

**TOWN OF KERSEY
BOARD OF TRUSTEES REGULAR MEETING
OCTOBER 8, 2018 – MINUTES**

The Kersey Board of Trustees met in a regular meeting on Tuesday, October 9, 2018, at the Kersey Town Hall. Mayor Gary Lagrimanta at approximately 7:00 p.m. called the meeting to order. Trustees present were: Nathan Roth, Michael Theorine, Case DeVries, Allen Salser, Bob Kellerhuis, and Stan Sameshima.

Audience present were: Tim Phippard, Lupe Cardenas, Toby Cardenas, and Richard Hopp.

Town Staff present were: Julie Piper, Town Clerk, Haley Curtis, Deputy Town Clerk, Christian Morgan, Town Manager, Rick Zier, Town Attorney, Mark Herrick, Public Works Operations Manager – Water & Waste Water, Josh Roseberry, Public Works Operations Manager – Parks, Streets & Fleet, and David Gottschalk, Chief of Police.

Pledge of Allegiance

Addition to the Agenda

1. Christian Morgan requested the addition of an executive session.

Consent Agenda

1. Approval of the consent agenda to include approval of the minutes of the September 11, 2018 regular meeting minutes, approval of bills paid, and approval of bills to be paid. Motion made by Trustee Theorine and seconded by Trustee Roth to approve the consent agenda. Motion carried with a 7-0 vote.

Public Invited to be Heard

Tim Phippard, stated that he believes that his 1st Amendments Rights have been violated by the Town blocking him from commenting on the Town's Facebook page. Mr. Phippard stated that he believes Resolution 2018-0023 Approving a Policy Regarding Social Media adopted June, 12, 2018, is illegal. Mr. Phippard stated that if the resolution is not repealed he will go through with a federal law suit. Mayor Gary Lagrimanta ordered a 10 minute recess at approximately 7:12pm, the meeting resumed at approximately 7:17pm. Rick Zier, Town Attorney stated that he will accept any information that Mr. Phippard would like to present, and advised the Trustee's that they can accept information at this time and no action must be taken tonight. Rick stated that he would need more time to gather more information about this case to be able to make a recommendation. Trustee Theorine and Mayor Lagrimanta agreed that they would also need more time to gather more information about the case. Mayor Lagrimanta invited Mr. Phippard to come back to the November 13, 2018 meeting to discuss the matter further.

Lupe Cardenas, Windsor, expressed his interest and concerns about the anticipated revamping of downtown. Lupe inquired about the business owner's downtown having access for State façade grants. Mayor Lagrimanta stated that the Town will meet with business owners at a later date, when idea's and drawings are available. Mayor Lagrimanta stated that there are some conceptual drawings with different ideas available at Town Hall. Christian Morgan expressed his interest in façade grants to help the local business owners also. Christian stated that he would be happy to meet with Lupe to discuss the conceptual ideas that are available at Town Hall. Lupe stated that he would be happy to help the Town and local business owners better the Town.

New Business:

1. Kersey Pool Hall Liquor License Renewal/Transfer of Ownership
Lupe Cardenas and Toby Cardenas are present from Kersey Pool Hall. Lupe states that his mom and dad have owned the pool hall since 1979, and his father is thinking about retiring. Lupe states that he will be taking over at Kersey Pool Hall, and would like to keep it running as a small family owned and operated facility. Lupe stated that they have never had any issues and the police have never been dispatched. Toby asked about the changes to liquor licensing changes coming up in January 2019.

Julie Piper advised that it might change the type of license but they will not have to reapply in January. Motion made by Trustee Theorine and seconded by Trustee DeVries to approve the liquor license renewal/transfer of ownership for the Kersey Pool Hall. Motion carried with a 7-0 vote.

2. Approval of Resolution 2018-0030 Opposing Proposition 112 (Setback Requirement for Oil and Gas Development)

Christian Morgan explains that the Town of Kersey does not stand to gain or lose anything from this resolution, it is more symbolic because the Town is in the heart of Oil and Gas country. Christian stated that the residents of Kersey seem to feel very strongly about this proposition and this would be an opportunity for the Town to make a statement on behalf of the residents. Mayor Lagrimanta stated that he has attended Town Board meetings of surrounding towns, and has joined the Mayors Against Proposition 112 group because of the impact this proposition would have on the tax income in Kersey. Trustee Roth stated that he reached out to some knowledgeable contacts about proposition 112, and stated that he is not comfortable making a statement on behalf of the residents so he will abstain from voting. Trustee Theorine stated that he is not comfortable voting on behalf of the Town, residents may not understand. The Board of Trustee's elected not to vote on this resolution.

