

**Town of Haxtun**  
 September 14, 2020  
 REGULAR MEETING

The Haxtun Town Council met for their regularly scheduled meeting at 7:00 p.m. The meeting was opened by Mayor Brandon Bieseemeier at the Haxtun Community Center. Roll call was taken with the following council members present: Bob Cionek, Ryan Horton, Lori Lundgren, and Tana Pope. Mike Ensminger and Craig McCarty were absent. Mayor Bieseemeier led the group in the Pledge of Allegiance.

Staff members present were Ron Carpenter, Town Superintendent, Tanya Mayhew, Chief of Police, and Karie Wilson, Town Clerk/Treasurer.

Guests present were Candie Fix, *Haxtun-Fleming Herald*; Jenn Oberle, Haxtun Chamber of Commerce; Kristin Hadeen, Corn Festival Committee; and Trish Herman, Phillips County Economic Development.

A motion was made by B Cionek, seconded by R. Horton to approve the agenda, with the addition of Larry Miller from Miller and Associates to regular business.

All present voted yes, and the motion carried.

A motion was made R. Horton and seconded by L. Lundgren to approve the regular meeting minutes of August 3, 2020, the following monthly invoices to be paid, and transfers of cash. All present voted yes. Motion carried.

August Payroll	Taxes	\$8,980.75
August Payroll	Salary	\$39,797.28
Amazon	CC supplies	\$52.52
Atchison, Jeremy	Clothing Allowance	\$111.38
Buccelli, Wyatt	Mileage	\$231.73
Cash-Wa	Rec Concession Supplies	\$31.98
CDPHE	Pretreatment Permit	\$92.00
CDPHE	Annual Airport Permit	\$298.00
CEBT	Insurance	\$13,555.40
CHS	Repairs to System	\$323.39
Colorado Analytical	Water/Wastewater Testing	\$68.00
Colorado CWP	Certificate Renewal	\$170.00
Farnsworth, William	Stipend	\$600.00
FPPA	Pension	\$1,088.88
Galls	PD Uniform Allowance	\$345.73
Grainland	Fuel	\$807.19
GWRS	Retirement	\$1,384.82
Haxtun Hospital	PD physicals	\$285.00
Haxtun Hospital	Drug Screening	\$72.00
Haxtun Supers	Supplies	\$269.10
Haxtun Telephone	Phone	\$401.49

HF Herald	Publications/Supplies	\$509.59
Intermountain Sweeper Co	Street Sweeper	\$75,000.00
Kuehn, Chris	Janitorial	\$240.00
League of NE Municipalities	School/Training	\$835.00
Matt's Sprinkler Service	Repairs to System	\$1,649.16
NMPP	Power	\$46,159.38
PCTelcom	Phone/Internet	\$204.10
Pepsi Cola	Rec Concession Supplies	\$1,058.68
Petty Cash	Misc.	\$86.34
Phillips County	Salamander Renewal	\$24.99
Phillips County Landfill	Dump Fee	\$2,318.76
PPCT/Human Factor	PD Training	\$23.56
Scholl Oil	Fuel	\$5,745.69
Viaero	Cell Phone	\$327.75
Wilson's Repair	Repairs/Maint	\$1,210.00
Witmer Public Safety	PD Uniform Allowance	\$120.00
American Heritage	Supplemental Insurance	\$25.55
Apex Shredding	Shredding Service	\$60.00
Bivins, Trey	Mileage	\$115.00
Border States	Repairs to System	\$668.01
Capital One	Street Bond	\$6,010.25
CEBT	Insurance	\$13,555.40
CHS	Repairs to System	\$33.38
CO Dept of Revenue	Aug Sales Tax	\$3,763.30
CO Dept of Revenue	Aug Withholding Tax	\$1,381.00
Dana Kepner	Repairs to System	\$346.46
Dee, Rob	Legal Service	\$100.00
Double H Supply	Repairs/Maint.	\$186.86
Edwards Concrete	Repairs to System	\$1,950.00
Edwards, Haley	Summer Fun Instructor	\$160.00
Fetzer Electric	Repairs to System	\$2,799.80
Grainland	Fuel	\$631.66
Haxtun Building Center	Repairs to System	\$194.54
Haxtun Car Wash	PD Fleet Wash	\$9.00
Haxtun Supers	Supplies	\$29.96
HF Herald	Supplies/Publications	\$242.91
ICP	Fed/State Labor Posters	\$50.00
Industrial Welding & Supply	Repairs to System	\$1,023.00
Ingram	Books	\$21.98
J&S Contractors Supply	Repairs to System	\$351.55
Kart Man	Repairs to System	\$1,005.00
Kuehn, Chris	Janitorial	\$210.00

