

TOWN OF ARRIBA
BOARD OF TRUSTEES MEETING
Tuesday, July 23, 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, Courtney Dean, and Bob Rush. Alex Flores arrived later.

Pledge of Allegiance was led by Mayor Pro-tem McCue.

Public Audience included: Marilyn Lightsey, Siobhan Steinsiek, Ted Grundmeier, and James Dingwall. Marilyn Lightsey said she was interested in the open trustee seat. Ted Grundmeier stated he objected to messing up the ambience of the town by zoning and building requirements. He said that's one of the things that makes this town so unique- you don't have to worry about those things. He said this town is cleaner than you see along this route. He said the Board has a way of handling things without doing zoning, you are sending letters out and he sees that it gets results- probably not 100 percent of the time but it is working. He said he was opposed to codifying the Town. Siobhan Steinsiek said she was interested in the open trustee seat.

Approval of Agenda Trustee Andersen moved to approve the Agenda as written. Trustee Dean seconded and the motion passed unanimously.

Approval of Minutes Trustee Andersen moved to approve the minutes from the June 10 Regular Meeting as written. Trustee Steiniesk seconded and the motion passed unanimously.

Approval of Account Receivable and Payable

Clerk Hart said that the water sales included 2 payments from Castle Rock Construction. Clerk Hart said the payment to the attorney was for work on the Municipal Court Ordinance.

At this time in the meeting Mayor Alex Flores arrived and took over running the meeting.

Trustee Andersen moved to approve the Receivables and Payables for June. Trustee McCue seconded and the motion passed unanimously.

Approval of Bills

Trustee McCue noted the bill from the Town's attorney for reviewing the agreement with Element Engineering.

Trustee McCue moved to approve the July bills for payment. Trustee Rush seconded and the motion passed unanimously.

Appoint Trustee Mayor Flores asked Marilyn Lightsey and Siobhan Steinsiek why they wanted to be on the Board.

Marilyn Lightsey said she wanted to be more involved in what's going on in town and maybe have more say.

Siobhan Steinsiek said she felt the same way and said she feels pretty passionate about some things and she figures she doesn't have a right to be as passionate if she's not willing to put in the time to do something about it.

Mayor Flores asked the trustees to raise their hands for those in favor of Marilyn Lightsey being on the Board. Trustees Rush, Andersen, and McCue raised their hands. Trustee Andersen moved to appoint Marilyn Lightsey to the open trustee seat on the Board. Trustee McCue seconded and the motion passed.

Clerk Hart swore Marilyn Lightsey in as Trustee.

Upgrade Waste Water Treatment Facility Clerk Hart said there is a report from Element Engineering. She said they will be at the Board's August regular meeting to present the PNA to them, the Board will need to approve that and then it will be submitted to the State. Trustee Steinsiek asked if they had accepted the changes to the contract. Clerk Hart said yes, they had, and the attorney had reviewed the changes, and Mayor Flores had signed the contract for the Town. Clerk Hart said Element has been including Jerry Sauer with Prosper Farms in the project planning.

Municipal Court Ordinance and Court Fees Clerk Hart said since there was no quorum present on the 8th so a hearing was not held for the proposed ordinance. She said the Board will need to schedule another hearing and she will need to advertise it again. The Board agreed to hold the hearing in September.

Prosper Farm's Water line request Clerk Hart said she had asked Jerry Sauer how much water they would need for the cattle and he didn't know and he hasn't gotten back to her. She explained that this would be for Prosper's organic ranch south of Arriba. She said they don't want to annex in and he didn't sound too excited about moving forward with the water line. Clerk Hart said that the attorney said that the Town either needed to change the regulations in the ordinance or stand by the ordinance. There was discussion on why the ordinance had been written that way back in 1997 (not allowing out of town water lines and requiring annexation), if running a line that far out of town puts the Town at risk, and if it could get the Town in trouble with the State. Clerk Hart said that as far as the Attorney knows the Town can sell water out of town but the Town ordinance is what is prohibiting it. Trustee Rush said that the Town of Limon sells water out of city limits. Clerk Hart said that Richard Hopp didn't know of any State laws that would prohibit selling town water out of town limits. She said the Town of Flagler has water lines and taps going out of town but they do have an ordinance to prevent any future out of town taps.

The Board agreed that it need to be researched why the ordinance was written that way then consider amending it. Clerk Hart said she would see what she could find, and learn

how the ordinance could be amended.

It was explained that the water line would run about 5 miles south of Arriba to Propser's organic ranch, Prosper would be responsible for running the line and maintaining it. It was suggested that an engineering company should maybe take a look at the idea as well. Mike Becker was concerned about how much water they would use and how that would affect the Town.

