

**Present:** Mayor Tyler Gibson

**Trustees:** Christy Brady, Mike Cooper, Jim Howard, Ted Locke, Trustee Maltbie, Dan McVey

**Absent:** None

**Guest Present:** Holli Locke, Bernie Alvarez, Colton Heberd, Jim Civis, Norman High, Jamie Smith, Jessica Anderson, Kent Homsher, Joe Grigat, Kyle Wait, Josh Grigat, Donnie Batterton, Ellsworth Espeseth.

**Staff Present:** Merna McGinnis, Town Manager, Treasurer

Tammy Newman, Town Clerk

Katrina Martin, Police Chief

Keagan Gonzales, Police

Joan Day, Admin Police Department

Heath Piper, Electric Superintendent

Don Steerman, Town Attorney

**Item 1: Call to Order:** 6:00 pm

**Item 2: Roll Call:** Trustee Brady, Trustee Cooper, Trustee Locke, Trustee Maltbie, Trustee McVey, Trustee Howard, Mayor Gibson

**Item 3: Pledge of Allegiance:** Led by Mayor Gibson

**Item 4: Prayer:** Led by Trustee Howard

**Item 5: Approve Minutes:** March 11, 2021, Board of Trustee's Regular Meeting.

Corrections to minutes: Special meeting to Regular meeting, comma between Trustee Howard and Trustee Locke on the present line and change Mayor report wording do to due in third sentence.

Trustee Brady made a motion to approve minutes of the Regular Board of Trustee meeting March 11, 2021 with corrections. Trustee Cooper second. Motion carried.

**Item 6: Approve Bills:**

Ms. McGinnis asked to add two bills, the Colorado Water Resources & Power Development Authority for sewer loan of \$13,500.00 and the March Steerman Law invoice for \$4280.75.

Trustee McVey asked for clarification on the Rodeo Rocky, Ms. McGinnis explained it was the new rocky horse at the playground that needed replaced.

Trustee Cooper asked for clarification on the First bank card on Mr. Ingles training cost coming out of the water and sewer. Ms. McGinnis explained that the costs are split between the two funds.

Trustee McVey made a motion to approve the bills with the additions and seconded by Trustee Locke. Motion Carried.

**Item 7: Auctiontime.com-Jim Civis:**

Trustee McVey stated that the Town has some old equipment that could be auctioned off and he had asked Jim Civis to talk to Trustees about selling the pieces of older equipment that could be sold over the internet.

Mr. Civis has been doing the online auction business since 2013 called Auctiontime.com and has been in the auctioneer business for 50 years. Auctiontime.com is based out of Nebraska, but is worldwide with over a million bidders. Good way to get rid of equipment that isn't being used anymore and turn into cash. Mr. Civis will handle ad in local newspaper and flyers locally for small fee around \$150.00. Mr. Civis will take pictures for autiontime.com. The commission rates are very reasonable with a sliding scale fee and less than live auctions and can sell 1 or 2 pieces at a time. The bidders come to Springfield to pick up what is sold.

Auctiontime.com has other magazines that they advertise the equipment such as Tractor house, etc. Mr. Civis

likes to have the equipment in for at least 2 weeks, 3 weeks is the best. Auctiontime.com isn't just for big equipment it has everything from coins, jewelry, gloves, hats, specialty items, etc.

**Item 8: Retail or 3.2 Beer Liquor License Renewal Application**

Liquor Store License (City); Cook, Thomas J., dba City Liquor, 708 Main Street, Springfield, CO, Thomas Cook:

Ms. Newman, Town Clerk stated all paperwork and payment had been satisfied. Police Chief Martin had no issues with the business.

Trustee Brady made motion to approve renewal liquor license for City Liquor, Thomas Cook. Trustee Locke second.

**Yes:** Trustee Brady, Trustee Cooper, Trustee McVey, Trustee Maltbie, Trustee Locke, Mayor Gibson

**No:** Trustee Howard

Motion Passed

**Item 9: Mayor Gibson Moved from Item 11, A General Business-**

A. Discussion Banning Commercial Trucks from Town Streets: *Review Town of Walsh Ordinance No. 2015-01*  
Trustee Locke spoke as to why issue has come up. Over a year ago this issue of commercial trucks came up more as a nuisance, noise and smell issue. The individual whom made the complaint stopped pursuing the issue and was dropped. Last month what was brought to Trustees was the damage to the town streets. Trustee McVey stated he drove around town and only found one area that was damaged that he could find of the trucks that was parked in town. Trustee McVey also stated that this is an agricultural area and this is how they make their living. Trustee Howard agreed with Trustee McVey, also stated they pay taxes, and the town has bigger issues to deal with. Trustee McVey stated this type of issue needs to be addressed with the individual not a group as a whole. Trustee Locke is more concerned about the cost of fixing the street and whom will be fixing the streets, increased cost to the town to repair. Trustee McVey said this is the town's street maintenance issue, part of cost of doing business. Trustee Cooper had questions on Walsh Ordinance No. 2015-01 as it doesn't pertain to the issues at hand on the damage to the streets.

