

**Town of Nunn
Special Meeting
Executive Session
August 7th, 2021
9:00 a.m.**

WHICH IS OPEN TO PUBLIC MEMBERS AT THE
NUNN COMMUNITY CENTER BOARD MEETING ROOM

CALL TO ORDER

The Special Meeting of the Board of Trustees of the Town of Nunn for August 7th, 2021 was called to order and presided over by Mayor Tinsley at 9:00 a.m.

ROLL CALL

Mayor Tinsley
Trustee Moon
Trustee Amen
Trustee Cable
Trustee Frederiksen
Trustee Sorensen

ABSENT

Trustee Wright

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA

Motion by Trustee Moon and seconded by Trustee Sorensen to approve the agenda for August 7, 2021. All in favor, Motion carried

Executive Session

Executive Session Began at 9:05 a.m.

EXECUTIVE SESSION TO RECEIVE LEGAL ADVISEMENT WITH THE TOWN ATTORNEY (MATT GOULD CONSULTING)

Motion by Trustee Moon and seconded by Trustee Amen to move into an Executive Session, Pursuant to Section 24-6-4024 € of the Colorado Revised Statutes, for the purpose of receiving legal advice from the Town Attorney on specific legal questions related to claims of Richard Henry and pursuant to Section 24-6-4024 €

Executive Session Ended at 9:55 a.m.

Special Meeting Resumed at 9:57 a.m.

Review of Zoning Request change and replat for Delight Commercial Park

Brian Bannister is requesting to rezone the Delight Estates from 14 residential lots into 5 commercial lots

Trustee Moon:

There is one 1 (one) exit out of the development. This would mean that all the commercial traffic would be using this exit which is a residential area. Also, the maintenance on this road is hard to keep up on currently and this would make it that much harder.

Brian Bannister:

The plan is to have a cul-de-sac and an additional exit for traffic to exit to County Road 98 for this traffic to re-direct from the residential area.

Mayor Tinsley:

Commercial is not industrial. Any commercial that you get would have to come to the board for approval.

Brian Bannister:

Yes. That is not our intent. Our intent is to turn the property into commercial lots and sell to a company/person that can afford to develop it properly.

Mayor Tinsley:

The access off of County Road 98 would need to be away from County Road 31 and Rail Road tracks. Are you aware of that?

Brian Bannister:

Yes. That has already been surveyed and staked.

Trustee Moon:

I have some concerns that we are working from an outdated Town plan. I feel that our infrastructure is not currently built up for additional development. We have a responsibility currently to follow this. I feel we need to address this first.

Town Clerk Cathy Payne:

Our comp plan that we have in place does show this area as an employment area.

Trustee Frederiksen:

I think the issue of ingress and egress needs to be address. I don't think having one entrance and exit is a good idea.

Mayor Tinsley:

Have you spoke with Clayton Homes in regards to access on this subdivision?

Brian Bannister:

I have tried with no outcome.

Trustee Cable:

As a town, we are going to grow and I understand that. However, we do not have the correct infrastructure to get in and out for Fire Fighters and/or Police to be able to access the area correctly and within a good time frame. Also, our maintenance department would not be able to keep up with any type of commercial traffic utilizing 4th Street.

Trustee Moon:

Residential exiting to residential is different than commercial exiting to residential. We are unable to limit the traffic that would come through onto 4th Street which is an issue for the Town and maintenance of the roads.

Brian Bannister:

Anything after the zoning is changed would need to be presented to the board by the new buyers before approved anyway and the board would be able to adjust to what is needed.

Public Comments:

Public Comment:

Town is in good shape financially. Why do we need to put commercial in open space? We need to keep some open space. There is a lot of us that want this to remain agriculture.

Trustee Cable:

I don't think that financially at this time as a town we need to have commercial, but we need to be looking at the town in the next 20-30 years. We are going to see growth. We are also going to have increase of traffic which will include a need for increase of maintenance and police. We need to plan for this now to accommodate for the financial future of the town.

Public Comment:

Having someone buy land and rezone it from residential to commercial is not responsible. That's selling to the highest bidder.

Public Comment:

The reality is that we are going to grow and we need growth. We have to have some money come in other than from the residents.

Public Comment:

My daughter has been hit by rocks by people who can't slow down on 4th Ave. Town maintenance has been working hard trying to keep it as best as possible. I don't want the traffic coming on that road. The current plan does not show any other exits besides 4th Street.

Public Comment:

My concern is the plan only looks half done. I would like to see a real plan that is finished.

