

**AGENDA
REGULAR MEETING BOARD OF TRUSTEES
TOWN OF SPRINGFIELD, COLORADO**

June 11, 2020

6:00 P.M.

Call-In Option: 1-701-802-5318

Access Code: 7548967#

Because of Social Distancing Constraints, only one person may address the Board of Trustees at a time. We ask anyone who would like to address the Board to please wait outside until called to enter the room. Please call Town Hall ahead of time at 719-523-4528 to be placed on the public comment list. If you would like to listen to the meeting, but have no public comment, please use our Call-In Option. Thank you for your patience and understanding.

- ITEM 1 Call to Order**
- ITEM 2 Roll Call**
- ITEM 3 Pledge of Allegiance**
- ITEM 4 Prayer**
- ITEM 5 Approve Minutes of the May 14 Meeting & the Special Meeting of May 28, 2020**
- ITEM 6 Approve Bills**
- ITEM 7 CRA 2020 Participation Agreements;
 401 PA & 457 PA**
- ITEM 8 Resolution No 20-12**
 A Resolution of the Town of Springfield Authorizing the Town Clerk to Appoint Election Judges for the Special Municipal Election to be Held on August 4, 2020 and Determining the Appropriate Compensation for Such Judges.
- ITEM 9 Kathy Self – Tree Board Appointments**
- ITEM 10 Public Comment for Non-Agenda Items**
 Anyone who would like to address the Board of Trustees on any matter other than an agenda item.
- ITEM 11 General Business**
 MuniCode Ordinance No. 347 - First Reading
 Discussion regarding residing in RVs/campers (Ordinance #338 & 344)
- ITEM 12 Administrative Reports**
 Town Manager/ Treasurer
 Town Clerk
 Town Attorney
 Police Department
- ITEM 13 Mayor and Trustee Reports**
- ITEM 14 Adjournment**

People with disabilities needing reasonable accommodation to attend or participate in a City service program, can call 719-523-4528. Please give notice as far in advance as possible so we can accommodate your request.

Agenda is subject to change as necessary.

REGULAR MEETING BOARD OF TRUSTEES

May 14, 2020

6:00 PM Zoom Meeting

Present: Trustee Jim Howard, Trustee Christy Brady, Trustee Ervin Maltbie, Trustee Mike Cooper, Trustee Dan McVey, Trustee Ted Locke, and Mayor Tyler Gibson

Absent:

Guests: Darrin (Annette) Deen, Bernie Alvarez Guder, Holli Locke, Robin Ballard, Julie Thiessen, Jerri-Ann Montoya, Mitzi Phone (Mitzi Jett), Starla's Pad (Starla Westphal), Hicks Household, Kent Brooks, Alec Torres, Diane Visage, Jarod Leathers, Lanell Huffman (22 participants in this meeting including the BOT and Fairfield and Woods staff)

Staff Present: Tammy Newman

Merna McGinnis, Interim Town Manager/Clerk/Treasurer

Lyn Margolis, Administrative Clerk

Katrina Martin, Police Chief

Riley Cooper, Police Officer

Keagan Gonzales, Police Officer

Joan Day, PD Administrative Assistant

Margaret Dunham, Code Enforcement

Todd Messenger, Town Attorney

Andy Helm, Attorney

ITEM 1 Call to Order

Mayor Gibson called the meeting to order at 6:05 pm.

ITEM 3 Roll Call

Mayor Gibson, Trustee Howard, Trustee Brady, Trustee Cooper, Trustee Locke, Trustee Maltbie, Trustee McVey

ITEM 2 Pledge of Allegiance

ITEM 4 Approve Regular Minutes of the Special Meeting of April 28, 2020

Trustee McVey made a motion and seconded by Trustee Maltbie to approve the minutes of April 28, 2020.

Vote Yes:, Howard, Cooper, Brady, Maltbie, Locke, McVey, Mayor Gibson

Vote No:

ITEM 5 Approve Bills

Ms. McGinnis would like to include a bill to Maverick fka Baca Weekly for election materials.

Trustee Brady made a motion and seconded by Trustee Howard to approve the bills as presented as well as the bill for Maverick, fka Baca Weekly.

Vote Yes: McVey, Howard, Locke, Maltbie, Cooper, Trustee Brady, Mayor Gibson

Vote No:

ITEM 6 Airport – Task Order A Scope of Work

PSA between Town of Springfield and Armstrong Consultants to install a new AWOS at the airport.

Merna stated we have a grant through the Colorado Division of Aeronautics. In 2020 the grant is designated to purchase an AWOS system because our current AWOS is out of date. Flight for Life is reluctant to fly in.

Julie Thiessen, Armstrong Consultants, reported that the current AWOS is called a Super AWOS, does not meet current FAA standards, and is not a certified source weather data. It does not broadcast correctly, and has not for some time, so flight for life can't use it. Colorado Dept of Aeronautics has developed a grant where they pay 90% vs 10% town. Some of the Towns portion can be done with in-kind work, build and design of the new system. They set up the contract. This would help defray part of the cost, a great benefit to the community.

Trustee Cooper made a motion and seconded by Trustee Locke to install a new AWOS system.

Vote Yes: Mayor Gibson, McVey, Maltbie, Cooper, Locke, Howard, Brady

Vote No:

Motion approved.

ITEM 7 Discuss opening the swimming pool – Opening day set for June 2nd

CDPHE still mandates that pools are closed. Todd Messenger explained the Safer-at-Home Order. We have no authority to defy the state health order. Mr. Messenger will stay abreast of the State Order and keep the town informed on this matter. Merna requested permission be granted to open the pool if and when the order is lifted. All agreed to open the pool for the town residents.

ITEM 8 Public Comment for Non-Agenda Items

22 participants in this meeting including the BOT and Todd's staff.

Bernie Alvarez – reported for the Planning and Zoning Board, that April 23, 2020 Ms. Merna McGinnis, Rebecca Schroeder, and I met for signatures on the Plat for Kirkwood Subdivision so it could be recorded at the Baca County Clerk and Recorder's Office.

Annette Deen – Would like to open the swimming pool using CDC guidelines. Mitzi Jett would like the town to keep the pool open later in the season. Katrina informed the board and guests about pool and safety concerns from the CDC.

Darrin Deen – when can the restaurants be opened 100%, and when some retail establishments can open. Must we follow the rules that work in Denver? We can apply for variance for the restaurants and the pool.

Trustee Mike Cooper said we must follow the rules of the state as Todd Messenger, attorney outlined. Mayor Tyler Gibson thinks the county may be speaking to the state about a variance.

Todd commented on the numbers and how it compares to accidents in the country.

Holly Locke suggested we open the meeting with prayer.

Dianne Visage informed the Board that the pond at Memorial Park looks really bad and hopes the City is fixing it. The town is cleaning it up and doing maintenance on the pump.

Discussion on Restaurant – small businesses really need to open. – Annette WHO?

Starla Westphal – Red Cross is giving staff 120-day extension into August at the swimming pool.

ITEM 9 Appointment of Town Officers

Judge – Ms. Linda Gibson

Trustee Maltbie made a motion and seconded by Trustee Brady to appoint Ms. Linda Gibson as Municipal Court Judge.

Roll Call Yes: Mayor Gibson, McVey, Maltbie, Cooper, Locke, Howard, Brady

No – none

Motion carried.

Police Chief – Ms. Katrina Martin

Trustee Cooper made a motion and seconded by Trustee Howard to appoint Ms. Katrina Martin as Police Chief.

Roll call Yes: Brady, Howard, Locke, Cooper, Maltbie, McVey, Mayor Gibson

No - none

Motion carried.

Mayor Pro-Tem – Mr. Ervin Maltbie

Trustee Cooper made a motion and seconded by Trustee McVey to appoint Mr. Ervin Maltbie as Mayor Pro-Tem.

Roll Call Yes: McVey, Cooper, Locke, Howard, Brady, Mayor Gibson

No: Maltbie

Motion carried.

Town Attorney

We have two RFP's for Town Attorney: Fairfield and Woods PC and Steerman Law Offices.

The Board of Trustees decided to table appointing the attorney until they have meeting with Steerman Law Offices. They need a motion to continue.

Trustee Locke made a motion to continue and seconded by Trustee Brady to table appointing the attorney to next meeting.

Roll Call: Maltbie, Howard, Cooper, Brady, McVey, Locke, Mayor Gibson

Motion carried.

Clerk – Ms. Tammy Newman

Trustee McVey made a motion and seconded by Trustee Maltbie to appoint Ms. Tammy Newman as the Town Clerk.

Roll Call Yes: Mayor Gibson, Howard, Brady, Cooper, Locke, Maltbie, McVey

No: none

Motion carried.

Treasurer – Ms. Merna McGinnis

Trustee Cooper made a motion and seconded by Trustee Maltbie to appoint Ms. Merna McGinnis as Town Treasurer.

Roll Call: Maltbie, Locke, Cooper, Brady, Howard, McVey, Mayor Gibson

No: none

Motion carried.

Town Manager – Ms. Merna McGinnis

Trustee Brady made a motion and seconded by Trustee Howard to appoint Ms. Merna McGinnis as Town Manager.

Roll Call Yes: Mayor Gibson McVey, Maltbie, Cooper, Locke, Howard, Brady

No: none

Motion carried.

ITEM 10 Discussion regarding residing in RVs/campers (Ordinance #338 & #344)

Todd Messenger, Town Attorney, there are 2 cases that we won recently. We can write code to address temporary use for more than 48 – 72 hours (or your code time frame). The main concern is: Utilities (metered or not metered): electricity, water/wastewater connections; and must address sanitary concerns, fire, and security.

TABLED FOR TONIGHT.

ITEM 11 Restaurant owners discussing Creede Bar-B-Q selling their product during COVID19

Mayor Pro-Tem Maltbie will lead this discussion. Mayor Gibson has an interest in a restaurant in Town and recused himself. Janice Powell of Trails End, Jeri-Ann Montoya of Kirks Kitchen, and Ms. Tammy Newman, Town Clerk spoke about sales tax, fees, and COVID 19.

We thank the Hemp Farm for their generous donation to all the restaurants in town; and they paid for SECHD and clinic employees to eat out on them.

ITEM 12 General Business

Adopt MuniCode Ordinance No 347 was Tabled as we wait for completion by MUNICODE.

ITEM 13 Administrative Reports

Town Manager – Ms. McGinnis

Town Clean up days on May 20 and 21, 2020

Starting in Nov 2014 the board did a loyalty bonus of \$2000 annually for employees every 5 years on their anniversary. Two employees meet these criteria at 15 yr and 20 yr. Shall we continue this benefit for employees?

Trustee Maltbie made a motion and seconded by Trustee Brady to continue bonus program.

Roll Call Yes: Mayor Gibson, Locke, McVey, Maltbie, Howard, Cooper, Brady
No: none

Town Clerk – Ms. Tammy Newman

The town office is scheduled to open to the public on Monday, May 18, 2020.

The plexi glass installed across the counter arrives Tuesday. We will require Thermometer, mask, 1 person at a time, and hand sanitizer. We will delay opening until everything is installed and supplies are purchased.

Parks are open for walking, but remain closed to picnicking.

Town Attorney – Mr. Todd Messenger

Municode – zoning code needs comprehensive review – RV discussion, building permits, and road improvements are a problem in the code itself. Recent subdivision process and compliance with the rules costs a lot in comparison to property purchase. The State has energy impact assistance fund grants for planning and zoning efforts. A rezoning application can refund up to \$200,000. We use regulatory reform to make sense of some code. Aug 1 is the next opportunity to apply for the grant. Todd will send information to Merna.

Treasurer – Ms. Merna McGinnis

Sales tax was \$40,594, and anticipate the next month to be smaller.

Several utility bills still need to be paid. Many are still not asking for help.

Trustee Locke made a motion and seconded by Trustee McVey to authorize the resolutions for the bank signature cards changed for new board.

Roll call Yes: Maltbie, Howard, Cooper, Brady, McVey, Locke, Mayor Gibson

No: none

Police Department – Police Chief Martin

Chief Martin introduced Ms. Joan Day, Administrative Assistant, has completed several trainings and a driving critique in town. She will attend a webinar about police records later this month. Training is going well. She has entered a discovery and is updating the crime mapping board.

Officer Riley Cooper has become a certified hand gun and firearms instructor.

National Police Week Proclamation for Police Officers' Week May 10th – 16th, 2020.

ITEM 14 Mayor and Trustee Reports

Trustee Ted Locke and Trustee Mike Cooper will continue to be liaison for the landfill.

We had lots of cooperation from the Lamar landfill. The weigh scale would be most beneficial.

We've tried to fill the Electrical Superintendent position for 2 years, let's consider adjusting the qualifications.

ITEM 15 Adjournment

Trustee Maltbie made a motion and seconded by Trustee Cooper to adjourn at 9:16 pm.

SPECIAL MEETING BOARD OF TRUSTEES

May 28, 2020

5:30 PM Zoom Meeting

Present: Trustee Ervin Maltbie, Trustee Christy Brady, Trustee Mike Cooper, Trustee Ted Locke, Trustee Dan McVey, Mayor Tyler Gibson, Trustee Jim Howard arrived at 5:44pm

Absent:

Staff Present: Tammy Newman, Town Clerk
Merna McGinnis, Town Manager/Treasurer
Lyn Margolis, Administrative Assistant
Todd Messenger, Town Attorney

ITEM 1 Call to Order

Mayor Gibson called the meeting to order at 5:32pm

Recorder for the meeting was turned on at 5:40pm

ITEM 2 Pledge of Allegiance

ITEM 3 Roll Call

Trustee Brady, Trustee Cooper, Trustee McVey, Trustee Locke, Trustee Maltbie, Mayor Gibson

Absent: Trustee Howard

ITEM 4 Approve Resolution No. 20-11 A Resolution of the Town of Springfield Colorado Approving Policy Regarding the Processing and Fulfillment of Colorado Open Records Act Requests and Adopting a Fee Schedule for Same

Trustee Brady made a motion and was seconded by Trustee Locke to approve Resolution 20-11 Colorado Open Records Act Requests and Fee Schedule.

