

Town of Haxtun

May 2, 2022
REGULAR MEETING
MINUTES

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

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

Scott Szabo, representing Lauer, Szabo & Associates, PC and Trish Herman, representing Phillips County Economic Development were in attendance.

A motion was made by L. Lundgren and seconded by R. Horton to approve the agenda with the addition of the Region 4 NE Regional Opioid Council IGA Agreement, all present voted yes, and the motion carried.

A motion was made M. Ensminger and seconded by T. Pope to approve the consent agenda, which included the regular meeting minutes of April 4, 2022, the following monthly invoices to be paid, and transfers of cash. All present voted yes, and motion carried.

April Payroll	Taxes	\$43,537.16
April Payroll	Salary	\$10,083.61
Amazon.com	Street Repairs	\$119.08
Amazon.com	Headset	\$18.25
Amazon.com	PD Computer Supplies	\$112.78
Axon Enterprises	Body Camera	\$7,143.16
Black Hills Energy	Utilities	\$1,006.03
Bobcat of Rockies	Repairs	\$463.20
CFS Inspections	Bucket Truck Inspection	\$1,765.00
CIRSA	Workers Comp Audit	\$28.94
CO Secretary of State	Chamber Periodic Report	\$10.00
CO State Treasurer	1st Qtr UTR	\$260.64
CoPro EFP	FD Supplies	\$226.91
Eset	Computer Security	\$89.99
Every Bloomin' Thing	Retirement Arrangement	\$20.00
Fetzer Electric	Repairs to System	\$18,389.58

FPPA	Pension	\$1,322.06
Grainland	Fuel	\$1,221.41
GWRS	Retirement	\$1,952.42
Haxtun Car Wash	PD Fleet Wash	\$49.00
Haxtun Hospital	Physical/Labs	\$404.96
Haxtun Supers	Supplies	\$10.78
HF Herald	Supplies/Publications	\$718.14
Hilton	PD Travel Exp	\$314.94
Karie Wilson	PD Retirement Reimb	\$61.68
Kenyon P. Jordan PH.D.	Police & Consulting Psychologist	\$265.00
KINSCO	PD Equipment	\$1,047.60
LEC Construction	Repairs to System	\$82,417.50
Little Sprout Learning Center	Grant Donation	\$1,000.00
Martin Marietta	Repairs to System	\$6,595.26
Martins Flag Co.	USA Flags	\$746.50
Miracle Recreation	Park Repairs	\$895.87
NMPP	Power	\$43,470.68
Office Service	Copier	\$7,873.00
Petty Cash	Travel Exp	\$100.00
Phillips Co Landfill	Dump Exp	\$2,495.00
Phillips Co Treasurer	Tax Cert	\$10.00
Viaero	Phone	\$401.41
CEBT	Insurance	\$17,163.60
Bamford, Chad or Amy	MD Refund	\$138.58
Border States	Repairs to System	\$4,231.21
Capital One	Street Bond	\$27,379.14
CO Dept of Revenue	April Sales Tax	\$2,688.80
CO Dept of Revenue	April Withholding Tax	\$1,456.00
Haxtun Telephone	Service	\$537.18
Hight, Shirley	MD Refund	\$110.36
Holcomb, Spencer	MD Refund	\$126.98
PC Telcom	Service	\$211.56
Phillips County Treasurer	April Sales Tax	\$2,248.81
Precision Plumbing	Repairs to System	\$222.86
Rudy's GTO	Repairs/Maint.	\$290.20
Standard	Supplemental Insurance	\$111.95
Sun Life	Supplemental Insurance	\$253.60

VanAlstein, Daniel	MD Refund	\$164.52
VSP	Supplemental Insurance	\$115.96
Border States	Repairs to Electrical	\$300.98
Dana Kepner	Repairs	\$12.50
Haxtun Building Center	Repairs/Supplies	\$798.73
Kelly PC	Attorney Fees	\$1,776.00
Larson, Jesse	MD Refund	\$238.50
PAK Enterprises	Utility bills, Receipt books	\$1,597.64
UNCC	Transmissions	\$13.00
US Postmaster	Stamps	\$276.00

Transfers of Cash

- 4/8/2022 Transfer # 1 - \$205,500 for accounts payable
- 4/14/2022 Transfer # 2 - \$18,200 for payroll
- 4/19/2022 Transfer # 3 - \$14,725 for accounts payable
- 4/21/2022 Transfer #5- \$84,000 for accounts payable
- 4/28/2022 Transfer #4 - \$19,500 for payroll

Public Comment:

There was no public comment.