Kurtzer's	Repairs/Maint.	\$226.03
L&L Ready Mix	Repairs to System	\$130.00
Matt's Sprinkler Service	Repairs to System	\$232.87
NMPP	Power	\$47,395.83
Office Service	Copier Maint.	\$97.15
Office Service	Computer/Printer	\$1,404.35
OK Auto	Repairs/Maint.	\$46.99
PAK Enterprises	Supplies	\$45.00
PCTelcom	Phone/Internet	\$204.10
Phillips County Landfill	Dump Fee	\$1,881.72
Phillips County Treasurer	Aug Sales Tax	\$875.59
Platinum Technology	PD Equip Repairs	\$1,575.00
Rudy's GTO	Repairs/Maint.	\$133.52
Simon	Paving Raymond & Wilson Streets	\$101,439.76
Standard	Supplemental Insurance	\$111.95
Sun Life	Supplemental Insurance	\$253.60
UNCC	Transmissions	\$62.58
US Postmaster	Stamps	\$250.00
Viaero	Phone	\$327.75
VSP	Supplemental Insurance	\$115.96
Wilson's Repair	Repairs/Maint.	\$935.25
Workman, Rod	Mowing	\$1,300.00

#### Transfers of Cash

08/06/2020 Transfer from MM Savings to Business Checking for accounts payable \$138,000.00  
08/15/2020 Transfer from MM Savings to Business Checking for payroll \$17,500.00  
08/19/2020 Transfer from MM Savings to Business Checking for accounts payable \$54,500.00  
08/19/2020 Transfer from MM Savings to Swim Pool for OFSN proceeds \$4,000.00  
08/25/2020 Transfer from MM Savings to Summer Ball for inactive account \$20.00  
08/28/2020 Transfer from MM Savings to Business Checking for payroll \$17,200.00

#### Public Comment:

There was no public comment.

#### Regular Business:

Larry Miller presented an updated drawing/photo poster for the proposed swimming pool project. A projected cost range of \$2,685,200 – 2,866,600 was given for the project. The costs are based on bid information from Grant, Nebraska. Miller and Associates are currently constructing the Town of Grant's new outdoor pool.

The next step for the Town is continued fund raising. The drawings and costs will be used as basis in grant proposals. Miller and Associates also has an in-house grant writer, and invited Ron to visit with her in the coming weeks.

Kristin Hadeen visited with the council in regards to the upcoming 99 Annual Corn Festival event. The committee has worked with the North East Colorado Health Department and

the Phillips County Commissioners to ensure that the event will follow all the current health guidelines. The council thanked the committee for all their work they have done to make the event happen.

Tricia Herman reported on the PCED happenings over the last few months. She and Jenn have worked together on a business long term recovery group, the Help Haxtun campaign, and have revisited the Housing Study and farm labor housing. She has worked with the Haxtun High School kids to show what it takes to run a community.

The annual PC OnBoard meeting will be held on November 9, 2020 in Paoli. An invitation will be sent out soon.

Tricia volunteered to help with the pool project, she has resources available for current grant provider information.

The Town of Haxtun was awarded a 50/50 matching grant for upgrading our warning sirens. The upgrades include a battery backup for the sirens, in case of power outages during storms. The total project is \$34,359, making the town of Haxtun's share \$17,179. The terms of the grant state the project must be completed in 2020.

The council agreed, this matter is important for the town's citizens to be notified in case of tornado, or fire, or any other emergency reasons.

A motion was made by B. Cionek, and seconded by T. Pope, to accept the grant. All present voted in favor of the motion, and the motion passed.

CIRSA sent the 2021 quotes for insurance coverage for both workers comp \$20,350. and property casualty \$54,619 after loss experience credits. A motion was made by L. Lundgren and seconded by R. Horton to accept the quotes. Motion passed.

The Colorado Retirement Association has made some changes to the employee retirement plan over the past year. Their name changed, and other changes made were regulated by our state legislature. New plan documents were updated.

A motion was made by T. Pope and seconded by B. Cionek to agree to update the plan documents. Motion carried.

Discussion was held regarding the provision of water service to outside city limit customers. Some items mentioned were:

- Town is responsible for water quality and testing, and repairing and maintaining lines.
- Should properties be made to annex into city limits
- Should developer be responsible for upfront costs
- Water pressure
- Ag related use

Ron will visit with other communities on how they handle the matter.

