

**TOWN OF KERSEY
BOARD OF TRUSTEES REGULAR MEETING
SEPTEMBER 10, 2019 – MINUTES**

The Kersey Board of Trustees met in a regular meeting on Tuesday, September 10, 2019, at the Kersey Town Hall. Mayor Gary Lagrimanta at approximately 6:00 p.m. called the meeting to order. Trustees present were: Clayton Luce, Nathan Roth, Stan Sameshima, Allen Salsler, and Michael Theorine.

Audience present were: Grant Crist with Zayo Group, Tammy Koenig with Koenig Family Kersey Inn, and Lucas McConnell with Xcel Energy.

Town Staff present were: Christian Morgan, Town Manager, Rick Zier, Town Attorney, Haley Curtis, Deputy Town Clerk, and Barb Brunk, Town Planner.

Pledge of Allegiance

Additions to the Agenda

Christian Morgan stated that there are no additions to the agenda.

Consent Agenda

1. Approval of the consent agenda to include approval of the minutes of the August 13, 2019 regular meeting minutes, approval of bills paid, and approval of bills to be paid. Motion made by Trustee Theorine and seconded by Mayor Pro-Tem Roth to approve the consent agenda. Motion carried with a 6-0 vote.

Public Invited to be Heard

None

Public Hearing – Conditional Use Site Plan – Small Cell Node Tower – Zayo Group

Mayor Lagrimanta opens the Public Hearing at approximately 6:02 p.m. Barb Brunk states the Zayo Group, LLC is requesting a conditional use for a small foot print wireless communication in the Town of Kersey right of way, in a commercial zone by Kramer's. The Town sent notice, and posted a public hearing notice, as required by Code. We got 5 referral comments; 1 response from Mr. Kramer stating that he does not believe this to be the best location for this, 3 no conflict responses, and 1 from CDOT requesting additional information. Barb stated that in 2017 the State of Colorado adopted an Act that allows small cell towers in the public right of way, making it easier to get service. Article 3, Section 12 of Town of Kersey Municipal Code does have a very specific wireless communication code, but it is out of date and not consistent with that code. Town of Kersey staff reviewed the application as a conditional use in context of the newly adopted State Regulation. Barb displayed a map of the proposed location, and described the proposed tower as being 36.5 feet tall, and about as big around as a light pole. Barb stated that this topic was visited by the planning and zoning commission last week, and they asked for some further information. She then stated that the applicant is present tonight with that additional information that will be presented after the staff report. Barb stated that staff believes that this application can meet the criteria with approved conditions, as outlined in the staff report. The planning and zoning commission had a lengthy discussion about location, that this is a Sprint tower and that is not a lot of people in Town, and that this application is for a single user tower, planning and zoning commission wanted to make sure that more than one person could use it. They had conversation about the proximity to Highway 34, concerns about the tower being struck by a semi-truck, drainage in the area was another concern. Barb stated that there has been talk for sometime about the need for upgraded service, there is a need in the community, and this is the first piece of that process. Planning and zoning commission was also concerned that this the entrance to Kersey, what will the pole look like, and what happens when the next application comes along. The planning and zoning commission passed the application along to the Board of Trustee's, and asked the applicant for the possibility of another location that is not at the entrance to Kersey, a pole that can accommodate additional users, that they obtain a work in the Right of Way permit, a building permit, and complete the small map revisions as staff requested, including being responsible for locating all utilities and being responsible for anything they damage. Grant Crist with Zayo Group, LLC introduced himself, and stated that he has all of the information requested by the planning and zoning commission for review this September 19, 2019

