

Town of Haxtun
May 6, 2024
REGULAR MEETING
Minutes

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

Staff members present were Ron Carpenter, Town Superintendent, Tom Bullard Chief of Police, and Kelsey Harms, Town Clerk/Treasurer.

Mikey Brown, PCED and Darcy Garretson were also present.

Approval of Agenda:

A motion was made by T. Pope and seconded by J. Brammer to approve the agenda. All present voted yes, the motion carried.

Consent Agenda:

A motion was made by D. Green and seconded by J. Brammer to approve the consent agenda, which included the regular meeting minutes of April 1, 2024, the following monthly invoices to be paid, and transfers of cash. All present voted yes, and the motion carried.

**TOWN OF HAXTUN
May 6, 2024**

April Payroll	Salaries	\$	49,688.78
April Payroll	Taxes	\$	10,683.64
Amazon	Supplies	\$	413.89
American Red Cross	2024 Program	\$	360.00
Batting Cages, Inc.	Pitching Screens	\$	151.80
Beacon Athletics	Pitching Screens	\$	200.60
Black Hills Energy	Utilities	\$	276.45
Brom, Dean	concrete crushing	\$	7,500.00
CCNC	PD Membership Dues	\$	100.00
CHS	Fuel	\$	1,084.44
City of Wray	Lifeguard Certs	\$	400.00
CO State Treasurer	2024 UITR 1st Qtr	\$	280.69
CO Water Resources & Power	Waste/Water Loan	\$	9,277.46

Davis, Carolyn	April cell phone stipend	\$	15.00
Elifegaurd	Chairs	\$	6,643.13
Fetzer Electric	Repairs	\$	1,237.34
FirstNet	PD Phones	\$	528.06
FPPA	Pension	\$	1,478.60
Green Tek Energy Systems	Repairs	\$	411.96
GWRS	Benefits	\$	2,560.52
Haxtun Building Center	Supplies	\$	7,405.48
Haxtun Chamber	Annual Meeting	\$	300.00
Haxtun Supers	Supplies	\$	13.18
H-F Herald	Publications/Supplies	\$	953.23
Ingram	Books	\$	67.50
Kuehn, Chris	Cleaning	\$	390.00
Martin Marietta	Repairs to System	\$	2,002.56
MRZ Tires	Repairs	\$	282.38
Municipal Supply	Repairs	\$	3,908.80
NMPP	March Power	\$	43,798.79
PCED	Annual Meeting	\$	80.00
Phillips County Landfill	March Dumping	\$	1,724.40
Potter Portable	Port-A-Potties	\$	200.00
Red J Welding	Repairs	\$	50.00
Tyler Technologies	Refund	\$	275.00
Viaero	Phones	\$	153.57
Vine Print	Truck Decals	\$	70.00
Wilson's Repair	Repairs	\$	615.59
American Signal Corp.	Siren	\$	20,365.00
Beck, Kevin	Summer Ball Reimb.	\$	1,158.13
Border League	2024 Dues	\$	805.00
Border States	Repairs to System	\$	3,416.95
Capital One	Road Rebuild	\$	27,379.15
Castillo, Jesus	MD Refund	\$	126.19
CEBT	Benefits	\$	15,434.00
CIRSA	Insurance	\$	1,241.93
CO Dept. Revenue	April Sales Tax	\$	3,479.74
CO Dept. Revenue	April Withholding	\$	1,761.00
Colorado Analytical	Water Testing	\$	76.00
Colorado Library Consortium	Library System	\$	175.00
Data Shield	Shredding	\$	60.00
Every Bloomin' Thing	Memorial Plant	\$	43.00
FirstNet	PD Phones	\$	273.85
Gonzalez, Nancy	Cleaning	\$	75.00
Gramowski, John	MD Refund	\$	74.55

