

ITEM 1 Call to Order: 6:00 p.m.

ITEM 2 Roll Call: Mayor Gibson, Trustee Billings, Trustee Brady, Trustee Cooper, Trustee McVey, Trustee West, Trustee Wittler.

Present: Mayor Gibson, Trustee Brady, Trustee Billings, Trustee Cooper, Trustee McVey, Trustee West, Trustee Wittler.

Phone/Computer: Attorney Don Steerman, Town Attorney, Ken Clark W/EFORCE

Absent: None

Guest Present: Lexie Brooks, Mark Hall, Melvin & Debra Viney, Clarence Jones, Chris Griffin Baca County under Sheriff

**Staff Present: Merna McGinnis, Town Manager
Tammy Newman, Town Clerk
Heath Piper, Electric Superintendent
Mike Ingle, Water/Sewer Superintendent
Don Steerman, Town Attorney-Via phone**

ITEM 3 Pledge of Allegiance, led by Mayor Gibson

ITEM 4 Prayer, led by Trustee West

**ITEM 5 Approve Minutes of the September 8, Board of Trustee's Regular Meeting.
Approve Minutes of the October 5, Board of Trustee's Special Meeting.**
Trustee Cooper made motion to approve September 8, regular meeting minutes and the October 5, 2022 special meeting minutes. Seconded by Trustee Brady.
Motion Carried.

ITEM 6 Approve Bills
Trustee McVey questioned general bill to City of Lamar for \$1,287.50. Was for one dog \$20.00, (building inspection of 19.5 hours 1267.50).
Ms. McGinnis asked to pay Steerman Law invoice for \$1908.00.
Ms. McGinnis asked to pay the Sewer loan payment for \$13,350.00 that is due 11.01.2022, wants authorization to pay via ACH that will save the town \$25.00, twice a year. Trustees agreed to sign up for ACH and save money.
Trustee West made motion to approve bills as presented with additions and corrections. Second by Trustee Billings. Motion Carried

ITEM 7 Public Comment for Non-Agenda Items
Anyone who would like to address the Board of Trustees on any matter other than an agenda item will be given an opportunity, 3-minute time limit each person after signing the roster.
Clarence Jones can file for property deed on property he purchased at county tax sale, at 1100 Santa Fe. After looking at property he would gift it to the town for the cost he has in it right now around \$700.00. If town doesn't want it then he is going to step away and let it go back to property owner. Mayor Gibson thanked Mr. Jones for bringing this to the board but with the costs of asbestos abatement and overall cleanup this would not be economical for the town. Mr. Jones left meeting at 6:10pm.

ITEM 8 Building Inspection/Permit, Melvin Viney:

Melvin Viney addressed the trustees about the process on building permits. He went through the variance process for his garage and now is adding a breeze way between the house and garage. Breezeway will not have utilities. He has a contractor ready to start working and doesn't want to wait on someone from out of town to come and give him the ok. Ms. McGinnis read an email from Craig Brooks with specifications to follow, and to proceed. Trustee all agreed Mr. Vineys project can be completed as his permit has been filed.

Discussion on the process and what the town is going to do about a building inspector or if can't find someone to step-up to do the inspections. Explanation on what the fees pay for with \$65.00 per hour going to the City of Lamar for the building inspector and remainder goes to general fund for administration fees. Trustee West stated he couldn't see himself ever voting to not have an inspector, but wants a good process to follow.

ITEM 9 SECPA Mark Hall Electric Vehicle Charging Station-Cobblestone Hotel:

Southeast Colorado Power Association (SECPA) had a verbal understanding with the Cobblestone Hotel (Steve), not the investors to install an Electrical Vehicle Charging Station (EV) at the hotel and serve the electric. Electric would run where the temp lines were installed in the front of the hotel. It isn't a money maker for SECPA but it is a green energy source for the area. They have several EV stations around the surrounding areas already. This EV station will take about 8 hours to charge a vehicle so hotel would have protocol of renting out a room for the night.

Trustee Cooper doesn't see a problem with another EV station in the town limits.

Mayor Gibson would like to have some kind of agreement with SECPA. Don Steerman agreed there would need a MOU between SECPA and Town.