Donnie Batterton co-owner of the Pit Stop Trucking out of Lamar, addressed the Trustees that he has parked his truck in front of his home at 856 Hill, since 2004. He questioned the street budget, as no maintenance has been done to his street in years. The issue is not the trucks but the lack of maintenance to the town streets. But if Springfield doesn't want his trucks in town he will sell his houses and move his trucking business to Lamar.

Jessica Anderson co-owner of Anderson Transport addressed the Trustees about maintenance issue of the streets, as Jessica and Cody came to the Trustee's over a year ago to discuss the maintenance of the roads as they have paid for gravel on their dirt road so he didn't mess up the streets. If this Ordinance happens, she will sell her home and leave this town.

Trustee Brady explained that this was brought up at last Trustee meeting and needed time to look into the issue and that is why it was brought back to the agenda this month.

Trustee Cooper left the meeting at 6:42 pm.

Colton Hebbard addressed the Trustees about past issues. He was told that if Trustees passed an ordinance the town would have to have a safe secure lighted area for the truckers to park.

Jamie Smith co-owner of Haulin S Express addressed the Trustees. They are in town limits on a dirt road and there is no damage to the street. Ms Smith reminded the trustees this is an Ag area and wants her husband to park his semi at home when he is in town. She hates to fight the town but this is a fight she will do.

Mr. Piper, Electrical Superintendent asked the group if the town had a secure area to park would that help. No, the group wants to have their trucks where they can see them, work on them and start them ahead of time. Mr. Batterton reminded the Trustees that they pay lot of taxes for the roads to be maintained, but if not welcomed in town he will have a lot of property for sale.

**Item 10: Resolution 2021-6**

**A Resolution establishing a Master Fee Schedule**

Mayor Gibson tabled Resolution 2021-6 so Mr. Steerman, Ms. McGinnis and Ms. Newman can work on fee schedule more.

Trustees went over the fee schedule with several changes in wording clarification and adding the electrical-water-sewer fees & tap fees. Lots of discussion on the building permits.

**Tabled to next month.**

**Item 11: Public Comment for Non-Agenda Items**

Ellsworth Espeseth, addressed the Trustees about the increase of the Landfill maintenance fee & tipping fees. Ms. McGinnis explained the fee was to keep the landfill open and make it pay for its self.

*Trustee Cooper returned to meeting 7:18 pm.* Trustee Cooper explained keeping the landfill open has been talked about for years, for as long as he has been on the board. If landfill stays open it will have to be looked at closely and lots of changes need to take place.

Kyle Wait, addressed the Board to see if they would be in favor of a water tap to a property. Mr. Wait wants to purchase property that is just north of Town limits. The Trustees are in favor of an annexation agreement. Town can set meter at First and Kansas, Mr. Wait would be responsible for the piping from there. Town and Mr. Wait can do an annexation agreement for the whole 70 acres or he can go to the County Commissioners to get an exemption or a sub-division so the property can be broken up and only annex in a few acres. Mr. Wait would like to get town water instead of drilling a well. Mr. Wait will talk to Commissioner's office then come back to the Trustees. If Mr. Wait wants sewer, he would have to have someone shoot the elevation to see if he could tie onto the sewer line, if not he would have to install a septic system.

**Item 12: General Business**

**A. Discussion Banning Commercial Trucks from Town Streets-MOVED TO ITEM 9**

Review Town of Walsh Ordinance No. 2015-01

**B. Employee Manual- Revision-Red Line changes**

Trustees gave several grammar changes and will get rest of changes to Ms. McGinnis and Ms. Newman so can get final draft ready for next month meeting.

**C. PD Short Hand Bonus-tabled until the executive meeting.**

**D. Electric Superintendent Heath Piper, School Project & Vision Metering Software Trial.**

Mr. Piper, reported on meter reading software for the utilities. Trial for 6 months-20 meters, software and antenna \$3000.00, the cost can be taken out of electric department inventory line for the meters.

Residential meters cost is \$120.00 per meter, for the remote disconnect style 100 meters \$12,000.00, to purchase the software is \$5,000.00 and antenna is \$3,000.00, .10 per unit or \$250.00 minimum per month for their software support. This can be split between the electric and water departments.

We can keep our meters we use now will just have to purchase a few new meters now and replace other meters later as we go. Remote disconnects/connects from the town office.

Trustee Brady made motion to do the Vision Metering 6-month trial at \$3,000.00 for 20 meters, Trustee Maltbie second. Motion passed.

Electric Superintendent school project electrical wire.

Mr. Piper has a bid for 7500 feet @ of wire 2.82 per foot, \$21,150.00, the other bid was for \$3.13 per foot and would have to get 10,000 feet of wire.

Trustee Cooper made motion to purchase 7500 feet of wire, second Trustee McVey

**Yes**-Trustee Brady, Trustee Cooper, Trustee Howard, Trustee Maltbie, Trustee McVey, Mayor Gibson

**No**-Trustee Locke

Motion Passed.