3. Approval of Resolution 2018-0031 Opposing Amendment 74

Christian Morgan explains that this resolution, like the prior resolution is making a statement on behalf of the residents. The Board of Trustees elected not to vote on the resolution.

4. Approval of Resolution 2018-0032 Supporting the Town of Kersey's Grant Application for a Safe Routes to School Grant Opportunity

Christian explains that this is also referred to as a GOCO grant. Christian Morgan explains that this grant opportunity is funding from the State for creating safe routes to school. Christian states that the goal of this project would be to create curbs, curbs, and sidewalk along the south side of Hill Street from 1st Street to 9th Street. Christian stated that the kids are currently walking in the roadway. This will also help the Town in moving toward having complete streets. Platte Valley School District will be co-applicants on this grant application. We are applying for \$500,000, and will require a 20% - \$100,000 match. Ideally PVSD will fund half of \$100,000 match, whether that be in kind or otherwise. A copy of this resolution will be included with the grant application showing the Town's support. The grant application is due in November. Christian presented a conceptual drawing of a portion of the proposed sidewalk located in front of the Kersey Inn, and stated that in some areas the sidewalk will need to be detached. Christian stated that the engineers will address drainage, cross walks and safety in the design of the sidewalk. He stated that safety at the intersection of 1st Street and Hill Street will be addressed, as people are already using that intersection to get to Kersey Pizza and Kramer's. Christian has already spoken to some of the business owners in the area and will continue to meet with them as the process progresses. Motion made by Trustee Roth and seconded by Trustee DeVries to approve Resolution 2018-0032 Supporting the Town of Kersey's Grant Application for a Safe Routes to School Grant Opportunity. Motion carried with a 7-0 vote.

5. Approval of Resolution 2018-0033 Supporting the Town of Kersey's Grant Application for a Local Parks and Outdoor Recreation Grant from the State Board of the Great Outdoors Colorado Trust Fund and the completion of Centennial Park Enhancement. Christian Morgan explains that this is a very competitive grant opportunity, in which we have requested \$45,000 and will need a \$15,000 match. If awarded, this grant will be used to beautify the area surrounding the basketball court on the south end of Centennial Park. The weeds and sticker patches in that area are overwhelming. If awarded the Town will work in conjunction with the Tree Board on the project. This resolution is for the purpose of showing Town Board support, Christian will also be asking the Tree Board, Kersey Museum, etc. for letters of support. Motion made by Mayor Lagrimanta and seconded by Trustee Roth to approve Resolution 2018-0033 Supporting the Town of Kersey's Grant Application for a Local Parks and Outdoor Recreation Grant from the State Board of the Great Outdoors Colorado Trust Fund and the completion of Centennial Park Enhancement. Motion carried with a 7-0 vote.

6. First Farm Bank CD maturing 10/31/18

Christian Morgan explains that the Town's auditor has suggested reinvesting these funds. Christian stated that he hesitates to reinvest these funds until after the November election, when the financial needs of the Town can be evaluated. Mayor Lagrimanta suggested leaving the funds as they are until a decision can be made. No action was taken.

7. Preliminary 2019 Budget

Christian Morgan explains that per State budget requirements the proposed budget must be presented to the Board of Trustee's by October 15th, and states that the attached budget for 2019 was reviewed at the September 15th budget retreat and September 18th work session. No changes have been made

since the budget retreat work session. Christian states that there will still be some minor changes to the final budget, and that election results could potentially have a large impact on the proposed budget.

