

**Town of Nunn**  
**Regular Board Meeting**  
**Public Hearing**  
**Thursday, September 16, 2021**  
**6:00 p.m.**

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

**CALL TO ORDER**

The Public Hearing of the Town of Nunn for September 16, 2021 was called to order and presided over by Mayor Tinsley at 6:00 p.m.

**Public Hearing**  
**6:00 p.m.**

**NOTICE OF PUBLIC HEARING FOR ZONING CHANGE REQUEST FROM AGRICULTURE ZONE TO COMMERCIAL ZONE DISTRICT WITHIN THE DELIGHT SUBDIVISION, TOWN OF NUNN, CO 80648**

*(All public comments/questions will be limited to 2 minutes each. All cell phones and devices need to be silenced or turned off unless you work for emergency services.)*

**Open to the Public for Comments/Questions:**

**David Moon- Town Resident**

My concern is the change from residential to commercial. We purchased our property because it is agricultural and wanted animals. We are located up against the proposed land. I'm concerned about what type of commercial development would be coming in and how that would affect my property and my neighbor's properties which are all pretty much agricultural. So therefore, I'm not in favor of the change. Maybe down the line when Nunn grows and maybe if it was more of an industrial type but right now, I'm just not in favor of it.

**Pete Padilla- Dad (Victor Padilla) has adjoining property**

Victor feels the same way. He would like to keep it agricultural. His sister agrees also. Traffic is bad enough as it is and they are afraid it will get worse.

**Jacob Villa- Town Resident**

I feel turning this land commercial would be a great disadvantage to the town. We already have commercial land for sale on the north end of town. There are several lots that have been for sale since 2017. I don't want to be a town that has several commercial lots for sale with signs everywhere. We don't have a population to support a store like Dollar Tree which has been rumored to come up here but has not yet, even with all the commercial property we currently have for sale. Compared to other towns around, our growth rate does not support anything commercial at this time. We need to be focused on building the town up for people to move in and raise their families. Also, we don't know enough about the plans that Bannister Homes has like who is going to be the highest bidder. And to add, there is not a comprehensive plan.

**Jenny Johnson- Town Resident**

For me, this is about our town. We have no right rezoning until we get our own stuff straightened out. I feel it is meaningless for our town to debate the notion of growth when we don't follow our own guidelines. I feel there is no open line of communication between the town and the residents and that there is a disconnect. So, until the codes, police department and so forth are straightened out, I don't feel we need to be making any changes at this point.

**Brian Bannister- Bannister Homes**

I feel the feedback shows the residents care a lot about this town and about the future of Nunn. I don't know of any commercial properties at this point in this town. The lots for sale up north are all industrial and the way I understand it, the people of town decide who would come into the town to seek a profit anyway. I also understand the affect that it would have on the residents here and I feel majority of people would welcome a grocery store or any other type of store. We initially set out for 16 residential lots and we were prepared to provide all that was needed for it. Now we are asking for only 2 commercial lots which is a scale back.

**Vanessa Wright- Town Resident**

Question: Do the water rights price have anything to do with wanting to change it from residential to commercial?

**Brian Bannister:**

Answer: Yes, it did. We are not set out at this point to make a profit, we are set out for what is affordable for development for us.

**Nancy Cooper- Nunn Storage- Non Resident**

We have a lot of people wanting to move out here for the county life, but they also want the city life. They want the amenities. And you have the ones here that want to maintain the agricultural life. There needs to be something done to fix it and create a balance.

**Adam Smith- Town Resident**

I moved out here because I wanted quiet. I'm not against expansion, but I am against rapid expansion. I'm also against expansion that does not have plans for 50 years. I'm all for durable expansion that will help the Town for long term.

**Submitted Letters from Town Residents to Town Hall Prior to Public Hearing**

**Jodie Harmon- town resident**

Our family would like to express a no to this proposal. This is an agricultural area with fields of corn, sugar beets, potatoes, cattle and dryland wheat for miles. I feel we should keep Nunn an agriculturally based community.