Mr. Piper had spoken with one of the hotel investors Bill Brooks and he didn't know anything about this project. They want to put one in themselves and didn't want it up front because would take up parking space for hotel guests. They would like to invest in EV station themselves in the back of the hotel, but not at this time they want to get the hotel up and running first. Mr. Piper also talked to a past and current BriMark general contractor's (Brian & David) and they didn't know anything of this project either. Mr. Hall will contact the investors and see what they can work out and then bring back to the trustees, so they have more information.

Ms. McGinnis asked Mr. Hall about the SECPA easement that Marcus Stegman brought into town hall. Mr. Hall explained that SECPA wants an easement to run a 3-phase underground line by towns well #9, on 16th and Tipton, as current line runs over the top of well #9. The easement will run down the south and west fence lines. Mr. Steerman will work with Ms. McGinnis to get an agreement ready and will get in touch with Marcus Stegman once done.

ITEM 10 Colorado Liquor License Renewal

Hotel & Restaurant Fermented Malt Beverage License Renewal; G & J Longhorn Steakhouse, 400 Main, Jessica Caricato

Town Clerk Ms. Newman, presented renewal liquor license application and staff report to the trustees.

SUBJECT: Board of Trustee Agenda Item 10 – Hotel and Restaurant Retail Liquor License -Renewal Application

Name and Address of Applicant: Jessica Caricato
201 Cedar Street
Springfield, CO 81073

Trade Name and Address: G & J Longhorn Steakhouse
400 Main Street
Springfield, CO 81073

Operating Manager/Owner: Jessica Caricato

Date of Application: October 17, 2022

Date of Current License Expiration: January 9, 2023

Documents Accompanying Application

Local and State License Fees: Renewal Application for Hotel and Restaurant retail liquor license through the Colorado Department of Revenue, Liquor Enforcement Division has been submitted, along with fees paid to the Town of Springfield, Colorado.

Zoning: C-2, Tourist-Oriented and Community Commercial/Correct Zoning

Finding of Facts:

1. G & J Longhorn Steakhouse is requesting renewal Hotel and Restaurant Retail Liquor License, by the Colorado Department of Revenue, Liquor Enforcement Division and the Town of Springfield, Colorado.
2. The required application and fees were submitted as required.
3. The required documents are on file, sketches, property ownership and distance from nearest school are met.
4. The Springfield Police Department Chief Klipfel has no concerns.

Recommendation:

It is recommended that the Hotel and Restaurant Liquor License Renewal Application for G & J Longhorn Steakhouse be approved.

Trustee Cooper made motion to approve Longhorn liquor license. Second by Trustee McVey.

Yes: Trustee Brady, Billings, Cooper, McVey, West, Wittler

No: None

Abstained: Mayor Gibson

Motion Passed.

ITEM 11 Revisit Emergency Amendment

Re-Visit Agreement between Baca County Sheriff's and the Town of Springfield

Undersheriff Griffin was present and discussed that Sheriff Shiplett had worked with Mr. Steerman to revise the agreement to run until November 1, 2022 for a reduced cost of \$5,000.00.

Trustee Wittler made motion to continue agreement with the reduced cost of \$5,000.00. Second by Trustee Billings.

Yes: Trustee Brady, Billings, Cooper, McVey, West, Wittler, Mayor Gibson.

No: None

Motion Passed.

ITEM 12 Police RMS Software

RMS is a reporting software system for police reporting for better tracking of a case. Sheriffs' office is working on getting the same system, but their cost is greater than the municipality and they are working on grants to cover costs. There is also an eCitations software that can be purchased separate for traffic. RMS can add pictures, evidence to reports, can work on reports while conducting traffic control from the car on the laptop, instead of being in the office to work on reports.

Mr. Ken Clark discussed that a lot of agencies around the town already have this system in place.

NIBRS reporting abilities information sharing with other agencies, reporting to the state that in turn helps with grant funding. Undersheriff Griffin talked about the benefits and time saved in having the reporting system to share between the agencies on cases so things don't fall between the cracks.

Trustee West asked what happens if county goes with a different system. Undersheriff Griffin answered that it is the cost of the system and will have to be grant funded, as the cost is \$50,000.00 to startup because of the dispatch but RMS EFORCE is the system they are looking at also.

Trustee West stated we need to support our officers and get them the tools they need.

Quote does not include hardware, the town already has the phones, laptops and printers already to use. Startup fee for implementation 1-20 users, onsite 1-5 users, server license and user license \$26,568.46 with annual cost of \$4,335.20, the mobile implementation, mobile eCitations is \$8,975.00, with a discount of \$6,642.12 for a total of \$28,901.34.

