

**TOWN OF KERSEY
BOARD OF TRUSTEES REGULAR MEETING
JANUARY 12, 2021 – MINUTES**

The Kersey Board of Trustees met in a regular meeting on Tuesday, January 12, 2021, virtually via WebEx. Mayor Gary Lagrimanta at approximately 6:05 p.m. called the meeting to order. Trustees present were Mike Theorine, Stan Sameshima, Clay Luce, Michelle Vannest and Allen Salser. Trustee Roth was absent.

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

Pledge of Allegiance

Additions to the Agenda

1. Resolution 2021-0002

Consent Agenda

1. Approval of the consent agenda to include approval of the minutes of the December 8, 2020 regular meeting, minutes of the December 14, 2020 special meeting, approval of bills paid, and approval of bills to be paid. Motion made by Trustee Sameshima and seconded by Trustee Theorine to approve the consent agenda. Motion carried with a unanimous vote.

Public Invited to be Heard

New Business

1. Resolution 2021-001 Designating Public Places for the Posting of Notices of Public Meeting and Designating a Newspaper for the Record of Publications
Christian Morgan states we are statutorily obligated to do this annually. We post in the Greeley Tribune and at Town Hall. We have been in compliance every year. Mayor Lagrimanta asks for input. Trustee Luce state he likes where it's at. Motion made by Trustee Luce, seconded by Trustee Vannest to approve Resolution 2021-0001 designating public places for the posting of notices and a newspaper for publications. Motion carried unanimously.
2. Approval of Ordinance 2021-001 Amending and Adopting Article 10, Section 18-199 and 18-200 and the Creation of Section(s) 18-201, 18-202, 18-203, 18-204, 18-205, 18-206 of the Kersey Municipal Code to Include Specific Language Relating to Adoption of the 2018 International Fire Code
Christian Morgan states we talked about this at the last work session in December. Platte Valley Fire was present and explained what this is and how it affects Town of Kersey. Christian and Rick added and amended some language to make it more applicable to the Town of Kersey. Some items were broken out further to make it easier to add or amend later, if needed. The 2018 International Fire Code is attached to the packet, it's 14 pages Christian quickly summarized it. This does not affect current buildings, but future buildings and/or updates. The Board of Appeals is made up of Platte Valley Fire Directors. This does include bonfires and special events, will now need a plan of action in the event Platte Valley Fire response is needed. There are other things included such as fireworks, hydrants, distillers, etc. we might not ever use some, this is international code. The Appendixes are included in the actual fire code. Penalties for violations, we already have most in our code or Model Traffic Code.. Staff believes this is comprehensive. Weld County has already adopted this. Mayor Lagrimanta asked about sprinklers for homes and water tap requirements. Christian states the Fire Code addresses sprinklers homes or structures of 3600 (three thousand six hundred) or more, square feet. Mayor Lagrimanta inquiries about water tap and share of water requirement, Christian states there is not a second tap needed as this is considered emergency use, a larger tap would also not be required. Mayor Lagrimanta asks how this works with meters, does that water go through the meter and is the homeowner responsible for the cost? Can we bill them for water used in emergency water supply? Christian states his understanding is that it would run through the meter and that would be part of an insurance claim. Captain R. Buderus of Platte Valley Fire states that he is in agreement with Christian, and it is actually 3600sqft above ground. Generally, not all sprinklers in the home come on at one time it's usually just one or two rooms where the fire is located. Mayor Lagrimanta states he is just trying to

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think outside the box for what costs for the Town would be. Christian states emergency situations would not trigger an additional share of water. Christian asks Captain Buderus if someone wants to add on to their home making it 3600 square feet above ground total does that trigger sprinklers? Captain Buderus says it depends on how they add the additional square footage, if it is 2 separate structures they would need a fire wall, if they have all one structure they need sprinklers for the entire structure. Christian inquires, can they apply for a variance. Captain Buderus says yes, they can submit to Town of Kersey and Platte Valley Fire.

Motion made by Trustee Vannest and seconded by Trustee Luce to approve Ordinance 2021-0001 adopting the 2018 International Fire Code. Motion carried with a 6-0 vote.

