

Town of Haxtun
February 3, 2025
REGULAR MEETING
Minutes

The Haxtun Town Council met for their regularly scheduled meeting at 7:00 p.m. The meeting was opened by Mayor Mike Ensminger at the Haxtun Town Hall. Roll call was taken with the following council members present; Bob Cionek, Dave Green, Tana Pope, Ryan Horton, and Lori Lundgren, and Jon Brammer. Mayor Ensminger led the group in the Pledge of Allegiance.

Staff members present were Ron Carpenter, Town Superintendent, Darrell Smith, Interim Police Chief, Sherri Wagoner, Deputy Clerk, and Kelsey Harms, Town Clerk/Treasurer.

Approval of Agenda:

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

Consent Agenda:

A motion was made by D. Green and seconded by B. Cionek to approve the consent agenda, which included the regular meeting minutes of January 6, 2025, the following monthly invoices, and transfers of cash. All present voted yes, and the motion carried.

Jan Payroll	Salaries	\$	50,893.99
Jan Payroll	Taxes	\$	11,135.89
Amazon	Supplies	\$	306.99
Black Hills Energy	Utilities	\$	675.10
Bornhoft, Chris	Travel Reimbursement	\$	83.38
Brom, Dean	Concrete crushing	\$	10,704.00
CHS	Fuel	\$	663.89
CO State Treasurer	2024 4th Qtr. UITR	\$	310.27
Colorado Analytical	Water Testing	\$	37.00
CRWA	2025 Conference	\$	320.00
Davidson, Andrea	Community Center Refund	\$	75.00
Davis, Carolyn	Jan. Cell Phone Stipend	\$	15.00
FPPA	Pension	\$	1,502.48
Galls	PD Supplies	\$	304.88
GWRS	Benefits	\$	2,705.87
H-F Herald	Publications & Supplies	\$	207.18
Lauer, Szabo & Assc.	2025 Budget Prep	\$	140.00
Lockwood, Richard	Curb & Gutter	\$	1,248.00
MRZ	Repairs/Maint.	\$	1,278.28
Nat'l Assc. Of Field Training Officer	PD Training	\$	375.00

NMPP	December 2024 Power	\$	47,878.99
NMPP	2025 Distribution	\$	1,320.00
Phillips County Landfill	December 2024 dumping	\$	2,017.20
PowerManager	2025 Software	\$	8,333.66
Sports Imports	Pickleball Supplies	\$	1,275.10
Tax1099.com	2024 1099 Filing	\$	46.40
USPS	Postage	\$	146.00
Advanced Pools	Downpayment on Autofill	\$	3,700.00
Amazon	Supplies	\$	209.76
Border States	Supplies	\$	4,958.10
Bradley, Michael	MD refund	\$	135.05
Capital One	Road Rebuild	\$	27,379.14
Carpenter, Ron	Ice Machine	\$	150.00
CDR	January Sales Tax	\$	3,668.66
CDR	January Withholding	\$	1,845.00
CIRSA	Insurance	\$	2,204.96
Colorado Analytical	Water Testing	\$	76.00
Davis, Carolyn	Books	\$	111.59
FirstNet	PD Voip Phoens	\$	264.17
Gonzalez, Nancy	Cleaning	\$	75.00
Green Tek Energy Systems	Photocell lights	\$	593.28
H-F Herald	Pubications/Supplies	\$	161.39
Haxtun Building Center	Supplies	\$	482.58
Haxtun Supers	Supplies	\$	18.42
Haxtun Telephone	Phones/Internet	\$	752.74
Highline Electric	Utilities	\$	92.92
Intermountain Sweeper	Repairs/Maint.	\$	2,271.49
Kelly PC	Attorney fees	\$	546.00
King, Jon	Tree Removal/Trimming	\$	4,500.00
Larsen, Holly	Restitution	\$	15.09
MASA	Benefits	\$	196.00
MRZ	Repairs/Maint.	\$	26.00
NMPP	2025 Spring Training	\$	116.00
Office Service	Supplies	\$	99.45
PAK Enterprises	Business cards	\$	22.00
PCED	2025 On-Board Meeting	\$	88.00
PC Telcom	Phones/Email	\$	41.95
Phillips County Treasurer	January Sales Tax	\$	193.34
Precision Plumbing	Repairs	\$	360.00
PSHCG	Benefits	\$	15,463.64
UNCC	2025 Transmissions	\$	225.00
USPS	Postage	\$	297.00