Trustee Billings made motion to purchase RMS/EFORCE software and eCitations for Police department for \$28,901.34. Second by Trustee West.

Yes: Trustee Brady, Billings, Cooper, McVey, West, Wittler, Mayor Gibson

No: None

Motion Passed.

ITEM 13 Colorado Department of Revenue MOU for Control of Confidential Data Sales Tax

Gives Merna authorization to pull sales tax information from the state.

Trustee Cooper made motion to approve the MOU with the Colorado Department of Revenue on the control of confidential data. Second by Trustee Wittler.

Yes: Trustee Brady, Billings, Cooper, McVey, West, Wittler, Mayor Gibson

No: None

Motion Passed.

ITEM 14 General Business

A. Complaints 9th street parking

Town office has received complaints about cars parking parallel on 9th street, Main to Colorado Street. Trustees do not see issue with the parking on 9th street going parallel. If change the parking on 9th street from Main to Colorado would have to be change parking for the whole town. One thing that could be changed is to add another handicapped parking space on the south side of 9th and Main.

Trustees took a 5-minute break.

B. Landfill

Hammel scale quote complete with foundation: \$129,250.00

Extra cost would be electric and new building and crane to lift scales. Could use building we have for now to do the trial period, but if got a new building would have to have electric inside and room to store the products that can be used to cover the pit. Could split costs up part this year and rest in 2023. Need to look into the quote time expiring date.

Estimated revenue for 1 acre cell 43560 sq. ft., 1081 deep, 25 Ft. tall, 56,466 cubic yards, average cubic yard weighs 600 lbs., 33,879,600 lbs. of trash at .03 lb., totals \$1,016,388.00 when high pile is complete. Discussion about haulers will not bring trash to landfill that they can get a cheaper rate elsewhere. Mayor Gibson said businesses will do what they need to, but Trustees have to do what is best for the town.

Trustee Cooper made motion to purchase scale for \$67,800.00 this year's budget and the foundation costs in 2023 budget. Second by Trustee Brady.

Yes: Trustee Brady, Billings, Cooper, West, Wittler, Mayor Gibson

No: Trustee McVey

Motion Passed.

C. Ayres Main Street Project Update

To date all trash cans, benches, planters and a few bike racks have been installed.

D. Cobblestone Hotel Update

Trustee Cooper asked attorney if the hotel is in breach of incentive agreement on the road as they did not pave the road as far as the incentive agreement stated. Trustees in agreement to have Mr.

Steerman draft a letter to the investors that there is a breach of incentive agreement and have Mayor Gibson for review and get it out to the hotel.

Email from Craig Brooks stated that Certificate of Occupancy (CO) inspection was done 10.17.2022, waiting on copies of state inspections on plumbing, fire, electrical, suppression system, etc.

E. Kestrel Housing Project

Variance scheduled for Tuesday, by adding a garage to their property. Attorney Mr. Steerman said variance board could not legally give variance to homeowner as it was not platted as an alley only a utility easement. Town would have to get it surveyed and platted to have it an alley. Tabled to next month.

F. Budget Workshop: Oct. 20th, Utilities, Electric, Water, Sewer

Thursday Oct. 20, 2022, 5:30 pm, was decided upon for the utilities.

G. Budget Workshop: Oct 27th, General, Fire Dept., Swimming Pool, Meter, CTF Funds

Thursday November 3, 2022, 5:30 pm, was decided upon for the general, fire, swimming pool, meter, conservation trust funds.

ITEM 15 Administrative Reports

Merna McGinnis: Town Manager/ Treasurer:

State Auditor office sent a notice that town is not in compliance and has sent notice to county to withhold taxes until in compliance. Trustees suggested to get in touch with state and explain the situation.

Ms. McGinnis asked to change November meeting to 9th Veterans Day is the 10th.

Darrin Deen purchased 549 Colorado and wants to vacate the alley. Mr. Piper said the phone, gas, sewer and electric all run through that alley. Trustees all agree that will be a no. The property Mr. Deen has purchased on 549 Colorado has been mowed a couple times through the 2022 year for the prior owners. Once the assessments are turned in to Treasures office November 1, 2022, it will be attached to that property, therefor Mr. Deen will have that payment to that property. Mr. Deen wants the town to at least cut the cost down. Trustee Cooper stated tax payer dollars was used to pay for the mowing and it is our reasonability to get that money back.

