TOWN OF OAK CREEK
TOWN BOARD MEETING
DECEMBER 14, 2023
MINUTES

CALL TO ORDER:

Mayor Pro-tem Gustafson called the regular meeting of the Oak Creek Board of Trustees to order at 5:05 p.m., Thursday, December 14, 2023.

Trustees present at roll call were: Mayor Pro-tem Gustafson and Trustees, Bernie Gagne, Rhonda Crawford, Ben Turati, Kelly McElfish and Melissa Dobbins.

Others present: David Torgler, Town Administrator/Clerk; Jennifer Hewes, Treasurer; Cord Beaty and Curtis Gardner, Waste Management.

Those present recited the Pledge of Allegiance.

Mayor Knoebel arrived on-line at 5:10 p.m. and in-person at 5:25 p.m.

AUDIENCE PARTICIPATION:

Cord Beaty lives on Williams Street and wants to have a discussion regarding snow removal, paying as a neighborhood, to help with local parking. David was asked to set-up a meeting between Mr. Beaty and Tom Holliday to discuss and bring back suggestions to the Board.

EN RE: WASTE MANAGEMENT RESPONSE TO TOWN BOARD CONCERNS

Curtis Gardner, Waste Management responded to concerns regarding the WM carts, concerns the carts will not hold up in the winter environment, bear proofing of carts and replacement cost of trash and recycling carts. Mr. Gardner responded to these concerns by stating the carts are warranted through Waste Management's supplier for these types of concerns; adding that if residents misuse the carts then they are not warranted, such as if residents place hot coals in the bin and cause damage to the cart it would not be a warranted repair, but at the customers expense. In response to a Board request that residents be allowed to purchase bear proof containers instead of renting them Mr. Gardner proposed that a contract amendment could address this, adding that the cart must be a Waste Management cart to work with their equipment and that the cart owner will be responsible for cart repairs or replacement. Mr. Gardner will check into whether non-bear proof containers are warranted if the cart is damaged by a bear; he will send this information to the Town. Mr. Gardner indicated that Waste Management can help with user education. Mr. Gardner stated carts are replaced within one week.

EN RE: RESOLUTION 2023-014 ADOPTING SUPPLEMENTAL 2023 BUDGET APPROPRIATIONS TO DEFRAY EXPENDITURES IN EXCESS OF AMOUNTS BUDGETED IN THE GENERAL, WATER, SEWER AND TRASH FUNDS

Due to unanticipated opportunities in the Electric, Water Funds and Trash Fund it is recommended that the Board approves a supplemental appropriation for Town funds for the 2023 fiscal year to remain compliant with C.R.S. 29-1-109. Trustee Turati made a motion to approve Resolution 2023-014 adopting supplemental 2023 budget appropriations to defray expenditures in excess of amounts budgeted in the General, Water, Sewer and Trash funds.

Trustee Dobbins seconded the motion. Motion passed unanimously.

EN RE: REVIEW OF THE TOWN'S MARIJUANA LICENSE FEES

Local marijuana cultivation operators have requested that the Town Board consider reducing the annual license fees, last revised in 2016, in response to competition from outdoor cultivation operations. Staff was directed to prepare a resolution reducing license fees to be in line with the Town's actual costs associated with the issuance of marijuana licenses.

EN RE: CONSIDERATION OF RESOLUTION 2023-015 SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE TOWN OF OAK CREEK, COLORADO FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 2024 AND ENDING ON THE LAST DAY OF DECEMBER, 2024

Trustee Gagne made a motion to approve Resolution 2023-015 summarizing expenditures and revenues for each Fund and adopting a budget for the Town of Oak Creek, Colorado for the calendar year beginning on the first day of January 2024 and ending on the last day of December 2024.

Trustee McElfish seconded the motion. Motion passed unanimously.

EN RE: CONSIDERATION OF RESOLUTION 2023-016 APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES IN THE AMOUNTS AND FOR THE PURPOSES AS SET FORTH BELOW FOR THE TOWN OF OAK CREEK, COLORADO FOR THE 2024 BUDGET YEAR

Trustee Gagne made a motion to approve Resolution 2023-016 appropriating sums of money to the various funds and spending agencies in the amounts and for the purposes as set forth below for the Town of Oak Creek, Colorado for the 2024 Budget Year.

Mayor Pro-tem Gustafson seconded the motion. Motion passed unanimously.

EN RE: CONSIDERATION OF RESOLUTION 2023-017 LEVY OF GENERAL PROPERTY TAXES

Trustee McElfish made a motion to approve Resolution 2023-017 Levy of General Property Taxes, including authorization for the Town Treasurer to amend and adjust the temporary property tax credit and the Net mill levy based upon the final assessment and raising the amount of property tax revenue as stated in the Resolution.

Trustee Dobbins seconded the motion. Motion passed unanimously.

