

TOWN OF MERINO

Board of Trustees Meeting Minutes

Date May 8, 2023 | Meeting called to order at 7:00 pm | Meeting called to order by Carol Nye

In Attendance

Carol Nye

Ken Salmon

Craig Cook

Chad Wettstein

Garie County

Board members not in attendance were Adam Krier and Robert Jones

Guests in attendance were Eli Kruger, Mike Hager, Steve Curtis, Julie Rhea, Bradford Rhea, Tyler Daughenbaugh, Felix Urrutia, and Dan Wiebers.

Approval of Agenda, Minutes and Bills

Agenda was reviewed and approved by all in attendance with the addition of the April 18th minutes and move up the water forgiveness and the building permit to old business after Tyler Daughenbaugh. Ken made a motion to approve the agenda with the addition of the April 18th minutes and moving the water forgiveness and building permit to old business. Ken 1st Chad 2nd Passed.

The special meeting minutes from April 18, 2023, were reviewed and were approved. Ken made a motion to approve the April 18, 2023, minutes. Ken 1st Craig 2nd Chad abstained. Passed.

Last meeting's minutes for April 24, 2023, were reviewed and were approved by all in attendance. Craig made a motion to approve the April 24, 2023, minutes. Craig 1st Ken 2nd Passed.

Treasurer's report was reviewed and approved by all in attendance. Carol reported that the town now has the Fire Department grant paperwork in hand so the money for that can be moved into the Fire Department fund. Carol also asked Dan about the VFA grant that the Fire Department received. Dan told her that the Fire Department pays 100% up front then the VFA grant makes a 50% reimbursement to them. Carol let Dan know that some money has been received for the Fire Department that hasn't been posted yet, but that will put the Fire Department in the black once it is posted. Carol also reported that work is being done on the Conservation Trust Fund at this time and the town will be receiving additional funds from the state for it. Then a resolution will be needed to move some of the money that was put in there by mistake back into the funds where it belongs. Carol also reported that she asked about the tree fund, but no one had any answers. Dan Wiebers told her that it was funds from an Arbor Day Grant to plant trees. Carol said that the fund has been negative since she became Mayor. She said she will look and see if the money was put into the general fund. Ken made a motion to approve the treasurer's report as presented. Ken 1st Craig 2nd Passed.

Current bills were reviewed and approved by all in attendance. Bills were: CIRSA \$68.00, Colorado Analytical \$430.00, and \$62.00, Dana Kepner Company \$623.25, Home Depot \$239.05, KCI \$96.39, Logan County Solid Waste \$9.58, Marick's Waste Disposal \$1541.00, Northeast Colorado Health Department \$20.00, Ricoh \$31.06, Shipping & Stuff \$213.86, Sterling Fuels \$2022.39, UNCC \$29.09, and USA BlueBook \$368.75 for a total of \$5,754.42. The expenditures were: Xcel Energy \$17.00, \$536.57, \$460.94, and \$829.14, Wells Fargo \$60.00, Colorado Resources and Power \$3,813.49, and 2,152.38, QuickBooks \$205.00, Highline Electric Association \$90.73, and \$45.22, and Prairie Mountain Media \$135.00 for a total of \$8,345.47. The

grand total is \$14,099.89. Carol also added that she is transferring \$100,000.00 from Wells Fargo to Bank of Colorado, since the account is being used for payroll and other items will be coming out of the account soon. Chad made a motion to approve the current bills as presented with the addition of the \$100,000.00 to be deposited into the Bank of Colorado account. Chad 1st Garie 2nd Roll Call: Carol-yes Ken-yes Craig-yes Chad-yes Garie-yes Passed.

Payroll approval of employee time sheets. Craig made a motion to approve the employee time sheets as presented. Craig 1st Chad 2nd Roll Call: Carol-yes Ken-abstained Craig-yes Chad-yes Garie-yes Passed.

