

TOWN OF ARRIBA
BOARD OF TRUSTEES MEETING
Monday, August 12, 2019
Arriba Town Hall, 711 Front Street, Arriba, CO 80804

Call to Order Mayor Pro-tem McCue called the meeting to order at 7:45. Roll call for the Arriba Town Board was read and those answering were Carolyn Steinsiek, Leigh Anna Andersen, Marilyn Lightsey, Courtney Dean, and Bob Rush. Alex Flores was absent.

Pledge of Allegiance was led by Bob Rush

Public Audience included: Ted Grundmeier, Alice Arsenault, Jay Spurling, and Austin McCue. Ted Grundmeier said that he had seen on the news that state and local governments can't do anything about communication towers because they are regulated by federal law, according to what he saw towns can't have zoning against them or do anything to hinder them.

Austin McCue thanked the Board for all the support they gave him and letting his calves stay by his house in town. He said he did really well at the Lincoln County Fair. Clerk Hart told him she had never received any complaints about the calves being in town.

Approval of Agenda Mayor Pro-tem McCue asked that item 10A be moved up to be after 9A so that Alice Arsenault can address both items. Trustee Andersen moved to approve the Agenda as amended. Trustee Steinsiek seconded and the motion passed unanimously.

Approval of Minutes Trustee Rush moved to approve the minutes from the July 23 Regular Meeting as written. Trustee Dean seconded and the motion passed unanimously.

Approval of Account Receivable and Payable

Trustee Andersen moved to approve the Receivables and Payables for July. Trustee Rush seconded and the motion passed unanimously.

Approval of Bills

Clerk Hart said that the sewer loan payment was annual, she said after this payment there is one payment left on the loan.

Mayor Pro-tem McCue noted that the KC Electric bill was a bit higher due to the well pumps running more. Clerk Hart said that the bill for the street lights was a bit higher also. Clerk Hart explained that the ad in the Limon Leader was for advertising the public hearing for the municipal court ordinance.

Mike Becker said that this would be the last month to buy mosquito spray.

Trustee Lightsey moved to approve the August bills for payment. Trustee Andersen seconded and the motion passed unanimously.

Upgrade Waste Water Treatment Facility Alice Arsenault explained that the Town is currently at the Project Needs Assessment stage of the project. She said she had a full draft of the PNA for the Board, she said she also has project cost analysis and land exhibits. She said the first land exhibit is based on an evaporative pond system, she said it makes sense for towns on the eastern plains and will also mean the town will be in compliance with discharge regulations for the entire lifecycle of the pond since it doesn't discharge. She said the lifecycle of an evap pond is the life cycle of its liner, which assuming nothing crazy happens should be 30 or 40 years. She said that the loan for an evap plant is about 30 to 40 years whereas if the Town rebuilt a treatment plant the Town would be paying on the loan longer than the lifecycle of the treatment plant. She said they did analysis on land locations and they determined that it would be best to buy land from Jerry Sauer (Prosper Farms) as they own land adjacent to the existing treatment pond, she said they did calculations of the area needed and assuming the Town can use the existing treatment plant location the Town will need to purchase an approximate 12 acres. The exhibit shows where those 12 acres could be. She said that CDPHE has a requirement that non aerated pond needs to have a quarter mile setback from the nearest residence. She said a variance could be gotten for that but it's very difficult. She said it looks like Prosper Farm's property immediately east of the existing plant would be the way to go. She said that she has had preliminary talks with Jerry Sauer and she sent him the land exhibit but has not actually met with him yet. She said 12 acres is the estimated are needed now but after a survey is done that might change a bit.

Alice said that the Town would have to do flood plain mapping.

Ted Grundmeier asked what would happen to the wetlands. Alice said that the constructed wetlands in the existing treatment facility would be eliminated.

Alice said that concerning water rights the town well permits have municipal use on them so the Town is fine and will not have to augment the water.

She said that they did do a study on how much wastewater the Rest Area is contributing which is about 26% and based on the rate structure they're only contributing 16% of the total fee. She said the Board can decide if the Rest Areas rates should increase or not it doesn't have anything to do with the project.