Roll Call Yes: Cooper, McVey, Maltbie, Brady, Locke, Mayor Gibson

No: none

Motion carried.

ITEM 5 Public Comment for Non-Agenda Items None

ITEM 6 Attorney Don Steerman, Steerman Law Offices, 200 W Elm St, Lamar CO provided additional response regarding his Request for Proposal to represent Springfield as the Town Attorney.

The Town of Springfield would be my client. I have one associate in Lamar office, Lance Clark, attorney in his second year of practice, Sarah is office receptionist and Associate Hannah Borchard, attorney who works in my office in Meeker, CO. My philosophy in representing Boards is to not interject my personal opinion into the board decisions. I try to tell you if it is legal, and I try to prevent you doing something that could potentially bring liability to the town without first weighing the risk. The elected board makes the decision. He is willing to work with outside counsel when necessary.

I do represent Baca County, if there is a conflict between Baca County and The Town of Springfield, I would encourage you to come to a decision or resolution without counsel, or to seek special counsel.

The recorder for the meeting was turned on at 5:40pm

Trustee Howard arrived at 5:44 pm.

ITEM 7 Appoint Town Attorney

To get the consensus of board on preference for town attorney, Trustee Cooper moved to take a roll call vote by voice to appoint a town attorney and was seconded by Trustee Maltbie.

Roll Call to voice/cast vote: Steerman: Cooper, McVey, Locke, Howard
Fairfield and Woods: Brady, Maltbie, Mayor Gibson
Fairfield and Woods, PC will be retained as special counsel.

Majority vote for Steerman. Trustee Locke made a motion and was seconded by Trustee Cooper to appoint Don Steerman, Steerman Law Offices as the Town Attorney.

Roll Call Yes: Brady, Locke, Maltbie, McVey, Howard, Cooper

No: Mayor Gibson

Motion Carried.

Item 7.5 Special Topics:

Trustee McVey asked for special recognition for Kathy Self, Tree City USA, for working very hard for town beautification.

Memorial Park Pond Issue – Diane Visage knows ponds. With encouragement and help getting it running, perhaps she could take over the maintenance of the pond. This would give a break to our city employees and anything that is needed can be purchased from her store, thereby supporting a local business. This will be brought to the Streets Department attention and relieve them of their responsibility. Trustee McVey will speak with Ms. Visage. Ms. McGinnis, Town Manager will have her sign a liability waiver and it will be volunteer community involvement project. Full consensus of the Board is given.

We will keep track of hours to pay CIRSA insurance.

Mayor Gibson met with DOLA and Cheryl Sanchez, Economic Development about DOLA's Main Street Project. DOLA is eager to work with Springfield if that is what the town would like to do. Step 1: Pledge to become an affiliate, and Step 2 Build a strategic plan.

ITEM 8 Trustee Cooper made a motion and was seconded by Trustee Brady to adjourn at 6:52pm.
Motion Carried.

**COLORADO RETIREMENT ASSOCIATION
RETIREMENT PLAN AND TRUST AGREEMENT**

PARTICIPATION AGREEMENT

Association Member / Participating Employer: Town of Springfield

Association Member Original Participation Date: January 1, 1986

Participation Agreement Effective Date: June 11, 2020

Prior Participation Agreement Date: March 5, 2009

Please indicate the effective date of the last Participation Agreement

PREAMBLE

I. **AGREEMENT.** By this Agreement, by and between Colorado Retirement Association (“Association”) and the Association Member specified in this Participation Agreement (“Agreement”), the Association Member adopts as a Participating Employer the Colorado Retirement Association Retirement Plan and Trust Agreement (the “Plan”), as amended and restated effective January 1, 2020, and as further amended or supplemented from time to time, subject to the modifications set forth in this Agreement. This Agreement amends and supersedes any previous Participation Agreement made by and between the Association Member and the Association.

II. **ADOPTION OF THE PLAN.** The Association Member adopts the Plan as a Participating Employer pursuant to the terms of the Plan and this Participation Agreement, effective as of the Participation Agreement Effective Date. The Participating Employer’s participation in the Plan is conditioned on the timely payment by the Participating Employer of its proportional share of contributions under the Plan, and in the case of contributions deducted from a Participant’s Compensation, payment will be transmitted to the Trust as soon as practicable after such amounts would otherwise have been paid to the Participant.

III. **REVIEW OF THE PLAN.** The Participating Employer has reviewed the Plan, and in particular Article 13 of the Plan, addressing Participating Employers. The Participating Employer has consulted, or had opportunity to consult, with its legal and tax advisors with reference to the Plan and this Participation Agreement.

IV. **APPROVAL OF PLAN TRUSTEE AND ADMINISTRATOR.** The Participating Employer approves and confirms the Trustee and Administrator designated by the Association in the Plan to serve in each such capacities.

V. **ASSOCIATION AS AGENT.** The Participating Employer irrevocably designates the Association as its agent as set forth in Article 13 of the Plan addressing Participating Employers for all purposes of the Plan, and authorizes the Association, on behalf of the Participating Employer, to

perform the specific act or acts and to exercise the specific powers granted under the Plan. The Association or its designee has authority to make any and all necessary rules or regulations, binding upon the Participating Employer and its Employees and Officials and their Beneficiaries, to effectuate the purpose of the Plan.

VI. **PARTICIPATING EMPLOYER'S CONTRIBUTIONS.** All contributions made by the Participating Employer under the Plan and this Participation Agreement will be determined separately by each Participating Employer and allocated only among the eligible Participants of the Participating Employer making the contribution in accordance with Section 3.1 of the Plan.

PARTICIPATING EMPLOYER ELECTIONS

(Section numbers below correspond to sections of the Plan.)

Note: Officials may opt out of Plan participation; however, if Officials do participate in the Plan, they do not have to satisfy any minimum eligibility requirements. Accordingly, Sections 2.2 and 2.5(a) below only pertain to Eligible Employees. Additionally, Officials are always fully vested in Employer Contributions and Prior Service Benefit Contributions. Accordingly, Sections 5.1(b)(1), 5.1(c), 5.1(d), 5.1(e) and 5.1(g) below only pertain to Eligible Employees.

1.16 **ELIGIBLE EMPLOYEE.** “Eligible Employee” means the following:

[Specify one option only.]

- ☐ ***All Employees.*** Every Employee of the Participating Employer.
- ☐ ***All Benefitted Positions.*** Every Employee in a benefitted position of the Participating Employer, in accordance with the Participating Employer’s standard personnel practices.
- ☒ Every Employee of the Participating Employer who works at least 12 months per year and at least 40 hours per week.
- ☐ Every Employee of the Participating Employer who works at least _____ hours per year.

2.2 **COMMENCEMENT OF PARTICIPATION.** An Eligible Employee will commence participation in the Plan and begin making and receiving contributions:

[Specify one option only with appropriate sub-option, as applicable.]

- ☒ Immediately as of:
 - ☒ The Eligible Employee’s Date of Hire.
 - ☐ The first day of the Eligible Employee’s first full payroll period.
- ☐ Immediately after _____ Plan Months. (Not to exceed twelve (12) months).
- ☐ Upon the first day of the payroll period following a _____ month period. (Not to exceed twelve (12) months).

If an Official has not waived participation in the Plan, such Official will commence participation in the Plan and begin making and receiving contributions as of the first day of the month coincident with or immediately succeeding such Official’s commencement of term of office.

2.5(a)

REEMPLOYMENT DATE MORE THAN THIRTY (30) DAYS AFTER TERMINATION DATE.

- ☐ Immediate commencement of participation, in accordance with the Participating Employer's election per Section 2.2.

If this option is selected, skip the remaining options in this Section 2.5(a) and move on to Section 2.6(a). If this option is not selected, specify one option in each of the below categories.

Prior Employment with Participating Employer.

- ☒ In accordance with the **default** provisions of Section 2.5(a) of the Plan, in the event an Employee terminates employment with the Participating Employer more than thirty (30) days before his or her Reemployment Date with the Participating Employer, the Participating Employer will not grant prior service credit for purposes of **eligibility**.
- ☐ In the event an Employee terminates employment with the Participating Employer more than thirty (30) days before his or her Reemployment Date with the Participating Employer, the Participating Employer will grant service credit for purposes of **eligibility** provided the Employee has a Reemployment Date within _____ Plan Months (not to exceed twelve (12) Plan Months) of his or her Termination Date.

Prior Employment with any Association Member (other than Participating Employer).

- ☒ In accordance with the **default** provisions of Section 2.5(a) of the Plan, in the event an Employee terminates employment with an Association Member more than thirty (30) days before his or her Reemployment Date with a different Participating Employer, the Participating Employer will not grant prior service credit for purposes of **eligibility**.
- ☐ In the event an Employee terminates employment with an Association Member more than thirty (30) days before his or her Reemployment Date with another Participating Employer, the Participating Employer will grant service credit for purposes of **eligibility** provided the Employee has a Reemployment Date within _____ Plan Months (not to exceed twelve (12) Plan Months) of his or her Termination Date.

2.6(a)

CHANGE IN STATUS.

[Specify one option only.]

- ☐ Status of Employee is not applicable. All Employees are ***Eligible Employees***, per Section 1.16.
- ☒ In accordance with the **default** provisions of Section 2.6(a) of the Plan, a Participant who continues in the employ of the Participating Employer but ceases to be employed as an ***Eligible Employee*** is not eligible to make Mandatory Participant Contributions to the Plan under Section 3.3, is not entitled to Employer Contributions under Plan Section 3.1 and is not entitled to Prior Service Benefit Contributions (if any) under Plan Section 3.2.

[If this option is chosen, select one of the following sub-options, as applicable.]

- ☒ Upon return to an employment status meeting the eligibility criteria, the Eligible Employee will recommence participation immediately, in accordance with the Participating Employer's election above in Section 2.2.
- ☐ Upon return to an employment status meeting the eligibility criteria, the Eligible Employee must complete the applicable commencement of participation period elected above in Section 2.2 before recommencing participation in the Plan. Such applicable commencement period will begin as of the date the Employee returns to such employment status.
- ☐ A Participant who continues in the employ of the Participating Employer but ceases to be employed as an ***Eligible Employee*** will be deemed to satisfy the eligibility provisions and will continue to be eligible to make Mandatory Participant Contributions to the Plan under Section 3.3, will continue to receive Employer Contributions under Plan Section 3.1, and will continue to receive Prior Service Benefit Contributions (if any) under Plan Section 3.2, despite the change in status.

3.1(a)

EMPLOYER CONTRIBUTIONS. The Participating Employer will make an Employer Contribution for each Participant (**no less than three percent (3%)**) for each Plan Month as specified below.

[Specify one option only.]

- ☒ The Participating Employer will contribute 3 % of the Compensation of such Participant for the Plan Month.
- ☐ The Participating Employer's contribution for each Participant will equal an amount directed by each Participant, with a minimum of ____% and a maximum of ____% of the Compensation of such Participant.
- ☐ The Participating Employer will contribute for each Participant:
- ____% of Compensation based on ____ attained Years of Service
 - ____% of Compensation based on ____ attained Years of Service
 - ____% of Compensation based on ____ attained Years of Service
 - ____% of Compensation based on ____ attained Years of Service
 - ____% of Compensation based on ____ attained Years of Service
- ☐ For Participants hired after March 31, 1986, the Participating Employer will contribute the percentage of Compensation of such Participant for the Plan Month corresponding to the rate required of the employer share portion of Social Security (Old Age, Survivors, and Disability) under the Federal Insurance Contributions Act, as defined in C.R.S. Section 24-53-101 for that Plan Month. Employer Contributions will stop once the Participant's earnings have reached the social security annual maximum taxable earnings limit. For Participants hired on or before March 31, 1986, the Participating Employer will contribute the percentage of Compensation of the Participant for the Plan Month corresponding to the rate required for the employer share of both the Social Security and Medicare components of the Federal Insurance Contributions Act, as defined in C.R.S. Section 24-53-101 for that Plan Month. For Participants hired on or before March 31, 1986, the Social Security component of the Employer Contribution will stop once such Participant's earnings have reached the Social Security annual maximum taxable earnings limit.

Note if this option is selected, it must also be selected below in Section 3.3.

3.2

PRIOR SERVICE BENEFIT CONTRIBUTIONS. The Participating Employer may elect to make a Prior Service Benefit Contribution to each Participant. The Participating Employer will contribute to each Participant the percentage (elected below) of such Participant's annual Compensation for the elected ***Prior Service Period***. The Prior Service Benefits will be contributed to the Plan in equal monthly installments during the ***Pay Out Period*** provided the Participant does not have a Termination Date during the Pay Out Period.

[Specify one option only.]

- ☒ Not Applicable. Employer is an existing Participating Employer.
- ☐ The Participating Employer elects not to make Prior Service Benefit Contributions.
- ☐ The Participating Employer will contribute to each Participant ____% (*no less than three percent (3%)*) of the annual Compensation of each Participant during the ***Prior Service Period***.

[Complete both A and B.]

- A. The ***Prior Service Period*** is ____ (*number from one to five*) twelve (12) month period(s) of continuous employment of such Participant ending on the Effective Date of this Participation Agreement with the Participating Employer.
- B. Prior Service Benefit Contributions will be made to the Plan in equal monthly installments over ____ (*number from one (1) to thirty-six (36)*) continuous calendar month(s)) (the "***Pay Out Period***"). If the Participant has a Termination Date during the Pay Out Period, he or she forfeits his or her right to additional Prior Service Benefit Contributions.

3.3(a)

MANDATORY PARTICIPANT CONTRIBUTIONS. Each Participant will make a contribution (**no less than three percent (3%)**) for each Plan Month as specified below.

[Specify one option only.]

