facilities at which productions or performances of an artistic or cultural nature are presented for use at such facilities.

This permit application is issued, subject to the laws of the State of Colorado under the provisions of Title 44, Articles 3, 4, 5, C.R.S. 1973 as amended, and the Town of Silverton, Colorado Ordinance 2015-02 authorizes the Town of Silverton to approve Special Event Liquor Permits without notification to the State Licensing Authority for its approval or disapproval in accordance with C.R.S. 12-48-107(5).

K.M.C.C

Kendall Mountain
Community Center

Upper Floor





Town of Silverton

KENDALL MOUNTAIN COMMUNITY CENTER FACILITY RENTAL APPLICATION

Application Date: 8/21/24 Organization: Silverton Creative District
Contact Name(s): Lisa Branner
Mailing Address: PO Box 372 Silverton CO 81433
E-mail Address: lisa@silvertoncreativedistrict.org
Phone (Primary): 9707493244 Phone (Secondary): _____
Proposed Activity: Mistletoe Market Holiday Craft Fair
Inclusive Date(s): From: 12/13/24 To: 12/13/24
Hours Needed: From: _____ To: _____
Estimated Number of Participants: 150

RENTAL SPACE	TOTAL	USER FEE
KMCC – Full Facility and South Field		N/A

WEDDING ASSISTANCE DETAILS

Do you have wedding assistance? N/A
Name: _____
E-mail Address: _____
Phone: _____

REQUEST TO SERVE ALCOHOL AT THE KENDALL MTN COMMUNITY CENTER

* The above applicant desires to serve alcohol at the function described above. ☒ Yes ☐ No

* Alcohol must be contained to your private party and follow all of Colorado State Laws, Rules, and Regulations. For Special Events, open to the public, you must obtain a Special Even Liquor Permit from the Town of Silverton.

USER AGREEMENT

This agreement covers the leasing of the Kendall Mountain Community Center, with the Town of Silverton as the Lessor, Silverton Creative District as the Lessee.

1. The Lessee agrees to pay Lessor a damage fee in the amount of \$1,000.00, payable if damage occurs during the event.
2. The Lessee agrees to sweep, vacuum and clean the floors, remove all trash, remove all items brought in, place tables and chairs back in storage area, tables to be wiped down before returning to closet, place tables & chairs where they were found on arrival (Silverton Room). Cleaning shall include removal of any carpet stains. The Lessee will be billed for any costs that exceed their deposit.
3. The Lessee will occupy the premises for the purposes stated, will occupy only the space(s) leased, will respect the right of others to use other portions of the Community Center, and will not permit or suffer any disorderly conduct, noise, or nuisance whatever about said premises which might have a tendency to annoy or disturb any persons occupying other portions of the building.
4. All events will be terminated at midnight, unless prior approval is granted by Town of Silverton. A minimal of 72 hours is required to extend rental times. No guarantee that such requests will be met.
5. The lessee shall not do any construction work on the premises or make changes without the prior expressed written consent of the Town of Silverton.
6. There will be no animals, dangerous vehicles or materials, or explosives used in this location.
7. Chairs, tables and other equipment shall not be removed from the building.
8. The use of staples, nails, screws, duct tape or glue is NOT allowed. Removable tape is acceptable for applying decorations. Please, be mindful of applying taped decorations to windows, if it is hard to remove you will be charged an extra cleaning fee.
9. The use of tobacco products are not allowed within the buildings.