Regular Business:

Trish Herman with PCED, introduced herself. She wanted to give a recap of her year and highlight some of the projects she is involved with such as: youth scholarship, housing and development, regional grant efforts with Roadmap to Recovery, and the PCED annual meeting that was held in April. Trish discussed Ogallala Commons and the Internship opportunities with Haxtun Hospital and Retread Threads, as well as the Entrepreneurship Fair happening soon for students from the area. Trish expressed her willingness to assist the Town and the County with any upcoming projects and continue working together.

Scott Szabo presented the 2021 Financial Audit Report. In his report, Scott found a healthy 8-month reserve in the General Fund. The Community Center report also had a good reserve. Scott believes there is enough reserve to sustain the Community Center for the next 5 years while the Sales Tax will go towards the Street fund as voted in 2021. The Library fund broke even. Conservation Trust Fund, no funds were spent. The Enterprise Funds are for the most part breaking even. Electric fund did go down, but this was due to some depreciation, Water fund covered its costs, Sanitation fund saw a small loss, and the Sewer fund had a small gain. Scott noted that the losses and gains in the Enterprise funds are easily dependent on the

repairs and maintenance of equipment. Scott ended his presentation by saying the funds are all strong as well as the general fund. He was optimistic for the coming fiscal year.

A motion was made by L. Lundgren and seconded by R. Horton to approve the 2021 Financial Audit. All voted in favor and the motion passed.

Colorado Department of Revenue, MOU Update. Since Karie Wilson is retiring as of June 1, 2022 the CDR MOU must be updated to add Kelsey Harms as the appointee for Control of Confidential Data for the sales tax reports.

A motion was made by T. Pope and seconded by M. Ensminger to make Kelsey the appointee. All voted in favor and the motion passed.

Resolution 2022-1 Authorize Signatures on Banking Documents. The new Resolution would remove Karie Wilson from all accounts and add Sherri Wagoner (the newly hired Deputy Clerk).

Motion was made by M. Ensminger and seconded by R. Horton; motion passed.

**TOWN OF HAXTUN
RESOLUTION 2022-1**

A RESOLUTION FOR THE TOWN OF HAXTUN, COLORADO DESIGNATING AUTHORIZED OFFICIALS TO SIGN ON THE TOWN'S BANK ACCOUNTS AT THE POINTS WEST COMMUNITY BANK and COLOTrust Fund

WHEREAS, the Town of Haxtun has checking, savings, loans, certificate of deposit and other accounts at Points West Community Bank and COLOTrust Fund, and

WHEREAS, the Town Council of the Town of Haxtun, has determined it to be in the best interest of the Town to update the Authorized Signing Officials on the bank accounts and other transactions; and

WHEREAS, the Town Council of the Town of Haxtun, has also determined that all banking transactions will also require two (2) signatures.

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

The following are hereby designated as Authorized Officers for the purpose of signing certain accounts and transactions at the Points West Community Bank and COLOTrust.

Name	Title	Signature
Brandon Bieseimeier	Mayor	_____
Lori Lundgren	Mayor Pro Tem	_____

Kelsey Harms	Town Clerk/Treasurer	_____
Sherri Wagoner	Deputy Town Clerk	_____
Nathon Nadow	Chief of Police	_____

The Points West Community Bank checking and savings accounts will have the following signers:

- #430 Church of Transient Fund – Kelsey Harms, Sherri Wagoner, Nathon Nadow
- #14744 Haxtun Police Grant – Kelsey Harms, Sherri Wagoner, Nathon Nadow and Brandon Bieseimeier
- #6017101 Haxtun Summer Ball – Kelsey Harms, Sherri Wagoner, Brandon Bieseimeier, and Lori Lundgren
- #6980061 Business Checking – Kelsey Harms, Sherri Wagoner, Brandon Bieseimeier, and Lori Lundgren
- #7980870 MMDA Plains Savings - Kelsey Harms, Sherri Wagoner, Brandon Bieseimeier, and Lori Lundgren
- #7981087 Capital Savings – Kelsey Harms, Sherri Wagoner, Brandon Bieseimeier, and Lori Lundgren
- #8014277 Haxtun Police Education – Kelsey Harms, Sherri Wagoner, Brandon Bieseimeier, and Nathon Nadow
- #565140 Swimming Pool – Kelsey Harms, Sherri Wagoner, Brandon Bieseimeier, and Lori Lundgren
- #566653 Conservation Trust Fund – Kelsey Harms, Sherri Wagoner, Brandon Bieseimeier, and Lori Lundgren
- COLOTrust – Kelsey Harms, Sherri Wagoner, Brandon Bieseimeier, and Lori Lundgren

INTRODUCED, ADOPTED AND RESOLVED THIS _____ DAY OF _____, 2022.

