

Town of Haxtun

April 5, 2021
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, Mike Ensminger, Lori Lundgren, and Tana Pope. Ryan Horton joined the meeting at 7:37 pm. Mayor Bieseemeier led the group in the Pledge of Allegiance.

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

Guests in attendance were Marc Bornhoft and Stacy Temple representing Phillips County Economic Development, Gilbert Anderson and Dean Anderson, and Candie Fix, representing the *Haxtun-Fleming Herald*.

A motion was made by L. Lundgren, and seconded by M. Ensminger to approve the agenda. All present voted yes, and the motion carried.

A motion was made T Pope and seconded by B. Cionek to approve the consent agenda, which includes the regular meeting minutes of March 1, 2021, the special meeting minutes of March 8, 2021 and March 22, 2021, the following monthly invoices to be paid, and transfers of cash. All present voted yes. Motion carried.

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|---------------------------|---------------------|-------------|
| March Payroll | Taxes | \$9,786.77 |
| March Payroll | Salary | \$43,871.82 |
| Altec Parts | Repairs/Maint. | \$69.64 |
| Atchison, Jeremy | Clothing Allowance | \$125.99 |
| Black Hills | Utilities | \$670.98 |
| Blue360 | PD Supplies | \$274.04 |
| Border States | Repairs to System | \$66.49 |
| Bornhoft, Chris | Clothing Allowance | \$50.00 |
| Cattleya | Memorial Plant | \$37.45 |
| CO Rural Water | 21 Ann Conference | \$310.00 |
| Denver First Aid & Safety | Supplies | \$386.52 |
| FBI-LEEDA | Dues | \$50.00 |
| Fetzer Electric | Repairs to System | \$607.78 |
| FPPA | Pension | \$1,609.56 |
| Gall's | PD Uniform/Supplies | \$359.38 |
| Grainland | Fuel | \$713.80 |
| Great Copier Service | Maint. | \$48.00 |
| GWRS | Retirement | \$1,581.80 |
| Haxtun Building Center | Repairs to System | \$695.26 |
| Haxtun Car Wash | PD Fleet Wash | \$41.00 |
| Haxtun Hospital | Drug Screen | \$75.00 |
| Haxtun Supers | Supplies | \$28.73 |
| Haxtun Tel | Phone | \$438.75 |

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| HF Herald | Supplies/Pub. | \$286.83 |
| Highline Electric | Utilities | \$102.50 |
| Ingram | Books | \$360.36 |
| Kuehn, Chris | Janitorial | \$270.00 |
| Law Enforcement Systems | PD Supplies | \$96.00 |
| NMPP | Power | \$47,594.74 |
| Office Service | Maint. | \$108.38 |
| PAK Enterprises | Office Supplies | \$343.55 |
| PCTelcom | Phone/Internet | \$208.79 |
| Petty Cash | Fuel | \$45.00 |
| Phillips County Landfill | Dump Exp | \$1,590.12 |
| Phillips County Treasurer | Reimb over payment of lien | \$302.84 |
| Salt Lake Wholesale Sports | PD Supplies | \$832.00 |
| UNCC | Transmissions | \$3.96 |
| USA Bluebook | Repairs to System | \$154.66 |
| Viaero | Phone | \$331.44 |
| Wilson's Repair | Repairs/Maint. | \$497.34 |
| American Heritage | Supplemental Insurance | \$25.55 |
| Border States | Repairs to System | \$1,342.98 |
| Capital One | Street Bond | \$6,010.26 |
| CEBT | Insurance | \$14,329.20 |
| Charlie's Diesel | Repairs/Maint. | \$197.33 |
| CIRSA | Prop/Casualty Coverage | \$13,800.55 |
| CIRSA | WC Coverage | \$5,087.50 |
| CO Analytical | Water/Wastewater Testing | \$68.00 |
| CO Dept of Revenue | March Sales Tax | \$2,678.25 |
| CO Dept of Revenue | March Withholding Tax | \$1,418.00 |
| CO Water Resources | Wastewater Loan | \$9,277.46 |
| Harry S. Marshall | Well Flow Test | \$268.00 |
| Hauff Machine Products | Container | \$4,100.00 |
| Haxtun Building Center | Repairs to System | \$955.54 |
| Haxtun Chamber | Dues | \$100.00 |
| Haxtun Supers | Supplies | \$19.13 |
| Haxtun Tel | Phone | \$440.30 |
| Ingram | Books | \$89.12 |
| Kaseware | PD Software | \$4,320.00 |
| Kelly PC | Attorney Fees | \$2,222.50 |
| Kuehn, Chris | Janitorial | \$270.00 |
| LEC Construction | Repairs to System | \$45,615.00 |
| Mavis, Kylie | MD Refund | \$131.51 |
| Office Service | Copier Maint. | \$56.74 |
| PCED | 2nd QTR Contribution | \$1,375.00 |
| PCTelcom | Phone/Internet | \$207.94 |
| Phillips County Landfill | Dump Fee | \$1,955.16 |
| Phillips County Treasurer | March Sales Tax | \$423.89 |
| Precision Plumbing | Repairs to System | \$24.83 |
| Productivity Plus | Repairs/Maint. | \$140.05 |
| Pro-Tech Asphalt Maint. | Planner | \$6,000.00 |

