

**TOWN OF ARRIBA**  
**BOARD OF TRUSTEES MEETING**  
**Monday, November 12, 2018**  
**Arriba Town Hall, 711 Front Street, Arriba, CO 80804**

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

**Pledge of Allegiance** was led by Mayor Flores.

**Public Audience** included: Ted Grundmeier, Jay Spurling, Jonathan Hart, Gerald Steinsiek, Jon Becker and Ron Christensen with Viaero.

Ron Christensen handed out maps of the fiber optic plan, he submitted the Town's right of way permit application he had filled out. He said thank you for putting together the fight-of-way permit form, he didn't have any questions or problems on the permit.

Jon Becker said they hoped to have the cell phone tower completed in a couple of months.

Mayor Flores asked them to address health effects of the cell phone tower. Jon Becker handed out printouts of studies done by the Cancer Society and World Health Organization on the effects of cell phone towers to people's health. Jon Becker said the conclusions of these studies is there is no effect on your health from cell phone towers. He said the FCC sets the amount companies can go by, most of these towers are putting out 2% of the allowable RF by the FCC. Jon Becker said he is going to get a RF reading of the Town before the tower is running and afterwards. He said he would come out again and explain what the readings mean. He said the biggest danger is actually from the cell phone you put up to your head every day. He said the tower frequency disperses very fast as it goes through the air so people don't have to worry about that at all. He said the Cancer Society is constantly doing studies on cell phones and cell phone towers and signal's that are coming out of there and so far has found absolutely nothing that affects your health and those are the organization that Viaero looks at. He said you find a lot of stuff on the internet but 99% of what is on the internet about it is untrue. He said these towers are completely safe- this is why they put them in schools and in hospitals, the technology is safe. He said they certainly wouldn't want to put something in that would harm anyone. Jon Becker said people have been sitting around with their AM/FM radio stations and if you were going to see any harmful affects you would see it from that first but we've been living with that for years. He said the cell phone towers are operating anywhere from 900 to 1800 megahertz, AM stations operate lower than that.

Ted Grundmeier asked if Viaero was going to be selling space to other carriers. Jon Becker said they do lease space on their towers to other carriers but they have not had any interest in that for this tower as of yet. He said they just got this tower registered which anyone can go on the FCC website and look up info on the tower. There was brief discussion on rural areas needing 5g tower systems and how these systems will become more prevalent.

Trustee Petty asked how many megawatts the tower would be and does it get into the micro range. Jon Becker said this tower is just in the 900 – 1800 range, it does have a microwave system but that is pointed indirect, it's a concentrated beam at the top of the tower pointed at another tower to do the back haul and redundancy inside of the system. He said it's not a spread beam, this tower will have fiber optic to it so that beam will only be used for backup.

Ron Christensen said that the fiber optic won't reach this tower until April of 2019 so until then this tower will run on that microwave beam, but once the tower is connected to the fiber optic line the beam will only be used as backup. There was brief discussion on how the beam has to align directly with the beam from the other tower (in Genoa) to work. He said if the beams are not connected they don't work. He said these microwave beams are FCC licensed.

Ron Christensen said for the fiber optic line trenching will be done for the out of town path and directional boring will be done for the in town path, the bore rod will be going under all of the underground utilities.

Trustee Petty noted that one of the printouts mentions a study done on rats that shows increase in brain and heart tumors in rats. He said he didn't know what that means for humans but these are partial findings. He said these rats were exposed to RF radiation for 9 hours a day. He said he realized that some people might not be concerned but it is something to think about- that they're coming out with studies like this. He said it is important and it should be considered, at this point the Board is not stopping anything but just so the public does know.

Jon Becker said if there is a damage they want to be the first to know. He said cell techs are the people that will be affected by it (the microwave beam). He said those cell techs carry a device that tells them what the frequency or radiation level is or if the system is shut down. He said there may be signs on certain cell phone towers that tell people to stay at least 20 feet away during certain times of the day.

Ron Christensen said that regarding the study of the rats- those rats were exposed to at least 300 times more exposure than what you would get for 9 hours straight a day. He said this hasn't even been replicated in studies of humans on their cell phones on a consistent basis or near cell phone towers. He said the rat study was inconclusive, the rats did develop tumors but they were non-cancerous tumors. He said this tower give out about 2% of the amount FCC approves.