### **Item 13: Administrative Reports**

#### **Town Manager/ Treasurer, Merna McGinnis:**

Ms. McGinnis asked Trustees if liability insurance could be waived on the landfill scrap metal contract? Charlie Turner had contacted Ms. McGinnis stated the insurance was going to be too costly to purchase, for the amount he had bid to remove the scrap iron from the landfill. Trustees don't like a contract without insurance. No on waiving the liability insurance. Put back out for bid.

Ms. McGinnis stated Flatirons Church wanted to purchase 1 to 2 acres south of the Fire Department. Would the Trustees be willing to sell a couple of acres out of the 75 acres the Town owns? Flatirons Church needs to do the Platting of the lot, booster pump and proper drainage. Trustees would be interested in selling a couple acres to the Flatirons Church. Trustees would like to make sure they know what they would be responsible for. Put on agenda for next meeting.

Ms. McGinnis stated Josh Wittler contacted her and could get to the gazebo roof done in 2-3 weeks if weather permits. Trustees said to put out to bid again, has been long enough.

#### **Electric Superintendent, Heath Piper:**

Mr. Piper stated Greg Ming will be here April 15, 2021 to bore under 5<sup>th</sup> street so the town can run electric wire to Park for the booster pump.

Mr. Piper stated we need to look into a new substation transformer as the load is high now and with the projects with the School, Hospital and new dollar store we will need it. Can change to a bigger transformer now and work on upgrading slowly over time.

#### **Town Clerk, Tammy Newman:**

Ms. Newman submitted a request of \$8,000.00 to the Cooper-Clark grant committee, for a Chem-controller for the pool and for swimming lessons for the area children.

Ms. McGinnis talked to the Trustees about an email she received from CDPHE on alternate landfill daily cover. Ms. McGinnis stated she talked to a BNSF person about digging dirt out of fence roll between BNSF and property east of the railroad and he didn't have a problem with it.

#### **Town Attorney, Don Steerman:**

Mr. Steerman has done research for a Landfill Enterprise. If the landfill is put into an Enterprise Fund it would have to maintain its self and have enough revenue to close it down when time comes. Would eliminate having tabor to deal with and the vote of the people. Could open up more grant opportunities. Maintain separate banking like the electric, water and sewer funds. Or leave as is now in the general fund but change how it operates as a whole.

#### **Police Department, Chief Martin:**

Chief Martin asked if the Trustees received a copy of March 2021 Police report and if they had any questions.

Ms. Martin discussed police policies that hasn't been updated since 2015. Lexipol can help with policies for \$2,606.00. This can be taken out of capital outlay instead of new furniture. Could get a 5% discount with CIRSA having the policies up to date. Trustees didn't see a problem with Lexipol doing the policies.

Ms. Martin stated the State patrol donated 5, 12 gauge shot guns. PD will convert 2 guns to less lethal, (bean bag loads) will still be able to go lethal if needed. For now, will be put into Chief Martin and Officer Gonzales vehicles, in future will be placed in supervisors' vehicles.

Ms. Martin has not ordered the radar gun, going to see if can get a good one from state patrol and save that money for now.

### **Item 14: Mayor and Trustee Reports**

Trustee Locke and several of the trustees would like to see a maintenance schedule from the street department.

Trustee Maltbie stated the trash truck is messing up streets coming in and out of alleys.

Cheryl Sanchez is still working with Tim Shefchik on hotel. The original investor passed away from COVID 19, so they are working with local investors. Will have to do a feasibility study now to move forward. Ms. Sanchez has found a grant to pay for half of the cost but will still have to find a way to pay for the other half.

**Item 15: Executive Session: Police Department:**

Trustee Cooper made motion to go into executive session-Trustee Brady second. Motion carried.

I move to go into executive session,

For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators for a new employee hire, under C.R.S. Section 24-6-402(4)(e).

And

For a conference with the town attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b).

**Item 15: Return to Regular Board of Trustee Meeting:**

The time is now 9:50 PM, and the executive session has been concluded. The participants in the executive session were: Chief Police Katina Martin, Attorney Don Steerman, Trustee Brady, Trustee Locke, Trustee Howard, Trustee Maltbie, Trustee Cooper, Town Manager McGinnis, Town Clerk Newman, Mayor Gibson and Trustee McVey.

For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meeting Law, I would ask that you state your concerns for the record.

Seeing none, the next agenda item is.....

**Item 16: Act on Executive Session:**

Discussion on hiring a part-time animal control officer, and Code Enforcement being by code under the police department. Discussion on code enforcement/animal control/junk vehicle and former police chief Bradburn not wanting the position in the police department and former Town Clerk/Manager Clark taking the Code Enforcement under the administration, but never changed the code. Mayor Gibson stated there will be a special meeting to go over positions at a later date.

**Item 17: Adjournment**

Trustee Cooper made motion to adjourn, second by Trustee Maltbie, to adjourn at 10:00 pm.