**Joshua Raun- town resident**

I want to express my strong opposition to the proposed rezoning of the Delight Subdivision. My property is adjacent to this and has been for nearly 14 years. I moved to Nunn for the agricultural lifestyle and would like it to stay that way although that has already been changing. The current commercial companies that have moved here have proven they are not here for the betterment of the community. There is also commercial land north of County Road 100 that could be better utilized. In my opinion, the requestor is not pursuing the change in the best interest of the community. According to the Nunn Comprehensive Plan, the quiet atmosphere, friendly neighbors, the varied architecture/rural feel is what the citizens value. I think the proposed rezoning does not align with this.

**Kody Falk- town resident**

Why do we need more industrial or commercial lots in our community? There are already plenty of vacant lots. This would only raise the cost of living, taxes, water, housing, fuel, etc. I believe the town is sitting at a good balance. Keep in mind that employment could bring the wrong type of people into our community. I don't want that around my family and you shouldn't want that either.

**Public Hearing Closed at 6:23 p.m.**

**Town of Nunn**  
**Regular Board Meeting**  
**September 16, 2021**  
**6:24 p.m.**

**CALL TO ORDER**

The Regular meeting of the Board of Trustees of the Town of Nunn for August 19, 2021 was called to order and presided over by Mayor Tinsley at 6:24 p.m.

**ROLL CALL**

Mayor Tinsley  
Trustee Amen  
Trustee Cable  
Trustee Frederiksen  
Trustee Wright

**ABSENT**

Trustee Moon  
Trustee Sorensen

**PLEDGE OF ALLIGANCE**

**APPROVAL OF THE AGENDA (as amended)**

**Motion** by Trustee Cable and seconded by Trustee Wright to approve the amended agenda to review the quote for Pro-Vision under Code Enforcement. All in favor, Motion Carried.

**PLANNING AND DEVELOPMENT**

**1. Vote for Zoning Change Request from Agriculture to Commercial Zone for Bannister Homes**

**Trustee Moon Vote by Email:**

My vote is no. This does not align with the Nunn Comprehensive Plan nor the wishes of the adjoining property owners and the majority of residents in general.

**Trustee Sorensen Vote by Email:**

I vote no. The change is a direct conflict of the Nunn Comprehensive plan and is not in the best interest of Nunn.

**Motion** by Trustee Frederiksen and seconded by Trustee Wright to take a vote for the zoning request change from agriculture to commercial zone for the Delight Subdivision.

***Roll Call Vote:***

Mayor Tinsley-No, Trustee Amen-No, Trustee Cable-No, Trustee Frederiksen-No, Trustee Wright-No, Motion Denied

**READING OF MINUTES OF PREVIOUS MEETINGS** (Special Meeting/Executive Session 08/07/2021 and the Public Hearing 08/19/2021).

**Motion** by Trustee Cable and seconded by Trustee Wright to forgo the public reading of the minutes for the Special Meeting/Executive Session 08/07/2021 and the Public Hearing 08/19/2021. All in favor, Motion Carried.

**APPROVAL OF MINUTES OF PREVIOUS MEETINGS** (Special Meeting/Executive Session 08/07/2021 and Public Hearing 08/19/2021).

**Motion** by Trustee Cable and seconded by Trustee Frederiksen to approve the minutes for the Special Meeting/Executive Session 08/07/2021 and the Public Hearing 08/19/2021. All in favor, Motion Carried.

**APPROVAL TO PAY BILLS/TREASURER'S STATEMENT**

Review of Waste Management and the pickup schedule/totes will be during the next work session

Amounts that were verified:

- Unpaid Bills \$48,074.75
- Payroll \$19,708.20

**Motion** by Trustee Cable and seconded by Trustee Wright to approve and pay the unpaid bills/payroll as of 09-16-2021 for \$48,074.75 and \$19,708.20.

***Roll Call Vote:***

Mayor Tinsley-Yes, Trustee Amen-Yes, Trustee Cable-Yes, Trustee Frederiksen-Yes, Trustee Wright-Yes, Motion Carried

**APPROVAL OF THE FINANCIAL STATEMENT**

**Motion** by Trustee Cable and seconded by Trustee Wright to approve the Statement of Financial Position as of 09-16- 2021.

***Roll Call Vote:***

Mayor Tinsley-Yes, Trustee Amen-Yes, Trustee Cable-Yes, Trustee Frederiksen-Yes, Trustee Wright-Yes, Motion Carried

**TOWN CLERK REPORT**

1. Emergency planning/tornado shelter, a resolution for the speed limits, waste management pickup/possible totes, appreciation for Nunn Volunteer Fire Department and the siren on the south side of town will be discussed at a future work session.