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evening. Mr. Crist stated that their customer happens to be Sprint, but another carrier could use the same pole. Mr. Crist stated that could be every carrier, he does not have information on specifics of that. Mr. Crist presented a power point presentation with images of the alternative analysis, where the most dropped calls and most Sprint issues are in the middle of the intersection of 1st Street and Highway 34. They searched in a 100 meter radius of that spot for a location that would be suitable for a tower. Mr. Crist stated that House Bill 17-1193 allows wireless telecommunications facilities access to the Public Right of Way in order to increase coverage and give them places to go in areas where they could not otherwise go, as Barb pointed out. Mr. Crist stated that Zayo Group has pointed out 3 possible sites for the pole. A map with 3 locations was displayed. The blue dot (in the right of way east of Kramer's) was the original proposed location. In the last few days they have determined that the red dot (by Family Dollar) is also a viable location, albeit further from the intersection in question. Mr. Crist displayed a map from the Weld County property portal with all public rights of way, and cited that there were various reasons that most of them are not viable locations; some reasons include the speed on Highway 34 and the inability to have a pole with a breakaway bottom, and overhead power lines in the area. The yellow dot on the map (in the right of way at the entrance to Kramer's) displayed was deemed viable by Sprint to meet their needs, but due to the proximity to visible truck traffic, Zayo deemed it not a viable location. Mr. Crist pointed out the orange highlighted area, that is public right of way, but it is a very deep ditch so they have deemed it not viable. That leaves the blue dot that was the original proposed location, it is in the CDOT right of way and that adds another hand to the pot, and they would prefer not to go there now that they have learned that the red dot is a viable alternative. Mr. Crist displayed on the screen and Barb handed out printed copies to all present of a letter from Sprint RF. Mr. Crist displayed photos of installed and functioning poles that were installed by Zayo Group in Colorado Springs. Grant explained the differences in directional and omni antennas. Grant stated that the red dot by Family Dollar would most likely be a directional antenna, and the blue dot by Kramer's would most likely be an omni antenna. Mr. Crist also explained that the light arm will match the current standard in Kersey, and can be functional or non-functioning aesthetic light arm. Mayor Lagrimanta inquired, that Zayo will aim the directional antenna to the intersection, really only providing service to that intersection. Mr. Crist stated that yes, for the most part it will just cover the intersection of 1st Street and Highway 34, and most of the parking lot by Kramer's. Mayor asked for confirmation that this will not really help the service anywhere else in Town, and Grant confirmed. Mr. Crist stated the either the red or the blue location have about equal points in Sprint RF's mind, and Zayo wants to do what works best for the Town of Kersey. Mr. Crist stated that he stopped by the location of the red dot (Family Dollar) on his way to the meeting this evening and was very pleasantly by the location, there is not currently a light in that area, just an ADA ramp. He continued to say that he is not trying to sway anyone, but he was just really pleased to see how the site looked. Trustee Sameshima asked for confirmation, that the pole there could have a light, Mr. Crist confirmed. Trustee Sameshima inquired about the height of the pole, Mr. Crist stated that the pole itself is 29 feet, the top of the antenna is 32 feet, and the rise of the light arm is 30 feet, all of which is standard. Barb Brunk stated that this is actually a light pole, we keep using the word tower which brings to mind a large object. Trustee Theorine inquired, if the tower is installed on private property, they would have to pay the landowner but if it is on Town owned property they do not have to pay? Rick Zier stated that utilities do not have to pay to install within the public right of way, but they cannot just install without Town approval, but they do not pay the Town. Barb Brunk reiterated that they will have to pay the fees, and use tax for a work in the right of way permit, and a building permit. Trustee Salser stated that he would like to see 1st Street going to the highway widened, so that would put the tower in the wrong place, he is against having the tower at the Kramer's location, and would rather see it somewhere else. Trustee Luce asked for confirmation that Zayo is looking at the red dot (by Family Dollar). Mr. Crist confirmed that they are very interested in that location, and he did some significant work today on that location, they are just really looking for a solution. Mr. Crist stated that speaking back to Trustee Salser's point, they realize that, that particular right of way could be more utilized for the roadway, so they located the pole back 12 feet from the edge of the pavement. Trustee Salser stated that from the planning and zoning commission meeting he had misunderstood that it was 9 feet from the road, and that does not leave much room. Mr. Crist stated that they do not want to be part of construction, if there is another option, so they are looking toward the alternate location. Mayor Pro-Tem Roth inquired about maintenance of the light. Mr. Crist stated that in many cases, the City owns and maintains the light, Zayo owns and maintains the pole, and they would have an extra pole should the pole need to be replaced. Mayor Pro-Tem Roth reiterated that part of the concern with the blue dot, was traffic possibly hitting it. Mayor Pro-Tem Roth continued, stating that the red dot location would be ok, we could use the light, and it would appease Kramer's and a light pole was not what he had in mind, he believes the red dot will be fine. Mayor Lagrimanta inquired about the setback of the tower at the Family Dollar location. Mr. Crist stated that it is usually 5 or 6 feet from back of curb, but they are open to other ideas. Barb Brunk stated that she has a site plan for the Family Dollar location, and there is a storm drain this right of way, she would suggest working with the Town Engineer as to not interfere with the storm drainage pipe, and how the light pole will get power. Barb Brunk would also like to see a complete utility locate, and a site plan map, developed between Zayo and Town Engineer, Gene. Mr. Crist stated that there is an area of about twenty (20) feet of leeway that