Harms, Kelsey	Postage	\$	80.73
Haxtun Building Center	security doors/pool	\$	1,680.65
Haxtun Building Center	supplies	\$	7,283.89
Haxtun School District	Restitution	\$	400.00
Haxtun Super's	Supplies	\$	72.72
Haxtun Telephone	Phones/Internet	\$	605.71
Highline Electric	Utilities	\$	93.51
Kelly PC	Legal	\$	604.50
Kuehn, Chris	Cleaning	\$	480.00
LEC Construction	curb/gutter/sidewalks	\$	98,372.60
Martin Marietta	Repairs to System	\$	691.20
MASA	Benefits	\$	196.00
MRZ Tires	Repairs	\$	345.86
NE Safety & Fire Equipment	Inspections/supplies	\$	389.00
PC Telcom	Phones/email	\$	41.49
Phillips County Landfill	April dumping	\$	1,764.80
Phillips County Treasurer	April Sales Tax	\$	1,130.07
RRWCD	water assessments	\$	5,266.82
Scholl Oil	Fuel	\$	13,405.39
Troy Anderson Trucking	Granite transport	\$	4,817.12
Uline	Pool Supplies	\$	4,533.82
UNCC	Transmissions	\$	29.67
USA Bluebook	tests	\$	56.50
USPS	Postage	\$	484.00
VSP	Benefits	\$	126.23
Wilson's	Repairs	\$	32.98
Wyatt's Sprinkler	Repairs	\$	628.25

Transfers of Cash

- 04/04/2024 Transfer #1: \$6,908.68 for pool accounts payable
- 04/04/2024 Transfer #2: \$62,400.00 for accounts payable
- 04/15/2024 Transfer #3: \$21,800.00 for payroll
- 04/15/2024 Transfer #4: \$1,095.56 for pool accounts payable
- 04/15/2024 Transfer #5: \$66,550.00 for accounts payable
- 04/17/2024 Transfer #6: \$6,643.13 for pool accounts payable
- 04/24/2024 Transfer #7: \$8,056.00 for accounts payable
- 04/29/2024 Transfer #8: \$21,800.00 for payroll

Public Comment:

None

Regular Business:

A public hearing was held on a zoning request for the CB & Pods Annexation. There was no public comment. The map was presented to the Council, no changes were made since the annexation agreement was made. A hearing will be May 20, 2024, at 7:00 pm at the Haxtun Town Hall to adopt the annexation resolution, annexation ordinance, and zoning ordinance. The hearing closed.

Mike Brown with PCED presented the three murals for the PCED & CSU Rural Action Project. The Mural winner will receive a stipend and the materials to paint the mural on a public space. The Council voted unanimously on “One Heart, One Family, One Community” by Olivia Stone as the winner and a motion was made by R. Horton and seconded by T. Pope to allow the old concessions building at the ballfield to be the canvas. All present voted in favor, motion passed.

Ordinance 2024-3 regarding truck traffic and establishing a truck route. The Council discussed how the PD would educate the public, noting this would take some time for citizens to get used to an established route. Chief Bullard knows that this will take some education and will work with the local businesses to educate truck traffic. A motion was made by D. Green and seconded by R. Horton all present voted in favor, motion passed.

ORDINANCE NO. 2024-3

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAXTUN, COLORADO AMENDING TITLE 10 OF THE HAXTUN MUNICIPAL CODE REGARDING TRUCK TRAFFIC AND ESTABLISHING A TRUCK ROUTE

WHEREAS, pursuant to C.R.S. § 42-4-106(3), the Town has the power to prohibit the operation of trucks or commercial vehicles on designated streets and highways and to impose weight limitations on such vehicles; and

WHEREAS, Town Council declares that the use of streets by overweight and oversized vehicles hinders the safe passage of vehicles on municipal streets, alleys and other public rights-of-way and contributes to the rapid degradation and deterioration of the same; and

WHEREAS, Town Council finds that the restriction of overweight and oversized vehicles on Town certain streets is necessary to protect the health, safety and welfare of the Town’s citizens.

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

Section 1. Title 10 of the Haxtun Municipal Code is hereby amended by the addition of a new Chapter 10.24 to read as follows:

**CHAPTER 10.24
TRUCK ROUTES**

- 10.24.010 Establishment of Truck Route
- 10.24.020 Exemptions
- 10.24.030 Definitions
- 10.24.040 Violations; Penalties

10.24.010 Establishment of Truck Route

A. All trucks weighing 15,000 pounds or more, laden or unladen, within the Town limits of Haxtun, Colorado, shall utilize the following roadways:

All of Washington Ave. (Highway 59) and 1st St. (Highway 6)

South Cooper Ave. to East Fletcher St.

East Fletcher to Washington Ave. (Highway 59)

All of Railroad St.

South Fairview Ave. from 1st St. (Highway 6) to Railroad St.

South Colorado Ave. from 1st St. (Highway 6) to Railroad St.

South Burlington Ave. from 1st St. (Highway 6) to Railroad St.

B. The above truck traffic roadways shall be known as the Haxtun Truck Traffic Route, and use of the same shall be adhered to by trucks exceeding 15,000 pounds unless exempt pursuant to Section 10.24.020.

