

**TOWN OF KERSEY
BOARD OF TRUSTEES REGULAR MEETING
JULY 9, 2019 – MINUTES**

The Kersey Board of Trustees met in a regular meeting on Tuesday, July 11, 2019, at the Kersey Town Hall. Mayor Gary Lagrimanta at approximately 6:00 p.m. called the meeting to order. Trustees present were: Nathan Roth, Clayton Luce, Allen Salser, Stan Sameshima, and Michael Theorine. Trustee Kellerhuis was absent.

Audience present were: Steve Kramer, Barry Schaefer, Shawn Bates, Rebecca Lieders, Evan Montz, Jeff Trujillo, Bill Sullivan, Shannon Borchers, and Paul Park.

Town Staff present were: Christian Morgan, Town Manager, Rick Zier, Town Attorney, Julie Piper, Town Clerk/Treasurer, and Barb Brunk, Town Planner.

Pledge of Allegiance

Additions to the Agenda

Christian states the agenda will be presented in different order due to the Public Hearing for the Cheyenne Connector being scheduled at 7:00 p.m. and different presenters in attendance of the meeting.

Consent Agenda

1. Approval of the consent agenda to include approval of the minutes of the June 11, 2019 regular meeting minutes, approval of bills paid, and approval of bills to be paid. Motion made by Trustee Roth and seconded by Trustee Luce to approve the consent agenda. Motion carried with a unanimous vote.

Public Invited to be Heard

New Business:

1. Consider DJ South Gathering, LLC Proposed Crude Oil Pipeline Project Request
Barb Brunk reviews the staff report which is a request from DJ South Gathering to consider a crude oil pipeline through the Cecil Farm Annexation in a commercial zone. DJ Services sent a letter to consider this which is attached. Staff has recommended they go through the Conditional Use Review due to safety, setback, utilities, and access consideration and the code is silent in this zoning on pipelines. Motion is made by Trustee Theorine and seconded by Trustee Salser to allow DJ Gathering go forward with the Conditional Use Review. Motion carried with a 6-0 vote.
2. Approval of Fireworks Permit for Kersey Days – Platte Valley Fire District
Barry Schaefer is present and states the fireworks will be set off in the same location, northwest of Centennial Park at approximately 9:15 p.m. Motion made by Trustee Theorine and seconded by Trustee Roth to approve the fireworks permit for Kersey Days. Motion carried with a 6-0 vote.

Old Business

1. Kramer's Wedge Store Liquor License Renewal, tabled 6/11/2019
Steve Kramer is present. No issues have been reported. Motion made by Trustee Roth and seconded by Trustee Theorine to approve the liquor license renewal for Kramer's Wedge Store. Motion carried with a 6-0 vote.

Public Hearing – Right of Way Vacation (Alley located in Block 5, Orr Subdivision)

Mayor Lagrimanta opens the Public Hearing at approximately 6:13 p.m.

Barb Brunk states the Town is the applicant for a vacation of the right of way for the alley between 446 1st Street and 445 2nd Street in order to accommodate the 8 foot addition to the new Town Hall. The alley will turn east just north of 445 2nd Street and exit out to 2nd Street. Any utilities in the right of way will be re-located. She notes that some of the language in the ordinance needs amended to include reserving the easement to allow for the portion of the building in the alley.

Trustee Theorine asks what the utility changes due to the budget for the project. Christian says there is contingency money reserved for this sort of thing. The electric and communication lines overhead will be located underground. The gas line ends at Trumbell so it will just be shortened. Further discussion regarding

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the width of the alley, the parking area, and location of the trash enclosure. There being no further comments, Mayor Lagrimanta closes the public hearing at approximately 6:30 p.m.

Motion made by Trustee Luce and seconded by Trustee Salser to approve Ordinance 2019-0003 vacating the right of way behind Town Hall with the new conditions as stated. Motion carried with a 6-0 vote.

Old Business, Continued

2. Project Updates – Christian Morgan
 - a. Community Center – Christian thanks those who attended the ground breaking. The building permit is still in process at Safebuilt and Christian requested that to be expedited and should be able to start tomorrow with ground/foundation work.
 - b. Town Center – Christian met with the Library District and they are still very interested in this building and brought their realtors to have a look. A survey will be required for the alley easement and details need worked out as far as the public restrooms and access to irrigation equipment for the park. The contract should be penned soon. Christian states he spoke with the auditor about the projects and the town is doing fine. The vacation of alley is important both for the design of the building as well as pedestrian safety. Still planning on starting construction in August with a March move in date.
 - c. Centennial Trail – The final documents were sent to CDOT. Working on the acquisition piece with Latham Ditch attorneys. The documents were received by UPRR with a 60 day review and then on to the PUC.
 - d. Centennial Park Improvement – Christian states the color of the shelter was brought up but it was decided best to match the pavilion. Concrete work is being done today. Sod and trees will be put in this fall.

Staff Reports

1. Town Manager – Christian Morgan states the jersey barriers were installed along Hill Street near Kramer's parking lot as well as the stop sign. Additional signage will be installed tomorrow. Christian is meeting with Weld County Assessor for better understanding of the property tax process. He notes that the weeds in town have been an issue due to the wet spring season. Josh and Mark are going to try a different mix to see if that will work. Trustee Theorine notes the weeds in the street on Kohler Farms Road are almost like trees. Christian scheduled the first budget meeting for August 24th at 8:00 a.m. at town hall. Chad Chavies has been working on the audit with staff and cleaning up the depreciation schedule. The franchise agreement with Xcel Energy is almost complete and will be presented at the August meeting. The electric UTV is up and running. This and the flashing stop signs were purchased with the SEP grant. Discussion about the BOT Kersey Days float. Christian will be attending the CML executive board meeting in Alamosa this weekend.