3. Approval of Resolution 2021-0002 Assuring the Federal Emergency Management Agency that the Town of Kersey will Enact, as necessary, and maintain In Force Those Areas Having Flood, Mudslide (i.e. Mudflows), or Flood-Related Erosion Hazards, Adequate Land Use and Control Measures with Enforcement Provisions Consistent with The Criteria Set Forth in Section 60.3 of the National Flood Insurance Program Regulations and Will Appoint Staff Members to Oversee the Responsibility of Authority and to Carry Out the Objectives of the Program

Christian states FEMA requires this as intent to join the National Flood Insurance Program. There is debate about whether or not we are already a member. This states the Town of Kersey will protect ourselves, and the approval of new buildings from imminent flood plains. This allows our residents to apply for flood insurance for their homes if they so choose. This designates the Town Engineer to stay on top of this, and continuously report this to Board of Trustees. This is not something we are pursuing because we are aware of something new that has not already been established. Many of you are aware of the 1970's flood that was not something that was a typical flood plain or issue. In 2013 we had a flood that did not come into the Town of Kersey, but impacted roads getting to Kersey, as we continue to expand annexation to the west that could be something of concern for those folks. This Resolution acknowledges that we agree to this and understand the risk of floodplains. Mayor states 2013 was very close and if they would not have breached the ditch just to the west of Town, it would have come into town. Christian states flood insurance is voluntary; we do not approve building in the flood plain unless they demonstrate their understanding and compliance with floodplain management and mitigation. We are only concerned about annexed area within Town of Kersey, not the outlying areas. Trustee Theorine asks about the Centennial Trail. Christian agrees, yes that would be in the floodplain within Town of Kersey. Trustee Theorine inquires, are we required to have flood insurance for that? Christian no that is just for structures. Trustee Theorine inquires about the bridge over the ditch? Christian states he will look into that, he had not thought of that. Mayor Lagrimanta states if it makes it to the bridge, he would be concerned about it (Latham Ditch) backing up and coming into Town Hall. Christian states he will ask our insurance provider.

Motion made by Trustee Luce and seconded by Trustee Vannest to approve Resolution 2021-0002.

Motion carried unanimously.

Old Business

1. Project Updates

- a. Centennial Trail – Christian states he will be asking DOLA for \$550K to finish the trail. Calling it the 9th Street Connection. Christian shared slides of his presentation for DOLA. These funds would also cover our match funds for the CDOT grant. Christian states these energy impact grants are very competitive and he is not guaranteeing any success. The bid for construction is up on our website through the end of January, and we will be under construction very soon. Trustee Theorine inquires about the flood insurance, how will that work based on the actual value or what we paid for it if we have a grant? Christian states we would file a claim for whatever was actually damaged and the cost to repair. Trustee Theorine inquires if a grant pays \$50 of our \$100 project, will insurance cover \$50 or \$100? Christian states, it would be a \$100 loss so we could claim that amount, how it is paid for does not change the value. Christian states the trail belongs to us, we are responsible for maintaining and repairing, there is no annual reporting to CDOT or DOLA.
- b. Union Pacific Acquisition – Christian states we have done a structural analysis, and environmental analysis, we are meeting our obligations. So far reports are coming back better than anticipated, it can no longer be used for grain storage but it can be used for other purposes.

Staff Communication

- a. Chamber of Commerce– Trustee Luce states they will have a meeting and put in for election notice to happen soon. They are going to start spotlighting on their website and Facebook, about once a month. He would like to get with Julie to get a list of all licensed businesses in Town and share their list. They discussed the pathway (Centennial Trail) asking will there be any trees or benches that the chamber might be able to help? Christian says there will definitely be opportunities for that, once it is built, we will really be able to see what is needed.
- b. Tree Board – Trustee Salser states there was no meeting today and that it was postponed until February.
- c. Town Manger – Christian states James Neill has been in contact with people from the state and we might use the Community Center as a vaccination center. It would be a regional need, not just for the Town of Kersey residents, more to come on that. WWTP and water meter loans are paid off. Only one loan left, tied to Town Hall. Work session on January 26th, the plan is to bring revision of election candidate packet, and maybe code items related to elections- qualifications, signage, etc.
- d. Town Attorney – Rick Zier states he does not have anything for the Board of Trustees. Rick complimented Christian on his dedication and line by line analysis of the Fire Code. Rick commented that he liked the presentation for DOLA.

Board of Trustee Communications

Trustee Theorine thanks the Board of Trustees for their patience with his job and while he was sick. He appreciates the thoughts and well wishes. Mayor Lagrimanta states he thinks this team works together very well, making us a strong and conscientious board. He feels very blessed, and considers each of you a friend. Trustee Luce inquires is there any way we can set up to have a voting place? Christian states yes, we offered our facility this year but we will try again.

Motion made by Trustee Theorine 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 with a unanimous vote.

Adjournment

Mayor Lagrimanta adjourned the meeting at approximately 7:16 p.m.

Respectfully submitted,

Haley Curtis
Deputy Town Clerk