TOWN OF HAXTUN

Brandon Bieseimeier, Mayor

ATTEST:

Kelsey Harms, Deputy Town Clerk

Chief of Police asked the Council for their thoughts about the approval to place a pending order on a new patrol vehicle for the 2023 budget year. If Chief Nadow ordered the vehicle now it would be 2023 before the vehicle arrived and was outfitted for duty. The current vehicle he is interested in trading off is a 2013 Chevy Tahoe with 56,000 miles. Chief Nadow expressed his concern that by hiring a third officer and adding more miles to the vehicle that it

would start to have maintenance issues. Nadow mentioned looking into a USDA grant that would help cover the costs of the new vehicle. The Council expressed some concern about the track record of being able to keep a third officer and ordering a new patrol car. After some discussion, the Council suggested waiting since the current Tahoe does not show any maintenance or mechanical issues and is still relatively low miles and letting the third officer position be filled for a year or so until looking at an upgrade in vehicle. No motion was made.

Resolution 2022-2 to set Sanitation Rates. The Council discussed in the April 4 meeting increasing the all Sanitation rates by \$3.00 the resolution would take effect as of June 1, 2022.

A motion was made by L. Lundgren and seconded by R. Horton. All voted in favor, and the motion passed.

**TOWN OF HAXTUN
RESOLUTION 2022-2**

**A RESOLUTION FOR THE TOWN OF HAXTUN, COLORADO TO SET
MONTHLY RATES FOR SANITATION TRASH SERVICE**

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

Residential trash pickup charges for once a week pickup will be	\$28.00,
Residential Commercial trash pickup charges for once a week pickup	29.00,
Small Container Commercial, once time a week pickup	29.00,
Small Container Commercial, three times a week pickup	32.00,
Large Container Commercial, three times a week pickup	38.00,
Motels, three times a week pickup	49.00,
Town of Paoli, two times a week pickup	91.00,
Special Pickup (commercial or residential)	27.00,
Outside City Limit Residential, once a week pickup	44.00.

Rental of Large Commercial Dumpsters are \$10.00 per week which includes one dump, any additional dumping required is \$5.00 per dump.

Outside of city limits sanitation service is described as the service area around the Town of Haxtun, being within the county roads North to CR 32, East to CR 7, South to CR 28, and West to CR 3.

Residential and commercial trash service area is described as those customers who have electrical, or water service supplied by the Town of Haxtun,

The monthly sanitation rates will be effective as of June 1, 2022

The above and foregoing Resolution was, on motion duly made and seconded, adopted on _____, 2022.

TOWN OF HAXTUN

Brandon Bieseimer, Mayor

ATTEST:

Kelsey Harms, Deputy Town Clerk

Ordinance 2022-3 To Amend Ordinance 13.12 Regarding the Electrical Rates. The Council discussed in the April 4th meeting increasing the base electrical rate \$3.00 from \$15.50 to \$18.50 and increasing all the electrical rates by 5%. The new rates would take effect as of July 1, 2022.

A motion was made by M. Ensminger and seconded by R. Horton to amend Ordinance 13.12, all voted in favor, and the motion passed.

Town of Haxtun
ORDINANCE NO. 2022-3

AN ORDINANCE TO AMEND ORDINANCE 13.12 REGARDING THE ELECTRICAL RATES

WHEREAS, the Board of Trustees of the Town of Haxtun has previously adopted provisions to provide electrical services to the citizens of Haxtun, and

WHEREAS; the Board of Trustees of the Town of Haxtun have found it necessary to raise the electrical rates for residential and commercial electric customers using electrical services provided by the Town of Haxtun; and

WHEREAS, the Board of Trustees find it necessary to amend Section 13.12.010, of Ordinance 13.12 and replace it with the following language:

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

Section 1. That the Haxtun Code 13.12.010 be amended to read as follows: All users of electric service from the Haxtun Colorado Municipal Electric Plant, shall be charged for the service, as of July 1, 2022 according to the following schedules:

RESIDENTIAL AND COMMERCIAL RATES

Winter Rate:

October thru March

Service Charge	\$18.50
1st 300 kWh	.13100
Next 1200 kWh	.11109
Over 1500 kWh	.08800

Summer Rate:

April thru September

Service Charge	\$18.50
1st 300 kWh	.13100
Next 1200 kWh	.12307
Over 1500 kWh	.09925

Winter Electric Heat Rate

(with 10 kW of electric heat)

October thru March

Service Charge	\$18.50
1st 300 kWh	.13100
Next 1200 kWh	.09609
Over 1500 kWh	.07935

The above rates supersede all previous rates established by the Town.