Public Comment:

With the growth that you are talking about and the problems that are being perceived, we need to be also talking about the types of businesses that would be allowed as a town. We are not even talking about the positives that the commercial could bring here. The jobs, the growth, and the money.

Trustee Frederiksen:

Board member suggested take minimum of lot 1 and 2, probably lots 1-4 and designate it as an open space. Make it a bumper between the current residential and the proposed commercial and put the cul-de-sac in. This would keep the commercial out of residential and then we wouldn't have to worry about extending Garfield Ave to 4th Street. We would just have to make sure County Road 98 could handle whatever traffic would be using it.

Trustee Moon:

I am concerned of the drainage with water. I am all for commercial growth, but it would be irresponsible to approve it before a proper drainage plan is in place.

Brian Bannister:

I do have an engineered drainage plan. However, I do not have it with me.

Brian Bannister has requested a Public Hearing.

An updated plan will need to be presented prior to the hearing.

The board has agreed to a Public Hearing on Saturday, September 11, 2021. An updated plan will need to be presented and available before the Public Hearing.

Motion by Trustee Frederiksen and seconded by Trustee Cable to hold a public hearing for Bannister Homes to change the zoning from residential to commercial on September 11, 2021.

Roll Call Vote:

Mayor Tinsley-Yes, Trustee Moon-Yes, Trustee Amen-Yes, Trustee Cable-Yes, Trustee Frederiksen-Yes, Trustee Sorensen-Yes, Motion Carried.

Discussion for Town of Nunn Police Coverage/Records Management System

Law enforcement agreement:

Town of Nunn has requested to have an agreement with the Town of Ault for coverage to begin now and to end December 31, 2021. The cost would be 3,873.95 per month. This is to give Chief Joel Smith the opportunity to re-establish the police department, hire new officers and wrap up current issues. Ault Police will work 3 hours a day coverage. Anything above the 3 hours will be \$64.00 per hour. Matt Gould, the Town Attorney, will review the contract.

Motion by Trustee Moon and seconded by Trustee Amen to allow Matt Gould, the Town Attorney, to review the temporary contract between the Town of Nunn Police Department and the Town of Ault Police Department for hiring of temporary service.

Matt Gould, the Town Attorney, has reviewed the contract between the Town of Nunn Police Department and the Town of Ault Police Department for police department coverage. Possible issues were discussed and clarified. Matt Gould has approved the contract as proposed with adjustments.

Motion by Trustee Moon and seconded by Trustee Sorensen to approve the contract between the Town of Nunn Police Department and the Town of Ault Police Department with the recommended modifications of adding the wording 'to the extent by law' by the indemnification insurances by Matt Gould, the Town Attorney.

Roll Call Vote:

Mayor Tinsley-Yes, Trustee Moon-Yes, Trustee Amen-Yes, Trustee Cable-Yes, Trustee Frederiksen-Yes, Trustee Sorensen-Yes, Motion Carried.

Records Management System:

Police Chief Joel Smith is requesting Pro-Vision, a records management system. Right now, The DA office is no longer allowing hard drives and everything is hand written which is causing inconsistency. The Pro-Vision also has a personnel file area, inventory area and fleet maintenance area. The total cost is would be \$3,250.00 for the first year and then \$1,400.00 per year/per license.

Motion by Trustee Moon and seconded by Trustee Sorensen to approve \$3,250.00 for one license with Pro-Vision and support for one year.

Roll Call Vote:

Mayor Tinsley-Yes, Trustee Moon-Yes, Trustee Amen-Yes, Trustee Cable-Yes, Trustee Frederiksen-Yes, Trustee Sorensen-Yes, Motion Carried.

Updates for Nunn Days

Update from Trustee Moon:

Nunn Days planning is going very well. We’ve had a lot of involvement from the community and have confirmed the following:

- The stage and sound
- MC DJ
- Band
- 2/3 of our vendor spaces are spoken for
- The parade and car show are currently being organized
- Tractor pulls and lawnmower races are still possible
- The Fire Department will be hosting a pancake breakfast Sunday morning followed by church in the park.

Hours: Nunn Days will start on Saturday 25, 2021 at 9:00 a.m. with a parade and go through a 7:00 p.m. ending with a music performance. We could still possibly go past 7:00 p.m. if we get another band lined up.

We are still welcoming anyone who would like to help. It’s not too late to get involved. We will have committee meetings until the event. Please check the website and postings at the post office for upcoming meetings.

Motion by Trustee Sorensen and seconded by Trustee Cable to adjourn the Special Meeting for 08-07-2021 at 11:40 a.m. All in favor, Motion Carried

Mayor Terry Tinsley

Assistant Candice Pittington