

Town of Haxtun
 September 6, 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 Lori Lundgren at the Haxtun Community Center. Roll call was taken with the following council members present; Bob Cionek, Rob Martinez, Tana Pope, Ryan Horton, and Mike Ensminger. Mayor Bieseemeier led the group in the Pledge of Allegiance.

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

Candie Fix, Haxtun-Fleming Herald and Trisha Herman, PCED were in attendance.

A motion was made by T. Pope and seconded by M. Ensminger to approve the agenda, all present voted yes, and the motion carried.

A motion was made B. Cionek and seconded by R. Horton to approve the consent agenda, which included the regular meeting minutes of August 1, 2022, the following monthly invoices to be paid, and transfers of cash. All present voted yes, and motion carried.

August Payroll	Salary	\$	49,849.78
August Payroll	Taxes	\$	11,532.68
Black Hills Energy	Utilities	\$	2,299.35
Buccelli, Wyatt	Clothing Allowance	\$	171.16
Capital One	Street Bond	\$	27,379.15
CDPHE	Airport Permit	\$	298.00
CHS High Plains	Fuel	\$	1,902.55
CIRSA	Special Event Insurance	\$	133.00
CobitCo	Chip Sealing	\$	58,827.75
Cochran & Vandenbark	New Shop	\$	18,950.00
Fetzer Electric	Electric Repairs	\$	363.14
FPPA	Pension	\$	1,322.06
GWRS	Retirement	\$	1,933.26
Harms, Kelsey	Record Annexation Reimb.	\$	82.00
Harrel, Donna	MD Refund	\$	15.00
Harry S Marshall	State Reading & Report	\$	100.00
Haxtun Building Center	Repairs	\$	707.93
Haxtun Car Wash	PD Fleet Wash	\$	68.60
Haxtun Super's	Supplies	\$	30.33
H-F Herald	Publications/Supplies	\$	277.35
Highline Electric	Utilities	\$	145.90
In Compliance Products	Compliance Posters	\$	50.00
Kelly PC	Attorney	\$	1,073.00
Kuehn, Chris	Janitorial	\$	360.00
LEC Construction	New Shop	\$	1,056.39
Lyle's Service	New Shop	\$	2,337.86

MASA	Supplemental	\$	196.00
NMPP	July Power	\$	50,689.04
PAK Enterprises	Supplies	\$	32.00
Petty Cash	Training	\$	100.00
Phillips County Landfill	Dumping	\$	1,766.88
Romero, Patrick	MD Refund	\$	193.96
Smith Hardware	Supplies	\$	49.99
Starkebaum, Estate of Larry	MD Refund	\$	25.00
UNCC	Notification Transmission	\$	52.00
Viaero	Cell Phones	\$	403.87
Wilson's Repair	Repairs	\$	1,070.82
Border States	Electric Repairs	\$	25.02
Buck's Painting	Truck Repair	\$	165.00
Carpenter, Ron	Clothing Allowance	\$	27.78
CEBT	Insurance	\$	15,126.80
CHS	Street Maintenance	\$	140.70
Colorado Analytical	Water/Wastewater Testing	\$	61.00
Colorado Dept. of Revenue	August Withholding	\$	1,603.00
Colorado Dept. of Revenue	August Sales Tax	\$	4,299.43
Haxtun Building Center	Supplies	\$	818.35
Haxtun School District	Summer Concessions	\$	241.00
H-F Herald	Publications & Supplies	\$	442.04
Highline Electric	Utilities	\$	295.10
L&L Ready Mix	Repairs	\$	80.00
Lyle's Service	Repairs	\$	255.00
Nebraska Safety & Fire	Inspection	\$	155.00
PC Telcom	Phone/Internet	\$	211.64
Phillips County Clerk	Election Expense	\$	31.56
Phillips County Landfill	Dump Exp	\$	2,067.48
Phillips County Treasurer	August Sales Tax	\$	364.65
Precision Plumbing	Repairs to System	\$	258.77
Simon Construction	Street Project	\$	516,847.56
Standard	Supplemental	\$	79.25
Sun Life	Supplemental	\$	116.32
UNCC	Transmissions	\$	45.50
US Postmaster	Postage	\$	220.00
Vari Sales Corp	Equipment	\$	2,144.61
VSP	Supplemental	\$	128.04
Wyatt's Sprinkler Service	Park Repairs	\$	155.54

Transfers of Cash

8/8/22 Transfer #1 - \$142,000 for accounts payable

8/8/22 Transfer #2 - \$20.00 for Summer Ball inactive account

8/15/22 Transfer #3 - \$23,000 for payroll

8/18/22 Transfer #4 - \$164,000 for accounts payable

8/31/22 Transfer #5 - \$20,000 for payroll

Public Comment:

There was none

Regular Business:

A public hearing was held for the Haxtun Chamber of Commerce special event liquor license. The organization applied to serve liquor during the 101st Annual Haxtun Corn Festival event. The beer garden will be at the 100-200 block of South Colorado Ave and 100 block of East Fletcher St. There was no public comment. M. Ensminger made a motion to approve the special event liquor license and seconded by R. Horton. A roll call vote was taken to approve the application:

B. Cionek: YES

R. Horton: YES

R. Martinez: YES

M. Ensminger: YES

T. Pope: YES

L. Lundgren: YES

Motion carried to approve the application.