Jon Becker said he would give the Town the readings of what the RF is before the tower is running and after the tower is running and what the approved threshold is.



It was noted that the cell phone tower is 140 feet tall. The microwave dish / beam should sit right at the top.

Jon Hart asked if the cell phone tower would have any effect on home owners insurance or property values. Jon Becker said they've never found that cell phone towers affect home owners insurance or property values.

Gerald Steinsiek asked if the tower would affect the local crop duster planes. Jon Becker said the towers are marked, they have a FCC designation, and the microwave beam does not affect aircraft. He noted that it's difficult to set up cell phone towers in rural areas with wind turbines and that wind turbines are not supposed to be set in the paths of the cell phone towers. He mentioned that everyone thinks you can set a microwave beam on the wind turbines but that can't work because the blades disrupt the path.

Ted Grunemier asked if the town would be able to get WiFi from the cell phone tower. Jon Becker said that wireless home internet will be offered through Viaero's Pro-connect 365. Trustee Petty asked what the radiation danger was from that. Jon Becker said it was the same as you get from your cell phone.

The Board thanked Jon Becker and Ron Christensen for attending the meeting and answering question.

Jay Spurling said he had his (and Maria Root's) property surveyed and he was hoping the Town would consider selling him a triangle piece of land that lies behind his shop and next to Maria's backyard and is on the east side of the road going out to the tree pile. He said the stake for the northwest corner of Maria's property goes about 6 inches into the gateway that goes into the town's tree pile property. Jay handed out a map of the properties and explained that the vertical dotted line is 277 feet, the other line is about 300 feet, and the base of the triangle is 110 feet across. He said he would offer the Town \$500 to \$1,000 for the piece of land. He said he wants to extend his shop, he's found a building he wants to put up back there which is 120 by 80. He said he has investors coming in and he's going to be building lots of trailers. He said he got the property surveyed because they are going to be putting up a wind break back there on the north side and along the west side. He said they will be putting a fence up to where their property stake is in the gateway to the town's tree pile. He said if it's an issue they'll work with the Town. Clerk Hart asked the Board if they had any problem with Jay Spurling putting up a fence right to the property pin, the Board said they didn't see a problem. Mike Becker said it shouldn't bother the Town at all.

The Board said they would get more information about the process of selling Town land and discuss it at the next meeting.

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

**Approval of Minutes** Trustee Andersen moved to approve the minutes from the October 8 regular meeting. Trustee Steinsiek seconded and the motion passed unanimously.

**Approval of Account Receivable and Payable**

Clerk Hart said the payment to Brent Welding was for the out of town well fencing which was part of the SWPP grant. The payment to Rob's Septic Service was for pumping out the east sewer pond. The check to the First National Bank of Hugo was for the drinking water loan, the bank wire transfers the payment.

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

**Approval of Bills**

Clerk Hart said she needed to add a \$250 payment to Heather Witt- A Fine Design- for the purple Town of Arriba shirts. She said the Town paid \$10 a shirt and are selling them for \$12 each. Trustee McCue moved to approve the November bills for payment including the \$250 to A Fine Design for the t-shirts. Trustee Petty seconded and the motion passed unanimously.

**Adopt 2019 Budget** Trustee Andersen moved to adopt the 2019 Budget as proposed. Trustee McCue seconded and the motion passed unanimously.

**Resolution to Appropriate Funds** Trustee McCue moved to adopt Resolution 2018-5 and appropriate funds stated in the 2019 Budget with total appropriations being \$392,988.29. Trustee Petty seconded and the motion passed unanimously.

**Resolution to Certify Mill Levy** Clerk Hart said the Town's mill levy is 25.948, the 2018 assessed valuation is \$639,409 and this would generate a revenue of \$16,591.50. Trustee McCue moved to adopt resolution 2018-6 which sets the Mill Levy at 25.948 for revenues of \$16,591.50. Trustee Andersen seconded and the motion passed unanimously.

**CDOT Highway Project Water Request** Clerk Hart said that there will be construction on I-70 from Flagler to Genoa. Trustee McCue said there will be 2 different portions of the project, one portion being Arriba to Flagler and the second portion being Arriba to Genoa. The project is to start in Spring/Summer of 2019 and be completed Fall/Winter 2020. The Town has been approached by 3 different construction companies that are bidding the project about supplying water for the project. One company estimated they would need up to 5 million gallons but this would be broken down to 2.5 million one year and 2.5 million the next.

