

**Town of Nunn
Regular Meeting
April 18, 2019
6:00 p.m.**

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

Call To Order:

The Regular Meeting of the Board Of Trustees of the Town of Nunn for April 18, 2019 was called to order and presided over by Mayor Tinsley at 6:00 p.m.

Roll Call:

Mayor Tinsley
Trustee Vogel
Trustee Frederiksen
Trustee Moon
Trustee Varra - Absent
Trustee Vella

Pledge of Allegiance

Approval of Agenda:

- Motion by Trustee Moon and seconded by Trustee Frederiksen to amend the agenda to move New Business and Planning & Development to the beginning of the Agenda. All in Favor. Motion Carried.

New Business and Planning:

- **Bannister Homes Approval for Use at 49720 Hwy 85:** Interested in purchasing this property to store and show manufactured homes as a factory representative for Commodore Homes out of Indiana. They understand there is no water or electric on that property. Motion by Trustee Frederiksen and seconded by Trustee Moon to allow Banister Homes to use this property for manufactured home sales. Roll Call Vote: Mayor Tinsley - yea, Trustee Vogel - yea, Trustee Frederiksen - yea, Trustee Moon - yea, Trustee Vella - yea. All in Favor. Motion Carried. Town Clerk will provide a resolution for Banister Homes use.
- **Special Use Permit for Cultivation: (SW 1/4 of Block N - property behind Chemplex):** Aces Place LLC would like a Special Use Permit for indoor, outdoor, and greenhouse cultivation of marijuana at the referenced property. They will provide 1 share of water with additional water needs being trucked in. They are proposing an 8 ft fence and were advised any fence over 6 ft tall would require a variance. They have two other facilities - one in Ft Collins and the other in Wheat Ridge. Motion by Trustee Moon and seconded by Trustee Vogel to approve the Special Use Application. Roll Call Vote: Mayor Tinsley - yea, Trustee Vogel - yea, Trustee Frederiksen - yea, Trustee Moon - yea, Trustee Vella - yea. All in Favor. Motion Carried. Town Clerk will provide a resolution for Banister Homes use.
- **Highland Recreation Association:** Jill Altauf, representing HRA, requested a donation from the Town. HRA provides full and partial scholarships to kids who want to participate but can't afford the fees. In addition to the scholarships there are equipment and facility costs to cover. Pierce has donated \$1,500 and Ault is donating \$500 now and possibly more later. J.B. Sitner offered to match what the Town donates. Item tabled to May 4th Work Session.
- **Varra Industrial Park (Mike Ketterling, Town Engineer):** Still has some concerns with traffic at CR 100 and drainage issues but a lot of the concerns have been addressed. Varra would like to use native materials for road base. Mr Ketterling would like to know if we want to continue using this or do things better. Mr Ketterling said he feels comfortable with giving conditional approval of the subdivision provided all conditions are met. Motion by

Trustee Moon and seconded by Trustee Vogel to approve the Preliminary Plan for Varra Industrial Subdivision with the condition that all Town Engineer comments are met. Roll Call Vote: Mayor Tinsley - yea, Trustee Vogel - yea, Trustee Frederiksen - yea, Trustee Moon - yea, Trustee Vella - yea. All in Favor. Motion Carried.

