

**TOWN OF KERSEY
BOARD OF TRUSTEES REGULAR MEETING
September 13, 2022 – MINUTES**

The Kersey Board of Trustees met in a regular meeting on Tuesday, September 13, 2022, at Kersey Town Hall, 446 First Street. Mayor Gary Lagrimanta at approximately 6:02 p.m. called the meeting to order. Trustees present were Nathan Roth, Michelle Vannest, Stan Sameshima, and Karen Dusin. Trustee Theorine was absent.

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

Audience Present: Max Zenk, Mary Fox, Bill Cannon, Tammy Koenig, Gabe Evans, Barb Kirkmeyer, and Anastasia Taylor.

Pledge of Allegiance

Additions to the Agenda: Christian Morgan says there are 3. Approval of the Platte Valley High School Homecoming Bonfire Permit, Approval of Resolution 2022-0016 Approving the Conditional Closure of the 3rd Street Rail Road Crossing by the Colorado PUC and Successful Execution of an Agreement Between the Town of Kersey and the Purchase of Certain Pieces of Land and Improvements, and Approval of Resolution 2022-0017 Approving Payment to the First National Bank of Omaha Satisfying the Terms and Condition of Lease Purchase Option. There is a copy of each on your desk (and at the sign in sheet).

Consent Agenda

1. Approval of the consent agenda to include approval of the minutes of the August 2, 2022 regular meeting, approval of bills paid, and approval of bills to be paid. Motion made by Trustee Roth and seconded by Trustee Vannest, to approve the consent agenda. Motion carried with a 5-0 vote.

Public Invited to be Heard

1. Mary Fox, 327 5th Street – There is a cat problem in Kersey. There are very few birds on 5th Street. There is an ordinance that each house may only have 4 cats. Her neighbors have 4 dogs and at least 7 or 8 cats. She has spoken to Staff, they suggested she get a dog. She does not feel she should have to get a dog, and her lifestyle does not allow for a dog. Christian says, the Chief will call Mary.
2. Bill Cannon, 718 3rd Street Court – says he is in attendance for the Kersey Days Committee. Kersey Days Committee has been unable to get in touch with Brandon. There was no direction given for what would happen. Mayor Lagrimanta says he thought everyone would meet again in January. Mr. Cannon asks, is Brandon taking over? We relied on James for this, and we (Kersey Days Committee) have no idea who is doing what. Christian says, he did call and leave a message. Brandon is drafting up a document for the Kersey Days Committee to become an advisory committee. At that point we will meet and discuss what that looks like. Christian states, his understanding from the meeting was that the Kersey Days accounts were not ready to be closed, and that is what the committee wanted. Mr. Cannon says, there is a line-by-line itemized statement of expenses that James had, but no one knows where that is. Christian says, we are audited every year, and we have a good accounting system so it will be correct from this time going forward.
3. Gabe Evans, Fort Lupton – candidate for Colorado House District 48. Wanted to introduce himself. He will leave cards with the clerk.
4. Barb Kirkmeyer, Brighton – candidate for Congressional District 8, currently serving as a State Senator. We had a great working relationship when she was a County Commissioner, and she would like to continue that as your congress woman.