- ☒ The Mandatory Participant Contribution will equal 3 % of the Compensation of such Participant for the Plan Month.
- ☐ The Mandatory Participant Contribution will equal an amount directed by each Participant, with a minimum of _____% and a maximum of _____% of the Compensation of such Participant for the Plan Month. **Once an election is made, it is an irrevocable election.**
- ☐ The Mandatory Participant Contribution will equal:
- _____% of Compensation based on _____ attained Years of Service
 - _____% of Compensation based on _____ attained Years of Service
 - _____% of Compensation based on _____ attained Years of Service
 - _____% of Compensation based on _____ attained Years of Service
 - _____% of Compensation based on _____ attained Years of Service
- ☐ For Participants hired after March 31, 1986, the Mandatory Participant Contribution will equal the percentage of Compensation of such Participant for the Plan Month corresponding to the rate required of the employer share portion of Social Security (Old Age, Survivors, and Disability) under the Federal Insurance Contributions Act, as defined in C.R.S. Section 24-53-101 for that Plan Month. Mandatory Participant Contributions for a Participant will stop once such Participant's earnings have reached the social security annual maximum taxable earnings limit. For Participants hired on or before March 31, 1986, the Participating Employer will contribute the percentage of Compensation of the Participant for the Plan Month corresponding to the rate required for the employer share of both the Social Security and Medicare components of the Federal Insurance Contributions Act, as defined in C.R.S. Section 24-53-101 for that Plan Month. For Participants hired on or before March 31, 1986, the Social Security component of the Mandatory Participant Contribution will stop once such Participant's earnings have reached the Social Security annual maximum taxable earnings limit.

Note if this option is selected, it must also be selected below in Section 3.1.

3.3(a) **MANDATORY PARTICIPANT CONTRIBUTIONS.** Mandatory Participant Contributions will be:

[Specify one option only.]

- ☒ Pre-tax in accordance with C.R.S. Section 24-54-104(4) and Internal Revenue Code Section 414(h)(2).*
- ☐ After-tax.

5.1(b)(1) **VESTING OF PARTICIPANT'S ACCOUNTS.** In accordance with Section 5.1 of the Plan, an Employee-Participant becomes vested in Employer Contributions and Prior Service Benefit Contributions as follows.

[Specify one option only.]

- ☐ ***Immediate Vesting.*** A Participant is 100% vested upon Plan participation.
- ☒ ***Graded Vesting.*** A Participant will vest pro rata monthly at 20 % annual rate. (must be more than 10%).
- ☐ ***Specified Vesting.*** A Participant will vest pro rata monthly according to the following schedule (select the vesting percentage at the completion of the Participant's Years of Service):

1st Year of Service: _____ %

2nd Year of Service: _____ %

3rd Year of Service: _____ %

4th Year of Service: _____ %

5th Year of Service: _____ %

6th Year of Service: _____ %

* Note if contributions are being picked up and paid by the Employer in lieu of employee contributions, the contributions will be treated as "picked-up" and paid by the Employer on a prospective basis only, from the date this Participation Agreement is formally adopted. Participants may not opt out of the "pick-up" nor may they receive the contributed amounts directly instead of having them paid by the Participating Employer to the Plan.

5.1(c)

REEMPLOYMENT DATE MORE THAN THIRTY (30) DAYS AFTER TERMINATION DATE.

- ☐ Service credit for vesting is not applicable, Employer elected Immediate Vesting, per Section 5.1(b)(1).

If this option is selected, skip the remaining options in this Section 5.1(c) and move on to Section 5.1(e). If this option is not selected, specify one option in each of the below sub-options.

Prior Employment with Participating Employer.

- ☒ In accordance with the **default** provisions of Section 5.1 (c) of the Plan, in the event an Employee terminates employment with the Participating Employer more than thirty (30) days before his or her Reemployment Date with the Participating Employer, the Participating Employer will not grant prior service credit for purposes of **vesting**.
- ☐ In the event an Employee terminates employment with the Participating Employer more than thirty (30) days before his or her Reemployment Date with the Participating Employer, the Participating Employer will grant service credit for purposes of **vesting** provided the Employee has a Reemployment Date within _____ Plan Months (not to exceed twelve (12) Plan Months) of his or her Termination Date.

Prior Employment with any Association Member (other than Participating Employer).

- ☒ In accordance with the **default** provisions of Section 2.5(a) of the Plan, in the event an Employee terminates employment with an Association Member more than thirty (30) days before his or her Reemployment Date with a different Participating Employer, the Participating Employer will not grant prior service credit for purposes of **vesting**.
- ☐ In the event an Employee terminates employment with an Association Member more than thirty (30) days before his or her Reemployment Date with another Participating Employer, the Participating Employer will grant service credit for purposes of **vesting** provided the Employee has a Reemployment Date within _____ Plan Months (not to exceed twelve (12) Plan Months) of his or her Termination Date.

5.1(e)

SERVICE WITH PARTICIPATING EMPLOYER PRIOR TO ADOPTION OF PLAN.

[Specify one option only.]

- ☒ Not Applicable. Employer is an existing Participating Employer.
- ☐ **Past Service Credit.** At the time this Participation Agreement is executed, all Employees presently employed by the Participating Employer will have all periods of employment credited towards the vesting schedule referenced above in Section 5.1(b)(1).

5.3

FORFEITURES ACCOUNT.

[Specify one option only.]

- ☐ Not Applicable. Participants are 100% vested in their Accounts.
- ☒ Forfeitures will be allocated to reduce future Employer Contributions in accordance with the **default** provisions of Section 11.6 of the Plan.
- ☐ Forfeitures will be allocated among the Accounts of active Participants in the Plan.

8.1

LOANS TO ELIGIBLE BORROWERS.

[Specify one option only.]

- ☐ Participant loans are allowed in accordance with Article 8 of the Plan and loan procedures adopted by the Plan Administrator.
- ☒ Participant loans are not allowed.

1.9

DEFINITION OF COMPENSATION. For purposes of calculating contributions, the Participating Employer **excludes** the following from the definition of Compensation (as defined in Section 1.9 of the Plan):

[Select as many EXCLUSIONS as applicable.]

- ☒ Bonuses.
- ☒ Overtime pay.
- ☒ Premiums for shift differential.
- ☒ Fringe benefits, expense reimbursements, deferred compensation, and welfare benefits.
- ☐ Holiday pay.
- ☐ Vacation pay.

- ☐ Sick pay.
- ☐ Paid Time Off (PTO).
- ☒ All post-severance compensation.
- ☒ Other *[please specify]*: Vacation leave payout at separation from employment.

* * * * *

The Participating Employer and the Colorado Retirement Association have executed this Participation Agreement and have accepted its terms.

Dated this _____ day of _____, 20____.

Town of Springfield

Participating Employer

By: _____

Title: _____

Dated this _____ day of _____, 20____.

COLORADO RETIREMENT ASSOCIATION

Plan Sponsor

By: _____

Title: CRA Executive Director

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**COLORADO RETIREMENT ASSOCIATION
DEFERRED COMPENSATION PLAN**

PARTICIPATION AGREEMENT

Association Member / Participating Employer: Town of Springfield

Association Member Original Participation Date: January 1, 1986

Participation Agreement Effective Date: June 11, 2020

Prior Participation Agreement Date: September 8, 2005

Please indicate the effective date of the last Participation Agreement

PREAMBLE

I. **AGREEMENT**. By this Agreement, by and between Colorado Retirement Association (“Association”) and the Association Member specified in this Participation Agreement (“Agreement”), the Association Member adopts as a Participating Employer the Colorado Retirement Association Deferred Compensation Plan and Trust Agreement (the “Plan”), as amended and restated effective January 1, 2020, and as further amended or supplemented from time to time, subject to the modifications set forth in this Agreement. This Agreement amends and supersedes any previous Participation Agreement made by and between the Association Member and the Association.

II. **ADOPTION OF THE PLAN**. The Association Member adopts the Plan as a Participating Employer pursuant to the terms of the Plan and this Participation Agreement, effective as of the Participation Agreement Effective Date. The Participating Employer’s participation in the Plan is conditioned on the timely payment by the Participating Employer of its proportional share of contributions under the Plan, and in the case of contributions deducted from a Participant’s Compensation, payment will be transmitted to the Trust as soon as practicable after such amounts would otherwise have been paid to the Participant.

III. **REVIEW OF THE PLAN**. The Participating Employer has reviewed the Plan, and in particular Article 12 of the Plan. The Participating Employer has consulted, or had opportunity to consult, with its legal and tax advisors with reference to the Plan and this Participation Agreement.

IV. **APPROVAL OF PLAN TRUSTEE AND ADMINISTRATOR**. The Participating Employer approves and confirms the Trustee and Administrator designated by the Association to serve in each such capacities.

V. **ASSOCIATION AS AGENT**. The Participating Employer irrevocably designates the Association as its agent as set forth in Article 12 of the Plan addressing Participating Employers for all purposes of the Plan, and authorizes the Association, on behalf of the Participating Employer, to perform the specific acts and to exercise the specific powers granted under the Plan. The Association

or its designee shall have authority to make any and all necessary rules or regulations, binding upon the Participating Employer and its Employees, to effectuate the purpose of the Plan.

VI. **PARTICIPANT AND PARTICIPATING EMPLOYER CONTRIBUTIONS.** All contributions made by the Participants and Participating Employer under the Plan and this Participation Agreement shall be determined separately by each Participating Employer and shall be allocated only among the eligible Participants of the Participating Employer making the contribution.

* * * * *

PARTICIPATING EMPLOYER ELECTIONS

(Section numbers below correspond to sections of the Plan.)

2.2(d) DESIGNATED ROTH DEFERRALS.

[Specify one option only.]

- ☒ Designated Roth Deferrals are permitted.
- ☐ Designated Roth Deferrals are not permitted.

2.11 EMPLOYER CONTRIBUTIONS.

[Specify one option only.]

- ☒ The Participating Employer elects not to make Employer Contributions.
- ☐ The Participating Employer elects to make Employer Contributions for Eligible Employees, per the Employer 457 Contribution Policy.

6.1 LOANS TO ELIGIBLE BORROWERS.

[Specify one option only.]

- ☒ Participant loans are not permitted.
- ☐ Participant loans are permitted in accordance with Article 6 of the Plan and loan procedures adopted by the Association.

* * * * *

The Participating Employer and the Colorado Retirement Association have executed this Participation Agreement and have accepted its terms.

Dated this _____ day of _____, 20____.

Town of Springfield
Participating Employer

By: _____

Title: _____

Dated this _____ day of _____, 20____.

COLORADO RETIREMENT ASSOCIATION
Plan Sponsor

By: _____

Title: CRA Executive Director

TOWN OF SPRINGFIELD, COLORADO

RESOLUTION NO. 20-12

**A RESOLUTION OF THE TOWN OF SPRINGFIELD, COLORADO,
AUTHORIZING THE TOWN CLERK TO APPOINT ELECTION JUDGES FOR THE
SPECIAL MUNICIPAL ELECTION TO BE HELD ON AUGUST 4, 2020 AND
DETERMINING THE APPROPRIATE COMPENSATION FOR SUCH JUDGES**

WHEREAS, The Town of Springfield's 2020 special municipal election will be held on August 4, 2020; and

WHEREAS, Colorado Revised Statute 31-10-401, requires the governing body of the municipality, or the Town Clerk if so designated by the governing body, to appoint judges of the election at least 15 days prior to election day; and

WHEREAS, Colorado Revised Statute 31-10-402, requires the appointment of a minimum of three election judges and additional judges if necessary; and

WHEREAS, Colorado Revised Statute 31-10-408, establishes that election judges will receive as full compensation for their services as judges of an election; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF SPRINGFIELD, COLORADO, AS FOLLOWS:

Section 1. The Town Clerk is hereby authorized to appoint the election judge or judges for the August 4, 2020 Town of Springfield special municipal election in accordance with the Colorado Revised Statutes.

Section 2. The Town Clerk shall appoint at least three election judges and the necessary additional judges deemed to be sufficient to meet statutory requirements.

Section 3. The Town Clerk is also authorized to determine appropriate compensation for the election judges based on statutory requirements and best practices among municipalities.

Section 4. This Resolution shall become effective immediately upon its adoption and approval.

MOVED, PASSED AND ADOPTED this 11th day of June 2020.

BOARD OF TRUSTEES
TOWN OF SPRINGFIELD, COLORADO

Tyler Gibson, Mayor

ATTEST:

Tammy Newman, Town Clerk

ORDINANCE NO. 347

AN ORDINANCE ADOPTING BY REFERENCE AND ENACTING A NEW MUNICIPAL CODE FOR THE TOWN OF SPRINGFIELD, COLORADO; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR THE ADOPTION OF SECONDARY CODES BY REFERENCE; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SPRINGFIELD, COLORADO:

Section 1. The code entitled "Springfield Municipal Code" published by Municipal Code Company, consisting of Chapters 1 through 18, with tables and index, is adopted as a primary code by reference.

Section 2. All ordinances or portions of ordinances of a general and permanent nature enacted on or before the adoption date of this Ordinance which are inconsistent with the provisions of the Springfield Municipal Code, to the extent of such inconsistency and not otherwise saved from repeal, are hereby repealed.

Section 3. The repeal established in the foregoing section shall not be construed to revive any ordinance or part thereof that had been previously repealed by any ordinance which is repealed by this Ordinance.

Section 4. The following codes and rules and regulations were adopted by reference and incorporated in the Springfield Municipal Code. One (1) copy of each such code is on file in the Town Clerk's office:

- (1) The *Model Traffic Code*, 2003 edition, published by the Colorado State Department of Transportation, as adopted and amended in Chapter 8.
- (2) The *International Building Code*, 2006 edition, published by the International Code Council, as adopted and amended in Chapter 18.
- (3) The *International Fire Code*, 2006 edition, published by the International Code Council, as adopted and amended in Chapter 18.
- (4) The *Energy Conservation Code*, 2006 edition, published by the International Code Council, as adopted and amended in Chapter 18.

Section 5. The penalty provisions set forth in the Springfield Municipal Code are hereby adopted as follows:

(1) Sec. 1-103. Penalty for a violation of Code provisions; continuing violations.

(a) Whenever in this Code or any other ordinance or resolution of the town, or any rule or regulation promulgated under the provisions of this Code, any act is prohibited or declared to be unlawful or an offense or a misdemeanor or the doing of any act is required or the failure to do any act is declared to be unlawful, an offense or a misdemeanor, where no specific penalty is provided therefor, any person who shall be convicted of the violation of any such provision in the Code or other ordinance or resolution of the town hereafter enacted or of such rules or regulations shall be punished by a fine of not more than \$300.00, or by imprisonment for not more than 90 days, or by performance of useful public service, or by fine, imprisonment and useful public service.

