

STATE OF  
COLORADO

Gagnon - DNR, Nikie &lt;nikie.gagnon@state.co.us&gt;

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**RE: Mitchell Pits**

1 message

**Dan Giroux** <dangiroux@terramax.us>

Mon, Sep 23, 2024 at 5:14 PM

To: "Gagnon - DNR, Nikie" &lt;nikie.gagnon@state.co.us&gt;

Hi Nikie – we are meeting with the Town Attorney tomorrow at 3 pm to work on the draft Agreement between the Town and Mr. Mitchell for the Town to take over his existing 110 Permits. We are hopeful to take that before the Town Board of Trustees in October – it's only been a year in the making now! I will download and review the Succession of Operator form for DRMS, so the Town & Town Attorney have that at-hand.

I'm not a betting man, but this looks to me like it's really going to happen. I'd still like to get you an interim commitment letter from the Town, but let me broach that with the Town Attorney tomorrow, and I'm sure he has advice. He's a gray-haired sage, really sharp, completely unflappable and very amiable; we may just call you tomorrow to see what helps best.

Thank you,

*Dan*

**Daniel P. Giroux, PE**

President

***Terramax, Inc.*****Consulting | Engineering**

303-929-3194

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**From:** Dan Giroux**Sent:** Thursday, August 22, 2024 9:37 AM**To:** Gagnon - DNR, Nikie <nikie.gagnon@state.co.us>**Subject:** RE: Mitchell Pits

Hi Nikie – let me see what I can get the Town to document. The good news is that the deal looks real, meaning the Town is more interested than ever in moving ahead with this pit. The “news news” is they are preparing a formal agreement proposal for Mr. Mitchell, due out mid-month September, ie 2-3 weeks' time. The not-so-good news is things remain behind schedule and continue to take longer than expected. It is just busy, active times in Bennett, CO – but of course that's why the project makes sense for the Town to get involved in and take on.

I'll see if the Town Manager and/or Town Attorney can help with a letter of intent, since DRMS currently doesn't have anything in writing.

Thank you,

*Dan*

**Daniel P. Giroux, PE**

President

***Terramax, Inc.***

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**From:** Gagnon - DNR, Nikie <[nikie.gagnon@state.co.us](mailto:nikie.gagnon@state.co.us)>

**Sent:** Wednesday, August 21, 2024 4:27 PM

**To:** Dan Giroux <[dangiroux@terramax.us](mailto:dangiroux@terramax.us)>

**Subject:** Re: Mitchell Pits

Hi Dan.

I'm checking in on the Town of Bennett's plans for the Mitchell pits. Will you please send me an update?

Best regards,

Nikie Gagnon

On Tue, Jul 2, 2024 at 4:05 PM Dan Giroux <[dangiroux@terramax.us](mailto:dangiroux@terramax.us)> wrote:

Sounds good, Nikie, I know Rachel had considered going before the Board yet this month, but I think with their current dockets it'll be August. I don't think the 60 days will be an issue to stay ahead of. I'll finish an info/update email, let me find out the meeting date! Thanks, nice to see you, nice to get to the site with you!

Thank you,

*Dan*

**Daniel P. Giroux, PE**

President

*Terramax, Inc.*

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**From:** Gagnon - DNR, Nikie <[nikie.gagnon@state.co.us](mailto:nikie.gagnon@state.co.us)>

**Sent:** Tuesday, July 2, 2024 2:10 PM

**To:** Dan Giroux <[dangiroux@terramax.us](mailto:dangiroux@terramax.us)>

**Subject:** Mitchell Pits

Hi Dan.

Thanks for meeting with me last month to discuss the Town of Bennett's interest in the Mitchell Pits. In order for me to extend the deadlines on the compliance issues, I need something in writing. Will you please send me a short email that states the Town of Bennett is considering submitting a transfer application for the two 110c permits operated by Mr. Mitchell to utilize for future municipal projects?

Please indicate when the town will meet to discuss the site and start the transfer application. During our meeting last month, we discussed a 60-day timeframe to start the process, which would be August 27, after the Town Council retreat.

Kind regards,

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**Nikie Gagnon**

**Environmental Protection Specialist**



**COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources

Cell: 720.527.1640

Physical: [1313 Sherman Street, Room 215, Denver, CO 80203](#)

**Address for FedEx, UPS, or hand delivery:**

DRMS Room 215, [1001 E 62nd Ave, Denver, CO 80216](#)

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