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could be used, but he did not see any obvious signs of other utilities in the area. Mayor Lagrimanta inquired as to how long Mr. Crist foresees this being there? Mr. Crist stated at least 10 years, but asked Rick for further information about the renewal time frame and the Master License Agreement (MLA). Rick stated that he did not have a copy of that agreement with him. Mr. Crist stated that he believes it is an eight (8) year renewal, so every 8 years it will either terminate or renew. Grant stated that his technology is not going anywhere, and this could be a strategic location for further service in the future. Mayor Lagrimanta asked what other equipment would be mounted on the pole, such as a satellite dish that would detract from the light pole function. Mr. Crist stated that all they have looked at is a second carrier using the same pole, this one pole could house a second equipment box and antenna. Mayor Lagrimanta expressed concern that unless another carrier is having issues in the same spot, he is unsure that it would be usable for another carrier, and he does not believe that Zayo is doing this to benefit another carrier. Christian Morgan stated that he spoke with the street's operations manager, and he has no issues with the red dot location, from the plowing and maintenance perspective. Christian stated that he would also suggest that if this is approved as a light pole, that it meets the current LED light system that we have in town. Christian went on to state that the Town of Kersey currently does not have any means to maintain a light or pole like that, all of the current street lights are owned and maintained by Xcel, though we do pay the bill, so we would need to require some sort of maintenance agreement. Christian also stated that he would suggest that if there should be a default on their part if they go out of business or choose not to renew their agreement, there would be a deconstruction clause written into the agreement, so that it is either deconstructed and removed or turned over to the Town, whatever the Town would choose to do in that case. Mr. Crist pointed out that through our franchise agreement with Xcel, this could possibly be an Xcel owned and maintained light pole. Barb Brunk stated that if the Board chooses to move forward with the second location, she would ask that they authorize the Town Attorney to finalize the agreement and for the Mayor to sign it when it is finalized, with direction from the Board. Mayor Lagrimanta inquired about response time for repair if pole is Zayo owned, or will the Town be inundated with a light out. Mr. Crist stated that if the pole is knocked over, they would respond quickly because they don't want their equipment to be down. Mayor Lagrimanta expressed his concern specifically about the street light portion, because Zayo's equipment will blend in with the pole, but residents will notice a street light that is out. Mayor Lagrimanta inquired as to if Zayo would rather own the pole instead of having Xcel be responsible for it. Mr. Crist indicated that he thinks they would rather have Xcel own the pole, because Xcel is in the business of owning and maintaining lights. Trustee Theorine expressed that he prefers the second location due to traffic, repair or if the pole goes down into the road way; the first location would be closing the major entrance to Town. Mayor Pro-Tem Roth and Trustee Luce, expressed their support of the red (second) location. Mayor Lagrimanta inquired as to who would have the say if someone else would like to use the same location. Mr. Crist stated that if it is an Xcel owned facility, Xcel would let them attach to it, if it is a Zayo owned facility, Zayo would let them attach to it. Mayor Lagrimanta inquired as to whether or not another carrier would have to come through the same process with the Town. Mr. Crist and Barb Brunk agreed, they would have to. Barb Brunk explained that there is a draft of a resolution to approve this on your desk that needs some amendments. She suggests that it is approved with the following conditions: that they must enter a MLA, must get all required work in right of way and building permits, must obtain utility locates and fix anything damaged during installation, must provide an updated site plan map, must enter an agreement with Xcel, and must adhere to the current standards. Barb suggested that the resolution is passed authorizing the Town Attorney to fine tune the resolution and the master license agreement, with direction from the Board this evening. At approximately 6:50pm, Mayor Lagrimanta closed the Public Hearing, and went back into the regular meeting. Motion made by Mayor Pro-Tem Roth, and seconded by Trustee Theorine to approve Resolution 2019-0013 for Conditional Use to allow installation of a small cell wireless pole within the Town of Kersey, at the alternate location by Family Dollar, adding that they will enter into a master license agreement with the Town, they will handle all the permits needed, they will update the map of utilities, they will work with Xcel for the installation and maintenance agreement to take care of the pole and the light, and the light must adhere to the current Town standard for lighting, motion carried with a 6-0 vote. Rick expressed his thanks to the planning commission for their work last week, and the recommendation of another location.