Resolution 2022-8 declaring the Town of Haxtun's decision to Opt-Out of the Colorado Paid Family Medical Leave Insurance Program (FAMLI). The new Resolution allows the Town to decline all participation in the State run program. There was no comment from any of the employees. After some discussion, a motion was made by T. Pope and seconded by R. Horton. A roll call vote was taken:

M. Ensminger: YES

R. Martinez: YES

R. Horton: YES

B. Cionek: YES

T. Pope: YES

L. Lundgren: YES

Motion carried.

RESOLUTION NO. 2022-8

A RESOLUTION DECLARING THE TOWN OF HAXTUN'S DECISION TO OPT-OUT OF THE COLORADO PAID FAMILY MEDICAL LEAVE INSURANCE PROGRAM (FAMLI)

WHEREAS, in November 2020, Colorado voters approved Proposition 118, which paved the way for creation of a state-run Paid Family Medical Leave Insurance (FAMLI) program; and

WHEREAS, FAMLI is codified at C.R.S. §§ 8-13.3-501 to -524, and is administered through the Colorado Department of Labor and Employment, Division of Family and Medical Leave Insurance; and

WHEREAS, the Town of Haxtun currently provides its employees paid leave in the form of sick and vacation leave; and

WHEREAS, a local government may decline all participation in the FAMLI program by a vote of its governing body pursuant to C.R.S. § 8-13.3-522, and interested employees may still elect to participate individually pursuant to C.R.S. § 8-13.3-514; and

WHEREAS, notice was provided to Town employees of the opportunity to submit comments to Town Council regarding the FAMLI program; and

WHEREAS, Town Council has determined to decline all participation in the FAMLI program.

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

Section 1. The Town of Haxtun hereby all declines participation in the Colorado Paid Family Medical Leave Insurance (FAMLI) program pursuant to C.R.S. § 8-13.3-522.

Section 2. The Mayor and Town staff are hereby granted the authority to take all actions necessary to implement the provisions of Section 1 above including providing formal notice to the Colorado Department of Labor and Employment, Division of Family and Medical Leave Insurance regarding the Town’s decision to decline all participation in the FAMLI program.

PASSED AND ADOPTED this 6 day of September, 2022.

Lori Lundgren, Mayor

ATTEST:

Kelsey Harms, Town Clerk

Trisha Herman on behalf of PCED presented her 2023 proposed budget. She is asking the Town of Haxtun for a contribution of \$7,000.00. With the budget, she presented her 2022 accomplishments that included a roadmap to recovery grant, Haxtun pool project grants, and Ogallala Commons/Youth Development

to list a few. She also mentioned how her membership is up from 31 members in 2016 to 56 members in 2022. The Council will use this as they continue to budget for the 2023 year.

Trisha also continued the conversation with the Council about the potential participation in a NE CO Regional Housing Planning Grant. The IHOP (DOLA Innovative Affordable Housing Strategies Planning Grant Program) will aid in the future development of affordable housing throughout the region. A letter of support along with a \$2,000.00 contribution is being asked of from the Town of Haxtun. The feeling is if the municipalities choose to not cooperate there is a chance of not getting future DOLA funds. The Council felt that this could benefit the Town for example using the code audits.

After further discussion with Trisha, a motion was made by R. Martinez and seconded by B. Cionek to give a letter of support along with the financial support of \$2,000.00. All present voted in favor; motion carried.

Lastly, Trisha wanted to talk about starting a Rural Jump Start program in Phillips County. PCED would serve as the sponsor distributing information to new incoming businesses. The Program would act as an additional incentive for new businesses, by eliminating the business personal property tax for a maximum of 8 years. The County Commissioners are in favor of the program but want to see involvement from both municipalities. The council thanked Trisha for the information and will look at a resolution at the next meeting.

The pool committee is asking the Council to pay 3% down payment to Advanced Pools & Spas in the amount of \$25,889.25 with a letter of intent from the Council contingent upon the Town of Haxtun being awarded the GOCO grant. The down payment would give the Committee a rendering as well as plans that are needed to complete the GOCO grant. The Council discussed the letter of intent and would like there to be contingencies in the letter stating that the down payment was refundable minus his fees and would also like the bid amount to be in the letter of intent. Kelsey told the Council she would work with the attorney to draft a letter. A motion was made by T. Pope and seconded by M. Ensminger to approve the payment and letter. All present voted in favor; motion carried.

Resolution 2022-9 supporting the grant application for a community impact program from the State Board of the Great Outdoors Colorado Trust Fund for the Haxtun Pool Renovation. The Council had previously approved the exact resolution in the amount of \$900,000 but the resolution needs to exactly match the grant application in which the pool committee is asking for \$923,400. A motion was made by M. Ensminger and seconded R. Horton. All voted in favor and motion carried.