**COURT CLERK REPORT**

Court was cancelled for the month of September 2021

Paid Citations: \$2,496.00

Nunn Officer VIN Inspections: \$300.00  
Certified VIN Inspections: \$36,961.00  
**August 2021 Deposits: \$39,757.00**

## **POLICE REPORT**

Moved to Code Enforcement/Fire/Police

## **MAINTENANCE REPORT**

1. Dust control was put down on the roads and it seems to be holding up well.

- Tank Check
- Blading of Roads
- Locates
- Worked on Hand Book
- Meeting with Mayor
- Reading of Water Meters
- Shop Clean-up
- Work Orders for Water
- Cleaning of Town Hall
- Fixed Signs
- Worked on Parks
- Mowed in Town
- Fixed Sprinkler Heads
- Got Old Water Tower Up and Running
- New Hire
- Checked Cameras in Park
- Worked on Grass at Park
- Put in New Wood Chips at Play Ground
- Worked on Water Leak at Grader Shed
- Worked on Stuff for Nunn Days
- Replaced Door on Tractor

## **PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

None

## **NEW BUSINESS**

1. Marijuana Cultivation License Application of Special Use Permit for Dolce Vita LLC, (Thomas Veit)

Proof of compliance, description of ventilation plan and town special use permit license application was submitted to the Town of Nunn. Proposal area is located North of County Road 100, East of Hwy 85, in the industrial zone G. Next step would be to submit an application to the State of Colorado for a license.

**Motion** by Trustee Cable and seconded by Trustee Wright to approve the Town of Nunn application of special use permit for Dolce Vita LLC located at Lot3, Younells Ind, part of the north ¼ and northeast section of 28, T9n, r66w, of the 6<sup>th</sup> principle meridian, Town of Nunn, Weld County, Colorado.

**Roll Call Vote:**

Mayor Tinsley-Yes, Trustee Amen-No, Trustee Cable-Yes, Trustee Frederiksen-Yes, Trustee Wright-Yes, Motion Carried

**Old Business**

None

**CODE ENFORCEMENT/FIRE/POLICE**

**1. Chief Joel Smith:**

Ault has been making regular patrol on the problem streets. They have been working on cases with the sheriff's office also.

We have also been accepted into the bullet proof vests program. Starting next calendar year, we will be reimbursed half of the cost of new Ballistic Vests for new hires.

Nunn days: I will be around and will have 2 Weld County reserves. We are currently in the interview and hiring process with some possible direct hires.

I have received new pricing from ProVision for the body camera's which include some of the credits for ones that we currently have. The credit is \$1,596. This would make the total for the 5-year plan \$25,224.00 which can be paid in yearly increments of \$5,045.00. This includes the 5 camera's that we currently have and we would need a new one making it 6 that we would have, and we already have the 4 in-car camera's which is included in the price. The price also covers the downloading and storing of the data at the security level required.

**2. Trustee Jordan Cable:**

Next Police Committee meeting will be October 14, 2021 at 6:00 p.m. Every month it will be the 2<sup>nd</sup> Thursday.

**Motion** by Trustee Cable and seconded by Trustee Frederiksen to approve the Pro-Vision 5-year plan of \$25,224.00 with the initial yearly payment of \$5,045.00 for the Nunn Police Department.

**Roll Call Vote:**

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

**WATER/STREETS/MAINTENANCE/SEWER**

None

**PARKS/CEMETERY/GROUNDS/RECREATION**

**1. Trustee Amen:**

We are still working on the lean-to.

**TECHNOLOGY**

None

## **EMERGENCY PLANNING**

The tornado shelter will be discussed at the next work session

## **PUBLIC COMMENTS**

### Question:

Do you guys have committee meetings and can you tell us when they are?

### Trustee Cable:

Police committee meeting is October 14, 2021 at 6:00 p.m.

**Motion by** Trustee Cable and seconded by Trustee Wright to adjourn the Regular Meeting for 09-16-2021 at 7:41 p.m. All in favor, Motion Carried

\_\_\_\_\_  
Mayor Terry Tinsley

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Assistant Candice Pittington

\*In order to maintain efficiency, Robert's Rules has been utilized. Please refer to Colorado Revised Statutes Title 24. Government State § 24-6-402.