New Business:

1. Approval of Platte Valley High School Homecoming Bonfire. Christian Morgan stated that they have done this in the past, Police Chief Gottschalk is not present tonight but he had no issues with it. Josh Yancey, a student member of Platte Valley High School Student Council was in attendance. Josh stated that they would like to have their annual bonfire in the parking lot at the High School Football Stadium on the night of October 2, 2019. The Fire Department will also be in attendance to keep it under control. Motion made by Trustee Theorine and seconded by Trustee Luce to approve the Platte Valley High School bonfire, motion carried with a 6-0 vote.

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2. Approval of Liquor License Renewal – Koenig Family Kersey Inn. Christian Morgan stated that he spoke briefly with Police Chief Gottschalk and he did not have any issues to report, the Town is not aware of any violations. Tammy Koenig is in attendance this evening. Motion made by Trustee Theorine, seconded by Mayor Pro-Tem Roth to approve the Koenig Family Kersey Inn Liquor License, motion carried with a 6-0 vote.
3. Boundary Line Adjustment – Approval of Ordinance 2019-0005 Amending Chapter 17, Article IV of the Kersey Municipal Code to Add Section 16-90 Boundary Line Adjustment to List Plates and Data Within the Code Establishing A Boundary Line Adjustment Process. Barb Brunk stated that after the discussion of this topic last month, she circled back around with an ordinance, on your desk to adopt. Barb Brunk gave examples of when this would have come into play; when Roberta gave ground to the Church, and then gave more land to the Church, when Pastor Shorty adjusted lot lines. The house at 432 3rd Street and shop, now at 424 3rd Street, are a more current example. The bank did an easement, and the shop is now sitting on the neighbor's property, we could have done a lot line adjustment to accommodate that. The process would include the applicant submitting an application to the Town for review, the Town Planner and Town Engineer would review the application for meeting the criteria, and the Town Manager would approve or deny at an administrative level. If the applicant does not believe that Town Staff justifiably denied the application, the appeal process would go through the Board. The review process and criteria are listed in the staff report. Barb recommends this ordinance as drafted for approval and publishing into code. Trustee Theorine inquired about time line of submittal for both parties to sign the application. Barb Brunk and Rick Zier agreed that the application would not be accepted without all signatures, because all criteria including both signatures must be met. Mayor Lagrimanta inquired about notary for forgery reasons. Rick stated that he does not believe that is necessary because both parties have to agree so it would come up in the process. Barb stated that a notarized signature on final documents before recording those documents is required, so it would most likely be caught in that process, but the Town does not require notarized applications. Motion made by Trustee Theorine, seconded by Mayor Pro-Tem Roth to approve Ordinance 2019-0005 Amending Chapter 17, Article IV of the Kersey Municipal Code to Add Section 16-90 Boundary Line Adjustment to the List Plates and Data Within the Code Establishing A Boundary Line Adjustment Process, motion carried with a 6-0 vote.