A motion was made by R. Horton, and seconded by L. Lundgren to adopt Ordinance 2020-5, to update the golf cart regulation ordinance. Motion passed, and the ordinance reads as follows:

TOWN OF HAXTUN

ORDINANCE NO. 2020-5

AN EMERGENCY ORDINANCE AMENDING TITLE 10 OF THE HAXTUN MUNICIPAL CODE, MOTOR VEHICLES AND TRAFFIC, TO ADOPT A NEW CHAPTER 10.40 REGULATING GOLF CARTS ON TOWN STREETS AND HIGHWAYS.

WHEREAS, The Town of Haxtun, Colorado, acting by its Board of Trustees, may regulate the operation of golf carts on streets and highways within the Town; and

WHEREAS, a golf cart may be operated on the public streets, roads, and highways within the Town when authorized by the Town; and

WHEREAS, the Town acknowledges that no street or road that is part of the state highway system may be so designated, and it is not the intent of the Board of Trustees when adopting this ordinance to designate any such street or road; and

WHEREAS, many of the residents of the Town of Haxtun own and use golf carts, and the Town Board of Trustees believes that the use of golf carts is an efficient mode of transportation on Town roadways when operated safely; and

WHEREAS, the Board finds it is necessary and desirable that the regulation of golf carts as set forth herein be adopted in order to permit such vehicles to use the Town streets, and that therefore the provisions should take effect immediately.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF HAXTUN COLORADO:

**Section 1.** Ordinance 2014-2 of the Haxtun Municipal Code is hereby repealed in its entirety and replaced by the addition of a new Chapter 10.40, Golf Carts, to read as follows:

Chapter 10.40  
GOLF CARTS

Sections:

10.40.010	Definitions
10.40.020	Designation of Golf Cart Routes
10.40.030	Requirements and Limitations
10.40.040	Safety Equipment Required
10.40.050	Violations
10.40.060	Limitation of Liability

10.40.010 Definitions. As used in this Chapter 10.40, unless the context otherwise requires, the following words and terms shall have the following meanings:

A. "Golf Cart" is a gas or electric powered vehicle having three or four wheels designed and intended to transport golf equipment and people while playing golf and not designed primarily for travel on public highways, with a designed speed of less than twenty-five miles per hour.

B. "Town Streets" is that portion of a town highway, road, street, alley, or right of way; that is improved, designed, or ordinarily used for vehicular travel or parking. Town streets do not include Colorado state highways.

C. "Operator" is the person who is in actual physical control of the vehicle.

D. "Insured" is the same liability insurance requirements needed to operate a vehicle in the state of Colorado.

E. "State and Town traffic laws" means laws of the State of Colorado regulating traffic and any traffic codes adopted by the Town.

F. "Valid driver's license" is any current, legal license not subject to revocation or suspension.

10.40.020 Designation of Golf Cart routes. All Town streets, not including Colorado state highways, are hereby designated as Golf Cart routes.

10.40.030 Requirements and limitations. Operation of a golf cart by permit is hereby authorized on all the Town Streets within the Town of Haxtun. Any person operating a golf cart under permit has all the rights and duties applicable to the driver of any other vehicle, except when those provisions cannot reasonably be applied to operating a golf cart. Town Streets are open for golf cart use under the following conditions and restrictions:

- A. The Operator must have in their possession a valid, current, and un-revoked driver's license.
- B. The Operator is a licensed driver eighteen (18) years of age or older.
- C. The Operator must have in their possession a valid, current, and un-revoked permit issued to the operator by the Chief of Police or designee. Any person, 18 years and older, holding a valid, current driver's license may apply for a permit. All permits shall expire annually on January 1, unless renewed. The fee for the permit shall be set by resolution. The Town of Haxtun Board of Trustees may amend the permit fee from time to time.
  - 1. Permit Application shall include the name and address of the applicant and other information as the Chief of Police or the Town of Haxtun may require.
  - 2. The Haxtun Police Department or designee shall conduct an inspection of the golf cart prior to the issuance of the permit to assure that the golf cart has all required equipment.
  - 3. Each permit application, whether for an initial permit or renewal, shall be accompanied by evidence of a current liability insurance policy.

D. The Operator must not operate the golf cart during inclement weather or when visibility is impaired by weather, smoke, fog, or other condition, or at any time when there is insufficient light to clearly see persons or vehicles on the roadway at a distance of 500 feet.

E. The Operator must equip the golf cart with the required equipment described under Chapter 10.40.040.

F. The Operator must carry the same liability insurance requirements needed to operate a vehicle in the state of Colorado.

G. The Operator may not carry a number of persons in the golf cart that exceeds the number of seats in the vehicle.

H. The Operator may not carry a passenger under the age of 6 years or 60 pounds or according to the Colorado State Statutes regarding car seat restraints.