Town Clean up Clerk Hart said she had sent a letter to Paul Reida requesting that he clean up the Town property behind Jay Spurling's shop and it looked like he had gotten everything off of the property.

Zoning Clerk Hart said that Hugo has 2 zones whereas Limon has several. She said that James Dingwall had suggested coming up with a basic map of Arriba and color coding what is here now. She said the zoning code is about 54 pages long so the Board would have to go through it a bit at a time. She said both zoning and building codes would have to be adopted by ordinance. Trustee Andersen asked if zoning would restrict cell phone towers being built. The consensus was that it would. There was discussion on what new building was being done in Arriba. There was discussion on the new owner of the property across from DJ's and his plans for the property. Clerk Hart said that the owner is supposedly going to put a Tiny Home on there, but might also put a Morton building on the property and possibly build a house on it. Trustee Lightsey said that the owner plans to tear down the old building that is on it.

There was discussion on how building codes might be good to have for safety reasons. Ted Grundmeier said he wasn't opposed to building codes. He said that his property is zoned commercial right now- he said if it goes to zoning he wants to make sure his property stays commercial as it gives him the option of bringing a business in.

There was discussion on if zoning can be grandfathered or left the way it was or if it can be changed. The Board agreed that they didn't want zoning to affect anyone in town but to protect anyone living in town.

Trustee Rush suggested just having building codes and not zoning. Trustee Andersen said that building codes wouldn't prevent cell phone towers being built in town.

James Dingwall said that Hugo has it that once a property is sold then it changes to the new zoning. He said new property owners can apply for a variance.

Ted Grundmeier suggested passing a moratorium against cell phone towers. James Dingwall said that the Town might as well pass land use/zoning codes. There was discussion on how some zoning could protect the town, especially from cell phones towers or something harmful.

The Board agreed to have an action meeting and start going through it a page at a time. There will be an action meeting on August 27th at 7:00pm to start reviewing zoning.

Clerk Hart said regarding Tiny Homes they don't really fall under mobile homes, she said Flagler passed a Tiny Home ordinance and Hugo's land use ordinance doesn't allow homes less than 750 square feet. Trustee Steinsiek said she would think it depends on if

the Tiny Home is permanent or portable. Mayor Flores said the ones in Flagler are on foundations. There was discussion on the purpose of regulating Tiny Homes and if Arriba needs to regulate them. The Board agreed that it would be a good idea to look at Flagler's ordinance.

Building Codes This was covered under Zoning.

Maintenance Report Mike Becker said the vault flooded ruined everything in there. He said they were working with CIRSA to see if anything would be covered under insurance. He said he called Mike Nichols to look at it and everything is getting power but nothing is turning on. He said he has to turn on the wells by hand and inject the chlorine by hand until it gets fixed. He said that someone with Browns Hill would be coming out to look at everything in the morning.

Clerk Hart said that the Town doesn't have equipment breakdown coverage insurance (it costs extra) so the injector pump that broke down that caused the vault to flood that caused everything else to breakdown would not be covered but everything else should be covered under the insurance. Mike Becker said the injector pumps were running but didn't sound good. Mike said there are 2 injector motors, 2 control boxes, a pressure switch, and the interface box. At this time we don't know what will need to be replaced. Mike Becker said that on Saturday morning he went to check everything and he lifted the lid to the vault and it was almost full of water. He said he got it all pumped out and then Leroy King told him there was a leak over in the main line near the in-town wells. He said he patched the leak but it's a 2" steel line that goes from the in-town wells to the vault, it's about 900 feet of pipe that needs replaced.

He said since the 15th the wells have been running 24 hours a day. He said in 8 days the in-town well have produced 814,000 gallons of water and they've been running 24 hours a day. He said that Castle Rock's share of that was 500,000 and the Town's uses the rest of it. He said he ran the out of town well for about 24 hours. Trustee Andersen asked if the well water levels needed to be checked by the well guys every month. Mike Becker said the cost would be phenomenal. He said it would cost about \$850 per well. Mayor Flores said he had a guy Mike could talk to about checking water levels in wells. There was discussion on different options for this but no decision was made. Mike Becker said that according to Schall Drilling there wasn't an easy way for him to test the well water level.

It was noted that Castle Rock is supposed to start making concrete on Monday. The Board agreed that if the town gets low water pressure Castle Rock will be shut off. There was discussion on if Castle Rock had their frack tanks full and if they would be bringing in more, but no one knew for sure what Castle Rock was doing. There was discussion about the wells running dry. Clerk Hart suggested having one or both of the in-town wells water level checked. The Board discussed having at least one in town well checked but no decision was made. Clerk Hart noted that one in-town well pumps more water than the other. Mike Becker noted that the north in-town well does have a restrictor on it to pump 50 gallons a minute.