(b) Every day any violation of this Code, any other ordinance or resolution of the town or any rule or regulation promulgated under the provisions of this Code shall continue shall constitute a separate offense.

(c) The imposition of a penalty does not prevent the revocation or suspension of a license, permit or franchise or any other administrative sanctions authorized by law.

(d) In addition to the penalties hereinabove provided, any condition caused or permitted to exist in violation of any of the provisions of this Code or any such ordinance, resolution, rule, regulation or order shall be deemed a public nuisance and may be abated by the town through injunctive or other equitable relief and by such other means as provided by law. The imposition of a penalty does not prevent equitable relief.

(2) Sec. 1-104. Application of penalties to juveniles.

(a) For the purposes of this section, a "minor offender" or "juvenile" shall be defined as any person accused of an offense contrary to this Code who, on the date of the alleged offense, was at least ten years of age, but had not yet attained the age of 18 years. Except as to alleged violations of chapter 8, article I of this Code (the Model Traffic Code), any minor offender convicted of a violation of this Code, or any rule or regulation promulgated thereunder, shall be punished by a fine of not more than \$300.00, or by confinement in a juvenile detention facility operated by or contracted by the state department of human services or temporary holding facility operated by or under contract with a municipal government, or by performance of useful public service, or by both fine, detention and performance of useful public service.

(b) Nothing contained herein shall be construed to abrogate, abolish or otherwise limit the power of the municipal court to punish any minor offender before it for

contempt of court, but pursuant to C.R.S. § 13-10-113(5), any such punishment may not exceed confinement in excess of 48 hours.

(c) The municipal judge may promulgate all such rules and orders regarding the procedural processing of minor offenders appearing before the municipal court as the municipal judge may, from time to time and consistent with state law, deem appropriate.

(d) All offenses contrary to this Code, as applied to minor offenders, shall be subject to the provisions of this section.

(3) Sec. 1-105. Penalty for violations of ordinances adopted after adoption of Code.

Any person, firm or corporation who shall violate any provision of any ordinance of a permanent and general nature passed or adopted after the adoption of this Code, either before or after it has been inserted in the Code by a supplement, shall, upon conviction thereof, be punishable as provided by section 1-103 or 1-104, unless another penalty is specifically provided for the violation.

(4) Sec. 2-114. Law enforcement surcharge.

The municipal court shall assess a surcharge of \$10.00 against any defendant convicted of a violation of this Code or of any ordinance of the town. All surcharge funds collected by the municipal court shall be allocated in the town's annual budget exclusively for purposes of training for police officers and the purchase and/or maintenance of police equipment.

(5) Sec. 2-115. Cost recovery.

(a) Purpose. The purpose of this article is to authorize the use of any lawful means to collect penalties, to impose a fee upon the party against whom a penalty is assessed in order to cover the cost of collection, and to establish a maximum collection fee.

(b) Authorization to collect penalties using any lawful means. The court is authorized to use any lawful method of collecting penalties due from any person assessed such penalties.

(c) Creation of special fee for collections. The court shall charge a fee to cover the reasonable costs of collection in addition to penalties otherwise due, and interest at the statutory rate for unpaid civil judgments. Reasonable costs of collection shall include, without limitation, the fees and costs of the town attorney or of other counsel or a collection agency.

(d) Limitation on special fee for collection. The special fee for collections shall not exceed 25 percent of the amount of the penalty assessed.

(6) Sec. 2-151. Inspection of premises for fire hazards; compliance with order to remove; penalty.

(a) It shall be the duty of the fire chief to inspect or cause to be inspected by fire department officers or members, as often as may be necessary but not less than two times a year in outlying districts and four times a year in the closely built portions of the town, all buildings, premises and public thoroughfares, except the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire or any violations of the provisions or intent of any ordinance of the town affecting the fire hazard.

(b) Whenever any officer or member shall find in any building, or upon any premises or other place, any combustible or explosive matter, dangerous accumulation of rubbish or unnecessary accumulation of waste paper, boxes, shavings or any other highly flammable materials especially dangerous to life or property by reason of the fire hazard, he shall order the same to be removed or remedied and such order shall forthwith be complied with by the owner or occupant of such premises or buildings, subject to appeal within 24 hours to the mayor, who shall within ten days review such order and file his decision thereon. Unless the order is revoked or modified, it shall remain in full force and be obeyed by such owner or occupant.

(c) Any owner or occupant failing to comply with such order within ten days after the appeal has been determined or, if no appeal is taken, then within ten days after the service of the order, shall be liable to a penalty as stated in subsection (d) of this section.

(d) Any person, firm or corporation violating any of the provisions of this section shall, upon conviction, forfeit and pay a fine of not more than \$25.00 for every day thereafter so long as the violation exists, and a fine of not more than \$100.00 for subsequent violations.

(7) Sec. 2-157. Violation; penalty; additional remedies.

(a) Any person, firm or corporation, except members of the fire department in the performance of their duties as such and others acting under orders of the fire chief, violating any of the provisions of this article shall, upon conviction thereof, be fined not less than \$5.00 and not more than \$300.00 for each offense. Members of the fire department, when acting as such, violating any of the provisions of this article shall be dealt with in accordance with the bylaws of the fire department.

(b) The application of the penalty in subsection (a) of this section shall not be held to prevent the enforced removal of prohibited conditions, and the imposition of one penalty for any violation of this article shall not excuse the violation or permit it to continue, and all persons convicted thereof shall be required to correct or remedy such violations or defects within a reasonable time.

(c) When not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

(8) Sec. 2-218. Town ordinances applicable to use of airport property.

The ordinances of the town pertaining to nuisances, destruction of town property, any unauthorized use by vehicles of runways and ramps or such unauthorized use of airport facilities, shall apply to the real property constituting the Springfield Airport, and such violations as are provided by any such ordinances apply to this facility and shall be punishable upon conviction as provided in section 1-103.

(9) Sec. 4-143. Enforcement and penalties.

(a) It shall be unlawful for any vendor intentionally, knowingly or recklessly to fail to pay the tax imposed by this article, or for any person to otherwise violate any provision of this article. Any person convicted of violation of this article shall be punished pursuant to section 1-103.

(b) A penalty in the amount of ten percent of the tax due or the sum of \$10.00, whichever is greater, shall be imposed upon the vendor and become due in the event the tax is not remitted by the tenth day of the month as required by this article. The town clerk is authorized to waive, for good cause shown, any penalty assessed.

(10) Sec. 6-153. Penalty.

Any person, corporation, company, partnership, business association or organization violating the provisions of this article shall be subject to punishment in accordance with section 1-103.

(11) Sec. 7-2. Nuisance defined.

(a) The following are deemed to be a public nuisance:

(1) Any building, land, substance or personal property, the use or condition of which presents a substantial danger or hazard to the physical health or safety of the public, or used for any purpose which is in violation of the provisions of this Code.

(2) The conducting or maintaining of any business, occupation, operation, or activity in violation of the provisions of this Code.

(3) Any business, occupation, operation, activity, or any building, land, substance, or personal property, the use or condition of which has been identified as a public nuisance in this Code, the Colorado Revised Statutes, or the common law.

(b) It shall be unlawful for any person to violate any of the provisions under this article. Any person found guilty of violating any of the provisions of this article shall, upon conviction thereof, be punished by a fine pursuant to section 1-103. Each day that a violation of any of the provisions of this article continues to exist shall be deemed to be a separate and distinct violation.

(c) Whenever, in a criminal or noncriminal prosecution under this article, the court finds the existence of a nuisance, the court is authorized to abate the nuisance and assess costs in the same fashion as if a civil abatement proceeding had been commenced under this article.

(d) Any violation of any injunction or order issued by the court in an action to abate a public nuisance may be punished as a contempt of court or by a fine as specified in section 1-103. Unless the violation by its nature cannot be corrected, each day's failure to comply with an injunction or order to abate shall constitute a separate violation, for which an additional penalty may be imposed.

(12) Sec. 7-36. Inspections for hazardous accumulations of garbage or refuse; complaints.

The mayor, the chief of police or any other town employee authorized to make inspections to prevent unreasonable accumulation of garbage within the town is authorized to make such inspections of public or private property. In the event the town employee determines that the garbage constitutes a nuisance or health hazard or has been allowed to accumulate in an unreasonable amount, the employee may file a complaint against the owner of the property or the person who accumulates the garbage. Such complaint shall be under the provisions of this article and subject to punishment pursuant to section 1-103 of this Code.

(13) Sec. 7-105. Barking or noisy animals prohibited; impoundment.

It is unlawful for any owner or keeper of any animal to permit such animal, by loud, persistent or habitual barking or other such loud noise, to disturb any person or neighborhood. Such animal is a public nuisance and may be impounded at the owner's, keeper's or possessor's cost, or the owner or keeper of the animal may be fined as provided in section 1-103 of this Code.

(14) Sec. 7-108. Keeping livestock prohibited.

No person shall keep any livestock, including horses, cattle, pigs, hogs, sheep or goats, within the corporate limits of the town. The keeping of livestock, including the animals above enumerated, within the corporate limits of the town is hereby declared a nuisance and a misdemeanor, punishable as provided in section 1-103 of this Code.

(15) Sec. 7-132. Dangerous dog destroyed.

In addition to the penalties set forth in this Code, in accordance with state law, the court may order that the dangerous dog be immediately confiscated and placed in a public animal shelter and may order that, upon exhaustion of any right an owner has to appeal a conviction based on a violation of section 7-131, the owner's dangerous dog be destroyed by lethal injection administered by a licensed veterinarian.

(16) Sec. 7-137. Rabies vaccination required.

The owner, possessor or keeper of every dog within the town shall have such dog inoculated against rabies by a licensed veterinarian between January 1 and March 1 at least as often as once every three years. Dogs purchased, obtained or otherwise acquired or brought into the town shall be inoculated within 30 days after such acquisition or being brought into the town, unless satisfactory evidence of prior inoculation shall be presented to the town clerk. Failure to present the town clerk with evidence of rabies inoculation within a three-year period shall subject the owner, possessor or keeper of a dog to the penalties imposed in section 1-103 of this Code.

(17) Sec. 7-144. Allowing dogs to disturb garbage or trash; liability.

It is unlawful for any owner, possessor or keeper of any dog to allow the dog to disturb or molest any trash or garbage. Such violation shall be punishable in accordance with section 1-103 of this Code, and shall also subject the owner, possessor or keeper of the dog to such additional costs as may be incurred by the disturbance or molestation of such trash or garbage.

(18) Sec. 8-4. Penalties.

The following penalties, herewith set forth in full, shall apply to this article:

(1) It is unlawful for any person to violate any of the provisions adopted in this article.

(2) Every person convicted of a violation of any provision adopted in this article shall be punished in accordance with section 1-103.

(19) Sec. 8-32. Junk vehicles on public streets and rights-of-way prohibited.

(a) No person shall knowingly leave any partially dismantled, wrecked, discarded, junk or unlicensed vehicle on any public street, highway or right-of-way within the town. Any person maintaining a junk vehicle on a public street, highway or right-of-way within the town in violation of this section shall be liable for fines of up to punished in accordance with section 1-103.

(b) Notice may be served on the owner of a junk vehicle maintained in violation of this section by firmly attaching such notice to the vehicle or parts thereof in plain sight. Such notice shall require the violation to be abated by removal or enclosure or repair so as to bring the vehicle into compliance with this section within 15 calendar days from the date of issuance of such notice.

(c) If the owner of a junk vehicle fails to remove the vehicle or bring it into compliance with this section within 15 calendar days from the date the notice of violation was issued, the town may remove the vehicle and impound it for a period of not less than 30 days or until the town is permitted to dispose of the vehicle in accordance with the terms of this article, whichever period is longer.

(d) The owner of any vehicle removed by the town in accordance with this section may request a hearing regarding the violation by filing a notice with the municipal court of the town within 15 days after the notice of violation is served or the vehicle is impounded, whichever occurs later. A hearing shall be held as soon as practicable, but in no case more than 30 days after the request for a hearing is filed with the municipal court.

(e) If the vehicle owner requests a hearing before the municipal court, no action shall be taken by the town to remove, impound or dispose of the vehicle until such time as the municipal court makes a determination upon the hearing.

(f) If the vehicle owner fails to request a hearing within the time permitted by this section, the town may dispose of the vehicle in accordance with the terms of this article.

(20) Sec. 8-33. Maintaining junk vehicles on real property within the town prohibited.

(a) The board of trustees hereby finds and declares that maintaining junk vehicles on real property within

the town boundaries constitutes a hazard to the public health, safety and welfare of the residents of the town. Accordingly, it shall be unlawful for any person to park, leave, display, store or keep any junk vehicle on any premises, within any zoning district, anywhere within the town, except as provided herein.

(b) It shall be unlawful for any person to leave, display, store or keep any junk vehicle parts on any premises within any zoning district or anywhere within the town.

(c) In the event of the storage or keeping of such junk vehicles or parts thereof in the town, the persons

responsible for the violation of this section shall include the owner of the junk vehicle or parts thereof, the occupant or lessee of the premises where stored or kept and the owner of such premises.

(d) Any person maintaining a junk vehicle within the town in violation of this section shall be punished in accordance with section 1-103.

(e) Exemptions:

(1) Any vehicle licensed and registered as a collector vehicle, as provided by state law, which is maintained in such a manner as not to constitute a health, safety or fire hazard and which is contained in a fully enclosed structure; and

(2) Vehicles stored or kept on the premises of a business enterprise operated in a lawful place and manner

when necessary to the operation of such business enterprise, provided that any dismantled, discarded,

wrecked, demolished or partially demolished vehicles are stored in a fully enclosed structure.

(21) Sec. 8-77. Penalty.

Any person violating any provision of this article shall be guilty of a misdemeanor, punishable as provided in section 1-103 of this Code.

(22) Sec. 13-26. Wasting water; second occurrence; penalty.

Upon the second occurrence of water running for a distance of 300 feet or more from the point of application, a complaint shall be filed against the person responsible for the watering and, upon conviction, a fine of \$10.00 shall be assessed against such person.

