

**Town of Nunn
Public Hearing
August 22, 2019
6:00 p.m.**

The Town of Nunn, Colorado is Holding A Public Hearing for the Adoption of **Ordinance 319**
AN ORDINANCE OF THE NUNN TOWN BOARD GRANTING BY FRANCHISE TO PUBLIC SERVICE COMPANY OF COLORADO, IT'S AFFILIATES, SUCCESSORS AND ASSIGNS, THE RIGHT TO USE THE STREETS WITHIN THE TOWN TO FURNISH, SELL, TRANSMIT AND DISTRIBUTE ELECTRICILTY TO THE TOWN AND TO ALL RESIDENTS OF THE TOWN, GRANTING THE RIGHT TO ACQUIRE, CONSTRUCT, INSTALL , LOCATE, MAINTAIN, OPERATE AND EXTEND INTO, WITHIN AND THROUGH THE TOWN ALL FACILITES REASONABLY NECESSARY TO FURNISH, SELL, TRANSMIT AND DISTRIBUTE ELECTRICITY WITHIN AND THROUGH THE TOWN AND FIXING THE TERMS AND CONDITIONS THEREOF.

Call to Order:

The Public Hearing of the Town of Nunn was called to order and presided over By Mayor Terry Tinsley at 6:00 p.m. August 22, 2019.

Opened up to the Audience

Public Comments/Questions:

- Q: Joyce Taylor: Would like to have a meeting with Xcel Energy, Atmos Gas and North Weld Water to decide what they are going to do for the town if the town is going to grow:
A: Cathy Payne: We require developers to get letters from Xcel Energy, Atmos Gas and North Weld Water for anyone who wants to develop here. We will look at doing a public hearing to allow the community to ask questions.
Lucas McConnell- Community and Government handling for Xcel Energy. Weld County is in the top 2 fastest growing counties in the country. Specific projects that are going on are part of the Northern Colorado Area Plan and include a new substation between Timneth and Windsor (spring 2020), a new substation by Ault (within the next year) and then a new substation on the north east side of Greeley (little over a year). This should help with growth. Also, most outages are due to wind. We should get more reliability with the new substations and connecting to them. The time frame for Nunn, CO will be in a little over a year (part of Ault's substation). This requires at least 5 acres.
- Q: Mayor Tinsley: Will Xcel be replacing any power poles. Some in the town are the originals:
A. Lucas: Xcel does have a Pole Division. Lucas will take the issue/suggestion to review some of the power poles for grading and replacement.
- Q. Joyce Taylor: Is there was a gas line that was owned by Xcel running down County Road 31:
A. Lucas: Gas lines that are around from Xcel take the gas and oil from other company's wells to a refinery. They do not serve homes in this area for gas. Atmos is the gas supplier.
- Q. Sue Frederiksen: Is the franchise agreement standard or revised:
A. Lucas: It is very standard for Xcel. It does run in favor of Xcel Energy. Cathy Payne: Our attorney did review, February 2019, and did ask questions at that time.
- Q: Sue Frederiksen: Page 9 of the agreement states Xcel Energy can elect to not restore services as long as there are reasonable accommodations available:
A: Lucas: Xcel Energy does have the right to not restore their service but they would make sure there were other accommodations available for everyone affected by this. This would mainly be in extreme circumstances.

- Q: Sue Frederiksen: Xcel Energy needs a 2 year notice of any street changes, paving, expanding:
A: Lucas McConnell reiterated that Xcel Energy would like to know as soon as the town knows. This would include any street/area changes that would require pole moving or service line moving.
- Q: Sue Frederiksen: Page 29 states to contact Nunn Town Administrator. We don't have a Town Administrator:
A: Cathy Payne stated to have everything sent to Town Clerk- no specific person.
- Q: Jordan Cable How long before they drop wires underground:
A: There is a 1% underground wire fund (1% of profits from residents) for the Town of Nunn to use to drop wires underground. The town is also able to borrow against it as long as there are 3 years or more remaining on the franchise agreement. New developments automatically go underground. This fund is for existing overhead to put underground.
- Q: Jordan Cable what is the cost benefit to go underground? Why are they not put underground when overhead is being repaired:
A: Lucas: I do not have a direct answer, but could be a cost associated with it.
- Q: Joran Cable: What happens if a local resident /customer wants to do solar. Is it available to them:
A: Lucas: Xcel does have the programs and would most likely be a separate one on one contract/agreement with the customer.
- Q: Mayor Tinsley- Do they sell to commercial for solar:
A: Lucas- Yes. We do have customers in Greeley with solar that are commercial.
- Q: Joyce Taylor: Does Xcel recycled the solar when taken off:
A: Lucas- Not yet, there are some special metals but Xcel is working on recycled program

Motion by Mayor Tinsley to close the public hearing dated 08-22-2019 at 6:25 p.m.