4. Second Reading and Approval of Ordinance 2019-0004 Repealing and Re-Adopting of Chapter Five of the Kersey Municipal Code Concerning the Public Service of Colorado Franchise. Christian Morgan at the August 13th meeting we had the first reading for approval of franchise agreement for Public Service of Colorado aka Xcel Energy, to stay in compliance with requirements of the Public Utility Commission, we are doing a second reading tonight. Since the August 13, 2019 meeting, there have been no changes to the franchise agreement. Lucas McConnell with Xcel Energy is present tonight, to answer questions. Mayor Lagrimanta asked Mr. McConnell to give some highlights of how Xcel might improve the lines for better service in this area. Lucas McConnell, Area Manager for Government Communications, 1500 6th Ave. Greeley, CO. Mr. McConnell stated that other rural municipalities of our size echo those concerns. Mr. McConnell stated that not long-ago Xcel came and spoke with Town Staff about how they plan to improve service in the area; the Town of Kersey is currently serviced by the Pleasant Valley substation to the North Northwest and Xcel plans to move service to the Rose Dale substation West of Kersey with a more direct line, within the next 2 years. Christian stated that Xcel provided a letter addressing the issues, we wanted to make sure that wasn't something just talked about, but something that actually occurs in the near future. Christian went on to say that Xcel also provided a map or future updates, most that will have great benefits for the Town; not just for the residents but also for future economic growth to the west, with much better power and reliability. Christian stated that Town Staff felt as though the talks with Xcel went very well, and they were very responsive. This is why we have franchise agreements, so that we have a way of addressing issues that may arise. Christian stated that there were very minimal changes made, but they were all very beneficial for the Town. Mayor Lagrimanta asked, if Xcel will continue to assess the current poles in Town and make upgrades? Mr. McConnell stated yes, they will continue to do that and we are not the only ones that share those concerns. Mr. McConnell went on to explain their grading system. Mr. McConnell stated that Xcel has a 10 year plan to 6 new substations in the Northern Colorado area. Mr. McConnell explained that he looked up our 1% contribution, which is contribution to current underground lines, our current balance is 193,261. Mr. McConnell stated that he will not speak much about the agreement possibilities with Zayo this evening, but he would be happy to come back and give more information for the Board. Mayor Lagrimanta expressed his concerns about the safety and conditions of the poles within the Town of Kersey. Mr. McConnell stated that he would pass that information on and try to have it addressed. Motion made by Trustee Theorine, seconded by Trustee Luce to approve Ordinance 2019-

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0004 Repealing and Re-Adopting of Chapter Five of the Kersey Municipal Code Concerning the Public Service Company of Colorado Franchise, motion carried with a 6-0 vote.

5. Resolution 2019-0014 Allowing the Town of Kersey to Post Meetings to the Town's Official Website in Accordance with Colorado House Bill 19-1087 Concerning Online Notice of Public Meetings of a Local Government Entity and Relieving the Town of the Obligation to Post Physical Copies of Public Meeting Notices. Christian Morgan stated that we briefly spoke about this at the last meeting. Colorado State Legislature has passed House Bill 19-1087 allowing municipalities like Kersey to post meetings electronically, we currently have physical posting requirements for agenda's and meeting notices. A copy of the Act is included in the packet. Christian stated that Mrs. Piper, Town Clerk expressed her approval of this resolution, with the option to come back to the Board to repeal if it is not working. Motion made by Trustee Salsler, seconded by Trustee, seconded by Trustee Luce to approve Resolution 2019-0014 Allowing the Town of Kersey to Post Meetings to the Town's Official Website in Accordance with Colorado House Bill 19-1087 Concerning Online Notice of Public Meetings of a Local Government Entity and Relieving the Town of the Obligation to Post Physical Copies of Public Meeting Notices, motion carried with a 6-0 vote.