VSP Benefits \$ 114.15

Transfers of Cash

- 01/06/2025 Transfer #1: \$56,500 for accounts payable
- 01/15/2025 Transfer #2: \$21,500 for payroll
- 01/15/2025 Transfer #3: \$57,900 for accounts payable
- 01/21/2025 Transfer #4: \$8,600 for accounts payable
- 01/21/2025 Transfer #5: \$10 for PD Education dormant acct
- 01/31/2025 Transfer #6: \$22,300 for payroll
- 01/31/2025 Transfer #7: \$31,200 for accounts payable

Public Comment:

None

Regular Business:

Mayor Ensminger opened the public hearing at 7:06 pm to consider adoption of an ordinance adopting by reference the 2024 edition of the Model Traffic Code for Colorado promulgated and published by the Colorado Department of Transportation, Traffic Safety and Engineering Services. Clerk Harms explained this would update the local ordinance to comply with the current model traffic code and streamlining the tickets written by the Police Department. No other discussion was held and Mayor Ensminger closed the hearing at 7:10 pm.

A motion was made by J. Brammer and seconded by T. Pope to approve the second and final reading of Ordinance 2024-8 to adopt by reference 2024 edition of the Colorado Model Traffic Code. All present voted in favor, motion passed.

ORDINANCE NO. 2024-8

AN ORDINANCE ADOPTING BY REFERENCE THE 2024 EDITION OF THE MODEL TRAFFIC CODE AND AMENDING SECTION 70.01 OF THE HAXTUN MUNICIPAL CODE

WHEREAS, pursuant to section 42-4-110(1)(b), C.R.S., municipalities may, in the manner prescribed by article 16 of title 31, C.R.S., adopt by reference all or any part of a model municipal traffic code that embodies the rules of the road and vehicle requirements as set out in the state traffic laws; and

WHEREAS, the Colorado Department of Transportation has prepared and adopted a 2024 edition of the Model Traffic Code for Colorado; and

WHEREAS, the Town desires to adopt the 2024 edition of the Model Traffic Code for Colorado, with amendments, and has provided notice of the adoption of such Code by reference in the manner required by state law.

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

Section 1. Sections 70.01(A)(1) and (B) of the Haxtun Municipal Code are hereby repealed and reenacted to read as follows:

§ 70.01 Model Traffic Code Adopted.

(A) *Adoption.* (1) Pursuant to Parts 1 and 2 of Article 16 of Title 31, C.R.S., there is hereby adopted by reference the 2024 edition of the *Model Traffic Code for Colorado* promulgated and published by the Colorado Department of Transportation, Traffic Safety and Engineering Services, 2829 W Howard Place, Denver, CO 80204.

(B) *Deletions.* The 2024 edition of the Model Traffic Code is adopted as if set out at length save and except the following articles and/or sections which are declared to be inapplicable to the municipality and are therefore expressly deleted: none.

Section 2. If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Town Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. The repeal or modification of any portion of the Municipal Code 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 portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, ADOPTED ON FIRST READING this 2nd day of DECEMBER, 2024.

READ, ADOPTED ON SECOND READING, APPROVED, SIGNED, AND ORDERED PUBLISHED this 3rd day of FEBRUARY, 2025.

TOWN OF HAXTUN, COLORADO

Mike Ensminger, Mayor

ATTEST:

Kelsey Harms, Town Clerk

A motion as made by J. Brammer and seconded by D. Green to approve the 2025 engagement letter with Lauer, Szabo & Associates for the 2024 financial audit. All present voted in favor, motion passed.

The Town received a \$1,000.00 donation from Colorado Highland Winds. With the donation they ask the Council use it to best serve the community as the Council sees fit. A motion was made by J. Brammer and seconded by T. Pope to use to complete the frisbee golf course that was added to the park last year. All voted in favor, motion passed.

Clerk Harms presented a 2025 Liability Quote for the Airport. The coverage the price has not increased from the previous year. After some discussion a motion was made by D. Green and seconded by R. Horton to approve the 2025 coverage. All present voted in favor, and the motion passed.

The Council reviewed an Economic Incentive application from Phoenix Beauty Bar that will be located at 107 S Colorado Avenue. The application included a bid with materials for new windows, stucco, exterior doors, and an awning. The application also requested a refund of the sales/use tax and the building permit fees, making the total request \$9,790.50. The Council budgeted \$15,000 for the year 2025 economic incentives. A motion was made by J. Brammer and seconded by R. Horton to approve the full request for a \$9,790.50 economic incentive for Phoenix Beauty Bar. All present voted in favor, and the motion passed.