- **Younell Industrial Subdivision Preliminary / Final Plat (Mike Ketterling, Town Engineer):** Mr Ketterling said they have submitted a good sketch plan but they aren't where they need to be to get preliminary approval. Mr Ketterling said developers should be back charged any time he has to review the plans. Developers should have a preliminary meeting with the Town informing them what is required. He also suggested our development code should updated / fine tuned to be more specific what the Town requires. A resident has a concern about the pipeline easements on CR 29-1/2. Motion by Trustee Frederiksen and seconded by Trustee Vogel to table Younell Industrial Subdivision until they provide the required information. Roll Call Vote: Mayor Tinsley - yea, Trustee Vogel - yea, Trustee Frederiksen - yea, Trustee Moon - yea, Trustee Vella - yea. All in Favor. Motion Carried.
- **Town Planner:** Mayor Tinsley suggested we hire Robert Anderson as Town Planner at an hourly contract rate since other planners did not respond to inquiries about their services. Trustee Frederiksen suggested we should have a job description in place prior to hiring a planner. Town Clerk said she would like to hire someone who could help create the job description. Town Clerk stated \$36,000 / year for a planner was included in the budget. Trustee Moon suggested having a start date after our next work session so we could work on job description. Motion to contract with Robert Anderson for up to 20 hours per week at \$25 per hour beginning after the next Work Session by Trustee Moon and seconded by Trustee Vella. Roll Call Vote: Mayor Tinsley - yea, Trustee Vogel - yea, Trustee Frederiksen - yea, Trustee Moon - yea, Trustee Vella - yea. All in Favor. Motion Carried.
- **Trustee Opening Interviews:**
 - Cheryl Vogel - Mayor Tinsley, Trustees Frederiksen and Moon voiced concerns having spouses (related persons) serve on the same board as it lends itself to the appearance of impropriety.
 - Jordan Cable
 - Note: Paper ballot was taken but votes were not counted during the meeting.
- **Request for Ham Radio Event - Steve Jackson:** Weekend of June 21st - 23rd the Ham Radio operators would like to use the area by the new water tower for their annual event. There will be some RV's camping, the event will provide PortaPotties, and they are covered by insurance. Motion by Trustee Vogel and seconded by Trustee Frederiksen to allow the Ham Radio Club to use the area by the new water tower for their annual event the weekend of June 21st - 23rd. Roll Call Vote: Mayor Tinsley - yea, Trustee Vogel - yea, Trustee Frederiksen - yea, Trustee Moon - yea, Trustee Vella - yea. All in Favor. Motion Carried.
- **Tornado Season:** Mr Jackson said he expects an active tornado season this year. Activation of siren and all clear siren were discussed. Spotter Training schedule can be found on the internet.

Code Enforcement / Fire / Police:

- **RMS:** Chief Clingan received a call from WCSO IT person who said they had reworked the cost for using Weld County's RMS - Spillman and has shaved 90% off the initial price quoted which brings it in line with the Edicia software we had been looking at. Chief Clingan recommends going with the County's Spillman system since it's already in place. The cost would be \$4,024 the first year and \$1,000 / year thereafter. Motion by Trustee Frederiksen and seconded by Trustee Moon to approve the police department going with the County's Spillman RMS. Roll Call Vote: Mayor Tinsley - yea, Trustee Vogel - yea, Trustee Frederiksen - yea, Trustee Moon - yea, Trustee Vella - yea. All in Favor. Motion Carried.
- **Policy & Procedures Manual:** Chief Clingan said the Policy and Procedure Manual the Police Department is using was written in 2007 and based on the IACP model. A company, Lexipole, will update our current Policy & Procedure manual to ensure we are in compliance with all laws / state statutes. With the \$5 increase on the surcharge on all summons the Town will recoup about \$6,000 / year which will help cover this cost. Motion by Trustee Frederiksen and seconded by Trustee Moon to approve \$3,000 for purchase of the Lexipole system. Roll Call Vote: Mayor Tinsley - yea, Trustee Vogel - yea, Trustee Frederiksen - yea, Trustee Moon - yea, Trustee Vella - yea. All in Favor. Motion Carried.

Police Report:

• Stats

• Calls for Service	79	
A.O.A.'s		13
Animal		5
Arrests		2 (misdemeanor)
Assists		10
Business Checks		28
Code Violations		8
Criminal Activity		9 (1 felony / 8 misdemeanor)
Transients		1
VINs		5
• Traffic Contacts	112	
Summons		105
Warnings		7

- Reserves: Reserve Officer Josh McGehee has been putting in a great deal of volunteer time as well as filling shifts for regular officers on vacation or out sick.
- Police Cadets are working court, training and helping with whatever we need them to do. This spring and summer we'll be able to utilize them a great deal.
- All vehicles seem to be operating well with no major problems. It will be warming up enough to get the decals on the cars soon.