Town of Haxtun RESOLUTION 2022-9

Supporting the Grant Application for a Community Impact Program from the State Board of the Great Outdoors Colorado Trust Fund and the completion of the Town of Haxtun Pool Renovation.

WHEREAS, the TOWN OF HAXTUN supports the Great Outdoors Colorado grant application for the Town of Haxtun Pool Renovation. And if the grant is awarded, the TOWN OF HAXTUN supports the completion of the project.

WHEREAS, the TOWN OF HAXTUN has requested \$923,400.00 from Great Outdoors Colorado to completely renovate the pool and add a zero-entry.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE TRUSTEES OF THE TOWN OF HAXTUN THAT:

Section 1: The TRUSTEES of the TOWN OF HAXTUN strongly supports the application for a grant with Great Outdoors Colorado.

Section 2: If the grant is awarded, the TRUSTEES of the TOWN OF HAXTUN strongly supports the fulfillment of the project.

Section 3: If the grant is awarded, the TRUSTEES hereby authorizes the MAYOR to sign the grant agreement with Great Outdoors Colorado.

Section 4: If the grant is awarded, the TRUSTESS of the TOWN OF HAXTUN authorizes the expenditure of funds necessary to meet the terms and obligations of the grant agreement.

Section 5: This resolution to be in full force and effect from and after its passage and approval.

INTRODUCED, READ, and ADOPTED THIS 6 DAY OF September, 2022.

Lori Lundgren, Mayor

ATTEST:

Kelsey Harms, Town Clerk

CIRSA submitted the 2023 Workers Comp Contribution and the Property/Casualty Contribution Quotes. Some discussion was held and then a motion was made by R. Horton and seconded by B. Cionek to approve the quotes. All present voted in favor and motion carried.

Discussion Items:

Little Sprouts Learning Center is still working with Ron to get the State requirements for hot water heaters. Ron has been in contact with Precision Plumbing to discuss options that could possibly work to replace the Center's hot water heater. Once the Center has the State requirements decisions can be made to get those replaced. The Center is continuing to struggle as they continue to work on fundraising opportunities.

Ordinance 2020-5 Golf Carts: R. Horton said he has been approached by numerous community members about the driving age of golf carts. The current ordinance has a driving age of 18 years or older with a valid driver's license. The Council discussed with Sergeant Bullard about the driving age and the rules that apply to newly licensed drivers. They would like Bullard and Chief Nadow to discuss the possible change and if they can foresee any problems. The Council also wanted to chat with the Haxtun School District to see how they would handle the change and if it would cause any problems with students driving golf carts to school. The Council decided to wait to hear back from Chief Nadow and the School and continue the discussion.

Staff Reports:

Ron Carpenter, Town Superintendent

- Building Permits were reviewed as included in the board packet.
- After disputing the current Railroad easement charges, the NKC Rail provided a signed lease agreement from 1913. The agreement allows the Town to construct and maintain a 6 inch line across the railroad, but gives the railroad the right to terminate the agreement upon 30 days notice to the Town. The railroad uses that termination right as justification for requiring to pay a fee. After speaking with the Town Attorney, it was her recommendation to continue paying the fees to avoid termination of license agreement and avoid going through condemnation/eminent domain processes which can be very costly.

- The street project is ready to start phase 3. There have been a few hidden problems arise but the crew is continuing to make great progress. The Town's dump trucks have been keeping up but not without breakdowns. Luckily, the County and some local trucks have been available to help haul the many loads of dirt.
- The New Shop finally got approval for the septic design. That project should start soon and then all that is left are some internal fixtures, water lines, and finishes.

Tom Bullard, Sargeant

- Getting ready for Corn Festival. Since the event will be smaller this year, they will have help from the Holyoke Police Department instead of having the Rocky Mountain Rangers.

Kelsey Harms, Town Clerk/Treasurer

- HUTF 2023 estimates were emailed to the Council
- 2022 Assessed Property Tax Valuation was emailed to the Council – we will use these numbers to calculate the mill levy.
- A signed MOU was returned from Little Sprouts Learning Center
- The election that was scheduled for November 8th will be canceled by Resolution at the October meeting. The Town has 4 trustee seats and 1 Mayor seat up for election. The Clerk's office received only 3 trustee nominations and 1 Mayor nomination. The election will be canceled, and the candidates will be elected, the Council then has 60 days to fill the vacancy. Those candidates that are to be elected will not take office until the current terms expire after the November meeting.

Council Concerns:

- B. Cionek was approached by a citizen about having a workday to take care of the median on Colorado Ave. Ron thought that was a great idea and would provide a pickup, mowers, and whatever was needed.
- R. Martinez will be attending another Phillips County Communications meeting 9/7/22. He believed that Holyoke would have a contribution amount ready to approve by Resolution and we will continue to work with the Commissioners as we work on the budget. As of right now, the Hospitals are still not interested in contributing.

A motion was made by R. Horton and seconded by B. Cionek to adjourn. The meeting adjourned at 8:20 pm subject to the call of the Mayor.

Kelsey Harms
Deputy Town Clerk