Old Business

None

Staff Reports

1. Public Works Operation Manager, Water and Wastewater – Mark Herrick
Mark introduces Josh Roseberry, new Public Works Operations Manager, Streets, Parks and Fleet. Josh started on Monday October 8, 2018. Mark stated that he and Josh had worked together in the past. The Board of Trustees welcome Josh. Mark stated that there was an issue at the water tower in September which caused some pressure issues in Town. Mark stated that he learned about the system currently in place and he now has some ideas about how to fix the issue. The Town of Kersey got a small dump truck, which will be used in the snow fleet, and for other projects as needed. Mark started a grease trap inspection program, and the business owners have welcomed the program. They have winterized the parks and buildings. Josh and Mark are preparing for snow, new snow route signs will be in place next week. Mark stated that he was very nervous for the winter months, and is feeling much better with the addition of Josh to the staff. Mark stated that he is looking forward to Josh's input and ideas.
2. RH Water & Wastewater – Richard Hopp
Richard states that the WWTP was in compliance for the month of September. They hauled out 6 loads of sludge. Richard stated that samples sent to the lab look good, and that he sent a few this week so he is still waiting for those results. Richard stated that interviews for lead and copper have been done, he is waiting for the State to determine the next step in the process.
3. Recreation Director - James Neill not present.
Christian Morgan stated that James is home sick today. Christian stated that James has been working on getting set up to take recreation forms and payments online, and that James is hoping to have the kiosk in the lobby at Town Hall set up by the end of the year. Christian stated that James' board report is attached to the board packet.
4. Tree Board – Christian Morgan
Christian stated that the tree board met today, they are trying to decide what projects they will complete in 2019. If the GOCO grant is awarded, they will be working conjunction with the Town on the Centennial Park project. The tree board will renew their Tree City USA membership.
5. Chief of Police – Chief D. Gottschalk
Chief Gottschalk reviews his monthly report. Chief Gottschalk stated that while criminal investigations have slowed down, they have been working on another felony this week. Chief Gottschalk explained that a part-time officer that cannot work on the street will be overseeing Santa Cops this year. Santa Cops forms will be available at Town Hall within the next week or so. Chief Gottschalk presented the Board of Trustees several dates that are available for Trustees to wrap gifts for Santa Cops, and stated that Trustees wishing to participate can let me know when they would like to participate and he will get them signed up. Chief Gottschalk reported that we received the first of the two new vehicles from the Fire Department, it is currently at the outfitters. He stated that the look of the new cars that are all white is very different than the current all black cars, and that he believes everyone will like it and that it represents the Town well. Christian stated that we received the second car this week and that it is slated for the Community Services Officer.
6. Town Manager – Christian Morgan
Christian states that he met with the president of Colorado Xcel, and expressed concerns about the Town of Kersey having reliable power. The franchise agreement with Xcel is due in the spring of 2019, and that would be an opportunity to make changes. Christian stated that there are 2 broadband companies interested in providing internet service to Kersey. One of the companies is doing some testing in Town right now. The second company is working on testing equipment, to start Beta testing in Town. Christian explained that the hope is to get reliable, high speed internet, at a reasonable price in Kersey. This is a complicated process, but he is still working on it. Christian stated that Bryson Becker is a student from the High School, here working for the semester. Bryson was not able to be in attendance this evening. Bryson is currently scanning maps, if time allows he will begin working on scanning documents as well. Haley is working on an electronic document management system. Christian stated that the Centennial Trail project is moving forward. Next week there will be a large drone flying equipped with an aerial CAD system, around the Centennial Trail area, creating an aerial survey and topographic map. Christian stated that

residents are concerned about the weeds on the inside of the fence along the Latham Ditch, we will need to contact them. Christian stated that we received the second car purchased from the Fire Department this week and that it is slated for the Community Services Officer, dependent on the election. Christian stated that Susan, is no longer with PDC, she is now with Great Western. Christian stated that Great Western does not have much involvement in the Kersey area. Susan expressed her thanks to the Town of Kersey. Christian stated that the Grange project is still under consideration at DOLA and that he recently provided further information for them. Don at DOLA says that it is looking promising. Christian stated that there will be an Amendment 73 meeting at the school tomorrow. Christian stated that there was some contemplation about sending out some information on the proposed sales tax increase in Kersey. Christian asked if the Board of Trustees would like to send that information, simply to explain what residents will see on their ballot, not asking residents to vote yes. Trustee DeVries stated that he thinks it is a good idea because we do not have a large public attendance at the Town Board meetings. Trustee Kellerhuis agreed. Trustee Theorine asked about including factual information about other amendments in the literature. Christian stated that he would not advise including the other amendments because they are State information. Christian stated that he would draft some information and send it to Rick and the Board of Trustees for approval before it is distributed to the residents. Christian stated that the County Commissioners Dinner is to be held October 25th, RSVP must be made by October 15th.

7. Town Attorney – Rick Zier

Rick stated that he received the order of dismissal in the federal case, he does anticipate the plaintiff to come forward with more. Rick said that he will look into Mr. Phippard's concerns.

Board of Trustee Communications

Executive Session

Motion was made by Mayor Lagrimanta and seconded by Trustee Roth to go into Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e).

The board went into Executive Session at approximately 8:57pm. Present in the Executive Session were Mayor Gary Lagrimanta, Trustees Roth, Theorine, DeVries, Salser, Kellerhuis and Sameshima, Town Manager Christian Morgan, and Town Attorney Rick Zier.

Regular session resumed at approximately 9:34pm.

Motion made by Trustee Roth and seconded by Trustee DeVries 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 7-0 vote.

Adjournment

By unanimous vote, Mayor Lagrimanta adjourned the meeting at approximately 9:36 p.m.

Respectfully submitted,

Haley Curtis, Deputy Town Clerk