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|---------------------|------------------------|-------------|
| RRWCD Water | Assessment for Permit | \$3,039.37 |
| Rudy's GTO | Repairs/Maint. | \$109.55 |
| Salt Lake Wholesale | PD ammo | \$284.00 |
| Samulson, Judy | MD Refund | \$128.40 |
| Standard | Supplemental Insurance | \$111.95 |
| Sterling Trophy | Memorial Plaque | \$43.60 |
| Sun Life | Supplemental Insurance | \$253.60 |
| T&R Electric | Repairs to System | \$9,940.00 |
| UNCC | Transmissions | \$19.80 |
| UpBeat, Inc | Memorial Bench | \$1,252.14 |
| USABluebook | Repairs to System | \$353.92 |
| VSP | Supplemental Insurance | \$115.96 |
| Ward Electric CO | CHS Upgrade | \$47,721.06 |
| Wernsman, Jennifer | MD Refund | \$143.44 |
| Grainland | Fuel | \$823.22 |
| Haxtun Car Wash | Fleet Wash | \$38.66 |
| Highline Electric | Utilities | \$103.97 |
| Kurtzer's | Repairs/Maint. | \$1,182.73 |
| NMPP | Dues | \$744.34 |
| PAK Enterprises | Supplies | \$369.54 |
| Wilson's Repair | Repairs/Maint. | \$351.76 |

Transfers of Cash

- 03/05/2021 Transfer from MM Savings to Business Checking for accounts payable \$84,000.00
- 03/15/2021 Transfer from MM Savings to Business Checking for payroll \$19,500.00
- 03/16/2021 Transfer from MM Savings to Business Checking for accounts payable \$3,000.00
- 03/30/2020 Transfer from MM Savings to Business Checking for payroll \$19,100.00

Public Comment:

Marc Bornhoft spoke to the council in regard to the Phillips County Economic Development directors salary. After reviewing surrounding counties and other economic development director salary schedules, they felt that a raise in salary is a necessary adjustment. They are asking the Town of Haxtun to raise our membership contribution \$1500 to a total of \$7000 per year. The county and the Town of Holyoke will also be asked to increase their contributions. This will help cash flow the adjustment in salary to \$50,000 per year. Council will take the matter under advisement at the next council meeting.

Dean Anderson spoke to the council regarding property he recently purchased in the 300 Block of Lava Avenue. There are utility easements on the South and West sides of his property. He asked if the easements could be vacated. There is also a water line that runs East and West across the property from the Town well to a fire hydrant.

Ron responded to the council and Mr. Anderson regarding the property. The easements were granted to the town in 1972. The South easement has been used as a road to access Black Hills Energy gas line utilities and to access the alley that runs North and South along the West side of the property. The West utility easement is used by Black Hills Energy. The gas lines are the main service lines for that area. The water line has been abandoned. The line is still in place but is not in use by the Town. Dean was advised to contact Black Hills Energy to discuss their policies for setbacks alongside their utility easements.

Regular Business:

The Haxtun Housing Authority asked for the Town Council's approval of their recent appointment of Margo Sauder to their board of directors. A motion was made by M. Ensminger and seconded by L. Lundgren to approve the appointment. Motion passed.

The MASA Medical Air and Ground Emergency Transportation plan is up for renewal by April 26, 2021. The cost of \$160 per employee is the same as the previous year. A motion was made by B Cionek and seconded by T. Pope to continue the coverage for all full time employees. Motion passed.

Council members who would like to purchase coverage for their families will be contacted by Karie to relay their information for the renewal.

A motion was made by T. Pope, seconded by M. Ensminger to adopt the following Ordinance 2021-2 to sell the Town owned partial lot, truck barn property, and the lean-to to the Haxtun Hospital District. Motion carried.