Trustee McCue said one idea was to find some property and create a retention pond where they can pump from and the town would still maintain a reasonable flow, but the Town would have to get the water across Highway 63.

Clerk Hart said that each construction company has their own ideas on how to get water, these



ideas included a retention pond, setting an above ground tank at the out of town wells or at the 3" line south of the highway.

Clerk Hart said the Town's bulk water rate right now is \$5 per 1,000 gallons.

The Board discussed different ideas for supplying the water. Also discussed was using this revenue for fixing the out of town well line. Clerk Hart mentioned that the pressure system for the out of town wells might need to be re-done also and an engineering report might need to be done on it.

There was discussion on the Town's permitted annual acre feed usage and that the Town is well below its permitted allowance and even with the estimated amount the highway project might use the Town will be well within its acre feed allowance.

Clerk Hart said that the Town may have to purchase extra meters for supplying the water to the highway construction. Mayor Flores noted that a 3" meter may cost up to \$1200.

Trustee McCue moved to offer water to the highway construction project at the price of \$8.00 per 1,000 gallons. Trustee Steinsiek seconded it and the motion passed unanimously.

**Upgrade Waste Water Treatment Facility** Clerk Hart said Elemental Engineering- the company that is working with Hugo- has not yet put together a Preliminary Engineering Report for the wastewater facility. They did put together an introductory/resume pamphlet and they plan to attend the December meeting to discuss things with the Board.

Clerk Hart said that Ernie had asked a third company to bid the project but they declined. She noted that Ernie had mentioned that GMS has so much of Arriba's information from forever that he wasn't sure what kind of proposal Elemental Engineering will put together and how it will compare to GMS.

**Town Christmas Event** The event will be on Saturday, December 15<sup>th</sup> at 1:00pm. Six turkeys will be given away, High Plains Brass group will play, and each Board member will bring a couple of dozen cookies. Gerald Steinsiek will be Santa again. Clerk Hart said she ordered candy and peanuts for the candy sacks.

**Town Cleanup** There was nothing discussed on this issue.

**Maintenance Report** Mike Becker said the wastewater is a full time job. He explained that with the primary channel not being used anymore the town is having to use the bypass which is a lot narrower. He said he went out there with a hotsy and washed all of the grease through it and that helped quite a bit. He said he has to do that daily. He said he plugged the primary off and jackhammered the stem wall out so it goes through the primary, over the plugged up whole and gets to the bypass. He said he and Ernie snaked everything. He said Ernie came out today and they finished up the lead and copper. He said him working at the wastewater all the time takes away from maintaining the streets and park. He said Josie Hart is doing a wonderful job taking care of things too.

Mike Becker asked if he could have Mike Nichols come over and help him hang up the Christmas decorations with his bucket truck and maybe also fix some of the plug-ins and wires

on the decorations. He said Mike Nichols had told him he would charge \$50 an hour. Trustee Andersen moved to spend up to \$125 to hire Mike Nichols to help Mike Becker with hanging the Christmas decorations and fixing some of the decorations. Trustee McCue seconded and the motion passed unanimously.

**Clerks Report** Clerk Hart said regarding the dog issue she had the sheriff's department deliver a municipal court summons to Talon Fitzgerald which cost the Town \$52.60. Stephen Ruddick the Town's municipal judge came out, and Talon Fitzgerald did show up to municipal court. She said according to the Town's ordinance the most the Town could charge Talon was \$500 but Steve Ruddick charged him \$100 and told Talon he had to get rid of the dog within 2 days. Talon had said that it wasn't even his dog, he claimed it was his sister's dog who is living with him. Clerk Hart said that a week later Talon came in to pay the fine and claimed to have gotten rid of the dog.

Clerk Hart said the Town spent \$108 for the judge's time and mileage, \$52 to have the summons served, her time, and Mike's time since he was the witness to the dog running loose. Clerk Hart said the Town does not have court fees set up, and suggested the Town look into setting up court fees to cover the Town's costs. She said she wasn't sure if court fees could be set up with a resolution or by an amendment to the original municipal court ordinance. Clerk Hart said she needed to talk to the town's attorney Corey Hoffman about it. The Board agreed this should be done.