10. This agreement may be canceled upon the occurrence of any of the following:
 - a. Failure of the Lessee to pay any fees, rents or charges when due or failure of Lessee to comply with the terms of this lease;
 - b. Issuance by any court of an injunction in any way preventing the use of the premises;
 - c. When, through an act of God or other casualty, the premises become unusable;
 - d. Either party may cancel by giving the other notice in writing at least 60 days prior to any event. Failure of Lessee to provide such notice will result in forfeiture of 10% of use of facility fee and non-refundable "hold date" deposit .
 - e. The lessor shall have the right to terminate this agreement at the Lessors discretion, if in Lessor's determination the events planned for the facility might cause damage to the premise or might not be in the best interest of the public, or Town of Silverton.
11. Lessee acknowledges and agrees that Lessor has no obligation to provide Lessee with written accounting of the funds retained from the Lessee's damage fees.
12. Doors are to be locked, windows closed, and lights to be turned off before leaving building. All doors are to be unlocked while building is being occupied.
13. Lessor agrees to pay for any lost keys and the full cost of re-keying or replacing any locks to which such key provides personal access.
14. Janitors closet water must be kept slightly on at all times. If the pipes freeze you will be held accountable for repair to plumbing and damage caused by water.
15. In the event that the fire alarm is activated inadvertently or due to criminal mischief, there will be a \$100 fee payable by the Lessee to the Silver San Juan Volunteer Fire Department.
16. ALCOHOL: Must have a designated "ID checker". No alcohol consumption to any persons under the age of 21. All Colorado State Laws must be followed.
17. If rental balance is not paid at Key checkout, the Reservation Deposit will be forfeit and the reservation will be cancelled.

RELEASE & INDEMNIFICATION

In consideration for being permitted to enter upon the property of the Town of Silverton, Colorado, for the purpose of conducting business, meetings, or events upon said premises, I, the undersigned, hereby acknowledge, represent, and agree as follows:

- I acknowledge that my presence on the Town's property may involve risks of injury, loss or damage.
- I expressly assume all risks of injury, loss, or damage to myself or any third party arising out of or in any way related to my presence on the Town's property.
- I exempt, release, and discharge the Town, its officers, its employees, and its agents from any and all claims, demands, and actions for such injury, loss, or damage, arising out of or in any way related to my presence on the Town's property.
- I agree to defend, indemnify, and hold harmless the Town, its officers, employees agents, insurers, and self-insurance pool from and against all liability, claims, and demands on account of injury, loss or damage which arise out of or are in any way related to my presence on the Town's property.
- I further agree to be fully responsible for and to render payment to the Town for, any damages to the Town's property, which occurs during my use of such property and which is in any way related to my presence on or use of town property.

This Release and Indemnification Agreement shall be effective as of the date set forth below and shall be binding upon me, my successors, representative, heirs, executors, assigns, transferees, and any other person(s) who may enter the premises upon my invitation.

This contract executed on the 21 of August, 2023, by the person whose name and signature appear below.

Signature of Responsible Party:  Date: 10/11/24

Printed Name: Lisa Branner 8/21/24 Date: 10/11/24

FOR TOWN OF SILVERTON USE ONLY

Reviewed By: Ana Mendiluce Date: 10/22/24

<input type="checkbox"/>	Silverton Resident	<input type="checkbox"/>	Government Entity	<input type="checkbox"/>	Non-Profit Organization
<input type="checkbox"/>	Non-Resident	<input type="checkbox"/>	Commercial	<input checked="" type="checkbox"/>	(Local) Non-Profit Organization

Reservation Deposit – Due Immediately		Payment		Date Paid	
Rental Balance – Due at Key Checkout		Payment		Date Paid	
Damage Fees Incurred		Check #		Date Paid	

Reservation Deposit required to hold facility rental date; remainder of Rental Balance is due at key checkout. The building will be inspected within 5 business days following event; if damage has occurred during event, the Lessor will be responsible for all repairs. If there is cleaning necessary above the normal janitorial duties it will be withheld from deposit at the rate of \$50.00/ hour.

PLEASE MAKE CHECKS PAYABLE TO: Town of Silverton Box 250, Silverton, CO 81433

THANK YOU FOR CONSIDERING SILVERTON FOR YOUR EVENT!!!

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Silverton Creative District

is a

Nonprofit Corporation

formed or registered on 09/12/2019 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20191733560 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 10/09/2024 that have been posted, and by documents delivered to this office electronically through 10/11/2024 @ 13:22:37 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 10/11/2024 @ 13:22:37 in accordance with applicable law. This certificate is assigned Confirmation Number 16466064 .