(23) Sec. 13-27. Violations following first conviction; penalty.

(a) After the first conviction, a person who allows water from the town mains to run for a distance of 300

feet or more shall be subject to a complaint being filed against him, and, upon conviction of the second offense, shall be subject to a fine of not more than \$100.00.

(b) In addition to the fine, the town manager is authorized to reduce the water pressure by placing a choke at or near the water meter, which shall remain until the town is satisfied that water will not be wasted.

(24) Sec. 13-28. Wasting water; penalty for subsequent convictions.
Each subsequent conviction of any person for wasting water, as provided in sections 13-24 through 13-27, shall subject the person to punishment as provided in section 1-103 of this Code.

(25) Sec. 13-72. Prohibition against tampering with wastewater facilities.
No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the wastewater facilities. Any person violating this provision shall be subject to punishment as set out in section 1-103.

(26) Sec. 13-74. Penalties.
(a) Any person found to be violating any provision of this resolution article, except section 13-72, shall be served by the town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
(b) Any person who shall continue any violation beyond the time limit provided for in subsection 13-28(a) of this section, shall be given a written summons and complaint, and on conviction thereof, shall be punished as set out in section 1-103.
(c) any person violating any of the provisions of this article becomes liable to the town for any expense, loss or damage occasioned by the town by reason for such violation.

(27) Sec. 13-159. Electrical service furnished by town; regulations part of customer contract; penalty for violations.
(a) The town shall furnish electric currents for light, heating, cooking and power purposes to persons whose premises abut on any supply wire of the distribution system of the town.
(b) The rules, regulations and rates for electrical service, hereinafter named, shall be considered a part of the contract with every person, company or corporation who is supplied with electrical service through the electrical distribution system of the town, and every such person, company or corporation, by taking electrical service therefrom, shall be considered and held to consent to be bound thereby.
(c) Whenever any such rules and regulations now existing or hereafter adopted by the town are violated, the electric current shall be cut off from the building or place of such violation, even though two or more parties may receive current through the same line, and shall not be turned on again except by order of the electrical inspector, on payment of the fee in the amount set out in the town's master fee

schedule for shutting off and turning on, upon such other terms as the electrical inspector shall determine, and upon a satisfactory understanding with the party that no further cause for complaint shall arise. In case of violation, the electrical inspector shall have the right to declare any payment made for electric current by the person committing such violation forfeited, and the same shall thereupon be forfeited.

(28) Sec. 13-175. Violation; penalty.

Any person, firm or corporation who violates any of the provisions of this article or any of the rules and restrictions for the government of consumers' light, heat or power, as hereafter promulgated by resolution of the mayor and board of trustees or the electrical inspector, or who violates, neglects or refuses to comply with any order or notice of the electrical inspector made pursuant to the provisions of this article, shall, upon conviction thereof, in addition to the forfeitures, liabilities, stipulations and reservations contained in this article, be deemed guilty of a violation of this article, and, upon conviction, shall pay a penalty as provided in section 1-103 of this Code.

(29) Sec. 17-152. Penalties.

Whoever being the owner, proprietor or the agent of the owner or proprietor of any land located within any subdivision within the jurisdiction of the commission transfers, sells or agrees or negotiates to transfer or sell such land by reference to or exhibition of or other uses of a plat or subdivision of any portion of such subdivision before such plat has been approved as herein provided and has been recorded in the office of the county clerk, shall be guilty of a misdemeanor, and, upon conviction, shall be punished as set out in section 1-103 for each lot, tract or parcel so transferred, sold or agreed or negotiated to be transferred or sold; and the description by metes and bounds in the instrument of transfer or other document used in the process of transfer or sale shall not exempt the transaction from such penalties.

(30) Sec. 18-2. Penalty.

The following penalties, herewith set forth in full, shall apply to this article:

- (1) It is unlawful for any person to violate any provisions adopted in this article.
- (2) Every person convicted of a violation of any provision adopted in this article shall be punished as set out in section 1-103.

(31) Sec. 18-27. Penalty.

The following penalties, herewith set forth in full, shall apply to this article:

- (1) It is unlawful for any person to violate any provisions adopted in this article.
- (2) Every person convicted of a violation of any provision adopted in this article shall be punished as set out in section 1-103.

(32) Sec. 18-82. Violation; penalty; additional remedies.

(a) Any and all persons who violate any of the provisions of this article or fail to comply therewith, who violate or fail to comply with any order or regulation made thereunder, or who build in violation of any detailed statement of specifications or plans submitted and approved hereunder or any certificate or permit issued hereunder, shall severally for each and every such violation and noncompliance respectively, forfeit and pay a penalty in the sum of \$25.00. The imposition of one penalty for any violation of this article shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time. When not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

(b) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions as provided in section 18-61.

(33) Sec. 18-112. Electrical equipment; injuring or destroying prohibited.

No person shall willfully or carelessly break, injure, deface, interfere with or disturb any building, machinery, apparatus, insulator, transformer, fixture, attachment, appurtenance, electrolier, white-way pole, suspension light or light globe in the street-lighting system of the electric light plant or of the distribution system of the town. If any person does any of the acts herein prohibited, he shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished as set out in section 1-103.

(34) Sec. 18-140. Penalty.

The following penalties, herewith set forth in full, shall apply to this article:

- (1) It is unlawful for any person to violate any provisions adopted in this article.
- (2) Every person convicted of a violation of any provision adopted in this article shall be punished as set out in section 1-103.

Section 6. Additions or amendments to the Code, when passed in the form as to indicate the intention of the Town to make the same a part of the Code, shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 7. Ordinances adopted after this ordinance that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to those provisions of the Code.

Section 8. The Board of Trustees finds, determines and declares that this Ordinance is necessary for the immediate preservation of public health and safety in order to make this Ordinance applicable to the Town at the earliest possible date so that administrative efficiency may be obtained therefrom and to assure that the

purposes of this Ordinance are met. This Ordinance and the Silver Lake Municipal Code shall become immediately effective upon the adoption hereof.

This Ordinance shall be in full force and effect following adoption and approval by the Board of Trustees, thirty (30) days following its publication.

INTRODUCED, READ, AND PUBLIC NOTICE ORDERED PUBLISHED at a regular meeting of the Board of Trustees of the Town of Springfield, Colorado, this 11th day of June, 2020. Treasurer

Public Notice Publication Dates:

INTRODUCED A SECOND TIME at a regular meeting of the Board of Trustees of the Town of Springfield, Colorado held on _____, PASSED, ADOPTED AND ORDERED PUBLISHED.

MAYOR: _____

Town Attorney: _____

ATTEST: Town Clerk: _____

Sec. 7-3-30. - Parking and storage of major recreational vehicles and hobby type vehicles.

- (a) No major recreational vehicle and/or equipment shall be parked or stored for more than seven consecutive days on any public street or property that is not designated for that specific use.
- (b) Visitors may use their motor homes and campers for no more than three weeks if the units are parked on private property. No such equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot or in any location not approved for such use.
- (c) All hobby-type vehicles shall be stored in a fully enclosed structure, totally concealed behind a privacy fence and/or completely covered with a fitted opaque cover.

(Ord. No. 765, § 1, 9-12-2000; Ord. No. 914, § 1, 2-9-2016)

Sec. 30-611. - Parking, storage or use of major recreational equipment.

For purposes of these regulations, the term "major recreational equipment" includes boats and boat trailers, travel trailers, pickup campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. No major recreational equipment shall be parked or stored on any lot in a residential district except in a carport or enclosed building or behind the nearest portion of a building to a street; provided, however, that such equipment may be parked anywhere on residential premises for not to exceed 24 hours during loading or unloading. No such equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot or in any location not approved for such use.

(Code 2000, § 16-17-50; Ord. No. 839, § 700.05, 1986; Ord. No. 1040, 2002)

CHAPTER 15.40 - Trailers and Trailer Parks

I - General Provisions

15.40.010 - Definitions.

For the purposes of the provisions of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

Automobile trailer means:

- a. Any vehicle or structure designed and constructed to permit occupancy thereof as living or sleeping quarters for one (1) or more persons or the conducting of any business or profession, occupation or trade and designed so that it is or may be mounted on wheels and used as a conveyance on highways or city streets, propelled or drawn by its own or other motive power, excepting devices used exclusively upon stationary rails or tracks;
- b. Any self-contained vehicle licensed under any state as a *recreational vehicle*;
- c. Any vehicle which is self-propelled and is designed as a self-contained motorized unit with sleeping, cooking or sitting accommodations whose sleeping, cooking or sitting accommodations are contained with the same assembly as the driver's section; and
- d. Any trailer designed as a *pull-behind* trailer where the trailer is designed to provide sleeping, cooking or sitting accommodations.

Trailer camp means any park, trailer park, trailer court, campsite, lot or other parcel of land used for the purpose of supplying a location or accommodations for two (2) or more automobile trailers and which includes all buildings used or intended for use as part of the equipment thereof, where a charge or fee is levied by the owner or occupier of the lands which is imposed for the use of a portion of the location for overnight parking purposes or for use of any of its facilities; however the definition shall not include automobile trailer lots on which trailers are parked for the sole purpose of retail sale to the public.

(Ord. 1381 §51, 4, 2004; Prior code §25-1)

15.40.020 - Enforcement.

- (a) The Police Department shall enforce all provisions of this Chapter. In securing enforcement, members of the Police Department shall have the right and are empowered to enter upon any premises upon which any automobile trailer is located or which is about to be located and inspect the same and all accommodations located therewith.
- (b) All orders granting, renewing and revoking licenses shall be by action of the City Council.

(Prior code §25-2)

15.40.030 - Trailers; parking regulations.

- (a) It is unlawful, within the City, for any person to park any trailer, automobile trailer, recreational vehicle or

camper trailer on any public street, public alley, public highway or other public conveyance, except as provided in Subsection (e) below.

- (b) It is unlawful, within the City, for any person to park any trailer, automobile trailer, recreational vehicle or camper trailer on any private property without the consent of the landowner or leaseholder of that real property.
- (c) Parking of trailers, automobile trailers, recreational vehicles and camper trailers on private property zoned within any residential zone (defined as R-S, R-1A, R-1, R-2, R-3 or R-4) shall be permitted as follows: (1) in a properly zoned trailer camp or trailer park; (2) on privately owned property whereby the landowner or leaseholder consents to said parking; (3) in a rear yard in any district not regulated by private restrictions to the contrary; or (4) storage in any fully enclosed private parking area.
- (d) Parking of trailers, automobile trailers, recreational vehicles and camper trailers on private property zoned within any commercial, agricultural or industrial zone shall be permitted where the landowner or leaseholder consents to the parking thereon. This allowance shall apply only to those lands whereupon parking is permitted by the landowner or leaseholder but only where there is no fee, charge or assessment imposed for the privilege of parking thereon.
- (e) Emergency or temporary stopping or parking shall be permitted on any street, alley, highway or public conveyance for a period not to exceed forty-eight (48) hours in duration, subject to the provisions of other regulations, ordinances or provisions of this Code as to streets, alleys or highways.
- (f) Under the terms of Subsections (c) and (d), no living quarters shall be maintained in such trailer, automobile trailers, recreational vehicle or camper trailer for a period in excess of forty-eight (48) hours while such trailer is so parked or stored, except in a properly zoned trailer camp or trailer park.

(Ord. 1382 §§A, B, 2004; Prior code §25-3)

II - Trailer Camps

15.40.040 - Management.

- (a) In every trailer camp there shall be an office building in which shall be located the office of the person in charge of the camp. A copy of the camp license and of this Chapter shall be posted therein and the camp register shall at all times be kept in the office.
- (b) It is made the duty of the attendant or person in charge of any trailer camp to perform the following duties:
 - (1) Keep at all times a register of all guests (which shall be opened to inspection by state, federal and City officers) showing the names and addresses of all guests, the date of their entry and departure and license numbers of all trailers and automobiles;
 - (2) Maintain the camp in a clean, orderly and sanitary condition;
 - (3) Maintain in a convenient place, approved by the Fire Department, hand fire extinguishers in the ratio of one (1) to each eight (8) automobile trailers;
 - (4) Prohibit the use of any trailer by a greater number of occupants than that which it is designed to accommodate.

(Prior code §25-5)

15.40.050 - License; required; term.

- (a) It is unlawful for any person to establish, operate, maintain or permit to be established, operated and maintained upon property owned and controlled by him or her a trailer camp within the City without having first secured a license therefor.
- (b) Any license issued pursuant to Section 15.40.050 or 15.40.060 shall not be transferable.

(Ord. 1381 §§1, 6, 2004; Prior code §25-6)

15.40.060 - License; application; fee.

Applications for trailer camp licenses or renewals thereof shall be filed with the City Clerk. Such application shall be accompanied by a statement containing the following:

- (1) The legal description of the premises to be licensed;
- (2) The number of trailer sites to be licensed;
- (3) The location and number of sanitary conveniences, including toilets and washrooms;
- (4) The method or plan of sewage disposal;
- (5) The method or plan of garbage removal;
- (6) The method or plan for water supply; and
- (7) The method or plan for electrical current supply.

(Ord. 1381 §§1, 5, 2004; Prior code §25-7)

15.40.070 - License; recommendation by Building Inspector prior to issuance.

Before any trailer camp license may be issued, a favorable recommendation must be made by the Building Inspector of the City or his or her duly authorized representative, based upon an inspection of the premises.

(Prior code §25-8)

15.40.080 - License; revocation.

The City Council is authorized to revoke any license or permit issued pursuant to the terms of this Chapter if, after due investigation, it determines the holder thereof has violated any of the provisions of this Chapter, that the same is being maintained in an unsanitary or unsafe manner or that the same is a nuisance.

(Prior code §25-9)

15.40.090 - Water and sewage connection requirements.

No trailer camp shall be located within the City unless City water and sewage connections are available.

(Prior code §25-10)

15.40.100 - Sanitation requirements.