Committee Reports

- **Water/Sewer Report-** Eli reported that they received acid on Friday. He will be coming out tomorrow and Wednesday to start circulating acid to the concentrate line going to the evaporation ponds. When they did it before, it looked like they were having good results, but they didn't have enough runs to clear it fully. They would recover, but in a day or two it would plug up again and have restricted flow. They don't know if it froze or if there is scale, but the signs are pointing towards scale fouling because when they run a meter guide, the pressures are high at first, but as they circulate water to the evaporation ponds the pressures are dropping and the flow is increasing. They are hoping that if they continue to do enough circulation runs to the ponds that it will remove enough scale to free the line. Eli also reported that Peter Huisman from Colorado Rural Water came out to check for leaks in the town's distribution system. They went to each hydrant and checked them for leaks and Peter didn't hear any leaks through the whole system. They couldn't find all the valves. Eli started marking on the map the valves that he was able to locate. He suggested that the town use Diamond Maps for about \$20/month (based upon the town's population) where they can log the distribution system, water valves and hydrants, and mark up line repairs. Eli is willing to help the town set it up. Chad let Eli know that he has all the GPS coordinates for the town's hydrants. Eli will send the board more information about Diamond Maps. Eli asked the Fire Department for the dates when they test the hydrants so he can put the dates in the record that they are doing some flushing of the distribution system, and the hydrants are being checked. He needs to have something in writing to show the state. Jake reported that he was struggling to collect the documents that the state needs for permit renewal. They need schematics and maps of the system, overall treatment designs, and contour maps with coordinates. Ken said that he thinks he has those maps in the shop. Terry also said that they can look through the box of maps that are in the town hall. The engineer for the water/sewer project suggested that they send the state what they have and explain that the old records are missing. The engineer can help with the coordination with the state. Carol said that whatever they do, make sure that Terry is involved with the process. Eli also asked about when the water treatment plant roof would be repaired. Terry said she spoke with Jeremiah about the repairs, and he said he was waiting for better weather to get started. He was also concerned about dropping things on the water equipment, so Eli said he would make sure to cover things to help protect the machines.
- **Fire Department Report-** Dan reported that they are still waiting on the block from Ford Motor Company for 2018 power stroke still under warranty. He found a cabinet that fills CIRSA requirements. He has not had an opportunity to get the 'Exit' signs done yet. With Squad 25 still waiting for repairs, the Fire Department has a truck that need to be fixed. They need to order about \$1500 in parts. There is one company that they need to order the brackets from and it will cost \$325.00, so he will need to have it put on the credit card.
- **Street/Alley Report-** Ken reported that he has been raising and lowering the water pits and started cleaning up the alleys. He said that the town needs a new, heavier trailer for the lawn mower. It will

cost the town \$1,000 to put a new floor on the one they have. He would like to redo the sprinkler system for the grass at the town hall and park. There is a place online that will map out the system. He figured that it would cost between \$2,000 and \$4,000 to do it. He will work up a proposal. Ken also asked that a letter be sent to Jeremiah Curtis, asking him to get the subdivision water pits fixed so that the readers are put into the lids of the pits and not laying on the ground where they could get damaged. Ken also reported that the tractor has been serviced.

- **Clerks Reports-** Terry reported that she was speaking with Pam about sending a letter to Josh Gentry about moving his dumpster, she hasn't sent it yet. Ken reported that he had raised it and put three posts around it. Terry said that the dumpster is right next to the meter and even with the post there it was still getting run over by the trash truck, so he was being asked to relocate his dumpster. Terry reported that the American Recovery report to the Federal Government is done. Also, the uploads of the budgets to the state have been filed. She filed the affidavit with the letter that she had and is waiting for a response. She has been collecting all the information for Scott for the exemption from audit. The last thing she needed was the income and expenditures for the Fire Department for 2022. She will send that to Scott tonight. She is finishing up the application to be able to take credit card payments. She just received the information for the CIRSA renewals, so she will be working on that. She will be changing the HUTF report and the CTF report so that the funds will be going into the new bank account. Terry will be working with Carol on Wednesday nights. Dan asked about the CIRSA renewals, if the town was looking for other vendors as well since the Fire Department pays for 2/3 of the CIRSA bill. He suggested trying Jackson Agency for comparison. Carol asked if he had experience with Jackson Agency. Dan said that they carry other Fire Departments. He knows that the workman's compensation has to be under CIRSA but he would like to pay less for the insurance if possible. Carol suggested that they ask for the attorneys recommendation and possibly ask on the clerkslist online to find out where other towns get insurance.