She said there is a summary of sewer rate increases. She said there are also two comparisons of evaporative facility vs. decommissioning the existing plant and building a new mechanical treatment plant that meets discharge regulations. She said that the treatment plant cost might be lower to build but because of the ongoing operations and maintenance costs it costs more in the long run. She said the comparison was included just for information she said they don't recommend building a new mechanical treatment plant.

She said the rate increase summary shows what the rates would need to be depending on the different funding options. She said there are 3 funding agencies, CDPHE gives low

interest loans but they don't have construction grants, DOLA has an energy and mineral impact grant up to 1 million dollars and requires a dollar to dollar match (which can be matched with loan funds), she said the Town would definitely be applying for that. She said USDA doesn't give grants for the design but do give grants for construction. She said that they would have to assume a percent grant through USDA and explained how this worked. She said there is a small cost difference with USDA, the Town would have to have a private loan for the duration of the construction time then once it's completed USDA takes the loan over and the Town would pay USDA. The Town would be paying additional interest on that loan during the construction period. She estimated it to be \$10,000 to \$20,000 but the Town could potentially get \$300,000 in grants. She said USDA adds in more coordination and requirements. The estimated cost of the project is \$2.7 million. Alice said that no decision needed to be made now, this is a final draft of the PNA and everyone is welcome to review it and if there are any changes that need to be made, the Board can vote to submit it but it's not mandatory. She said if the Town wants to go with USDA that decision doesn't need to be made now. She said it would take about 2-4 months after submitting the PNA to get to the next stage. She said that the PNA submits to the State what the project is which right now it is the evaporative system.

Alice said the next step is to approve and submit the PNA and then it will go to CDPHE review, she said it includes an engineering and funding review so it will take some time to get through that. She said that there's no deadline that the PNA needs to be submitted by. Alice thought that the Town was 2 years from completion at this point.

Mike Becker says he has to go out to the wastewater facility 7 days a week right now. The Board agreed to make a decision at the action meeting on August 27th and the Mayor can give his opinion of the project. Mayor Pro-tem McCue said he would not be able to make it to that meeting but that he would send a letter stating his position.

Water Vault repairs / upgrades Clerk Hart said that the in town water lines are sagging in the vault at both ends but mostly at the south side. Mike Becker said it's a 4 inch line, it's been propped up but it's starting to leak. Clerk Hart said with the injector pump that broke and caused the flooding there had been discussion of moving all of the equipment above ground to prevent that from happening again. Mike Becker said he wanted Element Engineering to tell the Town what the options are for the vault. Clerk Hart said she had mentioned to Alice a possibility of switching from gaseous chlorine to liquid. Alice said she and Nick Marcotte would come out and look at the vault and get a report to the Board. Alice said that if the town wants to change from gaseous to liquid chlorine that would require a permit change with CDPHE. Alice suggested that if the Town seeks out a loan for this project it might be a good idea to include in other water repairs or upgrades. Upgrading the out of town well line and the in-town well line were both suggested as possible things to include in the project.

Trustee Steinsiek said that it would be good to put a needs assessment plan together. Alice said that Element Engineering can help the Town put together a master plan.

Clerk Hart said that as far as the vault flooding repairs she has not yet heard from CIRSA if it will be covered under the insurance.

Zoning and Building Codes Clerk Hart said there will be an action meeting on Tuesday August 27th at 7:00pm to begin reviewing zoning and building codes. There was discussion on what the Board wanted to accomplish with zoning and building codes. The Board agreed that one thing was to be proactive about regulating business and cell phone towers locating in Arriba.

Municipal Court Ordinance and Court Fees Clerk Hart said there is a public hearing scheduled for Monday, September 9 at 7:15pm.

Town Clean up Clerk Hart said she had a complaint about the weeds around DJ Petro. Mike Becker said that he mowed the weeds around DJ's after Don Morrison had asked him too. The Board agreed that DJ Petro should be billed for the time Mike spent mowing the property. Mike Becker said that it had taken him an hour to mow. Clerk Hart said that the Town's mowing rate is \$25 per hour.