I. The Operator must observe all traffic laws and regulations set forth by the State of Colorado, and the Town of Haxtun, except when those provisions cannot reasonably be applied to motorized golf carts;

J. The Operator must not impede traffic without yielding to the right away of faster moving vehicles; and

K. All alcohol related violations will be pursuant to the Colorado Revised Statutes.

10.40.040 Safety equipment required. Every golf cart must meet all the following safety equipment requirements:

A. Headlamps; must be white lamp, visible at a distance of at least 500 feet to the front;

B. Tail lamps and stop lamps, must be a red lamp visible at a distance of a least 500 feet to the rear;

C. Parking brake;

D. Rear view mirror, or mirrors, properly mounted on the golf cart so as to reflect to the operator a view of the street for a distance of at least 200 feet to rear of the cart;

E. A front windshield;

F. A safety flag installed on rear of vehicle extending no less than 7 feet above the ground;

G. A slow moving vehicle emblem, properly mounted on the rear of the golf cart pursuant to state statutes.

10.40.050 Violation and penalty. Any Operator who violates any provision of this Chapter 10.40 shall be charged with a misdemeanor and shall be punished by a fine of not more than \$500.00.

A. Revocation or modification of Permit. A permit issued under this ordinance may be revoked or modified at any time by the Chief of Police or designee if there is evidence that the permit holder cannot safely operate a motorized golf cart on the town streets. For purposes of this chapter, not following any of the regulations and limitations constitutes evidence that the Operator cannot safely operate a motorized golf cart on the town streets.

B. An Operator whose permit has been revoked may appeal the revocation to the Municipal court Judge. Appeals shall be submitted in writing to the Haxtun Municipal Court within 20 days of the date of revocation.

10.40.060 Limitation of liability. Nothing in this Chapter 10.40 shall be construed as an assumption of any duty of care by the Town of Haxtun with respect to, or the assumption of any liability by the Town for any injuries to, persons or property that may result from the operation of a golf cart on Town streets.

**Section 2.** If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

**Section 3.** The repeal or modification of any ordinance of the Town of Haxtun by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or

criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

**Section 4.** All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portions hereof are hereby repealed to the extent of such inconsistency or conflict.

**Section 5.** The Board of Trustees herewith finds, determines and declares that this ordinance is necessary to the immediate preservation of the public health, safety, and welfare. Therefore, the Board of Trustees herewith further finds, determines and declares that it is necessary for this ordinance to take effect immediately upon adoption, provided the same has been adopted and signed by the Mayor and approved by three-fourths of the entire Board of Trustees.

INTRODUCED, READ, APPROVED, ADOPTED, AND ORDERED PUBLISHED IN FULL THIS 14<sup>th</sup> DAY OF September , 2020.

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Brandon Bieseemeier, Mayor

ATTEST:

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Karie L. Wilson, Town Clerk

Discussion was held regarding the Corona Virus Relief Funds, and what items may be eligible expenses for the Town. The council visited about extra cleaning costs for OFSN and Corn Festival, upgrading the street barricades, safety and security for Corn Fest, election poll workers.

Staff Reports:

Ron Carpenter: Town Superintendent

- 39 Building permits since our last meeting. Most of them are June 9 2020 storm related.
- Ward Electric has been working on the rebuild project.
- The West well has been pumping air, and has been shut down since last year. Will get an estimate to see what it will cost to repair in next year's budget.
- The street committee will meet with Mike Wyngart and Jeff Harms from Simons for a look at long term and a short term street plan goals.
- Generator removal crew has not contacted Ron for several months. It seems we are back to square one in finding someone to remove the equipment.

Tanya Mayhew, Chief of Police:

- The departments 2<sup>nd</sup> quarter stats were reviewed.
- 2021 Budget items: Tasers, a new vehicle. Body cams are required within 3 years. Radios also need to be updated soon.
- With only two officers, it has been hard to use allotted vacation days. In the past, the council has agreed to pay the officers for their time.



Karie Wilson, Town Clerk/Treasurer

- The Phillips County Assessor sent the assessed valuation for the Town. 2019 was \$7,770,110 and 2020 is \$7,803,060. This information will be used in our budget to figure the Town's property tax and mil levy for 2021.
- The Haxtun Library Report for July 16, 2020 was reviewed.

Council Concerns:

Bob inquired if the NKC Railroad had responded to the letter from the Town regarding the railroad tracks. They have not responded as of yet.

Ryan asked if there was an ordinance regarding barking dogs. Yes, there is, please call the police department for assistance.

A motion was made by R. Horton and seconded by L. Lundgren to adjourn. The meeting was adjourned at 8:43 pm subject to the call of the Mayor.

Karie L Wilson  
Town Clerk/Treasurer