10.24.020 Exemptions

This Chapter shall not apply to:

- a. Town of Haxtun vehicles
- b. Franchised public utility vehicles
- c. Emergency vehicles
- d. Vehicles actively engaged in rendering services in the immediate area. Such vehicles must utilize the most direct route in traveling between a pickup, a delivery or stop and the Haxtun Truck Traffic Route.

10.24.030 Definitions

For purposes of this Chapter, the following terms and phrases shall mean:

- a. *Truck* means any motor vehicle equipped with a body designed to carry property and which is generally and commonly used to carry and transport property over the public highways, including but not limited to, truck tractors, semi trailer trucks, and grain trucks.

- b. *Rendering services* means commercial activities carried on in connection with the business purpose of the vehicle, such as making deliveries, service calls, accepting articles for removal or delivery, towing, and related commercial activities.

10.24.040 Violations; Penalties

Any person who violates any section of this Chapter shall be fined in a sum not more than three hundred dollars (\$300.00). Each day that such condition continues shall be regarded as a new and separate offense.

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 Town Council 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 portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, ADOPTED, AND ORDERED PUBLISHED AND POSTED IN FULL THIS 5 day of May, 2024.

TOWN OF HAXTUN, COLORADO

Lori Lundgren, Mayor Pro Tem

ATTEST:

Kelsey Harms, Town Clerk

Resolution 2024-3 updating the Town's building permit policy and fees. The change to the policy is to include "any person, homeowner, or contractor involved in the damage of Haxtun roadways during the construction or demolition process of the property is liable for the repairs to the roadway. The Haxtun Town Superintendent will evaluate the damage and take the necessary steps for the repair and bill for the damages accordingly." After a brief discussion from the Council about protecting the new streets and the Town's goal to maintain these streets, a motion was made by J. Brammer and seconded by R. Horton to approve Resolution 2024-3. All present voted in favor, motion passed.

Town of Haxtun
Resolution # 2024-3

A RESOLUTION UPDATING THE TOWN'S BUILDING PERMIT POLICY AND FEES

WHEREAS, the Town of Haxtun has the authority to set policy and fees concerning building permits, and

WHEREAS, the Town Council previously adopted Resolution # 2019-3 concerning the Town's Building Permit Policy and Fees; and

WHEREAS, the Town Council desires to update its Building Permit Policy and Fees to address responsibility for damage to Town rights-of-way during construction projects.

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

The following list will constitute what and when a building permit is needed:

1. The construction or addition of any building including, houses, manufactured homes, garages, sheds, green houses, shelters, fences, pools, sidewalks, driveways, sprinkler systems, patios, placement of carports or shipping containers, or any other type of structure.
2. Alterations including additions to any structure.
3. Remodeling of any structure internal or external, including internal dry wall, counter tops, cabinets etc.
4. Replacement of all types of external building materials, including roofing materials, doors, door encasements, windows, window encasements, and all types of siding, etc.
5. Any type of concrete or asphalt work or replacement work.
6. Any type of fence or fence replacement work.

Because the town has no specific knowledge as to the exact dollar cost and /or the value of all materials that may be used in the project, the use tax collected is considered an estimate. For the purpose of estimating use tax, the Town of Haxtun will base the estimate upon ½ or 50% of the project valuation. In these instances, the town reserves the right to determine use tax on a case by case basis and may request a written cost breakdown. For pre-built structures, the permit fees and use tax will be based on half of the total cost of the structure.

Used materials will not be taxed but must be approved by the town building inspector. A permit fee based on the value of the used materials will be collected at the time of application.

The copy of the building permit received from the town indicates the amount of Town of Haxtun and Phillips County tax that has been paid. In order to avoid paying use tax at the time of building and construction material purchases, a copy of the building permit must be presented to the local retailer.

The building permit fees are to be structured as follows:

Project value \$0-\$1000	\$10.00
\$1000- \$2500	\$25.00
\$2500 and up	\$25.00 plus \$5.00 per \$1000

Fees will be paid as well as the use tax before any permit will be issued. No construction will proceed without obtaining a signed copy of the building permit.

The Water Tap Fees for a normal residential/commercial ¾" tap fee will be \$2000.00. 1" tap and larger includes the tap fee plus the cost of larger pipe and a meter.

The Sewer Tap Fees for a normal residential/commercial 4" tap fee will be \$2000.00. Larger sewer taps will include the tap fee plus cost of additional material.