INTRODUCED, READ, ADOPTED, APPROVED AND ORDERED PUBLISHED IN FULL this 2nd day of May, 2022

TOWN OF HAXTUN

Brandon Bieseimeier, Mayor

ATTEST:

Karie L Wilson, Town Clerk/Treasurer

Resolution 2022-3 Petition to annex was brought to the Council by West Plains Properties, LLC. After some discussion a motion was made by R. Horton and seconded by T. Pope to move forward with the annexation. All voted in favor, motion carried.

RESOLUTION NO. 2022-3

A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE FOR AN ANNEXATION PETITION FILED WITH THE TOWN OF HAXTUN, COLORADO, KNOWN AS THE PROPOSED WEST PLAINS PROPERTIES, LLC ANNEXATION TO THE TOWN OF HAXTUN, AND SETTING A PUBLIC HEARING THEREON.

WHEREAS, a petition for annexation of certain property to be known as the **West Plains Properties, LLC Annexation** has been filed with the Town Clerk of the Town of Haxtun, Colorado, and referred to the Town Council of the Town for a determination of substantial compliance with applicable law; and

WHEREAS, the Town Council wishes to permit simultaneous consideration of the subject property for annexation and zoning, if requested in the petition; and

WHEREAS, the Town Council has reviewed the petition and desires to adopt by Resolution its findings in regard to the petition.

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

Section 1. The petition, the legal description for which is attached hereto as Exhibit A and incorporated herein by reference, is in substantial compliance with the applicable laws of the State of Colorado.

Section 2. No election is required under § 31-12-107(2), C.R.S.

Section 3. No additional terms and conditions are to be imposed within the meaning of Sections 31-12-107(1)(g), -110(2) or -112, C.R.S.

Section 4. The Town Council will hold a public hearing for the purpose of determining if the proposed annexation complies with Sections 31-12-104 and 31-12-105, C.R.S., and will hold a public hearing to determine the appropriate zoning of the subject property, if requested in the petition, at the Haxtun Community Center, 125 E Wilson Street, Haxtun, CO 80731, on **June 20, 2022 at 7:00 p.m.**

Section 5. Any person may appear at such hearing and present evidence relative to the proposed annexation, or the proposed zoning if requested in the petition.

Section 6. Upon completion of the hearing, the Town Council will set forth, by resolution, its findings and conclusions with reference to the eligibility of the proposed annexation, and whether the statutory requirements for the proposed annexation have been met, and further, will determine the appropriate zoning of the subject property if requested in the petition.

Section 7. If the Town Council concludes, by resolution, that all statutory requirements have been met and that the proposed annexation is proper under the laws of the State of Colorado, the Town Council may pass one or more ordinances annexing the subject property to the Town of Haxtun, and will pass one or more ordinances zoning the subject property if requested in the petition.

INTRODUCED, READ, and ADOPTED this _____ day of _____, 2022.

Mayor

ATTEST:

Karie Wilson
Town Clerk/Treasurer

EXHIBIT A LEGAL DESCRIPTION

A tract of and located in the E ½ of the NW ¼ of Section 29, T. 8 N., R. 47 W. of the 6th P.M., Phillips County, Colorado, being more particularly described as follows:

Commencing at the N ¼ Corner of Section 29, T.8 N., R. 47 W. of the 6th P.M., Phillips County, Colorado; thence S 01°38'43" E on the east line of the NW ¼ of said Section, 949.50 feet to a point on the south line of Highway #6 Right-of-Way, also being the Point of Beginning; thence S 01°38'43" E on said east line, 382.16 feet to a point on the north line of Joe Ave. of Wheatland Heights Addition; thence N 89°59'25" W on the north line of said Joe Ave, 29.79 feet to a point on the west line of said Joe Ave; thence N 01°38'05" W on said west line of Joe Ave, 29.17 feet to the NE corner of Ensminger Subdivision; thence S 88°21'52" W on the north line of said Ensminger Subdivision, 359.95 feet to the NW corner of said Ensminger Subdivision; thence N 01°38'05" W parallel to the west line of said Ensminger Subdivision, 631.89 feet to a point on said south Highway #6 Right-of-Way line to the beginning of a non-tangent 1909.86 foot radius curve concave Southwesterly; thence Southeasterly on the arc of said curve 480.95 feet (chord bearing S 55°57'30" E with a chord length of 479.68 feet) to the Point of Beginning containing 4.53 +/- acres, more or less.