- (a) Every trailer camp containing trailers without bath and toilet facilities shall have erected thereon a suitable building housing toilets and showers. Such buildings to be known as *service buildings*.
- (b) There shall be provided separate toilet rooms for each sex in the ratio of one (1) toilet for each eight (8) automobile trailers or fractions thereof.
- (c) Separate bathing facilities for each sex shall be provided, with one (1) shower enclosed in a compartment at least four (4) feet square for each eight (8) automobile trailers or fractions thereof. Each shower compartment to be supplemented by an individual dressing compartment of at least twelve (12) square feet.
- (d) Floors of toilets, showers and laundry facilities shall be of concrete, tile or similar material and pitched to a floor drain.

(Prior code §25-11)

15.40.110 - Garbage disposal requirements.

- (a) All trailers and all trailer camps must utilize the garbage collection service of the City.
- (b) Every automobile trailer shall provide or be provided with a substantial fly-tight metal garbage depository, from which the contents shall be removed by the City garbage collection service.

(Prior code §25-12)

15.40.120 - Plumbing, electrical or building work to comply with Code.

All plumbing, electrical, building and other work on or at any licensed trailer camp shall be in accordance with the provisions of this Code or other ordinances of the City.

(Prior code §25-13)

Holly, Colo.

ORDINANCE NO. 370

ORDINANCE REGULATING MOBILE HOMES AND THE PLACEMENT OF MOBILE HOMES ; AUTHORIZING INSPECTION; AND DEFINING VIOLATIONS AND PENALTIES FOR THE TOWN OF HOLLY, COLORADO.

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I. DEFINITIONS

A. PRIMARY DWELLING

One room, or rooms, connected together, constituting a separate, independent housekeeping establishment for owner occupancy or rental or lease on a weekly, monthly, or longer basis and physically separated from any other rooms or dwelling units which may be in the same structure and containing independent cooking and sleeping facilities located on any lot, tract, or other platted property located within the Town of Holly, Colorado.

B. MOBILE HOME

A factory-assembled structure or structures, whose minimum dimensions are 12' x 50', equipped with the necessary service connections and made so as to be readily movable as a unit or units on its (their) own running gear and designed to be used as a private dwelling unit without permanent foundation and which carries a Colorado Division of Housing Mobile Home Certificate and is built to a Mobile Home Standard equal to or greater than that is set forth in the American National Standards Institute pamphlet ANSI A119.1.

C. MOBILE HOME PARK

Any park, court, camp, lot, area, piece, parcel, tract, or plot of ground upon which mobile homes are placed as primary dwellings and which real property is under single ownership, and which is designated and intended primarily for two or more mobile homes whether owned by the owner of the real property or by other parties; each mobile home placed upon a mobile home rental pad within an individual mobile home rental space with utility hookups provided.

D. TRAVEL TRAILER/MOTOR HOMES

A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel and recreational purposes, having a body width not exceeding eight feet (8'). No travel trailers/motor homes will be allowed to be used as a primary dwelling on any property.

II. RESTRICTIONS AND LIMITATIONS

A. PRIMARY DWELLING

Unless property has been designated as a mobile home park, no person being the owner, agent or occupant or having under his control any building, lot, or premises or unimproved real estate within the Town limits of the Town of Holly, Colorado, shall move, locate or allow any mobile home to be placed upon any property having an existing primary dwelling on said premises.

B. MOBILE HOMES

- (a) No mobile home constructed prior to June 1, 1976, shall be allowed within the corporate limits of the Town of Holly for any living, storage, or any other reason unless said mobile home has been upgraded to mobile home standard which is equal to or greater than that described in the American National Standard Institute pamphlet ANSI A119.1; carries a Colorado Division of Housing Mobile Home Certificate; and is built to the HUD Manufactured Home Construction safety standard.
- (b) No mobile home shall be placed on any lots smaller than fifty foot (50') wide and one hundred (100') deep. Only one (1) mobile home may be placed on any recognized lot or tract of the land unless it be an approved mobile home park in which event, the mobile home spaces for such mobile home park in which event, the mobile home park shall be of a size as described herein after.
- (c) Each mobile home shall maintain its own utility hookups including electric, water, sewer, and gas. No mobile home will be allowed to hook to or use utilities from existing primary dwellings, other mobile homes or other structures for any kind of service.
- (d) A Town of Holly building permit shall be obtained prior to or upon delivery of any mobile home. The fee for the permit shall follow the Town's building permit fee schedule as outlined in Ordinance 187, but in no case less than \$25.00 to cover necessary inspection of the mobile home.
- (e) At a minimum, anchors and tie-downs shall be attached to each mobile home at least to each corner thereof and at intervals not to exceed ten feet (10'), and shall be able to resist the design wind pressures and in any event shall be able to sustain a minimum tensile strength of two thousand eight hundred (2,800) pounds. Wheels shall not be used as anchors, tie-downs, or for bearing pressures and shall be removed within a reasonable time after the mobile home is placed in its desired location, not to exceed sixty (60) days.
- (f) The frame, axles, wheels, crawl space, storage area and utility connections of all mobile homes shall be concealed from view by skirting. Skirting shall be of durable all-weather construction and shall be manufactured specifically for the purpose of covering the undercarriage area of the mobile home; or as required by the FHA-VA agencies when that type of financing is in place; or as approved by the building inspector as equal to or better than above. All skirting shall have adequate ventilation provided.
- (g) Set back rules for mobile homes shall be as follows: Front of lot—mobile homes shall not extend beyond the majority of existing line of structures, buildings or primary dwellings along the street frontage. If no existing structure exists, said mobile home shall have a set back of not less than twenty feet (20') from the curb or edge of any street, except at corners on intersections where visibility will not be impaired. A minimum of five feet (5') shall be maintained between such mobile home and all other property boundaries.

C. MOBILE HOME PARKS

- (a) It is intended that the requirements for a mobile home park shall be such that the quality of the adjoining neighborhood is not detrimentally affected by the adjacent location of a mobile home park. A complete and comprehensive site and development plan shall be submitted to the Town Manager for the Town of Holly detailing all aspects of a proposed mobile park home, including but not limited to improvement plans for streets, vehicle parking, sidewalks, utilities and drainage of the site, location of each rental pad, with the maximum size mobile home such park will accommodate noted, and location of all permanent structures and common facilities. These plans must be approved by the Town Manager. No mobile home shall be placed in any new park under development until all required improvements are in place.
- (b) As stated heretofore, any person wishing to establish a mobile home park or expand an existing park, shall make application to do so. Said application shall be submitted to the Town Manager and shall

include a plat of the proposed mobile home park, along with all required supporting documentation. It shall be unlawful for any property owner or developer to place, or allow to be placed, any mobile home on any parcel of land to be developed as a mobile home park unless and until the application, plat and other accompanying documents have been approved by the Town of Holly Town Council and the plat has been recorded in the office of the Clerk and Recorder of Prowers County, if required by the Town Council.

- (c) No owner, agent or any person having under his control any mobile home park shall allow any substandard mobile home that do not meet the standards as specified in I.B. of this Ordinance. Each mobile home space in a mobile home park shall be at least twenty-five feet (25') wide and shall abut on a driveway or other clear area with unobstructed access to a public street. Such spaces shall be clearly defined and mobile homes shall be parked in such spaces so that there will be a minimum of ten feet (10') between mobile homes at all points. No mobile home shall be less than five feet (5') from the side boundary of the mobile home space. If there are no such markers or defined spaces in the park, then there shall be a minimum of ten feet (10') maintained between mobile homes. No mobile home shall be less five feet (5') from the exterior boundary of the mobile home park.

III. INSPECTIONS AND RIGHT OF ENTRY

- A. Whenever necessary to make an inspection to enforce any provisions of this Ordinance, the Town Manager or appointed Town representative may enter such mobile home or mobile home park at all reasonable times to inspect the same.

- (a) Whenever necessary to make an inspection to enforce any of the provisions of this Ordinance, the Town Manager or appointed representative may enter such mobile home or mobile home park at all reasonable times to inspect the same or to perform any duty imposed hereunder. If such mobile home or mobile home park is occupied, such person shall first present proper credentials and demand entry; and if such mobile home or premises is unoccupied, he shall first make a reasonable effort to locate the owner or occupant or other person or persons having charge or control of the mobile home or mobile home park and upon locating the said owner or occupant or other person, or other persons, shall present proper credentials and demand entry. If entry is refused, such person shall give the owner or occupant cannot be located after reasonable effort, he shall post at the mobile home or at the mobile home park, a twenty-four (24) hour written notice of intention to inspect. The notice given to the owner or occupant or posted at the mobile-home or at the mobile home park shall state that the property owner has the right to refuse entry and that in the event that such entry is refused, inspection may be made upon issuance of a search warrant obtained from the Municipal Judge of the Town of Holly, or a judge of any other Court of competent jurisdiction.

- (b) After the expiration of such twenty-four (24) hour period from the giving or leaving of such notice, the Town Manager, Police Officer or their authorized representative, may appear before the Municipal Judge of the Town of Holly or a Judge of any other competent jurisdiction and upon showing of probable cause, though sworn testimony or sworn affidavit, shall obtain a search warrant entitling such Town representative to enter said mobile home or mobile home park. Upon presentation of a search warrant and proper credentials or possession of the same in the case of an unoccupied mobile home or mobile home park using such reasonable force as may be necessary to gain entry.

- (c) For the purpose of Subsection (b) of this Article III, a determination of probable cause will be based upon reasonableness, and if a valid public interest justifies the intrusion contemplated, then there is probable cause to issue a search warrant. The person applying for such warrant shall not be required to demonstrate a specific knowledge of the condition of the particular structure or premises in order to obtain the search warrant. It shall be unlawful for any owner or occupant of a mobile home park to resist reasonable force used by an authorized agent acting pursuant to this section.

- (d) Whenever an emergency situation exists in relation to the enforcement of any of the provisions of this Ordinance, the Town Manager, Police Officer or other authorized representative of the Town of Holly, upon presentation of proper credentials or identification in the case of an occupied mobile home or mobile home park or possession of said credentials in the case of an unoccupied mobile home or mobile home park within the jurisdiction of the town of Holly. In said emergency situation, such person or his authorized representative may use such reasonable force as may be necessary to gain entry into said mobile home or mobile home park.

- (e) For purposes of the above Subsection (d) of this Article III, an emergency situation shall include but not be limited to any situation where there is imminent danger of loss of life, limb, and/or property. It shall be unlawful for any owner or occupant of said mobile home or mobile home park to resist reasonable force used by the authorized official acting pursuant to Subsection (d) of this Article III.

IV. ABATEMENT OF VIOLATIONS AND FAILURE TO COMPLY

- A. If, after notification, a violation is not voluntarily abated, the following procedures shall apply:
- (a) If the person notified in accordance with Article III of this Ordinance shall neglect or refuse to comply with the requirements of said notice within the time specified, such person shall be guilty of a violation of this Ordinance and the town Manager, Police Officer, and/or Town attorney, or their authorized agent, may proceed at once, upon the expiration of the time specified in such notice, to commence appropriate legal action to cause such violation to be abated, provided that, if the owner is unknown or cannot be found, the Town Manager may proceed to abate such violation after notice has posted for the period specified to abate such said violation. In either case, the expense of such abatement shall be collected from the owner of the Mobile home.
 - (b) If a violation is identified by a representative of the Town, written notice of such violation shall either be hand delivered to the owner of said mobile home or mobile home park or if such mobile home or mobile home park is unoccupied, said written notice of such violation shall be posted on or near an entrance to said mobile home or mobile home park. In no event shall any owner of a mobile home or mobile home park be given less than twenty (20) days to abate the condition identified as a violation hereunder.
 - (c) When any owner has responsibility for abatement of a violation identified hereunder and said owner fails to abate said violation after the giving of the notice provided for herein, within the time limit described in said notice, or as extended, then the Town Manager, Police Officer and/or Town Attorney or their authorized representative is authorized to institute proceedings in a Court of competent jurisdiction to obtain a judicial determination that such violation exists, to abate such violation, to enjoin the same and for such other and further relief as may seem necessary or proper, including but not limited to the costs and expenses of abatement, including all reasonable attorney's fee incurred by the Town.
 - (d) Upon judicial determination that a violation exists, the Police Department is authorized to abate said violation or cause the same to be abated, employing such force and persons as may be necessary to abate said violation or cause the same to be abated, including the employees of the town or by contract or otherwise. All other Town officials or employees are hereby authorized and directed to render such assistance to the Police Department as may be required for the abatement of such violation and in connection with the enforcement thereof.
 - (e) Any officer or employee of the Town of Holly who shall be authorized herein to abate any violation specified in this Ordinance shall have authority to engage the necessary assistance and incur the necessary expense thereof. In any case, where a violation is to be abated by the Town, it shall be the duty of said authorized person to employ such assistance and adopt such means as also be the duty of the town or any of its representatives to proceed in all abatement cases with due care and without unnecessary destruction of property.

V. RESPONSIBILITY FOR COSTS OF ABATEMENT; COLLECTIONS AND FAILURE TO COMPLY

- A. The person or persons responsible for any violation of this Ordinance shall be liable for and pay and bear all costs and expenses of abatement of said violation, which costs and expenses, including but not limited to reasonable attorney's fee, may be collected by the town in any action at law, referred for collection by the town, or collected in connection with an action to abate a violation or assessed against the property as herein provided.
- B. The notice required by this Ordinance shall, in addition to other requirements herein, state that, if the violation is not abated within the time stated in the notice, the cost of such abatement together with reasonable attorney's fee maybe assessed as a lien against the property (describing the same) pursuant to the terms of this Ordinance, referring to this Ordinance, together with an additional five percent (5%) assessment for inspection and incidental costs of collection and shall be collected in the same manner as real estate taxes against the property are collected.
- C. Upon receipt of a statement for costs of abatement from the Town Manager, the Town Clerk shall mail a notice to the owner of said premises at said owner's last known address, by first class mail, postage prepaid, notifying such owner that work has been performed pursuant to this Ordinance, stating the date of performance of the work, the nature of the work, and demanding payment of the costs thereof (as certified by the Town Manager) together with the five percent (5%) assessment for inspection and other incidental costs in connection therewith. Such notice shall state that if said amount is not paid within thirty (30) days after mailing the notice, it shall become an assessment against such property, and shall include the ten percent

(10%) assessment for the costs of collection, and the above-mentioned assessments will be collected in the same manner as a real estate tax upon the property.