New Business

1. Approval of the Platte Valley High School Homecoming Bonfire Permit
Max Zenk, student council president is present. Max says they contacted Platte Valley Fire Department (PVFD), they will inspect the pile and have someone on scene during the fire. PVFD gave them a list of what can and cannot be put in the fire. The bonfire will be October 5, 2022.
Motion made by Trustee Vannest and seconded by Trustee Dusin to approve of the Platte Valley High School Homecoming Bonfire Permit. Motion carried with a unanimous vote.
2. Approval of Milton's Kersey Liquor License Renewal and Change in Trade Name Approval
Anastasia, designated representative says they would like to renew their liquor license. Christian confirms, there have not been any police issues.
Motion made by Trustee Roth and seconded by Trustee Vannest to approve Milton's Kersey Liquor License Renewal and Change in Trade Name Approval. Motion carried with a unanimous vote.
3. Approval of Koenig Family Kersey Inn Liquor License Renewal
Tammy Koenig is in attendance, there have not been any issues. Christian confirms.
Motion made by Trustee Sameshima and seconded by Trustee Roth to approve Koenig Family Kersey Inn Liquor License Renewal. Motion carried with a unanimous vote.
4. Approval of Resolution 2022-0014 Vacating the September 27th Work Session.
Christian says, the Tri-Board meeting is on September 28, 2022 so we are vacating the regular work session.
Motion made by Trustee Roth and seconded by Trustee Vannest to approve Resolution 2022-0014 Vacating the September 27th Work Session. Motion carried with a unanimous vote.
5. Approval of Resolution 2022-0015 Supporting the Town of Kersey's Comprehensive Plan, Land Use Code, and 3-Mile Plan.
Christian says, this is a requirement for an Energy Impact Grant we are applying for, to update the comprehensive plan. It was last updated in 2016. This plan talks about future plans for the Town and growth management. We file this with the County to let them know what our plans are. There is a lot of public engagement and involvement, to help craft the kind of town you want to have in the future. This will mainly be handled by Danna Ortiz, contract planner.
Motion made by Trustee Vannest and seconded by Trustee Roth to approve Resolution 2022-0015 Supporting the Town of Kersey's Comprehensive Plan, Land Use Code, and 3-Mile Plan. Motion carried with a 5-0 vote.
6. Approval of Resolution 2022-0016 Approving the Conditional Closure of the 3rd Street Rail Road Crossing by the Colorado PUC and Successful Execution of an Agreement Between the Town of Kersey and the Purchase of Certain Pieces of Land and Improvements.
Christian says this is part of our application to PUC for closure of the 3rd Street (Rail Road) crossing. When we went under contract for the elevator next door, it includes 70,000 square feet of land, including the 3rd Street crossing. It was an essential crossing until the 9th Street crossing was installed. There are utilities in the area. It's a one for one, closing 3rd Street to get 9th Street squared away. 9th Street is a more practical crossing. PUC makes the decision to open or close any at grade crossing, but they do require your support.
Motion made by Trustee Roth and seconded by Trustee Sameshima to approve Resolution 2022-0016 Approving the Conditional Closure of the 3rd Street Rail Road Crossing by the Colorado PUC and Successful Execution of an Agreement Between the Town of Kersey and the Purchase of Certain Pieces of Land and Improvements. Motion carried with a 5-0 vote.
7. Approval of Resolution 2022-0017 Approving Payment to the First National Bank of Omaha Satisfying the Terms and Condition of Lease Purchase Option.
Christian says, when the Town built the facility, we are sitting in right now, we had enough money in our accounts to pay for everything. We decided that we should have a little cushion because it was COVID and things were uncertain. We essentially sold this building to FNBO for \$1,000,000 for a 10 year lease in which we pay \$1 at the end and it reverts to us. We have been budgeting for that payment. Our revenues have been far better than we had anticipated, we now have enough in the bank to satisfy the terms of this lease. We can pay off this facility in its entirety. This will make us completely debt free, we have been able to pay off the waste water treatment plant and the water tower in the last few years. The pay off will be just over \$800,000, and there will be about \$2,500,000 in cash left. Some of those funds are dedicated to other projects, we try to plan our largest projects in our budget each year. We have had a good amount of financial assistance from grants, we have had unfilled salary positions, and an uptick in sales tax. Sales tax is anticipated to continue to rise as Penske and Dollar General contribute. This payment will free us from the interest on this loan.

Unapproved Minutes – 09/13/2022

Motion made by Trustee Roth and seconded by Trustee Vannest to approve Resolution 2022-0017 Approving Payment to the First National Bank of Omaha Satisfying the Terms and Condition of Lease Purchase Option. Motion carried with a 5-0 vote.

8. Discussion of Cafeteria Plan (Opt out of Benefits)

Haley says, we hired a new person (Robi) for the front desk position. She does not need the Town's benefits, and has asked if we would be willing to pay a slightly hire amount or contribute more to her retirement. A few years ago, we looked at something similar, but at that time we did not have any staff members that were interested or qualified so we did not move forward at that time. With the challenges in the hiring market right now, we want to be able to offer something that will be attractive to candidates. This type of plan is very popular among private employers. The Town will pay, I believe we say up to 25% of the \$1,100 per month we would contribute if they had our benefits as a taxable income. The employee would have to be able to prove they have medical insurance somewhere else. Trustee's Vannest and Roth agree, this is a great option. Mayor Lagrimanta says, thank you for always looking for ideas to take care of the staff.

9. Preliminary Budget

Christian says, we met last Saturday, and came to some conclusions. The budget is in the packet so it is forward facing for the public. It will be in every packet for the rest of the year, for transparency. There will still be a few adjustments. We are going to look at water rates, it has been a while since we have done that. Each year we get a notice that our water rates are going up, but we try not to pass it along to constituents. We will be making some purchases in 2022, so there will still be some fine tuning.

10. Interview of possible Planning Commission Members

Christian says, we were not able to contact both people. We will call one applicant. We have 2 for sure, and possibly 3 seats open. The person we will call this evening is Jay Pier, he has served on the Board and on Planning Commission in the past. You (Board of Trustees) appoint the commissioners, that is where your involvement ends.

Jay Pier says, if you would like me to sit on the Board (planning commission) for the remainder of the term, he is willing to do that. He will recuse himself on any jobs he is involved in. He is available for the meetings. The Board of Trustee's agree, Jay is knowledgeable, experienced and willing.