The Electric Tap Fee for a normal residential/commercial single phase 200 amp service will be \$1000.00. The applicant will be charged time and material for all additional electrical needs above the normal service.

Residential/commercial customers who have an existing overhead electrical service can upgrade to a new single phase 200-amp underground service for a fee of \$500.00 to cover the cost of materials. Labor provided by the Town of Haxtun for installation will be provided at no charge to the customer.

The Utility deposit is set at \$200.00.

Any person, homeowner, or contractor, involved in the damage of Haxtun roadways during the construction or demolition process of the property is liable for the repairs to the roadway. The Haxtun Town Superintendent will evaluate the damage and take the necessary steps for the repair and bill for the damages accordingly.

This Resolution shall become effective upon adoption and Resolution #2019-3 is hereby repealed in its entirety.

The above and foregoing Resolution was, on motion duly made and seconded, adopted on May 6, 2024.

TOWN OF HAXTUN

Lori Lundgren, Mayor Pro Tem

ATTEST:

Kelsey Harms, Town Clerk

MEAN is asking their member communities for letters of support for a U.S. Department of Energy (DOE) grant application. The application is for a DOE Rural and Municipal Utility Cybersecurity Grant and Technical Assistance Program. If awarded the grant MEAN will be able to offer training, assessments, and improvement roadmaps for MEAN communities. A motion was made by D. Green and seconded by B. Cionek to send a letter of support, all present voted in favor and motion passed.

Rod Salvador returned an Economic Incentive Application for the Salvador Subdivision on Pheasant Run Road. The application is asking for \$99,000 reimbursement for infrastructure improvements. Some of the infrastructure improvements happened in 2011 and the most recent was the 600' of sewer main. The Council would like more information before deciding on the Economic Incentive and a motion was made by J. Brammer and seconded by T. Pope to table the discussion until the next meeting when they could see a more detailed request. All present voted in favor, motion passed.

Clerk Harms has been talking to CIRSA about the property insurance for the Drake Building. CIRSA is seeing a large increase in donated buildings that are in disrepair and are having a lot of discussions internally how to move forward. The building is currently covered under the property policy but there are major exclusions due to the dilapidation predating the Town's ownership. The Town could continue to stay with that policy or choose to exclude or abandon the building until improvements are made and then add to the property policy. Some discussion was held about the building. A motion was made by J. Brammer and seconded by T. Pope to stay with the current policy, all present voted in favor and motion passed.

Discussion Items:

None

Staff Reports:

Ron Carpenter, Town Superintendent

- Building Permits per Agenda Packet
- Unexpected well repairs had to be made, when the well motor at the light plant blew up internally. Ron had a spare motor on hand and Sargent Drilling was able to check the motor would work. The motor was replaced and the well is operational again.

- The electrical rebuild is going smooth, the wind has caused some delays. The rebuild for this year is the alley to the west of Logan Ave covering 7 blocks North to South.
- Sanitary Survey was completed with CDPHE. The Town received 1 minor violation and Ron is working with CDPHE to get it corrected.
- Pool is continuing to make progress to a June grand opening. The concrete and flatwork is happening, along with the finish work on the bathhouse and office. Advanced Pools is hoping to plaster late May and then the pool will be filled and will take 1 week to balance the chemicals and warm the water. Ron is still hoping for an early June opening!

Tom Bullard, Chief of Police

- The new sirens were delivered, waiting to hear when the install will take place.
- PD started sending the nuisance letters and will be working on animal licenses soon
- No update on the 3rd officer; plans on looking at the pay scale for our area try to make Haxtun competitive.

Kelsey Harms, Town Clerk/Treasurer

- Sherri was awarded a grant from SIPA to help with the ADA website requirements
- CML District meeting in Fort Morgan on May 16th if any Council member would like to attend, please let Town Hall know ASAP
- Ordinance codification is still in the works. The draft code and the legal report were just returned and being worked on with the attorney.
- Flowers on main street will be planted this week
- The Council received a thank you note from the Starkebaum family for the memorial plant.
- Town Hall and Shop will be closed on Monday, May 27, 2024 for Memorial Day

Council Concerns:

D. Green asked Ron if any tree trimming had taken place in the park. Ron informed the Council that it is on his list but is trying to wrap up some other projects first.

Adjournment:

The meeting adjourned at 8:07 pm subject to the call of the Mayor Pro Tem.

Kelsey Harms
Town Clerk/Treasurer