- D. If, after the expiration of the period of the time provided for in said demand for payment, or extended, costs or expenses of abatement have not been paid, in addition to certifying the same for collection as a real estate tax, the Town may likewise collect the same in any other manner provided by law.
- E. Any assessment for abatement certified to the Treasurer for the County of Prowers shall be a lien against each mobile home or each lot or tract of land composing a mobile home park and shall have priority over other liens except general taxes and prior special assessments.

VI REMEDIES, CUMULATIVE AND NON-EXCLUSIVE

- A. No remedy provided herein shall be exclusive, but the same shall be cumulative, and the taking of any action thereunder, including charge or conviction for violation of this Ordinance in the Municipal Court of the Town of Holly, shall not preclude or prevent the taking of other action thereunder to abate or enjoin any violation found to exist.
- B. Whenever a violation exists, no remedy provided for herein shall be exclusive of any other charge or action, and when applicable, the abatement provisions of this chapter shall serve as and constitute a concurrent remedy over and above any charge or conviction of any municipal offense or any provision of law. Any application of the Ordinance that is in the nature of a civil action shall not prevent the commencement or application of any other provision of law including criminal action.

VII VIOLATIONS AND PENALTIES

- A. Whenever, in any section of this Ordinance, the doing of an act is required, prohibited, or declared to be unlawful and no definite fine or penalty is provided for the violation thereof, the doing of such act or the prohibition of such act is illegal and any person, firm or corporation that shall be convicted thereof, shall be assessed a fine of not more than one thousand dollars (\$1,000.00) nor more than ninety (90) days in jail, or both such fine and jail term.

VIII CONFLICTING REVISIONS REPEALED

- A. All Ordinances or parts of Ordinances of the Town of Holly in conflict herewith are hereby repealed in so far as inconsistent with the provisions of the Ordinance.

IX. SEVERANCE

- A. The provisions of this Ordinance are severable. If any part of this Ordinance shall be held invalid, the remainder of this Ordinance shall remain valid and enforceable.

WHEREAS, it is the opinion of the Board of Trustees, that an emergency exists and this Ordinance is necessary for the immediate preservation of public peace, health and safety, and therefore, this Ordinance shall be in full force and effect immediately upon its adoption and publication.

APPROVED, ADOPTED AND ORDERED PUBLISH the 6th day of January 1999.

/s/ Anthony S. Garcia, Mayor

/s/ Shirley Smith Young, Clerk

ORDINANCE NO. 379

AN ORDINANCE RELATING TO THE REPEAL OF SECTION I. B. DEFINITIONS: SECTION II. B., (a) RESTRICTIONS AND LIMITATIONS: AMENDING ORDINANCE NO. 370 AND THE RE-ADOPTION OF SAID SECTION I AND II, AS AMENDED

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF HOLLY, STATE OF COLORADO:

That Ordinance No. 370, Section I and II be amended as follows:

SECTION I. DEFINITIONS

B. MOBILE HOME

A factory-assembled structure or structures, whose minimum dimensions are 12' X 50', equipped with the necessary service connections and made so as to be readily movable as a unit or units on it (their) own running gear and designed to be used as a private dwelling unit without permanent foundation.

SECTION II. RESTRICTIONS AND LIMITATIONS

B. MOBILE HOMES

(a) Before a mobile home constructed prior to June 15, 1976 can be moved into the corporate limits, the mobile home must have an installation permit and meet the rehabilitation requirements specified in "Rehabilitation requirements" as attached to this ordinance and labeled "Exhibit A.". Before a permit for the installation of the mobile home may be issued, the home must meet the rehabilitation requirements specified in the Rehabilitation requirements and receive a certificate of compliance from the Town Manager.

1. That the Ordinance No. 370 adopted by the Town of Holly, State of Colorado, shall be amended in the following particulars, and, as amended, shall contain the following addition provisions:

II. Restrictions and Limitations

B. MOBILE HOMES

- (h) Upgrading of mobile homes as required by this Article II B (a), shall apply to those Mobile homes purchased or sold, brought into the corporate limits of the Town of Holly, vacant, or re-rented by any owner subsequent to the 5th day of April 2000.
2. All sections of Ordinance 370 in conflict with the provisions of this Ordinance are hereby repealed; and all other sections of Ordinance 370 are hereby readopted and confirmed.

WHEREAS. it is the opinion of the Board of Trustees of the Town of Holly that an emergency exists and this Ordinance is necessary for the immediate preservation of public peace, health and safety; therefore, this Ordinance shall be in full force and effective immediately upon its adoption and publication.

APPROVED, ADOPTED AND ORDERED PUBLISHED the 5th day of April, 2000

Mayor

ATTEST:

Town Clerk

RELEASE, ACKNOWLEDGMENT OF RISK, AND WAIVER OF LIABILITY FOR THE USE OF THE SPRINGFIELD POOL

Please read this form carefully and be aware that your signature indicates that you fully understand that by using the facilities and equipment of the pool facilities, you will be waiving and releasing all claims for injuries and illnesses you might sustain arising out of your use of the pool facilities and participation in fitness activities.

WARNING OF RISK

Activities involving the use of a swimming pool carry significant risk of sustaining injuries from slippery surfaces, foreign objects in the pool, and other general hazards associated with swimming. These hazards carry with them the risk of injury up to and including death by drowning. Proper attire, swimming ability, and safe behavior are required. You are responsible for understanding your own capabilities and limitations with respect to swimming. In addition you acknowledge there is a possibility that transmission of COVID-19 or other infectious and contagious diseases may occur and that uses of the pool and its facilities may result in the exposure to certain viruses, bacterial diseases and infections.

RELEASE OF LIABILITY

In consideration of the use of the pool facilities, and in recognition of the possible perils of the use of such facilities, I, for myself and my heirs, executors, administrators, legal guardians or representatives, and assigns, do hereby release the Town of Springfield, the Board of Trustees, its agents, officers, employees and assigns from any liability for injuries sustained from the use of such facilities and equipment, and waive all claims which I might have against the Town and/or its agents officers, employees and assigns, arising out of or connected with my use of the pool facilities. I voluntarily agree to assume all of the foregoing risks and accept sole responsibility for any injury to my child(ren), wards or myself including, but not limited to, personal injury, disability, and death, illness, damage, loss, claim, liability, or expense of any kind, that I, my family and my child(ren) and/or wards may experience or incur in connection with my child(ren)'s and/or wards attendance at the pool or participation in pool activities ("Claims")

I understand and am aware that swimming and/or the recreational use of pool facilities, are potentially hazardous activities. I also understand that swimming activities involve a risk of injury and even death, and that I am voluntarily participating in these activities and using the pool facilities with knowledge of the dangers involved. I hereby agree to assume any and all risk of injury or death, including that of illness by being exposed to COVID-19 or other infectious diseases. I hereby release, covenant not to sue, discharge, and hold harmless the Town of Springfield, the Board of Trustees, its employees, agents and representatives, of and from the Claims, including all liabilities, claims, actions, damages, costs of expenses of any kind arising out of or relating thereto. I understand and agree that this release includes any Claims based on the actions, omissions, or negligence of the Town of Springfield pool employees, agents, and representatives, before, during or after participation in pool facility activities. I am aware that this is a release of liability and sign it of my own free will.

Name of Participant: (Printed) _____

Signature of Participant

Date

Signature of Parent or Guardian (if Minor)

Date

Address and Phone No: _____

Emergency Contact: _____

RESOLUTION NO. 20-13

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF SPRINGFIELD COLORADO, RATIFYING THE ADOPTING AN ORDINANCE AMENDING SECTION 2-26, SPECIAL MEETINGS, SPRINGFIELD MUNICIPAL CODE TO AMEND PROVISIONS FOR NOTICE OF SUCH MEETINGS AND TO ADD PROVISIONS REGARDING EMERGENCY MEETINGS OF THE BOARD OF TRUSTEES; PROVIDING A FINDING OF EMERGENCY; AND PROVIDING FOR PUBLICATION BY POSTING

WHEREAS, the Town of Springfield, Colorado (the "Town"), is a statutory town and political subdivision of the State of Colorado, duly organized and operating under the constitution and laws of the State; and

WHEREAS, pursuant to Section 24-33.5-709 of the Colorado Revised Statutes the Mayor and Board of Trustees have authority to declare a local disaster or emergency; and

WHEREAS, town government must continue to operate during a local disaster or emergency, while taking measures to protect the health and welfare of its employees and officials; and

WHEREAS, Board of Trustees determined that it is in the best interest of the public health, welfare, and safety of the residents of the Town of Springfield to ratify the actions of the Board of Trustees on March 23, 2020 regarding the adoption Ordinance No. 346 amending Section 2-26 of the Springfield Municipal Code providing for Emergency Meetings to be called in the event of an emergency that requires the immediate action of the Board of Trustees in order to protect the public health, safety and welfare of the residents of the Town.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF SPRINGFIELD, COLORADO, THAT:

Section 1. The above recitals are hereby incorporated as findings by the Board of Trustees of the Town of Springfield.

Section 2. Board of Trustees of the Town of Springfield during a regular meeting of the Board of Trustees of the Town of Springfield hereby ratifies Ordinance No. 346 attached hereto as Exhibit A.

Section 3. The effective date of this resolution shall be immediately upon adoption.

INTRODUCED, PASSED, AND ADOPTED at a regular meeting of the Board of Trustees of the Town of Springfield, Colorado, on June ____, 2020.

Town of Springfield, Colorado

By: _____
Tyler Gibson, Mayor

ATTEST:

Tammy Newman, Town Clerk

ORDINANCE NO. 346

**AN ORDINANCE OF THE TOWN OF SPRINGFIELD,
COLORADO, AMENDING SECTION 2-26, SPECIAL
MEETINGS, SPRINGFIELD MUNICIPAL CODE TO
AMEND PROVISIONS FOR NOTICE OF SUCH
MEETINGS AND TO ADD PROVISIONS REGARDING
EMERGENCY MEETINGS OF THE BOARD OF
TRUSTEES; PROVIDING A FINDING OF EMERGENCY;
PROVIDING FOR PUBLICATION BY POSTING; AND
PROVIDING FOR SEVERABILITY, REPEALER, AND AN
EFFECTIVE DATE.**

WHEREAS, the Town of Springfield is committed to conducting Town business in the "sunshine," as required by C.R.S. § 24-6-401, et seq. ("COLORADO SUNSHINE LAW");

WHEREAS, Section 2-26, SPRINGFIELD MUNICIPAL CODE allows for the Board of Trustees to call a special meeting on three (3) days' notice;

WHEREAS, the COVID-19 pandemic of 2020 illustrates the need for the Board of Trustees to have the power to conduct emergency meetings;

WHEREAS, emergency meetings are not addressed in the Colorado Sunshine Law, nor are they addressed in the Springfield Municipal Code;

WHEREAS, in *Lewis v. Town of Nederland*, 934 P.2d 848 (Colo. App. 1996), the Colorado Court of Appeals upheld the Town of Nederland's emergency meetings ordinance;

WHEREAS, since 1996, the technologies that are available for conference calls and video conferencing have improved significantly; and

WHEREAS, some emergencies may require telephonic or video conference meetings of the Board of Trustees.

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Springfield, Baca County, Colorado that:

Section 1. Section 2-26, Springfield Municipal Code is amended as follows (underlined text is added, strikeout text is deleted):

Sec. 2-26. Special and emergency meetings.

(a) Special meetings of the Board of Trustees may be called at any time by the Mayor or by any three (3) members of the Board of Trustees ~~thereof~~. Written notice of the calling of such special meetings shall be given at least three (3) days prior to the date

thereof, which notice shall be ~~served upon~~ delivered to the Mayor and each member of the Board of Trustees by the Town Clerk or acting Town Clerk, such service being made to the persons entitled thereto electronically at the email address on record with the Town Clerk, or personally, or, if personal service delivery of the same cannot be made. Then, then by mailing a copy of such notice to the residential address of such person or persons ~~on to~~ whom service delivery cannot be made. The notice of all special meetings shall specify the object or objects of such meeting, and at all special meetings no other business can be transacted except such as has been specified in the notice thereof.

(b) (1) Emergency meetings may be called by the Mayor or any two (2) members of the Board of Trustees in the event of an emergency that requires the immediate action of the Board of Trustees in order to protect the public health, safety, and welfare of the residents of the Town. Notice of such emergency meeting may be given to the Board of Trustees by telephone or whatever other means are reasonable to meet the circumstances of the emergency. (2) Emergency meetings may be held in-person or electronically (e.g., by conference call or video conference service). Such meetings shall be recorded unless such recording is infeasible. The Town Clerk or designee shall attend the emergency meeting to take minutes and record votes unless such attendance is infeasible, in which case a Board member shall be selected to take minutes and record votes. (3) At an emergency meeting, any action within the police power of the Board of Trustees that is necessary for the immediate protection of the public health, safety and welfare may be taken; provided, however, that any action taken at an emergency meeting shall be effective only until the first to occur of (a) the next regular meeting, or (b) the next special meeting of the Board of Trustees at which the emergency issue is on the public notice of the meeting. At such subsequent meeting, the Board of Trustees may ratify any emergency action taken. If any emergency action taken is not ratified, then it shall be deemed rescinded.

Section 2. Finding of Emergency. The Board of Trustees finds that this Ordinance is necessary to the immediate preservation of the public health and safety in the Town of Springfield. Such finding of necessity is based on the Board's need to be able to expeditiously and effectively call special or emergency meetings in order to respond to urgent public health needs and challenges arising from the COVID-19 pandemic, as well as other emergencies or natural disasters that may affect the residents of the Town of Springfield at any time.

Section 3. Publication. The Town Clerk is directed to publish this Ordinance by posting it in three public places in the Town of Springfield within 24 hours after its adoption.

Section 4. Severability. If any part, section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses, or phrases are declared invalid.

Section 5. Repealer. All ordinances or resolutions and motions of the Board of Trustees of the Town of Springfield or parts thereof, in conflict with this Ordinance are to the extent of such conflict hereby superseded and repealed, provided that such repealer shall not repeal the repealer clauses of such ordinances, resolutions, or motions, nor revive any ordinance, resolution or motion thereby.