Old Business

Christian Morgan stated that before he gets into the project updates, he invited Josh Roseberry with Public Works to talk about the offered partnership with Hall-Irwin, the developer in Berryman Farm subdivision about some of the street and storm inlet repairs. These repairs are total responsibility of the Town, the developer has no responsibility to make those repairs, but has agreed to assist in making these repairs. In total it is estimated that the repairs will cost somewhere around \$115,000. The Town has agreed that we will contribute \$50,000 to the project. Hall Irwin came out and did all of the work on the storm inlets, there is one inlet that Christian is still not happy with but the others are all fixed. That leaves asphalt work; Hall Irwin had a contractor come out and bid the project, but they felt it was not the right fit. Gene (Town Engineer), Josh and Christian worked together to find a better solution than the bid Hall Irwin received. Christian went on to explain that this is not a forever solution, the only forever solution would be a complete chip and over lay is the only way to permanently fix the roads, but it is very costly on a project of that size. Josh contact 4 additional companies to get quotes to fix the cracks. Josh stated that contractor 1 proposed a fill of cracks, and then seal, but staff did not think this was the best option because it expensive annual maintenance, bid was approximately \$51,000. Josh redacted the company specific company information and sent it out to other companies to use as a template. Contractor two did not come out, but provided a bid of \$32,490 for the same work. Contractor three said that they would fill the big cracks with sand and then seal, still only providing a one-year fix. Town staff felt that it would be better to route the cracks, fill with mastic and then seal over the top. Only one company said they would do that, the company that originally gave the bid to Hall Irwin, for \$49,870. They also say this solution will not last long if it is left this way, they recommend doing a chip seal over the top to get another 7-10 years of life out of the current roads. Josh states that any future cracks would be a biproduct of the road underneath, not what they did to fix it. Josh stated that it would be an additional \$80,000, approximately to do the chip seal. Josh stated that without chip seal, we will have to continue to seal the crack year after year. Josh stated that we would have to mil and fill the entire subdivision, to fix the base, is the only permanent solution. Mayor-Pro Tem Roth inquired as to what was performed last year in the Elder Subdivision. Christian stated that was slurry, but we will need to chip seal also. Christian went on to explain what was fixed with slurry in the Elder Subdivision, and stated the cost was approximately \$117,000. This project would total about \$130,000, because chip seal is slightly more expensive. Trustee Theorine inquired about longevity of this chip seal. Josh confirmed 7-10 years with normal traffic, and he would consider this lower traffic. Josh went on to explain that there are many factors that effect longevity including the base, and moisture. Josh stated that it would be somewhere around \$10,000 annually to crack seal. Mayor Pro-Tem Roth stated that if we spend \$10,000 annually for 7 years, we will have spent \$70,000, at the very minimum and the price will only continue to rise. Mayor Pro-Tem Roth inquired about where the \$80,000 will come from in the budget. Christian stated that we have some money in the street maintenance fund, this project would put us over budget, but this will most likely be an early 2020 project. Mayor Pro-Tem Roth inquired about the reallocation of funds for other projects. Christian stated, yes we have reallocated, and will probably reallocate additional funds for other projects, but we have the \$50,000 to do the crack seal now, and then chip seal later. Christian states that we can make this work financially, but he did not want to green light this project without Board approval. Christian stated that to make this happen this year it would require a budget adjustment, but we could budget this in for next year. Trustee Luce stated that he believes this would need to be done in warm weather. Josh agreed, it is better to do this in warm weather and the company agreed this would probably need to be done next spring because they are booked up for this year. Mayor Pro-Tem Roth stated that he does not like the idea of doing something half way and it sounds really expensive right now but the price will only continue to go up, but he does not want to be irresponsible. Trustee Sameshima stated that if