CIRSA has coverage for peace officers for personal coverage, Ms. McGinnis will contact CIRSA that the Town wants the coverage.

Heath Piper: Electric Superintendent:

Asked to purchase another transformer for backup same size as the one at the school for \$16,862.00 plus fuel charges. Also need pole mount overhead transformers \$29,278.00 plus fuel charges, there are 13 setting in a yard not claimed and can get them sent to the town.

Trustee Brady made motion to purchase transformers for a total of \$46,140.00. Second by Trustee Wittler. Motion carried.

Mr. Piper has been looking for a new digger truck or good used one as it is needed.

Mike Ingle: Water/Wastewater Superintendent:

School as far as water/wastewater is almost done just have some meter installations, and two fire hydrants that need finished.

Housing Project sewer is done will start 24 water taps next week.

Main well 13, Radium rate 6.8 MCL5 running on 4 quarters. Time is coming soon that may have to work with the state to fix the problem. Town isn't the only one having problems with Radium, Walsh and Pritchett are also having to do quarterly samples.

Tammy Newman: Town Clerk:

Talked to Robert Evans City administrator, they don't have a person in place to take Craigs place yet to extend the agreement. They have someone working with Craig via phone and sending him pictures of the projects. Mr. Evans will take agreement for building inspections to the next council meeting October 24, 2022, as long as we are ok with the long distance, via phone calls and picture process.

Don Steerman Town Attorney:

Has started a new clerk, working several projects and on the three (3) letters for code enforcement. Mr. Piper asked question about the Certificated area that we bought out from SECPA. Don explained that the town didn't buy out all of the annexation area only the parts that was listed on the contract agreement with SECPA. Town has the right to service the areas within the annexation if already has service, then we can buy them out, any new businesses the town can service.

Clay Klipfel Police Department:

September report he had been on duty for 8 days.

Discussed Lexipol and the need to get policies completed, only policies that we have is the one Chief Bradburn had done and it is not up to code. Chief Martin had started redoing policies and putting into Lexipol and was working with attorney to get policies updated.

Trying to get inventory completed to make sure everything is accounted for.

Been working on biggest complaint 287, have been working the school zone.

Working on drug complaints and getting drug areas in town identified.

Will setup times to go to Pike Peak Police Academy to talk to possible candidates for officers.

Going to work on revamping the monthly police report.

ITEM 16 Mayor and Trustee Reports

Correspondence: Ogallala Commons thank you

Thank you from West family during passing of Burrell Mason.

Mayor Gibson will not be able to go to Mayors Summit, having a hard time getting hotel refunded, if can't get refunded he will pay for it.

Octoberfest was a success.

Auction Time two items will sell Wednesday October 26, 2022.

Complaint about missing sidewalk at park that needs to be replaced.

Trustees took 5-minute break

ITEM 17 The Board will meet in executive session in accordance with CRS 24-6-402(4)(g) and CRS 24-72-204 (3) (a) (XI) (A) to consider documents protected by the mandatory non-disclosure provisions of the Colorado Open Records Act: Police Sargent and Police Officers Applicant Reviews and Letters of Recommendation/References

Trustee Cooper made motion to go into executive session at 9:16 pm. Second by Trustee Wittler.

Yes: Trustee Billings, Brady, Cooper, McVey, West, Wittler, Mayor Gibson

No: None

Motion Passed

ITEM 18 Return to Regular meeting

The time is now 10:00 pm, and the executive participants in this session were Trustees Brady, Billings, Cooper, McVey, West, Wittler, Mayor Gibson, Police Chief Clay Klipfel, Town Manager McGinnis, Town Clerk Newman and Attorney Don Steerman. For the record if any participant in the executive session believes that any substantial discussion of any matters not included in the motion to go into executive session occurred, during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record.

Seeing none, we will move on.

Police sergeant interview.

Trustee Brady made motion to approve Chief Klipfel's recommendation to hire Derek Solano as police sergeant at the starting wage of 55,000.00 contingent on successful passage of background and psychological evaluation. Second by Trustee Billings.

Yes: Trustee Brady, Billings, Cooper, McVey, West, Wittler, Mayor Gibson

No: None

Motion Passed.

ITEM 19 Adjournment

Trustee Cooper made motion to adjourn at 10:02 pm. Second by Trustee West.

Next Regular BOT Meeting November 9, 2022, 6:00 PM