Jena Griswold

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's website is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's website, <https://www.coloradosos.gov/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our website, <https://www.coloradosos.gov> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

10/11/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER ALINK Insurance Services - Colorado Springs Branch 2407 W. Colorado Avenue Colorado Springs, CO 80904 License #: 385592	CONTACT NAME: Star Bryant PHONE (A/C, No, Ext): (719)473-6262 E-MAIL: Star@ALINK2ins.com ADDRESS: INSURER(S) AFFORDING COVERAGE INSURER A: Alliance of Nonprofits for Insurance INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	FAX (A/C, No): (719)473-3764 NAIC # 10023
--	---	---

COVERAGES **CERTIFICATE NUMBER:** 00030060-282788 **REVISION NUMBER:** 9

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y	2024-72073	03/01/2024	03/01/2025	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 20,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below					PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The certificate holder is included as an additional insured if required by an executed written contract or agreement.

CERTIFICATE HOLDER**CANCELLATION**

Town of Silverton
PO Box 250
Silverton, CO 81433

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

(SRB)

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October 28, 2024

6. Staff Reports

Staff submits a department report to the Trustees that covers projects updates, meetings, grants, and items for immediate consideration. If a Trustee desires to know more about the report, the Staff is typically available to answer their question, or the Town Administrator will research the question and report back to the Board of Trustees. Staff submits a report once a month and are currently able to pick which meeting depending on their workload.

Town of Silverton Staff Report

Department: Administration
Head of Department: Gloria Kaasch-Buerger
Date of Trustee Meeting: October 28, 2024

For immediate Trustee consideration:

Regular Meetings & Communication:

9.20 Creative District Contract Discussion
 9.23 Clarion LUC rewrite
 9.26 Region 9 Board Meeting
 9.26 Bruin Waste Contract Discussion
 9.26 Wildlife Meeting
 10.2 Accountant Debt Schedule
 10.2 Office Hours with Trustee
 10.2 Team GOLD meeting
 10.3 Clear Gov
 10.3 Town and County IGA discussion
 10.4 Office Hours with citizen
 10.4 SJDA Meeting
 10.8 Anvil Community Night
 10.9 Clarion LUC rewrite
 10.10 CCCMA Board Meeting
 10.15 Der Spiegel Interview
 10.15 GOCO Bakers Park
 10.15 Planning Commission
 10.16 BPMD
 10.17 Library Board Meeting
 10.21 Finance Committee Meeting
 10.21 Clarion LUC rewrite

Top on the TO DO list:

2025 Budget
 Water and Waste Water Capital Improvements
 Assist with WWTP and Water Funding
 LUC Code Rewrite
 Code Rewrite Grant Reporting
 Finance Organization- Starting with SOPs for GL Codes
 Energizing Rural Communities Prize Administration
 Assist with Affordable Housing Projects
 Social Media Communications
 Contract Management
 Email Domain Fix
 Schedule Trustee Retreat
 Recruitment for Public Works Position
 2025 Contract renewals
 Performance Review
 RV Ordinance revisions
 PW and FPR Capital Improvements Plan

Grants (applications, updates, awards):

Applied/Awaiting Award:

Received:

COSIPA Water leak detection \$110,000 (still negotiating their payment of a 10-year subscription)

 \$5,000 in Main Streets AARP funding for accessible picnic tables.

 \$200,000 for the Team GOLD Electrical Resilience and Renewable Energy Planning, Climate Action Plan Implementation, and Community Resiliency

Upcoming Issues:

ADU/Chapter 13 code revisions
 Natural Resource Damages Funds Grant Application
 CDOT Shed relocation
 Power Redundancy/Micro Grid
 Signs/Parking around town
 Entrance Monument
 Snow Route Code Rewrite
 Municipal Court Code Rewrite
 Marijuana Code Rewrite
 Perimeter Trail Planning
 Cemetery Committee Formation

Notable completed tasks:

Closeout 2019 KMRA GOCO Grant

Learning/ Professional Development:

Team GOLD was awarded Collaboration of the Year at the Mountain Towns 2030 Climate Action Awards in Jackson, WY.