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the calculations are correct, it will save money to do the whole thing now. Christian stated that the condition of the road will continue to degrade each year as it is now, and at some point, we will need to take care of it. Josh asked the Board to consider how this would affect development, buyers like a nice road. Trustee Sameshima inquired as to whether construction would tear up the road. Christian stated that construction will not do any more damage to the repairs in the road than it would do to the current road. Josh stated that the patches that need to be made are pretty small so they can close the road down to a single lane, and this company is really good at traffic control when they chip seal, we would notify accordingly and tow any vehicles that need to be towed at that time. Trustee Theorine inquired if we need to put this out for bid. Christian explained that this is a unique situation because of the amount that we are contributing it falls below the bidding process, we have gathered the 3 written quotes required by our policy, so we are in compliance. Trustee Theorine asked if we have this company a part of our 5-10 year roads plan, would the cost come down if it is a continual basis, is that smart, is that legal? Christian stated that we can ask, but it is supply and demand, he likes the idea of creating a relationship this is the second job they have done and they did give us a deal on the first project. Josh stated that according to the contractor, the bid they gave us was less than the quote they gave Hall Irwin. Josh continued to state that we could have some sort of long term working contract with them, with annual or other wise specified evaluation of the contract and conditions. Mayor Lagrimanta stated that it is always good to have some competition. Christian inquired about thoughts for moving forward with this project. The Board of Trustees each expressed their approval for this project.

1. Project Updates – Christian Morgan

- a. Community Center – Christian states the project is on track to be completed for November 21st, lumber should be delivered and concrete poured by the end of the week, he is unsure of how the weather had impacted this. We meet every Wednesday for an update.
- b. Town Center – We are at 30% drawings now; we were trying to get to 50% drawings by the end of the month. In lieu of that we are going to try for 95% drawings by the middle of October. We will know what our numbers are at that point. Everything is going very well. The demolition of the other 2 structures out there will take place probably next week. September 27th is no longer going to work for the groundbreaking, but October 4th, the following Friday will at 1:00pm and invite as many people as we can.
- c. Centennial Trail – Significant progress has been made, Latham Ditch agreement has been signed, allowing construction, detailing some work that needs to be done this year. Land acquisition is underway, it is a long-detailed process when using Federal funds, we have attained a certified, by CDOT, acquisition company and appraiser. The application to Union Pacific has expired, as expected; we were required to submit to them for 60 days, they did not respond, which now allows us to submit directly to the Public Utility Commission, which has been done, at some point there will be a hearing, and Union Pacific still has an opportunity to contest. We have applied for an at grade crossing, not a bridge, not a tunnel but over the tracks crossing, which is pretty tough to get. This portion is phase 3 of this project so Christian anticipates that it will probably be 12 months before construction in that area would begin. Christian states this tie is quite nicely with our future development plans in Kohler Farms. Christian believes that sometime next year would be a good time to talk to Weld County about the possibility of paving County Road 54.5, as we are making all these changes. Getting Kohler squared away will be a priority next year, when the ink dries on some of the other projects, because we are at capacity for time right now.
- d. Centennial Park, GOCO Grant – Christian stated that irrigation should be installed this month, then turf and trees will go in. The project should be completed in September, and within budget.

