

**TOWN OF KERSEY  
BOARD OF TRUSTEES REGULAR MEETING  
NOVEMBER 12, 2019 – MINUTES**

The Kersey Board of Trustees met in a regular meeting on Tuesday, November 12, 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 Salser, and Bob Kellerhuis. Trustee Theorine was absent.

Audience present were: Ryder Reddick and Devon Dageford from DJ South Gathering and Collins Farris from Infusion Architecture, and Ed Lafferty and Rob Rensink from Hall Irwin.

Town Staff present were: Christian Morgan, Town Manager, Rick Zier, Town Attorney, Julie Piper, Town Clerk/Treasurer, James Neill, Recreation Director, Jessica Ullom, Recreation Specialist, Barb Alvarado, Administrative Assistant, and Gene McDonald, Town Engineer.

**Pledge of Allegiance**

**Additions to the Agenda**

**Consent Agenda**

1. Approval of the consent agenda to include approval of the minutes of the October 8, 2019 regular meeting minutes and the October 22, 2019 special meeting, 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 Hearing – Conditional Use – DJ South Gathering**

Mayor Gary Lagrimanta opened the public hearing at approximately 6:04 p.m.

Barb Brunk states this application was set for public hearing at the regular planning commission meeting last week and due to the applicant not being present, the matter was tabled to December regular meeting. However, at the applicant's request due to construction schedules the planning commission met earlier today and tabled the hearing to November 26<sup>th</sup> at 5:00 p.m. The applicant is requesting this be tabled to the work session date of November 26<sup>th</sup> at 6:00 p.m. for a special meeting. Motion made by Trustee Roth and seconded by Trustee Salser to table the Conditional Use request by DJ Gathering to November 26<sup>th</sup> at 6:00 p.m. with a special meeting. Motion carried with a 6-0 vote. Barb Brunk states the applicant has a request. Devon Dageford with ARB Midstream states they are asking to proceed with construction at their own risk until the permits have been approved. They have been working with Tallgrass Energy as they are following their pipeline route. They have decided it would be in everyone's best interest to get their pipeline laid and out of the way of Tallgrass. Barb Brunk states this has been done before at the Platte River Fort site in which that contractor wanted to get done prior to the irrigation season. She states they would need to submit a letter stating the construction would be at their own risk. Devon follows up that it would mostly be prep work since the next meeting is only two weeks away. Mayor Lagrimanta asks when they started this process to go thru Kersey town limits as both boards have put in a lot of time and effort for this application. Devon states they started the process in July when they met with Barb Brunk. They wanted to go thru Greeley but decided it would be easier to follow the Tallgrass route due to the feedlots and river crossings. Barb Brunk states they received their application at the end of September and started the process of approval, referrals, and notice. Again, the rep states they won't get too far along in construction prior to the 26<sup>th</sup>.

There being no public comment or additional comments, motion was made by Trustee Luce and seconded by Trustee Roth to allow DJ Gathering to proceed at their own risk with a letter stating such. Motion carried with a 6-0 vote.

Mayor Lagrimanta closes the public hearing at approximately 6:25 p.m.

**New Business:**

1. Recreation Rental Rate Discussion  
Jessica Ullom presents information regarding adding having alcohol to the community center rentals. She has done a lot of research of different towns and finds that Evans and Brighton have good options. Community members have asked for this and it would increase revenue to our rentals. Brighton has a building similar to ours and issues special event permits based on the request. Evans has a list of vendors and bartenders to work from and the applicant pays for it all including hiring security as well. This takes the liability off the town. James Neill presents an updated rental agreement. The fire department recently rated the capacity at 270 people without chairs and tables. The board agrees to have them work on deposit and fees, the policy, and the application. Trustee Kellerhuis suggests keeping the alcohol portion separate from the regular pamphlet. James will work on options for the list of servers and security hoping to use local vendors first.
2. Temporary Use Review – JOMAX, tabled October 22, 2019  
Barb Brunk states that JOMAX is requesting an extension of their temporary use at the Highway 34 Transportation Center for an additional 3-6 months. They currently are located on Lots 5 and 6 with 9 ½ acres on a PUD approved area. This conversation started with a recent code violation, which they are working on to get corrected. They did obtain building permits right away and are working to move the storage items onto the correct lots and out of the outlots. JOMAX states the company recently changed hands and they are trying to get out of rentals and start buying property so they need time to work out those details. Staff is considering a hold over fee of \$499 per day when the temporary use expires until they produce a document about future plans giving this request an end date of 5/1/2020. Justine Tucker, safety coordinator with JOMAX states they have been working on moving equipment and will adhere to the timeline. Mayor Lagrimanta states the Town would like JOMAX to stay and states we just have ordinances that need enforced.  
Motion made by Trustee Luce and seconded by Trustee Salser to extend the temporary use for a six month period which would be 5/1/20 and cure the code violation by 1/31/2020 and incur a \$499 holdover fee per day over the temporary use. Motion carried with a 6-0 vote.
3. Town Hall Guaranteed Maximum Price Estimates  
Christian Morgan presents the guaranteed maximum price document from Hall Irwin for the new Town Center project. Collins Farris of Infusion Architectures, Ed Lafferty and Rob Rensink of Hall Irwin present graphics of the building and the different options for the add ons. The board agrees to proceed with the add ons as presented.
4. Approval of Ordinance 2019-0006 Repealing and Re-Adopting Article II of Chapter 2, Section 2-45 of the Kersey Municipal Code Concerning the Compensation of the Mayor and Trustees  
Christian Morgan states this has been discussed in the past and this ordinance would change how the board increases would take place so rather than voting an increase for yourself, the rate can be set with the resolution that adopts the budget each year. Trustee Kellerhuis inquires whether voting yourself a raise is a state statute or something in our code, which Christian states they would check. Trustee Kellerhuis also suggests adding pay for Planning and Zoning board as they have been meeting quite often, three times this month. Mayor Lagrimanta agrees that the board is meeting more often as well as P&Z and will be more complex with annexations and developments. Mayor Lagrimanta also suggests taking the board from a seven member board down to a five member board as we had to appoint several for this board and no one attends and it is hard to find board members. Further discussion among the board.  
Motion made by Trustee Roth and seconded by Trustee Luce to adopt Ordinance 2019-0006 striking Section 2 and including Planning and Zoning in Section 1. Motion carried with a 6-0 vote.
5. Liquor License Renewal – Kersey Pool Hall  
As no one is present, the following motion is made: Motion made by Trustee Roth and seconded by Trustee Luce to table the liquor license renewal to December 10<sup>th</sup> at 6:00 p.m. Motion carried with a 6-0 vote.