**Town of Nunn
Regular Board Meeting
August 22, 2019
6:25 p.m.**

A Work Session/Regular Meeting of the Town Board, Which is Open to the Public, Nunn
Community Center Board Meeting Room

CALL TO ORDER:

The Work Session/Regular Meeting of the Board of Trustees of the Town of Nunn for August 22, 2019 was called to order and presided over the Mayor Tinsley at 6:25 p.m.

ROLL CALL:

Mayor Tinsley
Trustee Vogel
Trustee Moon
Trustee Cable
Trustee Frederiksen

ABSENT:

Trustee Varra

Pledge of Allegiance

Approval of Agenda:

Motion by Trustee Cable and seconded by Trustee Moon to approve the agenda for Work Session/Regular Board Meeting dated August 22, 2019. All in favor, Motion Carried.

New Business:

Lucas McConnell from Xcel Energy is here discussing franchise agreement renewal.

Reading of Minutes of previous meetings:

Motion by Trustee Frederiksen and second by Trustee Moon to forgo the readings of the Regular Board Meeting Minutes 07-18-2019 and Work Session/Special Meeting 08-03-2019. All in favor, Motion Carried.

Approval of Minutes of previous meetings:

Motion by Trustee Frederiksen and seconded by Trustee Vogel to approve the Regular Board Meeting Minutes 07-18-2019 and Work Session/Special Meeting 08-03-2019. All in favor, Motion Carried

Approval to Pay Bills/Treasurer's Statement:

Amounts that were verified:

- Unpaid Bills \$36,528.21
- Payroll \$33,011.40

Motion by Trustee Moon and seconded by Trustee Vogel to accept and approve the Unpaid Bills as of 08-21-2019 and Payroll of \$33,011.40.

Roll Call Vote:

Mayor Tinsley-Yea , Trustee Vogel -Yea, Trustee Moon -Yea, Trustee Cable -Yea, Trustee Frederiksen -Yea,
Motion Carried.

Motion by Trustee Cable and seconded by Trustee Moon to accept and approve the Treasurers report as of 08-22-2019.

Roll Call Vote:

Mayor Tinsley-Yea , Trustee Vogel -Yea, Trustee Moon -Yea, Trustee Cable -Yea, Trustee Frederiksen -Yea,
Motion Carried.

Police Report:

Call for Service 257 (traffic contacts added in)

- A.O.A's 10
- Animal 4
- Arrests 2 M 1 F
- Assists 22
- Business Checks 16
- Code Violations 6
- Criminal Activity 4 M 2 F
- Transients 4
- VIN's 14

Traffic Contacts 200

- Summons 172
- Warnings 28

Nunn Police Reserves and Cadets:

We still need to add reserves. With Office McGehee taking on the full time slot at the police department, it leaves a big hole in the hours that he volunteered as a reserve.

Res. Officer Clarke was able to come home for a few days last week and busied himself with the upcoming First Responders Community Day event. Also, Shane made the Humvee ready for the celebration.

Res. Officer Thompson has stepped up a little to help us out with a few more hours. Cadets are finishing up their summer employments and will be very active for the September event.

Nunn Police Activities:

Lexipole (policy manual) is being rolled out at this time. All officers, with only one exception, have been assigned their passwords and are able to read and verify that they understand the document. Trustee Fredricksen has been extremely valuable in getting this roll out completed.

The Records Management System (RMS) is still proceeding. I have to find a time for all employees to attend a group 8 hour training session so that we can officially start up RMS.

Nunn Police Vehicles:

No major problems to report on our vehicles. The 2014 Ford has 114,000 miles and the 2016 Ford has a little over 60,000 miles. The 2009 Dodge, while it does not get used as much, has 110,000 miles on it. The Chevrolet Tahoe is a 2013 with 62,000 miles.

Other Comments:

There is a horse track going up North and West of town, off County Road 104. My understanding is that it's already built and they are in the process of getting it approved. The community out there is concerned that it will cause a problem with home/land values and traffic issues. We have been approached to contact that county commissioner. I called Mike Freeman and explained that with it going in, it will increase traffic flow (drunk drivers). We also talked about security out there. They were planning on hiring private security, I suggested they hire an independent or off duty officer to do a possible overtime situation. We do have one on County Road 96 and County Road 39, but don't think it's the same people. According to contracts, they are only able to run races 2 times a month.

I was looking into the possibility to move the 65 mile an hour speed limit zone from 8th Street and Hwy 85 to South of the intersection of County Road 98 and Hwy 85. It was brought to my attention that where it's at right now could be problematic at 65 MPH and County Road 98. CDOT said we need to set up a traffic account and we are stuck with what they decide. CDOT also stated that nothing would be done until the intersection at County Road 98 and Hwy 85 is completed.

I did question if CDOT thought that going 65 MPH through that intersection would be good and received no answer. Mayor Tinsley will be talking again with the engineers (they were the ones that brought it up) to see if there is anything else they are thinking with it.

We have received several donations for the First Responders Day being held September 7, 2019 and for Santa Cops. The donations came from Aces Place (\$1,000.00) and 6G Drilling (\$2,000.00). Farmers Bank has also donated a page to advertise for it, so we have been able to purchase a few things. We do have thank you notes to send out to them.