Motion made by Trustee Sameshima and seconded by Trustee Roth to appoint Jay Pier to the Planning and Zoning Commission. Motion carried with a unanimous vote.

Old Business

None

Staff Communication

- a. Chamber of Commerce – Trustee Sameshima attended. He says, before the meeting started the had a presentation about decision and goal making for groups. There were 5 people in attendance. They do not want to see food at Kersey Days anymore, they liked the silent auction better. Fr8 Solutions has meeting rooms available and a notary public. They had questions about work being done on Hill Street, he told them it's 1st and Hill Street and there will be some work on Clark Street. Christian says, the Chamber asked if we would host a Business Afterhours here at the Town, and he agreed.
- b. Tree Board – Trustee Dusin says they met yesterday. There was a lot of confusion about the monies in the bank account. Roberta, Kurt and Julie were supposed to work on that this morning. We want to work on underground sprinklers at Memorial Park but we need to know how much money is left. They want to do that before the end of the year. The PDC work crew is not going to happen, the Tree Board and Town staff will have to take care of it. Kurt is going to take care of stuff at Kohler, and we will do something with trees next year.
- c. Town Manger – Christian states he met with Hall Irwin and a demolition company, about planning what kind of funds will be needed for demolition of the elevator. Still waiting for the numbers.

Working to update the crisis management document with PVFD and the school. Will bring it to the Board, when it's ready.

Alex Vigil, has been here (in Public Works), for just less than a month. He is doing very well. He and Kurt work very well together. He really wants this to be his career.

We were not successful in the congressional grant for the water line. Mayor Lagrimanta gives Mr. Evans a brief description of the waterline project and the congressional grant.

Champion (NalCo) has submitted plans for improvements. They will be done by March 2024. They have gotten the full authority to move forward. Their accounting department is based in Argentina. We want the forward-facing parts to look much better. Penske and Peterbilt (Rush) have done it. We are still assessing the penalties, but currently suspending them. So long as they move forward with this, the penalties will be extinguished upon completion.

Reminder, the Tri-Board meeting is at PFVD at 7:00pm on September 28, 2022.

He talked to the County Commissioners about the interest in purchasing the land along the Rail Road from Kuner to CR 49. They applaud Kersey for being visionaries in the idea to purchase and make this part of the Freedom Parkway. They would help with the purchase if Union Pacific agrees. Christian agreed to pay for half of the appraisal. We anticipate Union Pacific to say no in the beginning, but we are hoping they might agree at some point. Christian is thinking about long term future use and transportation to Greeley.

On September 8th he attended Weld County Oil and Gas Conservancy meeting and introduced Kersey to them and met their commissioners. Talked about some future plans. He thinks it is a good idea to have an IGA with Weld County Oil and Gas Department, like Evans Does. We are very impacted by oil and gas. Mayor Lagrimanta says, he joined County Commissioners and other Mayors in sending a letter to Governor Polis, letting him know that we have not recovered from what has transpired at the Capital and encouraging him to work with Weld County.

We put out an RFP for snow removal assistance. Christian says he budgeted about \$35,000 for that. We got 2 legitimate bids. One company answered, came in to talk to him today and adjusted their proposal. He has not been successful in getting in touch with the other company, which is very concerning. Christian recommends moving forward with Tom Law and his Company. They already do our mowing maintenance. Christian likes their offer, and they are very responsive. There will be a learning curve and hiccups, but he just does not have confidence in the other company. If they are not responsive now, what will happen at 2:00am in the middle of winter when we need snow plowed? Kurt will be the one that takes care of managing that relationship for the most part. Trustee Vannest inquires about our relationship with the school and drop off areas. Christian says, we came up with a plan last year. We will never get it right, but we will try.

He met with Johnny Olsen about the lack of advancement at Highway 34 and 1st Street. Johnny met with his contacts at CDOT, there are options. We will keep trying to solve the issue.

Trustee Vannest states she was not able to call the PD, but at 5:00am there was someone at Kohler Park with a headlamp and a flashing light on the pack. Mayor Lagrimanta says there is someone that walks really in the morning, and at night.

- d. Town Attorney – Delighted about paying off the loan, he thought they might throw a hiccup.

Board of Trustee Communications

Trustee Dusin – The 2 white buckets with handicap signs at the museum are split. Can we get new ones? Christian says he will have the replaced.

Trustee Vannest – Nothing

Trustee Sameshima – He is very glad, everything seems to be going well.

Unapproved Minutes – 09/13/2022

Trustee Roth – the school put out an email about people parking by the softball field, are we painting that? How do we deal with cats? Christian says the best we can do is try to identify the owner and cite them. Roth confirms, he agrees with Mary Fox, but does not know how we deal with that.

Motion made by Trustee Sameshima and seconded by Trustee Roth 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 7:45 p.m.

Respectfully submitted,

Haley Curtis
Deputy Town Clerk