The Council started some discussion about Police comp time during the reclassification process. After some research the Clerks were able to come up with some minutes in reference to the comp time but not a policy. After meeting with Interim Chief Smith and PD Clerk V. Freemyer, Clerk Harms worked with the attorney to present Resolution 2025-1 amending the Personnel Rules and Regulations regarding flex time for Police Officers. After some discussion from the Council and Interim Chief Smith, a motion was made by J. Brammer and seconded by D. Green to approve Resolution 2025-1 as presented. All present voted in favor, and the motion passed.

RESOLUTION NO. 2025-1

A RESOLUTION ADOPTING AMENDMENTS TO THE TOWN OF HAXTUN PERSONNEL RULES AND REGULATIONS REGARDING FLEX TIME FOR POLICE OFFICERS

WHEREAS, the Town previously adopted the Town of Haxtun Personnel Rules and Regulations, which may be amended from time to time; and

WHEREAS, the Town Council by this Resolution desires to amend certain sections of the Personnel Rules and Regulations.

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

Section 1. The first sentence in Policy No. 6 (Work Week, Workday, and Overtime Compensation) of the Town of Haxtun Personnel Rules and Regulations is amended to read as follows (words to be added are underlined):

A. The work week for all non-exempt employees, except sworn police officers, shall be as follows:

[remainder of paragraph A to remain the same]

Section 2. Policy No. 6 (Work Week, Workday, and Overtime Compensation) of the Town of Haxtun Personnel Rules and Regulations is amended by the addition of a new paragraph B to read as follows:

B. The following applies to the Town's sworn police officers:

1. Section 13(b)(20) of the Fair Labor Standards Act (FLSA) provides an overtime exemption to law enforcement employees of a public agency that employs less than five employees in law enforcement activities.
2. The Town currently employs less than five employees in law enforcement activities. Therefore, the Town's sworn police officers are not entitled to overtime pay or compensatory time off.
3. Full-time, sworn police officers are generally scheduled for 80 hours of work in a 14-day work period; however, work hours are subject to supervisor scheduling and not guaranteed in any amount. In recognition that officers may be required to work hours that are in excess of a regular work schedule, officers will receive:
 - (a) The first ten (10) hours worked in excess of eighty (80) hours in any work period will be paid as on-call time.
 - (b) For hours worked in excess of ninety (90) hours in any work period, the officer will accrue flex time on an hour for hour basis, subject to the following:

- i. Officers may accrue up to sixty (60) hours of flex time per year. Flex time not used before April 1 each year will be forfeited.
- ii. Officers must schedule and receive advance approval from their supervisor before using more than four (4) hours of flex time in a day. Approval will be based on departmental needs and priorities.
- iii. Officers are responsible for documenting and tracking their use of flex time.
- iv. Officers are encouraged to use flex time as they accrue it. Flex time not used prior to the employee's separation from the Town will be forfeited and will not be paid out upon separation.

Section 3. The amendments set forth herein shall be effective as of February 3, 2025.

INTRODUCED, READ, and ADOPTED this 3rd day of FEBRUARY, 2025.

TOWN OF HAXTUN

Michael Ensminger, Mayor

ATTEST:

Kelsey Harms, Town Clerk

Pending the Governor's signature, the Town was awarded a grant from the Colorado Aeronautical Board and the Division of Aeronautics to update the airport apron. The Town's share of the project would be \$8,700 and the State would cover \$78,300 for the apron. Resolution 2025-2 was presented to the Council, naming Ron Carpenter as the Project Director. A motion was made by L. Lundgren and seconded by R. Horton to approve Resolution 2025-2. All present voted in favor, and the motion passed.

EXHIBIT B, RESOLUTION 2025-2

RESOLUTION

WHEREAS:

The General Assembly of the State of Colorado declared in Title 43 of the Colorado Revised Statutes, Article 10, 1991 in CRS §43-10-101 (the Act) "... that there exists a need to promote the safe operations and accessibility of general aviation in this state; that improvements to general aviation transportation facilities will promote diversified economic development across the state; and that accessibility to airport facilities for residents of this state is crucial in the event of a medical or other type of emergency..."

The Act created the Colorado Aeronautical Board ("the Board") to establish policy and procedures for distribution of monies in the Aviation Fund and created the Division of Aeronautics ("the Division") to carry out the directives of the Board, including technical and planning assistance to airports and the administration of the state aviation system grant program. SEE CRS §43-10-103 and C.R.S. §43-10-105 and CRS §43-10-108.5 of the Act.