Clerk Hart said she also had a complaint about Cal Gohs' trailer house on Main Street- there is a lot of trash and junk sitting in the front yard. The trailer is supposedly vacant. The Board agreed that a letter should be sent to Cal Gohs to cleanup his property.

Maintenance Report Mike Becker said that with Castle Rock Construction he thought the Town is going to be fine with supplying them water but they needed to stop the on demand. Mike Becker said Castle Rock is drawing water from the north out of town well and the in town wells. He said they are supposed to draw water during the night and at low usage hours but that's not what they're doing. Trustee Rush said the 2 cement plants are using a lot of water. Mike Becker said if Castle Rock would get on board with the Town there will be enough water for everything. There was discussion on what the contract with Castle Rock actually says and what verbal agreements there were about when Castle Rock can draw water. The Board discussed different things to do to keep communication open with Castle Rock and to keep things going smoothly. Trustee Dean said she talked to a few people from Castle Rock and told them the communication needed to be better. She said she felt that Mike is doing everything he possibly could and that this isn't on the Town's end its Castle Rock's issues. Mike Becker said he met with Matt Fonte and Chris Shoemaker about everything. He said he felt the Town has done everything it can to accommodate them he said it's not like he wants to shut their water off, he tries to give them as much notice as possible that their water will be shut off. He said he's had to shut them off twice due to low water pressure in town. He said Chris has turned the water back on right after he's turned it off so he took the backhoe over and dug it up, shut it off and parked the backhoe on it. Mike said the last few days have been good. Mike thanked Trustee Rush for his help with the issues in the vault.

Mike said he has heard complaints about a metal taste or smell in the drinking water. He said he thought this was from the high water volume stirring up sediments in the pipes. He thought that the town's lines should be flushed next year before Castle Rock starts up again.

Clerks Report Clerk Hart said Tom Knight complained about the spot on the over pass right as you come into Town. Trustee Rush said that was the State's responsibility. Clerk Hart said she had received a few other complaints about that spot. She said that Tom Knight also complained about the dust from the grain trucks, since he is on oxygen it makes it harder to breathe. He had told Clerk Hart he would talk to the grain elevator but felt that the Town should be watering the roads to keep the dust down.

Clerk Hart said she had the report from CIRSA's property safety inspection and the important thing is getting an eye wash at the shop and getting a wash-up room over at the wastewater facility. She said the Town needed to respond within 60 days, she said she would write up a response and send it out to the Board for review.

Treasurers Report everything looked good.

Trustees Report Trustee Rush said the Board needed to be careful with zoning and coding, Arriba is still small and most people won't like a lot of regulations.

LCEDC Report Trustee McCue's written report of what he has been doing with LCEDC and general news concerning other towns is attached to these minutes.

He said he is part of the Census 2020 and explained what that entailed. He noted that if Lincoln County is undercounted that will jeopardize some federal and state resources. He said the census is 10 questions, it's not a bad thing, and your information won't be shared.

He said that the Lincoln Theater is doing really well and the attendance has been great so they've been able to pay for an updated projector.

He said Limon is doing a Brownfields workshop and what that does is federal designation of repurposing commercial property especially those with environmental problems like the area from Alco all the way down to Golden China. He said this is free for the town of Limon and specialists from Denver come meet with the owners of those properties and talk about redeveloping that corridor.

Mayors Report none.

Adjournment Trustee Steinsiek moved to adjourn the meeting, Trustee Rush seconded and the motion carried unanimously. Mayor Pro-tem McCue adjourned the meeting at 9:26pm.