The Colorado Regional Opioid Intergovernmental Agreement was brought back to the Council. An MOU was signed with the state earlier in the year, however this IGA will opt the Town in the Regional Council.

After some discussion, a motion was made by L. Lundgren and Seconded by M. Ensminger to sign the IGA and enter into the Regional Council. All present voted in favor, motion passed.

Discussion Items:

Discussion was held on the Employee Evaluation Forms. The Council likes the idea of having policy in place that gives a history from Council to Council. They liked the copy that was presented the Phillips County Social Services uses, they believe the form will create more dialogue between the supervisor and employee. The Council wants the presented form to be fitted to the Town.

A Memorandum of Understanding with the Childcare Center was discussed. The Attorney sent a draft for the Council's review. The Council would like to add a line asking the Childcare Center to notify the Town of any damage to the exterior of the building so if needed, the appropriate insurance claims/work could be done.

FAMLI Program (Paid Family Medical Leave Insurance) is a State-run program that provides employees with 12 weeks of paid leave to take care of themselves or a family member. Council could approve 3 different options: (1) opt in and split the premiums with the employee (2)opt out but still allow the employees to participate facilitating the payroll deductions (3) opt out completely. The Council must vote by the end of the year and notify the State accordingly.

Staff Reports:

Ron Carpenter, Town Superintendent

- Building Permits were reviewed as included in the board packet.
- 5/17 is the CIRSA paper and walk-around audit.
- LEC Construction will be back in the next week or so to continue working on drain pans and curb and gutter
- Crackfill machine – we are still on the list, just waiting for our turn. Ron is going to start looking for a used machine to purchase so we would not have to depend on renting/waiting on other machines.
- Replacement Dump Truck – Ron is still looking

- Swimming Pool is set to open this summer after Memorial Day

Nate Nadow, Chief

- Quarterly Stats were handed out to the Council
- Conditional Employment has been offered to a potential third officer. The offer is contingent upon passing the Otero Police Academy (hoping for a Post Grant of \$10,000.00 to cover the cost of Academy). The candidate will also get a stipend while attending Academy. The offer locks the officer in for 3 years of employment after graduation.

Karie Wilson, Town Clerk/Treasurer

- April was full of quarterly reports
 - JAG Grant, American Rescue Plan report, and DOLA (shop) reporting, and Payroll reports
- NECALG meeting 5/18, council needs to let Karie or Kelsey know if they'd like to attend.
- CML meeting will be 5/26, Council needs to let Karie or Kelsey know if they'd like to attend.
- A new copier was delivered to Town Hall
- Sherri Speaker (soon to be Wagoner) was hired as Deputy Clerk. Her first day at the office was May 2!

Council Concerns:

Lori asked what it would take to get an emergency siren up by the Prospect Circle homes. After the frequent storms and fires, that area of Town is not able to hear the whistle. Ron did say the closest they could get with the electrical infrastructure was by the Precision Plumbing shop on Hwy 6.

Rob gave an update on the Phillips County Communications Center meetings that he and Ron have been attending. The County is looking at way to cover the increasing costs of operating the Comm Center. They will continue to meet with the Phillips County Commissioners and the next meeting is scheduled for 5/18/22. They are trying to make it fair amongst the Towns and Departments that use the Comm Center, currently Haxtun is about 18% of the calls.

Ryan has been approached by a few people that are concerned about the status of the Haxtun Chamber of Commerce. Will there be a Old Fashioned Saturday Night/Corn Festival, etc. It was suggested that Ryan encourage those concerned to volunteer to help at the events that are scheduled for the 2022 year.

A motion was made by M. Ensminger and seconded by L. Lundgren to adjourn. The meeting adjourned at 9:26 pm subject to the call of the Mayor.

Kelsey Harms
Deputy Town Clerk