Approval of Minutes of Previous Meetings:

- Motion by Trustee Frederiksen and seconded by Trustee Vogel to forgo the public reading of the minutes for the Public Hearing and Regular Meeting of February 21, 2019, the Public Hearing and Work Session of March 9, 2019, the Public Hearing and Regular Meeting of March 21, 2019 and the Work Session of April 6, 2019. All in Favor. Motion Carried.
- Motion by Trustee Frederiksen and seconded by Trustee Moon to approve the minutes for the Public Hearing and Regular Meeting of February 21, 2019, the Public Hearing and Work Session of March 9, 2019, the Public Hearing and Regular Meeting of March 21, 2019 and the Work Session of April 6, 2019. All in Favor. Motion Carried.

Approval to Pay Bills: Motion by Trustee Moon and seconded by Trustee Vogel to approve the bills in the amount of \$41,078.53 and payroll in the amount of \$30,370.00 as submitted and dated April 18, 2019. Roll Call Vote: Mayor Tinsley - yea, Trustee Vogel - yea, Trustee Frederiksen - yea, Trustee Moon - yea, Trustee Vella - yea. All in Favor. Motion Carried.

Approval of the Treasurer's Statement: Motion by Trustee Moon and seconded by Trustee Vogel to approve the Treasurer's Report dated April 18, 2019. Roll Call Vote: Mayor Tinsley - yea, Trustee Vogel - yea, Trustee Frederiksen - yea, Trustee Moon - yea, Trustee Vella - yea. All in Favor. Motion Carried.

Town Clerk Report:

- Soaring V Fuels was granted their Malt Beverage License from the State on April 7, 2019. It will need to be renewed annually.
- Request hiring temporary office help for May through October to cover for vacations, etc. Would like to see if Kathleen Dvorak is available this year since she's already trained. Town Clerk will check with Kathleen and if she's available the Board can approve the hiring at the May 4th meeting.
- Spring Clean Up will be May 18th 8:00 a.m. to 2:00 p.m.
- Amendments for the Building Code updates will be completed prior to next months meeting to allow for publishing notices and post.
- The Xcel Energy Franchise agreement should be ready next month for Board approval.
- Working on preparations for the CIRSAAudit and Town Audit next month.

- The Mayor and Town Clerk will be attending a meeting with Union Pacific and Weld County for updates on CR 100 closure.
- Mike Ketterling said the Blue Spruce Subdivision will be on the Agenda next month for final review.

Court Clerk Report:

- Arraignments: 30 on the docket. 15 showed up for court and accepted plea agreements, 1 continuance, 14 Default / OJWs ordered.
- First Continuance: 2 on the docket. 2 accepted plea agreements.
- Second Continuance: 1 on the docket. 1 accepted plea agreement.
- Trial: Plead guilty to Barking Dog. Deferred Sentence for 6 months, payment plan for amount ordered by Judge of \$70.00 by May 14, 2019.
- Payment Plans: All paid (none on the docket).
- Deferred Sentences: None for this month.
- Voids: None on the docket.
- Prosecuting Attorney Mike Brown was here from 1:15 to 3:30 p.m. (1 hour 45 minutes) April 9, 2019.
- Judge Mike Lazar was here from 1:30 to 3:00 p.m. (1 hour and 30 minutes) April 9, 2019.
- Summary
 - Paid Citations: \$14,851.25
 - Nunn Officer Vin Inspections: \$160.00
 - Certified Vin Inspections: \$9,306.22
 - March 2019 deposits: \$24,317.47

Maintenance Report:

- Mayor Tinsley said there is still a problem with people putting unacceptable items in the dumpsters. The incident in question is a property owner who has several vacant properties in town and they pay the water bill but not trash. Town Clerk will bill owner for trash on all their properties for this month.

Adjournment: Motion to adjourn made by Trustee Vogel and seconded by Trustee Moon. All in Favor. Motion Carried.

Meeting Adjourned: 8:40 p.m.

Mayor Terry Tinsley

Susan S Frederiksen

Trustee Susan Frederiksen