

**TOWN OF KERSEY
BOARD OF TRUSTEES REGULAR MEETING
AUGUST 14, 2018 – MINUTES**

The Kersey Board of Trustees met in a regular meeting on Tuesday, August 14, 2018, at the Kersey Town Hall. Mayor Gary Lagrimanta at approximately 7:00 p.m. called the meeting to order. Trustees present were: Case DeVries, Bob Kellerhuis, Nathan Roth, and Allen Salser. Trustees Theorine and Sameshima were absent.

Audience present were: Greg Cecil, Jay Pier, and Brett Bloom.

Town Staff present were: Christian Morgan, Town Manager, Rick Zier, Town Attorney, Julie Piper, Town Clerk, James Neill, Recreation Director, Mark Herrick, Operations Manager, and Barb Brunk, Town Planner.

Pledge of Allegiance

Additions to the Agenda

Approval of Ordinance and Resolution after the Cecil's Annexation

Consent Agenda

1. Approval of the consent agenda to include approval of the minutes of the July 10, 2018 regular meeting and approval of bills paid. Motion made by Trustee Kellerhuis and seconded by Trustee DeVries to approve the consent agenda. Motion carried with a 5-0 vote.

Public Invited to be Heard

Public Hearing – Cecil's Kersey Farm Annexation

Mayor Lagrimanta opens the public hearing at approximately 7:05 p.m. Town Planner, Barb Brunk reviews the staff report and maps. This is a 133 acre property with Highway 34 to the south and CR 51 on the west to be annexed which will continue as agricultural and oil and gas. County road 51 will not be included in the annexation. Future commercial/industrial development is anticipated and at that time connection to public utilities will be required. The water that is not encumbered by the well for irrigation will come to the town as part of the annexation. There were some issues with the Lateral ditch which have been resolved. Planning Commission held a public hearing last week and recommend approval. Surrounding neighbors testified that they were concerned about weed management, increased traffic with future development, and transparency. The commission advised them to contact Weld County regarding the dust control of the county road and law enforcement regarding traffic issues. An annexation agreement, ordinance, and resolution will be approved as part of this annexation as well.

Mayor Lagrimanta inquires about the referral from CWWD. Barb states a water demand analysis will be required at time of development. Mayor Lagrimanta also inquires about the livestock concerns that neighbors had and Barb is following up by email.

Trustee Kellerhuis asks why we did not contact other lots around the site whether they are interested in annexing. Barb states we did not as annexation is discretionary. Christian agrees and states all surrounding properties are eligible if interested and would require a survey. Trustee Kellerhuis also inquires whether the property owner had been in contact with the PDC. Greg Cecil states that he had been out of town but will this week and working on weeds the next day.

No further comment or questions. Mayor Lagrimanta closes the public hearing at approximately 7:26 p.m. Motion made by Trustee Kellerhuis and seconded by Trustee Roth to approve Resolution 2018-0028 Setting Forth Findings and Conclusions of the Board of Trustees Concerning the Petition for Annexation of Certain Unincorporated Land in Weld County, Colorado Known as the "Cecil's Kersey Farm, LLC Annexation" into the Town of Kersey. Motion carried with a 5-0 vote.

Motion made by Trustee DeVries and seconded by Trustee Salser to approve Ordinance 2018-0007 Annexing Certain Unincorporated Land in Weld County, Colorado, Known as the "Cecil's Kersey Farm, LLC Annexation" into the Town of Kersey as more fully Described Herein, and Zoning Such Land. Motion carried with a 5-0 vote.

Public Hearing – Western Truck Body Shop Minor Subdivision and Site Plan

Mayor Lagrimanta opens the public hearing at approximately 7:32 p.m. Town Planner, Barb Brunk, reviews the staff report and maps. This is an 8.23 acre site for which a building will be built for proposed body shop. Minor subdivision is required to bring in the outlot that was for oil and gas but this has been capped so this outlot can be part of Lot 2. The capped well will need protection and 25 feet setback. The front door of the building faces Highway 34 and entrance for the public and employees is from the east Transportation Drive. Barb states the applicant is still working on some engineering requests and the water demand report. The applicant is requesting several exceptions: gravel parking for most of the site, eliminate the sidewalk requirement, and adding color slats to the chain link fence, which will require maintenance. The Planning Commission held a public hearing a week ago and felt there were too many unanswered questions so they tabled their decision to the September meeting. Barb Brunk states the public hearing needs to be held as part of this meeting as it was noticed for this date.

Trustee DeVries asks why they do not want a sidewalk. Jay Pier, BuildWest Construction, states in his observations, there is not a sidewalk anywhere along Highway 34 other than in Greeley, on the north side between 35th and 47th Avenues. He is concerned about the safety of anyone walking along a highway that is traveled at 65 MPH. Also there is no real access point to the sidewalk on either side and basically a sidewalk to nowhere. Trustee Kellerhuis asks if the applicant could explain the items that Charlie Jones brought up at the Planning Commission meeting. Jay Pier states that building was not built directly for Peterbilt and that the septic system was built to code for 55 people. And to Peterbilt's credit, their business has increased, however, the septic system has not been properly maintained to keep up with the higher demand. He also states that Peterbilt built the wash bay and the wash bay operation is also based on use and frequency. They agree that the fire suppression system would be better controlled by a third party. Brett Bloom, WET, states it has been drained for clean-up and repair. The fire department will sign off on the fire suppression when it is operational again. Jay Pier assures the new building will be built to code and be a nice looking building. Barb Brunk suggests a site plan agreement to allow for a paper trail for the fire suppression system.