Submitted by: Josie Hart, Arriba Town Clerk

Signed by:

Mayor Pro-tem Troy McCue

Approved by the Board on:

9-9-19

Town of Arriba
Board of Trustees
Regular Meeting
Monday, August 12, 2019
7:45pm

Sign In Sheet

Ted Grundmeier

Alice ARSENAULT - ELEMENT ENGINEERING

Jay Sparling

ENGINEER'S PROGRESS REPORT

TO: Town of Arriba
FROM: Element Engineering, LLC
DATE: August 12, 2019
SUBJECT: Progress Report on Current Projects

WWTP Improvements

The town has decided to pursue an alternatives analysis to determine appropriate improvements to the existing wastewater treatment plant improvements project. The existing plant has a significant tear in the Pond No. 1 liner. Because of this existing problem as well as upcoming regulatory changes, appropriate long-term improvements to the system should be analyzed to determine the best use of town funds. Currently, it is anticipated that the decommissioning of the existing system and the construction of a new evaporative pond system will be the chosen project, but this will be determined during the alternatives analysis process.

The proposed project will be funded through the Colorado Department of Public Health and Environment (CDPHE) State Revolving Fund (SRF). The first step in this process was the submittal of a pre-qualification form and a pre-qualification meeting with all involved agencies. The form has been submitted to CDPHE and the meeting was held on March 7th at town hall. CDPHE followed up with an award letter and the planning grant paperwork. This means the town has been awarded the \$10,000 planning grant and work on the next step of the process can proceed. This planning grant has been executed.

The next step of the process is the Project Needs Assessment (PNA). The PNA is the alternatives assessment as well as documentation of the existing plant, the need for the project, and detailed cost estimates. The total cost of this report is \$12,500. The report will be funded with the \$10,000 planning grant and a \$2,500 town match (this match is a requirement of the planning grant funding). This report will analyze all feasible alternatives considering the impact of future regulatory changes. The PNA also serves as an application for grant funding for the design and permitting of the proposed project.

Work has begun and is ongoing on the Project Needs Assessment. Element will present a draft of the report at tonight's meeting. The PNA should be submitted by the end of August if the board approves the draft.

If the PNA and the town determine that an evaporative pond system is the appropriate project, the town will need to acquire additional land for construction. The PNA will include detailed calculations to determine the amount of land that needs to be acquired, but preliminary estimations show that the town will need an additional 10-12 acres of land based on required evaporative surface area and grading. Element has been in contact with the property owner, Jerry Sauer, who has preliminarily agreed to sell land to the town for the evaporative pond system. Element is currently working with Mr. Sauer to determine an appropriate area of land. After this is decided, Element will assist in completing a fair value assessment for the land.

Lincoln County Economic Development

Executive Director Report

August 12, 2019

-Lincoln County:

- Participating in rail development conversation
- Working on current wind industry support project regarding potential transportation hub
- Manned Census 2020 Booth at Lincoln County Fair with representatives from Denver and Colo Springs
- Working with Jessica Weeks (event planner) for Rural Philanthropy Days – Steering committee meeting 8/21

-Arriba:

- Exploring options for sales tax initiative, part of Arriba's action plan.
- Writing facility policies for remodeled Bethel Community Center
- Exploring solutions for corner store, closed fueling station

-Genoa:

- Will attend town board meeting 8/20, continuing to assist Friends of the Tower
- Exploring Opportunity Zone projects – utilizing rail access, housing, etc.

-Hugo:

- Working on programs for Coworking space, possible ties to Rural Prosperity Initiative.
- Working with housing developers on gaining more data for Sandy Creek Property development
- Planning tour with RPD Steering Committee in November for venues.

-Limon:

- Awarded Housing Colorado Charrette process for 9/23 – 9/24, process to take place in Denver
- Completed Incentive Agreement work with Wausau Supply
- Submitted OEDIT planning grant application to assist with legal site requirements 7/5, participated in interview via phone on 7/27, awaiting decision
- Planning Brownfields workshop for September 13th, 9 a.m. to 4 p.m.

-Karval: -Commercial freezer secured for Karval Food Pantry, funded by Cooper-Clark

- Planning to attend August KCA Meeting

-Continuing to seek grant assistance for Karval Community Building for Food Pantry, Dan Merewether attending RPD process to prospect possibilities for the same.