Any eligible entity operating a public-accessible airport in the state may file an application for and be recipient of a grant to be used solely for aviation purposes. The Division is authorized to assist such airports as request assistance by means of a Resolution passed by the applicant's duly-authorized governing body, which understands that all funds shall be used exclusively for aviation purposes and that it will comply with all grant procedures, grant assurances and requirements as defined in the Division's Programs and Procedures Manual, ("the Manual") and the Airport Sponsor Assurances for Colorado Discretionary Aviation Grant Funding ("Grant Assurances") attached hereto as Exhibit C. NOW, THEREFORE, BE IT RESOLVED THAT:

The **Town of Haxtun**, as a duly authorized governing body of the grant applicant, hereby formally requests assistance from the Colorado Aeronautical Board and the Division of Aeronautics in the form of a state aviation system grant.

The **Town of Haxtun** states that such grant shall be used solely for aviation purposes, as determined by the State, and as generally described in the Application.

By signing this Grant Agreement, the applicant commits to keep open and accessible for public use all grant funded facilities, improvements and services for their useful life, as determined by the Division and stated in the Grant Agreement and Grant Assurances.

FURTHER BE IT RESOLVED:

That the **Town of Haxtun** hereby designates **Ron Carpenter** as the Project Director, as described in the Manual and authorizes the Project Director to act in all matters relating to the work project proposed in the Application in its behalf, including executions of the Grant Agreement and any amendments.

FURTHER:

The **Town of Haxtun** has appropriated or will otherwise make available in a timely manner all funds, if any, that are required to be provided by the Applicant under the terms and conditions of the Grant Agreement.

FINALLY:

The **Town of Haxtun** hereby accepts all guidelines, procedures, standards, and requirements described in the Manual as applicable to the performance of the grant work and hereby approves the Grant Agreement submitted by the State, including all terms and conditions contained therein.

By: Michael Ensminger, Mayor

Date: _____

ATTEST (if needed)

By: Kelsey Harms, Town Clerk

Date: _____

R. Horton gave a brief update on the Police Chief hiring committee. The committee comprised of R. Horton, J. Brammer, M. Bornhoft, R. Martinez, and D. Bergstrom met and gave feedback on the job posting, the starting salaries, and policy. It was expressed by the committee that the starting salary seemed low compared to surrounding area Chief positions. Since the 2022 pay scale was set by the Council the Town has seen 3 cost of living increases. After much discussion, the Council agreed to increase the Chief salary range to hopefully attract the right candidate. The Committee would also like to have the authority to give a conditional offer after two successful interviews if the opportunity presents itself and at that time also close the application process. This would streamline the hiring process instead of waiting for each monthly Council meeting to approve the conditional offer. The Council will need to look at potentially changing the radius living requirements, but that would be visited at a later time. A motion was made by D. Green and seconded by L. Lundgren to approve the new Chief salary range of \$71,000 - \$81,000 and give the committee the authority to make a conditional offer after two successful interviews and close the application process. All present voted in favor, and the motion passed. The following are the recently approved Police pay scales as adopted by the Town Council.

	Police Officer	Police Chief
Minimum	48,000	71,000
Medium	53,000	76,000
High	58,000	81,000

Discussion:

None

Staff Reports:

Ron Carpenter, Town Superintendent

- Building Permits per Agenda Packet
- MEAN notified the Town of a rate increase of 5% approximately \$2,200 per month increase to the Town starting April 1st. This leaves the Town with 3 options of: completing less electric rebuild projects, transferring less money to the General Fund, or adjust utility rates to cover the increase. During the budget planning Ron did budget that expense slightly higher and will re-evaluate in 6 months' time.

- Ordered the street signs with weight limits for the Truck Route and is also going to replace some of the old street signs and stop signs.

Darrell Smith, Interim Police Chief

- Worked with R. Carpenter to install a new “wrong way” sign on the school’s one way street.
- Has had prospects interested in the 3rd officer position but have all backed out. D. Smith also believes that he could possibly be a 1-man department soon but has no official date.
- D. Smith and V. Freemyer are going to work on scheduling college visits soon to hopefully attract newly graduated POST certified cadets.

Kelsey Harms, Town Clerk/Treasurer

- \$350 donation was received from Aero Applicators for the airport
- \$4,000.00 anonymous donation was received via NoCo Foundation to go towards pool shades
- Town ordinance can now be found online using the Town website
- Council training with CIRSA will be on 2/17 at 6pm at Town Hall
- The 2024 financial audit is scheduled for 2/11-13/2025
- CIRSA walk-thru and paper audit was completed 2/4

Council Concerns:

T. Pope: Was curious about needing more handicap accessible parking in front of the newly opened Main Street clinic. R. Carpenter informed the council the street would be repainted this spring/summer to include more accessible parking.

Adjournment:

The meeting adjourned at 8:35 pm subject to the call of the Mayor.

Kelsey Harms
Town Clerk/Treasurer