Pam told the board that she knows that she is not allowed to put in more time than she is scheduled but asked that they allow her to use the extra three hours, if needed, to finish the work required of her. Carol said that she didn't see a problem with that and asked to put it to a vote. Carol asked that it be on record that she has been doing the bills and reconciliation for about eight hours a week and hasn't charged the town for it. Carol said that with the extra cleanup being done in the office that allowing the three extra hours is fine for this next month then the board can reevaluate the scheduled hours. Pam also said that the Monday night meeting Carol had mentioned would be helpful to have an opportunity to get questions answered. Carol said that Monday nights don't work for her. Pam asked if there was another option. Carol said they could meet on Wednesday nights from 5-6 pm. Chad asked if Pam could email him the new hours so he could post them on the website.

Old Business

- **Element Engineering – Mike Hager:** Carol mentioned that the town has learned that they need to have solar included in the project. Mike said that with a containment pond, which is what the town is doing with the wastewater treatment plant, there is really no power necessary. There will be a flow meter, so there could be some solar for that, but the distribution and collection system really have no need for that. Mike said that the town will apply for the DOLA Grant in about two years. When the project is about 75% designed, that is when the town will apply for the DOLA Grants. When you have a project that doesn't use energy, what can you do? Carol asked about the water portion of the project that will be funded by a DOLA Grant. Mike said that there might be a way around it since the town is opting

out of using power. Generally, about three months before you are ready to bid the project is when you need to have something ready to be built. When the time comes, they will help the town come up with something. The town will be getting grant money for the project needs assessment and stuff like that. When it comes to the design, Mike said that they can look at the water plant and see what things they can do that will help the town become greener. Once they begin the project needs assessment and the PER, Mike said they need to meet again with the town, because everything that you are going to do has to be in that report. A meeting needs to be scheduled so anything that needs to be added can be discussed and put into the project. Steve asked about the alleys and right of way during the project. Mike suggested that the town start cleaning up the alleys now so that nothing will interfere with the project. Mike asked if the town had heard anything about the RO ponds yet. Terry reported that she hadn't got the report back yet from the company, but she was going to email them again.

- Tyler Daubhenbaugh variance – Tyler reported that he bought lots 16, 17, and 18 about two years ago from Garry Shino. The houses are on the lots perpendicularly. Lots 17 and 18 have 1.6 houses on them and Lot 16 has 0.4 houses on it. He would like to rezone it and put it all together. He has the list of setbacks that he got from the town for what he is going to need. He would need a couple of special permissions because the lot itself is about a $\frac{1}{4}$ acre, and to split it, the lots wouldn't each be the 7,000 minimum square feet that is necessary for a minimum lot in the town of Merino. The residences are a little bit closer than the setbacks recommended. He wanted to check with the town before he had it surveyed and wanted to have something that he could propose to the board to be adopted. The map on the front is of the lots and where he proposed they be divided. It is not quite 50/50 but it is close since the residences are not quite in the middle of what would be both lots. Terry reported that she spoke to Tyler about the water/sewer service. He is aware that the water/sewer service goes from the pit and under the one trailer and would have to be relocated. Tyler said one of the sewer lines will have to be relocated which he didn't think would be a problem since they are both on the same line. He said there might be some issues with the new water line. Carol asked if there was ever approval for the house to be put there. There was no approval given for its placement. Terry reported that the house nearest the alley is too far north and is partly in the street. For Tyler to have it surveyed it will show it in the street and the town can't give a variance for it to be in the street so depending on where the survey comes out that might create a big problem for him. The fence across the alley, the corner post is on the property line which indicates that the house is about 4 ft. in the street. The other house doesn't meet the setback of being 25 ft. from the road, it is about 4 or 5ft. from the road. A second sewer tap will be needed for the relocated line. The town has given free taps for the sewer before and since Tyler has been paying for two sewer taps since he has been there, the board didn't feel that it would be fair to charge him for the tap. The tap should be moved closer to the town property to make it easier. Carol recommended to Tyler that everyone should get a survey done of their property. Bob said he told Garry that the back house couldn't be put where he was intending to put it, but Garry didn't listen and put it there anyway. The board told him that they really can't do anything until the survey is completed.
- Water Storage Tank Inspection – Eli reported that he got a quote from Marine Diving Solutions. The state requires that the town have the ground storage tanks inspected every 3-5 years. He recommends that the town get started arranging for the inspection now so they can get on Marine Diving Solutions schedule before the time expires to get it done. The last inspection was done in November of 2020, so the town is almost at the three-year mark now. Eli recommended that the town also have an exterior inspection done of the storage tank.
- Building Inspections – Terry reported that she typed up something but forgot to send it out. The information that she had was if the structure is greater than 100 square feet an inspection will be required, and all plumbing and electrical inspections will be the responsibility of the property owner/contractor. Terry confirmed the prices with the board for the different types of inspections. The