With no further questions or public comment, Mayor Lagrimanta closes the public hearing at approximately 8:02 p.m. Motion made by Trustee Kellerhuis and seconded by Trustee DeVries to table the Western Truck site plan until September 11, 2018. Motion carried with a 5-0 vote.

New Business:

1. Approval of Koenig Family Kersey Inn Liquor License Renewal – Motion made by Trustee Roth and seconded by Trustee Salser to table liquor license renewal to September 11, 2018 as applicant is not present. Motion carried with a 4-1 vote with Trustee DeVries voting no.
2. Approval of Resolution 2018-0026 Establishing Procurement Policy
Christian Morgan states as part of the grant processes he has been through recently, DOLA has suggested the Town update the procurement policy. This policy is attached which he reviews and states an update to forms would be required as well. Motion made by Trustee Kellerhuis and seconded by Trustee DeVries to approve Resolution 2018-0026 Establishing a Procurement Policy. Motion carried with a 5-0 vote.
3. Approval of Resolution 2018-0027 Accepting the 2017 Town of Kersey Financial Report Prepared by Tim Chavies & Associates, Inc., Certified Public Accountants
Motion made by Trustee Roth and seconded by Trustee DeVries Accepting the 2017 Audit by Tim Chavies & Associates. Motion carried with a 5-0 vote.

Old Business

Staff Reports

1. RH Water & Wastewater – Richard Hopp not present. Mark Herrick states WET samples will be completed at the end of the month. The WWTP lost the VFD and blower a couple weeks ago. The VFD is under warranty and the blower is being repaired
2. Operations Manager – Mark Herrick states the seasonal kids are done. The water tank inspection will be done in late September. Slurry coat of Centennial will be completed soon. Atmos will be replacing the patch on 5th Street. CIRSA audit of the buildings went well. The fire department has been flushing the hydrants and he is awaiting the update on the hydrants. The WWTP pump is being repaired at Greeley Electric and nothing critical has been noted.

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3. Recreation Director – James Neill states Kersey Days went really well. He had some feedback from some vendors to do things a little differently. All the summer rec programs are done. Fall sports practices start next week. Winter basketball registrations will be starting soon. He is still working with United Way and county wide programs. He will speak at the Greeley Exchange Club in September about the Kersey programs. He is working with UNC athletics for our recreation kids to attend their games. A Recreation District meeting will be held September 5th. The basketball court was completed right before Kersey Days and the Prescott's were very pleased. A meeting for the Parade of Lights was held this morning.
4. Tree Board – Case DeVries states today's meeting was canceled and rescheduled to September.
5. Chief of Police – Chief Gottschalk not present as he has been working extensive hours. Christian Morgan states nothing extraordinary over the last month. Officer Gonzalez has completed training and is on his own and doing a great job. Trustee Kellerhuis inquires if Kersey has any sex offenders in town and if so why no meetings are held. Christian Morgan states there are a few and meetings are only required when a sexually violent predator moves to town.
6. Town Manager – Christian thanks the mayor the lunch he provided today. On Tuesday, August 28th from 5-6 p.m. the High Plains Library District will be holding a matter planning meeting here at Town Hall and he suggests board members attend if possible. Christian states the town has had complaints of squirrels and asks if he should put together an ordinance banning feeding wild animals. The board suggests squirrels only. The grant for the new Town Hall was submitted on July 31st. He met today with DOLA regarding the grant and a presentation will be done in November and a decision will be made around Thanksgiving. He states there is a lot of competition as 40 applications were submitted but DOLA thought it is a great project and they like to fund Town Hall projects. As part of the Town Center project, our goal is energy conservation and collecting rain water for irrigation has been addressed, which is illegal. He reached out to our CML representative and he is going to find a sponsor to present to congress for municipality rain water collection. The tiered water rate went into effect in 2018 and our water revenue has improved from last year. He is suggesting a sewer study this year to bring the sewer fund into compliance. He has had a request for a cash-in-lieu purchase of a water share at the cost of \$35,000, which the board agrees. Discussion with the board regarding recognition for Landon for his work on the basketball court. The commercial appraisal was done for the property for Centennial Trail. He suggests the town contract with the engineer from Ayres who is now sub-contracting to work in the office one day a week to assist on all the upcoming projects at \$75/hr. Ayres will still work on the larger projects. If the board agrees, \$10,000 from planning will be re-directed for municipal engineering needs. He spoke with the city manager of Evans regarding the maintenance facility sharing and they would like us to help fund a shared employee due to their increase in work. This will be re-visited next spring or summer. The budget work session will be held Saturday, September 15th at 8:00 a.m. The TriBoard meeting will be September 13th at 7:00 p.m. The staff/board Christmas party will be held Saturday, December 15th at Kenny's Steakhouse.
7. Town Attorney – No report.

Board of Trustee Communications

Trustee Kellerhuis asks about going to a vote to increase the sales tax from 3.6% to 4% to help recover lost property tax revenue. He also states he takes pride in keeping his yard taken care of and just hates the junk yard that is accumulating at the end of First Street and all the trucks and repairs being done there. Christian states staff is working on figuring out who owns what piece of land in order to address that. Trustee Kellerhuis also complains about Dilka's property on First Street and at the south end of Third Street.

Motion made by Trustee DeVries and seconded by Trustee Roth to authorize the Town Attorney to prepare any required resolutions, agreements, ordinances, policies, letters, and memorandum to reflect action taken by the Town Board at this meeting and at any previous meetings, and authorizing the Mayor and Town Clerk to sign all such resolutions, agreements, ordinances, policies, letters, and memorandums. Motion carried with a 5-0 vote.

Adjournment

By unanimous vote, Mayor Lagrimanta adjourned the meeting at approximately 10:25 p.m.

Respectfully submitted,

Julie Piper, Town Clerk

August 24, 2018