Mike Becker said he has talked to Larry Hanneman about the issue with the wells and the low water pressure and they were supposed to bring in more water storage tanks. Mike said over the weekend the water pressure was at 35 at the west end of town and 40 at the park. Mike said he had to turn the wells off when he was fixing the leaks over the weekend. Mike had concerns about the town maintaining water pressure while Castle Rock does concrete. Mayor Flores said the town's water needs were priority over Castle Rocks. The Board agreed that good documentation of the water pressure levels would need to be kept in the event that the Town has to shut Castle Rock's water off. Mike Becker said that the communication with Castle Rock hasn't been very good at all. He said there was a fitting that was leaking on their meter and a lot of water was leaking out on the ground before the meter and he shut the water off that day and found them a fitting. He said Castle Rock loaned him a pump to pump the vault out. Mayor Flores said Mike Becker had full authority to go and turn Castle Rock's water off if there was an issue.

Clerks Report Clerk Hart said that ToxMed Services the company that did the random drug testing pool for Town employees went out of business and customers were being transferred to DACT in Akron. The Board discussed just getting drug testing kits and the Town doing the employees drug test itself. Clerk Hart said she thought the whole point was to be part of a random drug testing pool where the Board had no control or say over it. She thought the drug testing requirement was in the personnel policy. There was discussion on if employees could go to Hugo to do the drug testing, the Board agreed Akron was too far to require employees to go to. Clerk Hart said she would find out if the testing could be done in Hugo. She said it normally costs the Town \$75 plus mileage reimbursement.

Clerk Hart said that Mike Luft's property where his shop is at had a sewer tap when he had bought it but he didn't want it activated- just the water, she said now he thinks he wants to activate the sewer and she told him he would have to pay the \$2000 sewer tap fee.

Clerk Hart said that Justin Donnelly had worked with Mike Becker cleaning up the park last year and the Town paid him a check at the end of June 2018 – which he had cashed, and he tried to cash it again in June. She said that she caught it and called the bank and the bank is going to credit the Town. Mayor Flores said put him down for no re-hire.

Clerk Hart said regarding Corey Hoffman's memorandum about the new law requiring online publishing of the meeting agendas- the Town has been doing that for about 4 years anyways. She said with the new laws it sounds like something needs to be submitted to DOLA and she would find out what the Town needed to do. Trustee Andersen asked if the agenda would be posted on line instead of at the post office and on the town hall door. Clerk Hart said it sounded like it could just be posted online but that here everyone was used to it being posted at the post office and town hall door so might as well stay with that.

Clerk Hart said there's a CIRSA safety inspection on the 31st. Mike was concerned about the shop passing the inspection.

Clerk Hart said the senior group that meets for meals in the park building- that program costs the Town around \$1400 a year and the senior group reimburses the town half of that. She said the Beverley Langley told her the senior group is running out of money and they might not have money to reimburse the Town next year. The Board agreed that they don't want that to shut down so maybe the reimbursement rate needs to be adjusted. Marilyn Lightsey said meals cost \$3 a person. Trustee Steinsiek said attendance varied from 18 to 4. Mike Becker said attendance is usually about 8. Trustee McCue said he would talk to Candace at ECCOG about it.

Clerk Hart said regarding Michael Shirley's drainage ditch he wanted to know if the Town would go in 50/50 with him to repair the sidewalk / curb. She said that Michael Shirley had told her he had chipped out 12 inches of asphalt trying to create a drainage ditch. Clerk Hart said that in the past 2 other people have asked if the Town would go in 50/50 for sidewalk/curb repair and the Board had told them to come up with some costs. Trustee Rush said the whole street has been built up and to get water to not flow up onto the sidewalk he's going to have to leave the berm but it's still going to rise on the sidewalk. Mike Becker said when it rains water gets into Michael Shirley's house. The Board discussed if fixing the curb would prevent water from getting into his house since the street has been built up over the years. The Board agreed that Michael Shirley needed to come to a Board meeting.

Mike Becker noted that his main concern in that area was keeping the post office clear of water, ice and snow.

Treasurers Report everything looked good.