ORDINANCE NO. 2021-2

AN ORDINANCE AUTHORIZING THE SALE AND CONVEYANCE OF CERTAIN PROPERTY OWNED BY THE TOWN

WHEREAS, the Town of Haxtun is the owner of certain real property described as the west seventy feet of Lots 10, 11 and 12 and the east sixty-five of Lots 13 and 14, Block 6, Original Town of Haxtun and further described on Exhibit A, attached hereto and incorporated by reference (hereinafter the "Truck Barn Property"); and

WHEREAS, the Town desires to sell the Truck Bark Property to the Haxtun Hospital District for a new parking lot, and the Town Council has approved a Purchase Contract to Buy and Sell Real Estate (the "Sale Contract") for the sale of the Truck Barn Property; and

WHEREAS, the Town Council has determined that the Truck Barn Property is not and will not be needed for any public purposes, and is not and will not be used or held for park purposes or any other governmental purpose; and

WHEREAS, the Town Council desires to authorize the sale and conveyance of the Truck Barn Property; and

WHEREAS, the Town Council has determined it is in the best interest of the Town and its citizens to sell and convey the Truck Barn Property upon the terms and conditions set forth in the Sale Contract.

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

Section 1. The Town Council hereby approves the sale and conveyance of the Truck Barn Property legally described on Exhibit A, attached hereto and incorporated herein by reference, from the Town to the Haxtun Hospital District.

Section 2. The sale and conveyance of Truck Barn Property shall be upon the terms and conditions set forth in the Sale Contract, which terms and conditions are incorporated herein by reference as though set forth in full. The sale of the Truck Barn Property is subject to the provisions and contingencies set forth in the Sale Contract.

Section 3. The Mayor, Town Clerk and Town staff are further authorized to execute and deliver all documents necessary in connection with the sale of the Truck Barn Property and to do all things necessary on behalf of the Town to perform the obligations of the Town under such Sale Contract, including without limitation the execution

and delivery of the deed and all other documents necessary or required by the title company in connection with the sale of the Truck Barn Property.

Section 4. If any portion of this ordinance is held to be invalid for any reason, such decisions 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.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED this 5 day of April, 2021.

TOWN OF HAXTUN, COLORADO

By: _____

Mayor

ATTEST:

Karie Wilson, Town Clerk

EXHIBIT A

Legal Description – Lot and Truck Barn Property

West Seventy (70) feet of Lots 10, 11, and 12, Block 6, Original Town of Haxtun, Town of Haxtun, County of Phillips, State of Colorado, also known by the street address of 145 South Colorado Avenue, Haxtun, Colorado 80731. The East Sixty-five (65) feet of Lots 13 and 14, Block 6, Original Town of Haxtun, Town of Haxtun, County of Phillips, State of Colorado, also known as 135 West Fletcher Street, Haxtun, Colorado, 80731

A motion was made by L. Lundgren, seconded by B. Cionek to adopt the following Ordinance 2021-3 to donate the town shop property within 24 months to the Haxtun Hospital District. Motion carried.

ORDINANCE NO. 2021-3

AN ORDINANCE AUTHORIZING THE DONATION OF CERTAIN PROPERTY OWNED BY THE TOWN

WHEREAS, the Town of Haxtun is the owner of certain real property described as the west seventy-five feet of Lots 13 and 14, Original Town of Haxtun and further described on Exhibit A, attached hereto and incorporated by reference (hereinafter the “Shop Property”); and

WHEREAS, the Town desires to donate the Shop Property to the Haxtun Hospital District for a new parking lot after the Town constructs a new Town shop, and the Town Council has approved a Purchase Contract to Buy and Sell Real Estate (the “Sale Contract”) for the donation of the Shop Property; and

WHEREAS, the Town Council has determined that after the Town constructs a new Town shop, the Shop Property is not and will not be needed for any public purposes, and is not and will not be used or held for park purposes or any other governmental purpose; and

WHEREAS, the Town Council desires to authorize the donation of the Shop Property to the Haxtun Hospital District after the Town constructs a new Town shop; and

WHEREAS, the Town Council has determined it is in the best interest of the Town and its citizens to donate the Town Shop Property upon the terms and conditions set forth in the Sale Contract.

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

Section 1. The Town Council hereby approves the donation of the Shop Property legally described on Exhibit A, attached hereto and incorporated herein by reference, from the Town to the Haxtun Hospital District. The donation of the Shop Property shall occur no later than twenty-four months after the effective date of the Sales Contract or thirty days after the Town receives a certificate of occupancy for the new Town shop, whichever occurs first.

Section 2. The donation of the Shop Property shall be upon the terms and conditions set forth in the Sale Contract, which terms and conditions are incorporated herein by reference as though set forth in full. The donation of the Shop Property is subject to the provisions and contingencies set forth in the Sale Contract.

Section 3. The Mayor, Town Clerk and Town staff are further authorized to execute and deliver all documents necessary in connection with the donation of the Shop Property and to do all things necessary on behalf of the Town to perform the obligations of the Town under such Sale Contract, including without limitation the execution and delivery of the deed and all other documents necessary or required for the donation of the Shop Property.

Section 4. If any portion of this ordinance is held to be invalid for any reason, such decisions 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.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED this 5 day of April, 2021.