Staff Communication

1. Chamber of Commerce – Trustee Luce stated that the Chamber of Commerce had a Board meeting last week and they will be having a business after hours this Thursday 5:30pm-7:30pm at Fr8 Solutions, in the bank. Sloppy Joes will be provided by Fr8 Solutions, Clay and Sandy Luce will provide buns and desserts.
2. Tree Board – Trustee Salser states that they met today; 10 trees will be ordered, there are also 2 dead trees. Wednesday October 2nd will be the day they will try to get all the trees planted, they will be contacting the school to see if FFA can help, and they would like to see if PDC can help, a water system will be installed. Trustee Salser said that \$3400 has been allocated for this, with some other donations coming in, so they will be able to get some extra trees. They are trying to work in conjunction with sod at Centennial Park, but weather will play a part.
3. Town Manager – Christian Morgan states that our GOCO application is on their website as a model example of how to write that grant. Thank you, Barb Brunk. We are going to try for another GOCO grant for bathrooms in Kohler Park when we sell this building. Christian stated that he wants to express his

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thanks to Betty Hatfield, she just donated the money for 2 additional big flags, at Memorial Park. Without Betty Hatfield and Roberta Smith, we would not have those big flags, they have donated and repaired the flags. September 18th is the rig tour with PDC, plan for 9:00am to around lunch time. SIEP open house at 70 Ranch is coming up on Saturday October 5th 11:00am – 3:00pm, we do need to RSVP. Christian will forward the email with details on. Christian displayed some financials on the screen, a detailed version is included in the packet. General Sales Tax fund devoted to streets, trails along with general sales tax collections, we had another record month, with a 7-month high. As of August, we are only \$20,000 away from meeting our budgeted goal. Same thing on the general sales tax, every month but one has been a 7-year high, great for the revenue side of things. We are \$40,000 away from meeting that \$500,000 goal for this year. Christian stated that Lodging Tax is lagging a little behind last year, the Platte River Fort is behind because the owner, Dori had some health issues, but we still have 4 months of reporting to go and need \$14,000 to meet the budgeted amount. Property tax is another great story, we are \$17,000 away from hitting the annual budgeted amount. Use tax has already exceeded our annual budgeted amount, and the pipeline will come through on that too. As briefly talked about in the budget meeting, our assessed valuation had a huge jump from \$21,000,000 to \$49,000,000. The ranking chart is included in the packet, but Kersey ranks very well among other municipalities of similar demographics. Road and Bridge money back, that uses our assessed value, last year we got \$13,000, next year we will get \$38,000. Highway User Tax Fund, is money that comes directly from the State, and it also did well this year we will have \$10,900 coming our way for road projects. All notifications and numbers are included in the packet. We probably address smoking in public places. We have an ordinance now that prohibits smoking in some public places, such as buildings, what it doesn't talk about is parks and playgrounds. Mayor Lagrimanta inquired, is this a problem? Christian stated that we want to create a solution in need of a problem, but from his office window he can look out into the park and see people smoking. Christian stated that he is just pitching this as an idea, and we can talk about it later. Josh will be at the next work session to give the Board a demonstration of Cartegraph. We have had some really good conversations with a wireless carrier but our Code is very antiquated so he would like to talk to the Board about making some updates that might benefit the Town. Our Code was written for large towers, not something that looks like a street light, it has not been updated since 2006. Rick stated that our current code goes against the new law. Trustee Sameshima inquired about the ability to create our own fiber network, by citizen vote. Christian agreed that we could look into it, but it may not be feasible for us. For 2019 or Severance Tax collection has more than doubled from our usual \$50,000 to \$117,000, which covers a serious road project we just talked about.

4. Town Attorney – Rick Zier, no report.

Board of Trustee Communications

Mayor Pro-Tem Roth stated that Gallegos Sanitation reached out to him again and he is unsure what he should tell them. Christian stated that he should tell them we are work on a Request for Proposal (RFP) for trash service. Mayor Pro-Tem Roth stated that his wife wanted him to pass along that she is now getting text messages from the neighbors with updates if the mosquito sprayers have been by and their speed, and they have been driving by at a high rate of speed. Mayor Pro-Tem Roth stated that he will not be able to attend the work session.

Motion made by Mayor Pro-Tem Roth and seconded by Trustee Luce 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

Mayor Lagrimanta adjourned the meeting at approximately 8:26 p.m.

Respectfully submitted,

Haley Curtis, Deputy Town Clerk