Town of Silverton

Department: Facilities and Events Coordinator

Head of Department: Facilities, Parks, and Recreations Director

Meeting Date: October 28th, 2024

For immediate Trustee consideration:

Regular Meetings & Communication:

- Ongoing staff meetings and communication
- Ongoing communication/meetings with event organizers
- 10/2 Art Through the Seasons Committee Meeting
- 10/8 Blueprint Silverton: Core Team Meeting
- Communication with 2025 weddings about rate increases

Top on the TO DO list:

- Updating Fare Harbor and Kendall website for winter season
- 2025 Wedding Rental Contracts
- Renewing event contracts
- Winter events

Grants (applications, updates, awards):

Upcoming Issues:

2025 Wedding Contracts

Notable completed tasks:

- Wrap up of summer/fall events

Ongoing Project Update:

- Learning the Fare Harbor Software and have been able to get in contact with support to help with the process.

Learning/ Professional Development:

- Fare Harbor Spark Conference

Other:

**Town of Silverton
Staff Report**

Department: Town Clerk/ Treasurer Head of Department: Melina Marks Date of Trustee Meeting: October 28th, 2024	
For Immediate Trustee Consideration: None	
Regular Meetings & Communication: <ul style="list-style-type: none"> - Weekly Staff Meetings - Bi-weekly Regular Trustee Meetings - Housing Authority Meetings - P&O Committee Meetings - Monthly Finance Committee Meetings - HRC Meetings when necessary. - Consistent communication with the rest of staff daily - Consistent communication with the town accountant 	Top on the TO DO List: <ul style="list-style-type: none"> - Fee Schedule responsibilities - Address the submitted Local Improvement District Petition & present to the board - Attend community event on Sunday, Oct. 27th to address utility rate increases - Support staff during budget season and fee/ rate increases - Research new payroll systems. - Bring the updated Employee Handbook to the P&O Committee to review. - Support/ continue to train new Deputy Clerk.
Grants (applications, updates, awards): <ul style="list-style-type: none"> - Searching for a grant opportunity for bear-proof trash cans. - Searching for grant opportunity for Cemetery funding in 2025. 	Upcoming Items: <ul style="list-style-type: none"> - Re-establish the Cemetery Committee.
Notable Completed Tasks: <ul style="list-style-type: none"> - Assistance with potential EQR implementation - Attended first solo conference - Found strategy for implementing 5% MJ Sales Tax Increase in 2025 	Ongoing Project Updates: <ul style="list-style-type: none"> - Continuing to help a colleague with ADP issue. - Continuing to understand Caselle/ budgeting/ GL coding
Learning/Professional Development: <ul style="list-style-type: none"> - Attended the Annual Caselle Summit - Accounting support and education from our accounting firm. 	COVID Related: None

October 28, 2024

7. Committee Reports

Trustees will report on their respective committees if they have met. A list of the committees can be found at <https://townofsilverton.colorado.gov/government/boards-commissions>

October 28, 2024

8. Trustee Reports

This is an opportunity for Trustees to have a moment to speak on behalf of their constituents, highlight happenings in the community, call out for action, or give thanks. This has also been used as a place where Trustees can request agenda items for the next meeting.

October 28, 2024

9. Continued Business

The board has discussed these items in previous meetings or Work Sessions. There is typically a Board Packet Agenda Memo with the item, but not always.

Per Silverton Municipal Code 2-2-110 (5):

Old business. The Board of Trustees shall consider any business that has been previously considered and which is still unfinished.



AGENDA MEMO

SUBJECT: Transportation Impact Fee – Code Edits

STAFF CONTACT: John Sites

MEETING DATE: October 28, 2024

Overview:

The Transportation Impact Fee (TIF), which was adopted by Resolution 2023-11 to recover revenue for Town road maintenance caused by the long-term effects of heavy hauling impacts, is written in a way that could also negatively affect local businesses. Staff believes that the intent of this Resolution is to pass maintenance costs on to Developers and other outside entities rather than to directly restrict the ventures of local businesses. Staff was given direction at the September 23rd meeting to review and edit the current code to improve the local contractor impact and enforcement measures.

The most significant revision is contained within Part 8-4-70 (e) wherein it is clarified that a local contractor may formally object to the fee, allowing the Town flexibility with enforcement on a case-by-case basis.

The Code revision has been reviewed and approved by the Town Attorney.

Budget Impact:

By exempting local businesses from the TIF for any reason, the Town would forfeit those revenues, which are not expected to be significant.