EN RE: CONSIDERATION TO APPROVE RESOLUTION 2023-018 SETTING THE MONTHLY RESIDENTIAL TRASH REMOVAL CHARGE

Trustee Dobbins made a motion to approve Resolution 2023-018 setting the monthly residential trash removal charge.

Mayor Pro-tem seconded the motion. Motion passed unanimously.

EN RE: CONSIDERATION TO APPROVE RESOLUTION 2023-019 ADOPTING AN UPDATED EMPLOYEE SALARY SCHEDULE IN ACCORDANCE WITH SECTION 2.26.040, TOWN OF OAK CREEK MUNICIPAL CODE

Trustee McElfish made a motion to approve Resolution 2023-019 adopting an updated employee salary schedule in accordance with Section 2.26.040, Town of Oak Creek Municipal Code.

Trustee Turati seconded the motion. Motion passed unanimously.

EN RE: CONSIDERATION OF RESOLUTION 2023-020 DELEGATING AUTHORITY AND RESPONSIBILITY TO THE TOWN ADMINISTRATOR/CLERK OR DEPUTY CLERK TO APPOINT ELECTION JUDGES

Mayor Pro-tem made a motion to approve Resolution 2023-020 delegating authority and responsibility to the Town Administrator/Clerk or Deputy Clerk to appoint Election Judges.

Trustee Dobbins seconded the motion. Motion passed unanimously.

EN RE: CONSIDERATION OF RESOLUTION 2023-021 DIRECTING AND AUTHORIZING THE TOWN CLERK OF THE TOWN OF OAK CREEK TO CONDUCT THE REGULAR MUNICIPAL ELECTION SCHEDULED FOR APRIL 2, 2024 AS A MAIL BALLOT

Trustee Turati made a motion to approve Resolution 2023-021 directing and authorizing the Town Clerk of the Town of Oak Creek to conduct the regular municipal election scheduled for April 2, 2024 as a Mail Ballot.

Trustee Dobbins seconded the motion. Motion passed unanimously.

EN RE: CONSIDERATION OF RESOLUTION 2023-022 APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE SOUTH ROUTT MEDICAL CENTER HEALTH SERVICE DISTRICT TO BE A CONDUIT FOR AN OFFICE OF ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE GRANT

Trustee Turati made a motion to approve Resolution 2023-022 approving an Intergovernmental Agreement with the South Routt Medical Center Health Service District to be a conduit for an Office of Economic Development and International Trade grant.

Trustee Dobbins seconded the motion. Motion passed unanimously.

EN RE: CONSENT AGENDA

MOTION

Trustee Crawford made a motion to approve the Consent Agenda specifically:

A. Approval of vacation time carryover to 2024 for employees that have in excess of 80 hours.
B. Approval of October, 2023 Financials.
C. Approval to vote for the adoption of NMPP's Fourth Amended and Restated Articles of Incorporation.
D. Approval of Mayberry & Company, LLC's Audit Engagement Letter for the 2023 Audit.
E. Approval of Vehicle Rental Agreement with FleetPool USA in the amount of $13,990 for Summer Camp use.

Trustee McElfish seconded the motion. Motion passed unanimously.

EN RE: STAFF & BOARD MEMBER REPORTS

David Torgler advised Board members that the election petition packets will be ready for pick-up starting December 15, 2023. He also thanked the Board for their employee bonuses. David advised the Board that the bid opening for the Housing Needs Assessment is coming up and this project is moving forward. The Holiday Lighting contest is underway and residents

need to sign-up to participate. The State Engineer has accepted the Sheriff Reservoir's headgate replacement project so the construction project is being closed out. The Sheriff Reservoir spillway improvement project design will be submitted shortly to the State Engineers Office for review. Once the design is approved the consulting engineers will complete cost estimates so that the Town can begin lining up funding partners. In response to Board inquiry David advised that Officer Darin Christensen is on light duty status and scheduled to visit the worker's comp. doctor for an update. David advised the Board that Jennifer Hewes and Kelsi Edwards are contacting and working with delinquent utility customers getting them on payment plans and they are having success collecting on delinquent accounts.

Mayor Knoebel and Jennifer Hewes opened a discussion regarding having a Board and employee gathering around this time of year.

Mayor Knoebel is being asked when WinterFest will be held and she will follow-up with Alissa. People are interested in the ice rink and when it might be open; she will contact Tom Holliday. She has a few questions for Ralph Maher and will follow-up with him.

Trustee Turati advised that he will miss the January 11, 2024 Board meeting.

EN RE: ADJOURNMENT

Mayor Pro-tem Gustafson made a motion to adjourn the meeting. Trustee Gagne seconded the motion; passed unanimously.

No further business coming before the Board, same adjourned sine die at 6:05 p.m.

_____
David Torgler
Town Administrator/Clerk

_____
Nikki Knoebel, Mayor

Date: March 14, 2024