Section 6. Effective Date. This ordinance shall become effective upon publication.
PASSED and ADOPTED this 23rd day of March, 2020

Town of Springfield, Colorado

By: Lindsay Walker
Lindsay Walker, Mayor

ATTEST:

By: Merna McGinnis
Merna McGinnis, Acting Town
Manager/Town Clerk

RESOLUTION NO. 20-14

A RESOLUTION OF THE TOWN OF SPRINGFIELD, COLORADO REGARDING SB-20-207 (ENHANCE LAW ENFORCEMENT INTEGRITY)

WHEREAS, the Town of Springfield, Colorado (the "Town"), is a statutory town and political subdivision of the State of Colorado, duly organized and operating under the constitution and laws of the State; and

WHEREAS, the Town of Springfield, Colorado has a population of approximately 1,500 people and has a small municipal police force to enforce the laws of the State of Colorado and the Municipal Code adopted by the Town of Springfield; and

WHEREAS, the Town of Springfield has been following the introduction and a process of SB 20-107 titled Enhance Law Enforcement Integrity; and

WHEREAS, the Town of Springfield had significant concerns with the SB 20-217 as introduced, since it would have a significant impact on the effectiveness of the Town of Springfield Police Department both in administration and fiscally; and

WHEREAS, significant bipartisan improvements have been made to the bill which are supported by the Town of Springfield, and The Town of Springfield would strongly encourage that these amendments continue in the final bill; and

WHEREAS, many of the remaining concerns with SB 20-217 concern the cost of administering the requests as authorized by the bill and the training of law enforcement and staff as to the new standards and requirements as set forth by the bill; and

WHEREAS, the Board of Trustees of the Town of Springfield wish to go on record to request the Colorado Legislature continue to improve SB 20-107 so that rural law enforcement agencies will have time to both prepare for the and to train its officers and staff regarding the new standards set forth in the bill as well as provide for solid financial assistance to help soften the financial impact of purchasing the equipment and training officers and staff in complying with the requirement of SB 20-107.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Springfield Colorado (the "Board"), as follows:

- A. The Board supports the efforts of the Colorado Senate to accept and adopt amendments in an effort to compromise to ensure SB 20-217 is not disapprovingly burdensome to small rural Colorado communities.
- B. The Board supports the efforts to delay the effective date of many of the provisions contained in SB 20-107 to allow small communities to purchase the equipment and to seek training for the officers and staff that will be affected by the bill.
- C. The Board supports and requests efforts to continue to find financing to assist rural communities in defraying the costs of complying with the requirement imposed by SB 20-217.

INTRODUCED, PASSED, AND ADOPTED at a regular meeting of the Board of Trustees of the Town of Springfield, Colorado, on June _____, 2020.

Town of Springfield, Colorado

By: _____
Tyler Gibson, Mayor

ATTEST:

Tammy Newman, Town Clerk

RESOLUTION NO. 20-15

WHEREAS, the Board of Trustees adopted Ordinance No. 329 regarding amending 2-122 of the Springfield Municipal Code on February 9, 2017;

WHEREAS, said Ordinance number 329 had already been used for an ordinance regarding franchise fees with Atmos Energy Corporation;

WHEREAS, the Board desires to correct the ordinance number as it was a scrivener's error in the ordinance has been in full force and effect since February 9, 2017

NOW THEREFORE BE IT RESOLVED that the Board of Trustee for the Town of Springfield hereby rennumbers Ordinance No 329 regarding the amendments to section 2-122 of the Springfield Municipal Code to Ordinance No. 330 and ratify said ordinance and all actions taken in reliance on the amendment to the Municipal Code.

PASSED this 11th day of June 3, 2020.

Tyler Gibson, Mayor

Tammy Newman, Town Clerk

BILLS APPROVED FOR
PAYMENT JUNE 11, 2020

TO
ELECTRIC

AFLAC
Arkansas River Power Authority
Atmos Energy
Colorado Dept. of Public Health
Colorado Dept of Revenue
Colorado Dept of Revenue
Community State Bank
Cowpoke Feeds
Everitt-Moore Home Center
First Bankcard
General Fund
MetLife-Group Benefits
Paisano Natural Gas
Public Sector Health Care Group
Special Payroll Account
Springfield Auto Supplies
Springfield Municipal Utilities
Tax Clearing Account
Tax Clearing Account
Tax Clearing Account
UNCC
Viaero Wireless
Wex Bank

FOR

Mayl supplemental insurance \$152.38
April purchased power \$82,980.16
Transportation charges \$571.19
Annual Emission Fee \$6.78
May state tax \$2,343.61
April sales tax \$406.49
H S A contributions \$277.35
Tire repair-small bucket truck \$20.00
Supplies \$10.99
Email & envelopes \$6.90
June fund transfer \$7,043.33
June Dental & Vision Premiums \$122.16
April natural gas \$565.21
June health insurance premiums \$1,809.72
May payroll \$7,873.04
Repairs & Supplies \$55.51
May utilities \$65.00
May retirement \$884.84
SS, Fed & Med 5/13/2020 \$1,091.94
SS, Fed & Med 5/27/2020 \$1,498.74
RTL Transmissions \$22.35
Cell phone service \$36.88
May Fuel \$97.81

\$107,942.38

WATER

AFLAC
All-Rite Paving & Redi Mix, Inc.
Baca Welding, Inc.
Big R
CenturyLink
Colorado Dept of Revenue
Community State Bank
Element Engineering, LLC
Everitt-Moore Home Center
First Bankcard
General Fund
Good Fellows
MetLife-Group Benefits
Pueblo City-County Health
Public Sector Health Care Group
SGS North America
Southeast Colorado Power Assn.
Special Payroll Account
Springfield Municipal Utilities
Tax Clearing Account
Tax Clearing Account
Tax Clearing Account
UniFirst
USABlue Book
Viaero Wireless
Wex Bank

May supplemental insurance \$89.30
4 Tons of Asphalt \$1,418.05
4x8 sheet floor plate \$211.90
Supplies \$30.97
Phone service \$53.44
May state tax \$290.51
H S A contributions \$45.48
Master plan \$3,540.00
UPS charges \$58.35
Email & Bleach \$1,515.90
June fund transfer \$1,318.25
Hail Damage 2012 F-150 \$2,702.52
June Dental & Vision \$115.48
Water samples \$42.00
May health insurance premiums \$1,929.58
Water samples \$99.50
Well 11 & 12 electricity \$227.44
May payroll \$5,020.69
May utilities \$3,802.69
April retirement \$540.38
SS, Fed & Med 5/13/20 \$860.34
SS, Fed & Med 5/27/20 \$974.76
Mayl uniforms \$81.24
LMI repair kit/hydrant repair kit/autoprim \$545.16
Cell phone service \$73.76
May fuel \$94.58

\$25,682.27

SEWER

CenturyLink	Phone service	\$53.44
Element Engineering, LLC	Master plan	\$3,540.00
General Fund	June fund transfer	\$717.17
Midwest Laboratories, Inc.	Monthly monitoring reports	\$81.60
Southeast Colorado Power Assn	Lift station electricity	\$138.92
Springfield Municipal Utilities	Junel utilities	\$42.69
		\$4,573.82

GENERAL

AFLAC	May supplemental insurance	\$641.66
All-Rite Paving	13.95 Ton Asphalt	\$1,102.05
Armstrong Consultants	Element 1-Install AWOS	\$12,567.50
Atmos Energy	Transportation charges	\$219.72
Baca County Economic Development	April lodging tax	\$680.39
Baca County Foods	Supplies	\$104.62
Big R	Hydrant, engine oil paint brush, etc	\$17.97
CenturyLink	Phone service	\$507.01
Colorado Dept. of Revenue	May state tax	\$1,113.29
Community State Bank	H S A contributions	\$160.00
Cook Oil LP Service	Airport propane	\$29.07
Country Quality Pest Control, Inc.	Pest Control	\$450.00
Dollar General	Supplies City Hall & Police	\$20.00
Everitt-Moore Home Center	Supplies	\$325.52
FPPA	Mayl FPPA & D&D	\$1,244.78
Fairfield & Woods, P.C.	Professional services-April & May	\$9,432.00
Fastenal	Supplies	\$505.40
First Bankcard	Emails, Election Exp., PD Training, Uniforms, Sprinkles, 911 phone	\$841.25
Frontier Telephone Company	Telephone Service	\$130.00
Grahn, Lars	IT Service-PD	\$200.00
Grainfield Supply Inc.	Clutch Switches	\$81.99
Harmon Town & Country	May trash disposal	\$60.00
In The Swim	Chemicals & Vinyl Markers	\$682.87
Integral Recoveries	Collection fees	\$46.14
J & R Lawn Service	Mowing 265 E 6th Ave	\$125.00
Katelyn's Flower Barn	Trees Main Street Pots	\$216.00
Keating Tractor & Equipment, Inc.	Bushings & Freight	\$31.68
Lamar Auto Parts	Mower Engine	\$1,760.00
Law Enforcement Systems, Inc	Case Management file Envelopes	\$190.00
Maverick	Mail Ballot Envelopes & Ballots	\$3,589.00
MetLife-Group Benefits	June Dental & Vision	\$294.51
Midwest Radar & Equipment	Decatur Genesis II/ACI Stalker Dual	\$200.00
Miller Engineers, Inc.	Landfill consulting	\$1,244.95
Municode	Contract Base	\$979.29
Newman Signs	Emergency phone signs airport	\$59.40
Paisano Natural Gas	April natural gas	\$65.54
Plains Disposal,. LLC	Landfill porta-potty service	\$90.00
Prairie Company LLC	IT service Court Computer	\$94.00
Public Sector Health Care Group	June health insurance premiums	\$5,402.02
SECOM	Internet service	\$7.18
Southeast Colorado Power Assn	Big R lights & airport electricity & Bank meters & South Building	\$314.89
Special Payroll Account	May payroll	\$25,284.00
Springfield Auto Supply	Supplies & repairs	\$108.55
Springfield Municipal Utilities	May utilities	\$2,597.32
Stanfield Printing, Co.	Office supplies	\$366.93
Tax Clearing Account	May retirement	\$1,956.16
Tax Clearing Account	SS, Fed & Med 5/13/20	\$3,613.16
Tax Clearing Account	SS, Fed & Med 5/27/20	\$3,746.21
The Crazy Iguana	Flowers	\$150.00

Tom's Lock & Key	Keys & Replace broken lock swimming pool	\$50.00
UniFirst Corp.	May uniforms	\$225.21
Viaero Wireless	Cell phone service	\$443.50
Wex Bank	May fuel	\$445.60
		\$84,813.33

BACA FIRE & CONSERVATION TRUST & METER DEPOSIT		
Alexander's Fire Care	Annual Fire Extinguisher Inspection	\$75.00
Atmos Energy Corp.	Natural gas	\$68.34
Colorado Dept. of Revenue	May state tax	\$37.71
Country Quality Pest Control, Inc.	Pest Control	\$65.00
Crossfire Data	1 year crossfire subscription	\$480.00
Elkhart Coop	May fuel	\$189.03
SECOM	Monthly internet service	\$44.95
Special Payroll	May payroll	\$528.89
Springfield Auto Supply	Supplies & Repairs	\$122.40
Springfield Firefighters Association	20 Member Annual Subscription	\$1,100.00
Springfield Municipal Utilities	May utilities	\$103.48
Tax Clearing Account	SS, Fed & Med 5/13/20	\$94.78
Tax Clearing Account	SS, Fed & Med 5/27/20	\$94.87
		\$3,004.45
		\$226,016.25

SALES TAX COLLECTIONS FOR THE TOWN OF SPRINGFIELD

	2018	2019	2020	2021
JANUARY	\$30,718.01	\$26,067.10	\$42,755.09	
FEBRUARY	\$33,867.75	\$33,387.07	\$44,803.07	
MARCH	\$25,228.00	\$29,723.01	\$34,378.73	
APRIL	\$23,383.75	\$26,117.24	\$32,844.93	
MAY	\$25,633.47	\$36,724.66	\$40,594.19	
JUNE	\$26,237.59	\$32,667.40	\$40,252.84	
JULY	\$32,775.30	\$34,545.20		
AUGUST	\$34,032.05	\$46,765.56		
SEPTEMBER	\$30,424.83	\$40,325.65		
OCTOBER	\$33,092.10	\$45,801.31		
NOVEMBER	\$25,887.37	\$46,335.59		
DECEMBER	\$34,849.99	\$41,806.84		
TOTAL	\$356,130.21	\$440,266.63	\$235,628.85	\$0.00
12 Months	\$356,130.21	\$440,266.63	\$235,628.85	\$0.00

LODGING TAX COLLECTIONS FOR THE TOWN OF SPRINGFIELD

MONTH	2020	2021	2022	2023
JANUARY	\$ 726.31			
FEBRUARY	\$ 595.58			
MARCH	\$ 695.08			
APRIL	\$ 680.39			
MAY				
JUNE				
JULY				
AUGUST				
SEPTEMBER				
OCTOBER				
NOVEMBER				
DECEMBER				
TOTALS	\$ 2,697.36	\$ -	\$ -	\$ -
6 Months	\$ 2,697.36	\$ -	\$ -	\$ -

Total Funds - Springfield	May-20	Apr-20
GENERAL FUND	\$ 1,256,099.91	\$ 1,178,319.49
SWIM POOL FUND	\$ 11,131.67	\$ 11,131.67
SPRINGFIELD/BACA COUNTY FIRE DEPARTMENT FUND	\$134,736.62	\$ 135,630.02
ELECTRIC FUND	\$ 1,752,612.62	\$ 1,758,610.03
WATER FUND	\$ 768,922.11	\$ 766,754.59
SEWER FUND	\$ 517,703.63	\$ 508,464.55
METER DEPOSIT	\$ 144,851.27	\$ 143,591.96
CONSERVATION TRUST FUND	\$ 21,679.49	\$ 22,434.80
Total Funds - Springfield	\$4,607,737.32	\$ 4,524,937.11

Interest earned January - December 2020	\$11,432.63
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