**Old Business**

1. Project Updates – No updates as most were discussed above.
2. Preliminary 2020 Budget  
Christian Morgan states the preliminary 2020 budget is attached. The fee schedule has been updated. The budget will be adopted at the December meeting.

### **Staff Communication**

1. Chamber of Commerce – Trustee Luce states the Business After Hours will be held after the new year. The chili cook off will be held December 7<sup>th</sup> at the Holiday Festival.
2. Tree Board – Trustee Salser states a meeting was held today and working on getting more trees for Centennial Park and Memorial Park. Working on a watering schedule for the trees at Memorial Park Trustee Kellerhuis asks if the irrigation to Memorial Park is being resolved. Christian states the ditch company who owns property to the east might be able to help. Roberta Smith has spoke with them.
3. Town Manager – Christian Morgan states the RFP for landscaping services have come back and there were two good proposals but both were pretty high and substantially more than the current company. He suggests hiring a full-time public works employee for less than 9 months of contacted landscaping services. The board agrees as long as the equipment is available for that employee which Christian states it is. The crack sealer is sold and the Platte River Fort is considering purchasing the bus. We just purchased a brand new work over trailer for \$4300 and a street sweeper from a special district in Avon for \$45K. He reminds the board he will be out tomorrow afternoon through Friday. Amy Walters gave her notice for cleaning services for the town. We put out a bid for those services and have chose someone at the same cost. Christian states he held a staff meeting today and will try to do at least monthly. He recently bought 100 chairs for the community center at a cost of \$500 which will be picked up next week. He is meeting with High Plains Library District next week. Christian asks the board about a fee to use the green dump as there were a lot of problems this year. It will be for tree limbs and leaves only. The board agrees to \$5 a dump for local residents only and no commercial dumping.
4. Town Attorney – Rick Zier, no report.

### **Board of Trustee Communications**

Trustee Kellerhuis really thinks two public works employees would be beneficial. He also asks about the seasonal help in the summer. Christian states they hope to hire at least two but hope for four. Trustee Kellerhuis also states he never sees any cops around town, only the community services officer. Christian asks the board about employee bonuses for the staff and contracted employees as we have had an exceptional year and a lot of work has been completed. The board agrees on \$1000 for full-time, \$500 for part-time, and \$250 for contracted employees. Mayor Lagrimanta asks the board if they would agree on starting meetings at 7:00 p.m. for the next few times due to his work schedule.

Motion made by Trustee 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.

### **Executive Session**

Motion was made by Trustee Roth and seconded by Trustee Luce 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 CRS Section 24-6-402(4)(e). Motion carried with a 6-0 vote.

The board went into Executive Session at approximately 10:00 p.m. Present in executive session were Mayor Gary Lagrimanta, Trustee Sameshima, Trustee Kellerhuis, Trustee Salser, Trustee Roth, Trustee Luce, Town manager Christian Morgan, Town Clerk Julie Piper, Administrative Assistant Barb Alvarado, and Town Attorney Rick Zier. Regular session resumed at approximately 10:34 p.m.

### **Adjournment**

Mayor Lagrimanta adjourned the meeting at approximately 10:35 p.m.

Respectfully submitted,

Julie Piper, Town Clerk

November 19, 2019