Attachments:

- Red line version of the Code Edits
- Final Draft of the Code edits

Staff Recommendation:

Review the TIF Code revision and Direct Staff to go through the implementation process.

Master Plan Priority:

5.1 b. Streamline, define, refine policies & processes for clarity and predictability

Suggested Motion or Direction:

Direct Staff to draft an Ordinance to adopt the presented edits to Article 4 – Transportation Impact Fee, of the Silverton Municipal Code.

- **ARTICLE 4 - TRANSPORTATION IMPACT FEE**

- **Sec. 8-4-10. - Applicability.**

It is hereby declared that Transportation Impact Fees ("TIF") shall be required wherever an entity, owner, and/or contractor transports material in excess of 50 tons (not including vehicle weight) over a one-year period by and/or through Town Roadways. Independent contractors are not required to aggregate separate and distinct projects. It is the purpose of this part to require the payment of TIF whenever any project, development, and/or construction of any kind requires the transportation of materials in excess of the limits stated above. TIF will be applied and administered as separate fees. TIF is limited to defray the projected impacts caused by project, development, and construction traffic to the Town's capital infrastructure, specifically the road system inclusive of Greene Street.

(Ord. No. 2023-06, § 6, 6-12-2023)

- **Sec. 8-4-20. - Schedule.**

An entity, owner, and/or contractor shall pay \$5.00 per ton of material for material transported on ~~Town streets~~Greene Street in excess of 50 tons over a one-year period. If weight tracking is unavailable, then weight should be estimated based off cubic yardage and standard material weight.

(Ord. No. 2023-06, § 6, 6-12-2023)

- **Sec. 8-4-30. - Satisfaction.**

The TIF provided for in this part shall be recalculated by the Silverton Town Clerk/Treasurer on an annual basis to reflect cost inflation experienced in the average of July to June of each year as calculated by the U.S. Bureau of Labor Statistics, Producer Price Index by Industry (or a similar index if Producer Price Index is no longer published). The TIF shall be payable directly to the Town. No alternative means shall exist to satisfy this obligation except as set forth herein.

(Ord. No. 2023-06, § 6, 6-12-2023)

- **Sec. 8-4-40. - Collection.**

TIF shall be paid to the Town following a determination by the Public Works Director that an entity, owner, and/or contractor has exceeded the transported material limit set forth in [Section 8-4-10](#) above. TIF shall be collected prior to issuance of a building permit or excavation permit, where applicable, or, if no ~~building~~ permit is required for

the project, upon approval of a development plan, final plat or other entitlement authorizing or requiring the use of Town Roadways.

(Ord. No. 2023-06, § 6, 6-12-2023)

- **Sec. 8-4-50. - Permit.**

A TIF permit will be issued by the Public Works Director prior to starting the project, or when the contractor recognizes that the project will be over the allowable limit requiring the permit. The Public Works Director and Town Staff shall exercise vigilance with respect to monitoring haulers in Town and notifying them of the Permit requirement as soon as is practicable.

(Ord. No. 2023-06, § 6, 6-12-2023)

- **Sec. 8-4-60. - Enforcement.**

If a project does not apply for a TIF permit, the Public Works Director may contact any hauler known to be utilizing Town streets to convey materials, require hauling records to be ~~produced~~produced, and the Town will ~~require request back-payment that they back-pay the Town~~ for the material hauled.

(Ord. No. 2023-06, § 6, 6-12-2023)

- **Sec. 8-4-70. - Alternative fee to TIF.**

An entity, owner, and/or contractor determined to be subject to this Article ("Applicant") may file an objection to the TIF only at the time of such determination, or within seven calendar days of such determination. Concurrent with the filing of the objection, the Applicant must submit an alternative impact fee analysis. If the alternative impact fee analysis, at the discretion of the Public Works Director, establishes by clear and convincing evidence that:

(a)

It is more reasonable than the study underlying this section;

(b)

It is no less rigorous than that used to establish the fees set forth herein;

(c)

The fees established herein will substantially impact the viability of the Applicant's development;

(d)

The fee established herein will have a disproportionate impact on the Applicant's development in relation to other applicants; ~~and~~

(e)

The fee established herein will have a negative impact on a local business solely, that is not easily passed on to an entity, owner or contractor; and

(f)(e)

The alternative fee analysis study meets all state and Town statutory requirements for impact fees, then the Director may adopt the alternative fee set forth by the Applicant which will be applicable only to the application at issue.