board decided to charge \$300.00 for the initial inspection which includes the framing and final inspections. If a footer inspection is required, an additional fee of \$175.00 will be charged.

- Town Clean Up Yards and abandoned vehicles: Carol reported that she spoke to the attorney, and she said that there are a few lawyers that could come to the town quarterly. People would have to come and pay the fee. Chad asked if the town would have to have state approved tickets. He said the approval process of state approved tickets is approximately nine months. Ken said that Iliff has already been doing this. Carol asked Terry to check with Iliff to see what they are doing with their ticketing. Chad said that Mr. Shinn said he would come do it and thinks he still will.
- Bustang Agreement Update – Carol reported that the agreement was sent out to the board and just needs final approval. Ken made a motion to approve and sign the final Bustang agreement. Ken 1st Chad 2nd Passed.
- Handbook Update – Carol asked to have this item moved to the work session after the next meeting to be reviewed with the updates.
- Cemetery Committee Meeting – Carol said that this item is still on hold.
- Side By Side at Fire Department – Ken checked on repairing the side-by-side. It will cost about \$3,000-\$4,000 to fix it. A new John Deere will cost about \$3,000.
- Taking Back the Alleys Update – Ken will go around and check the alleys and get addresses for things that need to be moved and cleaned up. Carol said that she will put a letter together to be sent to those residents. Chad asked Ken if he would move the pile of dirt that was put into his back yard from a repair job. He said there were some branches added to the pile.
- Wine Tasting Guidelines – Terry reported that the information was sent to the attorney and the attorney's response was that the application that Terry presented to the board last meeting looked good to her. So, the application will need to be approved by the board. The \$50.00 application fee was also approved by the board. Chad made a motion to approve the wine tasting guidelines. Chad 1st Ken 2nd Passed.
- Water/Sewer Project Update – The report was provided during the Element Engineering report.
- Election Items – Board Members, Number of Board Members, and Snow Removal Fund. Carol reported that the board won't be doing anything with it until November.
- KCI Agreement – Ken asked the board how far they want him to go with this issue. They have their equipment on the town's property rent free. The board told him to go forward. Ken asked if he could contact the attorney the town spoke to before on the issue. The attorney's price was \$150.00 per hour. Ken thought that the lawyers could get together and discuss the issue and come up with a settlement. Carol said that the town should come up with an agreement and have the lawyer propose it to KCI. After some discussion, Carol asked Ken to check with the lawyer to draw up an agreement and present it to KCI.
- Xcel Energy Franchise Agreement – Ken reported that the town still has 3-4 years left of the franchise agreement.
- Lumen Update – Ken reported that he is still trying to get in contact with Lumen.
- Bank of Colorado Update – Carol reported that she is transferring \$100,000.00 from Wells Fargo to Bank of Colorado, since the account is being used for payroll and other items will be coming out of the account soon.
- Budget Update – Carol reported that Terry just sent the stuff to Scott for the budget. Terry reported that the uploads of the budgets to the state have been filed. She filed the affidavit with the letter that she had and is waiting for a response. She has been collecting all the information for Scott for the exemption from audit. The last thing she needed was the income and expenditures for the Fire Department for 2022. She will send that to Scott tonight. New Business