Public Hearing – Conditional Site Use Plan Cheyenne Connector, LLC

Mayor Gary Lagrimanta opens the Public Hearing at approximately 7:00 p.m.

Barb Brunk reviews the staff report and maps that are enclosed. She states Planning Commission reviewed this application and forwarded to the board for approval with the conditions of approval to include the FERC approval, CDOT highway 34 ROW permit, Irons Lateral Ditch agreement, and Weld County Road Maintenance agreement. The town sent notice, published, and posted this public hearing. Four referrals were received with no conflicts. The applicant has received all required state permits and just waiting on the federal permit as noted above. Revisions to the maps are requested as well to include future public streets and utilities be located within the pipeline easement which will be perpendicular to the pipeline with a minimum of two feet separation and a future pedestrian trail and/or public or private open space be located in the pipeline easement which will be part of the development review process in the future. Staff recommends the board approve this application with the above named conditions as well obtain building permit and pay use tax and make the map revisions as well. Resolution 2019-0011 will need approval and will reflect the Staff Recommendations. Shawn Bates with Tallgrass Energy hands out pamphlets and explains they changed the wall thickness of the pipe for the Cecil's Farm from CR 50 north to CR 72 and extended the depth from 48" to 60". The automated valve system in Lakewood can turn off the system in case of emergency with line break technology built in as well.

Trustee Theorine and Mayor Lagrimanta ask about the depth of the pipeline. Shawn Bates states it will be buried to five feet under surface and 10 foot under highway and ditches.

Trustee Theorine asks about fluctuations and/or pressure drops that might cause shut offs.

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Evan Montz, Pipeline Engineer, states this is regulated by FEMA and they require ROW monitoring. The pipeline operator would monitor and the automatic line break would shut off valves. He also notes there is internal inspection of the pipeline every seven years.

Trustee Roth states he is concerned about the safety of the pipeline as his family lives close. Evan Montz explains that thickness of the pipeline was changed from .529 to .635 within the Kersey site and boundaries for safety reasons. A fusion epoxy is used inside and out of the pipe. Trustee Roth also inquires about issues on any other lines. Shawn Bates states there have not been any issues at other locations, even with the 42" line. Trustee Luce asks how far apart the valves are. Evan Montz states 17 miles apart.

Trustee Roth inquires if the Platte Valley Fire District are aware and happy with the plans. Shawn Bates states the operations folks work with the emergency operations in Weld County as well as the local agencies especially during construction.

Trustee Roth asks about the conditions to have the FERC permit approved. Shawn Bates states it is mostly a timing issue as well as environmental protection.

Mayor Lagrimanta asks how deep under the Platte River. Evan Montz responds 100 feet with class three metal pipe and direct install and this will be the first step in construction which will be a 24 hour operation.

Trustee Roth appreciates all the information Tallgrass is sharing.

Evan Montz notes that once installed, the line is hydrostatically tested prior to use.

Trustee Roth asks if this is all domestic gas. Shawn Bates states it all stays in the United States and the majority in Colorado.

Mayor Lagrimanta asks about a tour of the construction site. Shawn Bates states safety training would have to be completed prior.

Trustee Salser asks how the pipeline can go from 5 foot down to 100 foot and maintain flow. Evan Montz states it is the fluid that steers with pressure.

Trustee Sameshima asks the predicted life of the pipeline. Evan Montz states it should be lifetime with the required maintenance.

There being no more public comment, the public hearing is closed at approximately 7:55 p.m.

Motion made by Trustee Theorine and seconded by Trustee Luce to approve Resolution 2019-0011 Approving a Conditional Use to allow for installation of a 36" high pressure natural gas pipeline with changes made to paragraph five. Motion carries with a 6-0 vote.

Staff Reports continued:

1. Town Manager – Christian notes the attached financials and that sales tax continues to go up and the property tax has almost reached the budgeted amount for the year.
2. Chamber of Commerce – Trustee Luce states he missed the last meeting but the Chamber is still making plans to serve the BBQ dinner at Kersey Days.
3. Tree Board – Trustee Salser missed today's meeting. Christian states Josh Roseberry showed the Tree Board how the cartograph system works in logging all the trees in the parks. They also introduced a new board member.
4. Town Attorney – No report.

Board of Trustee Communications

Trustee Sameshima states the CML conference was a really great conference. Trustee Roth inquires about the blue markings on the sidewalks. Christian states that is for the cartograph system marking the water shut off valves. Trustee Roth also notes that mosquito spraying does not go down the alley of 9th Street, only on the street.

Motion made by Trustee Roth and seconded by Trustee Sameshima to authorize the Town Attorney to prepare any required resolutions, agreements, ordinances, policies, letters, and memoranda 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 memoranda. Motion carried unanimously.

Adjournment

By unanimous vote, Mayor Lagrimanta adjourned the meeting at approximately 8:15 p.m.

Respectfully submitted,
Julie Piper, Town Clerk

July 24, 2019