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AGENDA MEMO

SUBJECT: Review of 2025 Fee Schedule Impact on Existing Contracts
STAFF CONTACT: Sarah Friden, Gloria Kaasch-Buerger
MEETING DATE: October 28th, 2024

Overview: At the September 23rd meeting, the Board approved increasing the 2025 facility rental fees, causing concern among clients with pre-existing wedding contracts. The total potential revenue from these 9 contracts under the new fee schedule is \$49,600, compared to the current contracted amount of \$23,875—a difference of \$25,725. The Board is asking to evaluate the potential revenue loss if exemptions or price reductions are considered for these existing contracts.

Budget Impact: Currently, there are 9 contracted events for 2025. The total revenue from these contracts under the existing fee schedule is \$23,875.00. The new fee schedule would generate \$49,600.00, which represents a \$25,725.00 increase in potential revenue. If we choose to exempt the current contracts from the 2025 fee schedule, we will forgo this additional revenue.

Here's a breakdown of the existing versus new fees for all 9 current contracts:

Contract Name	Contract Dates	Current Total	New Fee Total	Price Difference
Wedding #1	6/13/25-6/15/25	\$2,925.00	\$7,000.00	\$4,075.00
Wedding #2	6/20/25-6/22/25	\$3,700.00	\$7,000.00	\$3,300.00
Wedding #3	6/27/25-6/28/25	\$2,750.00	\$5,500.00	\$2,750.00
Wedding #5	8/1/25-8/2/25	\$2,750.00	\$5,500.00	\$2,750.00
Wedding #6	9/12/25-9/14/25	\$3,250.00	\$7,000.00	\$3,750.00
Wedding #7	9/19/25-9/21/25	\$3,250.00	\$7,000.00	\$3,750.00
Wedding #8	9/30/25-10/2/25	\$3,250.00	\$7,000.00	\$3,750.00
Wedding #9	10/3/25-10/5/25	\$2,000.00	\$3,600.00	\$1,600.00
Totals		\$23,875.00	\$49,600.00	\$25,725.00
Wedding #4	7/25/25-7/27/25	\$3,250.00	Cancelled	

Staff Recommendation: Staff recommends enforcing the new fee schedule for all contracted events in 2025. The additional revenue from the updated fees can be used to support future capital improvements, including the completion and utilization of the new patio, which offers over 1,200 square feet of usable event space, and will directly benefit contracted events.

Master Plan Priority: Building Community Trust & Improving Governance; Strategy E, Action Item 4

Suggested Motion or Direction: Consideration of the following options:

1. No Change – All 2025 contracted events adhere to the new fee schedule.
2. Exempt Current Contracts – Keep existing 2025 contracts at the current price, resulting in a loss of \$25,725.00 in potential revenue.
3. Reduce the New Fees for Current Contracts – Implement a compromise fee structure for existing 2025 contracts to lessen the financial impact on the clients while still capturing additional revenue.

October 28, 2024

10. Public Comment

The closing Public Comment is intended for a to comment only on agenda items that have been presented.

The Mayor or Pro Tem will call out the public to comment as well as time the comment and let the public know when they have run out of time. This has been limited to 3 minutes even though it has not stated this on the agenda.

It is not encouraged for Trustees to engage in a dialogue on a public comment, but Trustees can direct staff to follow up with the citizen.

Comments that are submitted via email about an agenda item will be accepted up until the agenda packet is constructed on noon on Wednesday before the Regular Meeting. Comments that are received after this deadline will be emailed to the trustees and not included in the packet. Comments that are emailed are not considered “official public comment” unless they are presented at the meeting or submitted for a Public Hearing before the Wednesday deadline.

Public Comments specific to a Public Hearing on the agenda should be encouraged to take place during the public hearing and not during the opening Public Comment, so that their comments can be recorded with the hearing.

Closing Public Comment is not addressed in the Silverton Municipal Code.