TOWN OF HAXTUN, COLORADO

By: _____

Mayor

ATTEST:

Karie Wilson, Town Clerk

EXHIBIT A

Legal Description – Shop Property

West Seventy-five (75) feet of Lots 13 and 14, Block 6, Original Town of Haxtun, County of Phillips, State of Colorado, also known by the street address of 135 West Fletcher Street, Haxtun, Colorado 80731

The matter of the proposed new shop was next on the agenda. The bids and comparison sheet was reviewed by the council.

Greg Etl, DOLA, was going to attend tonight to visit with the council regarding potential grant funds that could help build a new shop. Brandon and Ron had spoken with Greg earlier, but would like him to share more information on the grant. What is known is that the grant is a 50/50 match, and the Town can use the shell of the building or other expenses towards the building for the 50% match. DOLA's portion could help fund the cement flat work, the interior finish work and other utilities. Some of the drawbacks of the grant are applications are not accepted until August 2021, with notification of awards in November 2021, and no additional work can be done until contracts are signed in January of 2022.

Ryan Horton arrived at the meeting at 7:37 pm and Brandon brought him up to speed on the discussion that had taken place regarding the grant funds and shop building.

After discussion, a motion was made by L. Lundgren and seconded by T. Pope that Ron may go ahead and accept a partial bid by Rockwell Construction from Wray, CO, as soon as funds are in place from the sale of the property to the Haxtun Hospital District. This includes Rockwell's bid for the building shell and the overhead doors totaling \$185,080 and the dirt work bid by Ensminger Construction, at \$5,726, for a total of \$190,806 to be spent towards the building at this time. Motion carried.

Rob Martinez and Eileen Wagner submitted letters of interest for the council seat vacated by Craig McCarty in March 2021. The letters were read aloud by Mayor Biesemeier. A motion was made to vote for the council member by roll call vote. All members in attendance voted in favor of appointing Rob Martinez. Motion carried. Rob will fill the council seat until November 2022.

Discussion:

Discussion was held by the council regarding keeping chickens inside city limits. Items discussed was a permitting process, including the chicken coop, how to handle dead birds, protecting the birds from predators, increase in rodents, no slaughter of chickens, ducks. The clerks office will contact other municipalities that allow fowl for copies of their ordinances and permitting process.

Staff Reports:

Ron Carpenter, Town Superintendent

- Building Permits were reviewed as included in board packet.
- The CHS electrical upgrade project is finished.
- A used planer was purchased for \$6000.00
- Simon reviewed the street project and measurements. Estimated the project to be \$1,950,000. Oil prices have continued to climb, we may need to make some adjustments on the total project.
- The Rural Fire Board would like to sell the "Big Red" fire truck to the Town to replace our current town fire truck. The 1978 Ward LaFrance is complicated to drive and does not hold water. The Rural Fire Board has not settled on a price for "Big Red".
- The swimming pool will be opened this year. Arnold Pool Company will be making repairs to the sand filter in May.
- The NKC Railnet will not respond to calls regarding the condition of the crossing on South Colorado Ave. Ron is still working on this matter.

Tanya Mayhew, Chief of Police

- We do not have a delivery timeframe on the new police department vehicle.
- An application for JAG grant for body cameras and updated tasers was submitted for approximately \$30,000. Body cameras will be required to be used by the department by 2023.

- The tornado whistle will be tested on April 7, 2021 at 10:00 a.m.
- Contacted Fetzner Electric for information on a generator to run the doors, some lights, and computers at the EMS building.
- Logan County Sheriff department will continue their help with calls until Cameron finishes his training. One officer is interested in remaining to help on calls for an extended time.

Karie Wilson, Town Clerk/Treasurer

- SIPA (State Wide Internet Portal Authority) sent a work order today, and web site design can begin. If the Town would want to purchase email service, we would apply for a separate grant.
- President Biden signed the American Rescue Act, and within the act there is a percentage of funds to be given to each municipality. The Town's share is approximately \$194,000. The Treasury has not released guidance for spending the funds.
- NECALG is holding their annual meeting on April 21/2021 in Fort Morgan at 11:00 a.m.

Council Concerns:

Tana hopes that the construction on the clinic building will not have any issues with our festivals in July and September.

Ryan wondered if there are any complications with the Haxtun Health project. Ron will be cutting the utilities on the site mid-week. The library shed was moved out to the Quonset. Ensminger's Construction will begin demolition the week of 4/19. The debris will be trucked away through the alley to Smith Road, trucks will try to stay off Colorado Avenue as much as possible.

A motion was made by L. Lundgren and seconded by R. Horton to adjourn. The meeting adjourned at 8:39 pm subject to the call of the Mayor.

Karie Wilson
Town Clerk/Treasurer