Trustees Report Trustee Dean said that for the Red Cross natural disaster stuff she needed to attend a 3 day conference in October. She said she is waiting for more information on that conference. She said she didn't know a cost yet but that Ken Stroud had said something about how there should be a discount since she's doing it for the Town. Mayor Flores said that maybe the EMS Board can cover some costs as well. Trustee Dean said that Mike Koehn had talked to her about his trailer that he moved onto his property for storage use. He wanted to make sure that there wasn't anyone upset about it and told her they were planning on making it look nice. Mayor Flores said he had heard from one person on the matter.

Trustee McCue said that Curt Price had talked to him about the Town doing something about dust control on the truck route as it's affecting his wife and his neighbor's health. Trustee McCue said that Curt Price had told him that the seconded thing that needed to be done was slowing traffic down on the truck route- according to Curt Price Lincoln County residents were the worst at speeding. Mike Becker said there are 2 'Slow Kids Playing' signs on the truck route.

There was brief discussion on solutions for speeding but no decisions were made.

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.

Trustee McCue said that tomorrow is James Dingwall's last day with him.

James Dingwall gave out a few copies of Lincoln County's strategic plan. The Board

reviewed Arriba's action plans in the book. James Dingwall said that Arriba's action plan is quite a bit different than the other towns. He said the other towns have seen some progress so his suggestions for the Board was having zoning meetings and work together to come up with some steps. Mayor Flores said that the difference between Arriba and the other towns are that the other towns have money. James Dingwall said that Genoa has things listed and they have been able to do things without town funding. He said money should not be the impeding block. He said that Limon had started a housing advocacy group that didn't cost anyone any money. He said just getting some of the steps down on some of the items, even just researching to keep the conversation going. He explained that each town did a strategic planning workshop, he said someone from each town had their own category to research and work on. He said having zoning meetings and just going around and discussing how your category is going will keep things moving. Trustee Lightsey asked what 'assess sidewalks' meant. James Dingwall said a guy in Hugo walks around making notes of the condition of the sidewalks there. He said that might be all they do until they can find a grant or funding to start repairing the sidewalks in Hugo, but until then they are doing what they can to plan and research. The Board agreed that the Strategic Plan looked very good. The Board thanked James Dingwall for all his work in the community.

Mayors Report Mayor Flores had nothing to report.

Adjournment Trustee Steinsiek moved to adjourn the meeting, Trustee Andersen seconded and the motion carried unanimously. Mayor Flores adjourned the meeting at 9:20pm.

Submitted by: Josie Hart, Arriba Town Clerk

Signed by:

A handwritten signature in black ink, appearing to read 'Alex Flores', written over the printed name.

Mayor Alex Flores

Approved by the Board on:

Town of Arriba
Board of Trustees
Meeting
Tuesday July 23 2019
7:45pm

Sign In Sheet

Edman Seinsiek
MARILYN LIGHTSEY
Ted Groudmeyer



ENGINEER'S PROGRESS REPORT

TO: Town of Arriba
FROM: Element Engineering, LLC
DATE: July 8, 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 hopes to attend the town's August board meeting to present a draft of this document.

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.

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Lincoln County Economic Development

Executive Director Report

July 8, 2019

-Lincoln County:

- Continuing Prospectus development for county, identifying potential projects, Limon Housing Project
- Working on current wind industry support project regarding potential transportation hub
- Planning next Census 2020 Complete Count Committee meeting – planning booth at fair
- Using county shuttle to take 8 or 9 folks to MCC in Ft. Morgan this Wednesday for RPD Kickoff event

-Arriba:

- Exploring options for sales tax initiative, part of Arriba's action plan.
- Attended Bethel Community Center Board meeting 6/24, helping write facility policies.
- Met with Don Morrison to explore options to reopen DJ's Food Store, nothing new yet

-Genoa:

- Participated in the Creative District meeting at old Café' in Genoa, 22 in attendance
- Exploring Opportunity Zone projects – utilizing rail access, housing, etc.

-Hugo:

- Hosted State SBDC Tour 6/11, crowd of 18 attended roundtable at Depot.
- Working with Gillian Laycock on development of her Coworking space (old Texaco)
- Working with housing developers on gaining more data for Sandy Creek Property development

-Limon:

- Hosted Elena Wilkin with Housing Colorado for Housing Committee meeting 6/10
- Completed Housing Colorado application for local Charrette process for housing
- Working with Town to facilitate state incentives for Wausau Supply
- Submitted application for Charrettes workshop process with Housing Colorado 7/5.
- Submitted OEDIT planning grant application to assist with legal site requirements 7/5.

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

- Attended May KCA Meeting following Action Planning Session, James attended June KCA meeting
- Continuing to seek grant assistance for Karval Community Building for Food Pantry, Dan Merewether attending RPD Kickoff event to prospect possibilities for the same.