For First Responder Community day, the committee has been tremendous. We have around 30 vendors and 2 food vendors. Signs are kind of hard to read so we will be looking into this.

Comments:

Gary Criswell mentioned the liability that Nunn has with the DOT setting up and scaling drivers. He is concerned about a possible wreck and Nunn being responsible.

Cathy Payne did check with insurance over the last year, but will look into it again to make sure we are covered.

Town Clerk Report:

Public Works has a vacancy- Mayor Tinsley, Sue Frederiksen and I conducted interviews for the Public Works replacement opening in order to expedite filling the vacancy. We have selected Shawn Winklepleck and he will be starting September 9, 2019.

Water Update- the Town Board authorized Varra Buildings to pursue well water for the Varra Annexation as the result of the meeting with Northern Water Conservancy District (July 26, 2019).

Mayor Tinsley and Town Clerk Cathy Payne met with Northern Weld Water on July 31, 2019 to discuss direct water services for the Dudley and Varra Annexation. North Weld Water will need to present to their Board of Directors in September to determine if direct services for these properties will be an alternative. If so, then the Town of Nunn and North Weld Water will need to complete an IGA for the terms of distribution through the Town of Nunn infrastructure.

Cathy Payne will continue to research the logistics for acquiring a Water Supply and Storage share, or a portion of a share with Northern Weld Water and/or other municipalities.

Town Well Update- Xcel Energy has received our meter application for the electrical. I do not have estimates for the costs or time frame yet.

Town Website- DOLA emailed stating we must post all the public meetings on the town website effective August 2, 2019 (House Bill 19-1087). DOLA has also included our website as a link on their website as of August 2, 2019. I have contacted Mayor Tinsley and Tony Vella to bring the website up to date and have Tony Vella cross train Candice Pittington to cover the website.

We would like to keep the part-time position if possible instead of temporary. We will discuss further at the September Work Session/Regular Meeting.

Court Clerk Report:

August 2019:

Arraignments:

- 100 tickets- 37 on the docket
- 12 Showed up and accepted plea agreements
- 4 Continuances
- 21 Default/OJW's ordered

First Continuance:

- 4 on the docket
- 1 Plead not guilty and is set for trial September 10, 2019
- 2 Accepted pleas
- 1 Requested 2nd continuance (Attorney request).

Trial

- 1 dismissed by Judge Lazar

Payment Plans:

- 1 On the docket
- 1 Was given extra time (October 10, 2019).

Deferred Sentences:

- 9 On docket were all dismissed

Voids:

- 2 On docket- all were dismissed

Prosecuting Attorney, Mike Brown, was here from 1:15pm-2:45pm (1 hour 30 mins) on August 13, 2019.

Judge Michael Lazar was here from 1:30pm- 2:45pm (1 hour 15 mins) on August 13, 2019.

Paid Citations:	\$28,426.00
Nunn Officer VIN Inspections:	\$140.00
Certified VIN Inspections:	\$15,790.00
July 2019 Deposits:	\$44,356.00

Maintenance Report:

- Grading streets
- Mowing and weed eating parks, cemetery, town hall, senior center, water tank and baseball field.
- Watering plants at senior center, town hall and museum.
- Maintenance on water tank.
- Locates.
- Shutoffs.
- Digging grave at cemetery for funeral.
- Filling low spots on graves in cemetery.
- Cleaning town hall
- Trimming trees
- Replacing sprinkler heads in park and town hall.
- Taking deposit to bank.
- Running for parts.
- Reading water meters.

Water lines may need to be flushed from the chlorination do to not as much use to keep the flow.

Scabby Tree Trimming has yet to complete the tree trimming and tying. Cathy Payne will be looking into the schedule of this.

Public Comments on items not on the agenda:

None

New Business Cont.:

Approve Joint PUC CDOT Application

- Attorney has reviewed and made changes. This is the first step of closing County Road 100.
- Application needs correction from stating school buses do not use any crossings as they do use the crossings. Cathy Payne will look into this and try to get an email meeting at the end of the month for approval.

Old Business:

None

Finance/Budget/Personnel Grants:

None

Planning and Development:

None

Code Enforcement/Fire/Police:

None

Water/Streets/Maintenance/Sewer:

None

Parks/Cemetery/Grounds/Recreation:

We will be reviewing the Monuments in the cemetery. Possibly hiring a contractor to fix any monuments that have been moved/damaged by the Town of Nunn. Movement or damage due to grade movement (settlement) is the responsibility of family.

Technology:

None

Emergency Planning:

None

Public Comments:

None

Motion by Trustee Cable and seconded by Trustee Frederiksen to adjourn the Public Hearing/Regular Board Meeting for 08-22-2019 at 7:35 p.m. All in favor, Motion Carried.

Mayor Terry Tinsley

Town Clerk Cathy Payne/Assistant Candice Pittington