- Water Forgiveness 316 Logan Avenue – Sherril Scharf couldn't be here, so Felix came to represent her. The pilot light on her heater blew out before the cold weather came in. She didn't check it every day and by the time she did check it the pipes froze, and the leak had ruined the house. They turned it off in the alley to stop the flooding, then they turned the water off under the little house and turned the water back on in the alley to restore service to the main house. Her bill was \$894. Carol told Felix that to receive forgiveness on the overage, the line must be fixed and witnessed by a board member. Felix reported that there are two shut offs there. One is for the little house and one for the main house. Felix said he would check with Sherril and find out what she wants to do. The board said if they don't want to fix it and decide to abandon the little house, they will have to cut off the water supply to the little house and have a board member witness it to receive forgiveness.
- Building Permit for Carport – Brad Rhea asked to put up a carport, but he wasn't sure it would meet the setbacks. He thought he might need a variance to put it up. The structure itself would only be 10 ft. from the street instead of the 25 ft. for the setbacks. The sidewalk also goes across the area and was wondering if they could cover that. He said that he isn't sure that the pad size would stay the same. Brad was asked if the carport would be cemented down or bolted down. He said that the carport would be bolted down. This detail would make it a portable building which doesn't require a permit or setbacks. Carol said that the town would be crazy to say "no" to him fixing the sidewalk. The only thing that would make a difference is the setback of eight feet from the property line. The board said that if he just bolts the carport down, he doesn't need to do anything. If he were to change his plans, then he would need a variance that would probably take about two months to get. Brad wanted to say something about the condition of the streets lately before he left, he and Julie really appreciate it. He thinks they look good.
- Smart Video Conference camera – Chad asked if it was an owl, he said that Owl's are awesome. Ken said that the town should get this to be used for meetings. He knows that the recorder is hard to listen to. Ken said that with the Owl it all goes to the computer and if the town puts a tv on the wall, they can use it for zoom meetings and video conferences with the state. Chad said the camera is only active when the computer is on. Chad also said that he feels the office should have cameras. Ken agreed. Carol said that the Owl is \$1,049.00 from Amazon. It has an 18 ft. radius. Ken offered to sell the town a 55" smart tv he planned to sell for \$150.00. Chad mentioned that the town will need an HDMI Cable, a stand, and a tv mount. Ken said the Owl will make it easier for the person doing the minutes, it is hard to hear what was said on the recordings. Carol said that she would order it for the town. Chad made a motion to approve the purchase of a smart video conference camera system, tv, and accessories needed for \$1500.00 or less. Chad 1st Craig 2nd Roll Call Carol-yes Ken-yes Craig-yes Chad-yes Garie-yes Passed.

Board Discussion Items

Items discussed by the board: Craig brought up the discussion with Greg Etl and his concern about having a solar portion on the water/sewer project and not being approved for the grants involved. The board discussed the details of the project and assured him that the sewer project is as green as possible. The only thing that will need to have solar energy involved would be the water project. Chad said he would check on solar providers that can give the town an estimate. Garie mentioned that the town should get out information about the ability to pay the water bills with a credit card now, so people are aware of the fees involved with paying with a credit card.

Public Discussion Items

Comments from the Public: Steve asked SIMON why they hadn't shown up to fix the street, and he was told that the SIMON estimate hasn't been signed yet. So, the mayor signed the estimate. Steve also mentioned that the town is talking about taking back the alleys and a trailer issue. He suggested that the town needs to buy a dump trailer for \$10,000. It would be big enough to haul the tractor, mower, branches, and gravel as needed. Ken was asked to get some bids on trailers. Steve also reiterated that the town should use Diamond Maps to map out the water valves in town.

Adjournment

Date: May 8, 2023, at Merino Town Hall

Motion to adjourn was made by Ken and seconded by Craig at 9:06 p.m. and was passed unanimously.

Mayor

Clerk

Date

Date