Clerk Hart told the Board that the owners of 223 Elm Street had hoped to fix up the house there but ran into some problems and are now thinking about tearing the house down and putting in a newer modular home. She said she gave them the application forms for mobile homes but their worry was that they would pay the \$500 application fee and the Board would deny it because of zoning and not wanting a modular in that part of town. The Board agreed that there shouldn't be an issue with this.

**Treasurers Report** none.

**Trustees Report** Trustee Petty said that people should take a look at the studies from the dangers of the cell phone towers, he said the study in the information the Viaero reps gave out was from 2006, he said 12 years is a long time to come out with new studies. He encouraged everyone to look into stuff and protect yourself he said there are no long terms studies that have been done this hasn't been around long enough there's no way to determine if this does cause problems over a long period of time.

**LCEDC Report** Trustee McCue had a written report of what he has been doing with LCEDC and general news concerning other towns (the report is attached to these minutes).

Trustee McCue explained how he had tracked down the rest of the grant from Black Hills Energy for the Arriba Fire Department (NELFPD). He explained he has begun applying for a grant from USDA for equipment and gear for the fire department.

He explained that Mary Ann Saffer is creating a board to manage the Bethel Community Center and he may be on the board.

He said he's been working with Karval on submitting grants for their activity center.



He said that the housing market study in Lincoln County should begin soon.  
He said the Chisholm Estates in Limon will have their ground breaking ceremony tomorrow.  
He reported that Tami Witt is working on putting modular homes in Flagler and Limon.  
He reported a quilt shop opening in Limon.  
He reported the movie theater in Limon will be playing the new Grinch movie as the free movie on December 1<sup>st</sup> at 1:30, this is sponsored by the Limon Chamber of Commerce.  
He said him and James met with the commissioners regarding the strategic plan.  
He said the old Trans-West building sold and it's a Native American craft and gift item distribution center / warehouse with about 2 employees. He said it's not a retail store.

**Mayors Report** Mayor Flores said he feels strongly about not parting with Town property, and his answer to selling town property will always be no. Trustee McCue said the area Jay Spurling wants is roughly equal to 4 town lots. It was noted that the Town doesn't currently use this parcel of land. The Board briefly discussed this issue but no decisions were made, Clerk Hart is to get more information on how much it will cost the Town to go through the process of selling Town property and what lots are worth in Arriba.  
Mike Becker said the Town's gate post is on Root's/Spurling's property, he asked if he should move it. Mayor Flores said no they can build their fence around it.

**Adjournment** Trustee Petty moved to adjourn the meeting, Trustee Steinsiek seconded and the motion carried unanimously. Mayor Flores adjourned the meeting at 9:27pm.

Submitted by: Josie Hart, Arriba Town Clerk

Signed by:

Mayor Alex Flores

**Approved by the Board on: 12/10/2018**



Town of Arriba  
Board of Trustees  
Budget Hearing and  
Regular Meeting  
Monday, November 12, 2018  
7:15pm

Sign In Sheet

Gerold Steinsiek

Jay Spurling

Paul Graham





Lincoln County EDC – Executive Director Report

November 12, 2018

- I. **Lincoln County –**
  - A. Commissioner Strategic Planning session held 11/8
  - B. Participating in three development conversations in unincorporated Lincoln County
- I. **Arriba –**
  - A. Provided letters for Bethel Community Center Phase III grant funding applications
  - B. Tracking down final Black Hills payment for Arriba firehouse expansion
  - C. Applying to USDA for Arriba firefighter equipment needs
- II. **Genoa –**
  - A. Attended October board meeting, participating in strategic planning on 10/15
  - B. Helping Tower find infrastructure funding assistance
- III. **Hugo –**
  - A. Selected events center for two spring events: Regional EDCC forum and History Colorado CLG
  - B. Hosted Strategic Planning session with James on 10/3
  - C. Keeping investment conversation going – hotel, farm supply lead
- IV. **Limon –**
  - A. Helped host DCI E-marketing assistance business event on 11/6, 25+ in attendance
  - B. Gathering infrastructure costs and site plan for infrastructure incentive assistance to Wausau Supply Co.
  - C. Received option to launch housing market study, being conducted by Thad Rahn of Prior and Assoc.
  - D. Hosting groundbreaking for Chisolm Estates housing project 11/13 at 11:00 a.m.
- V. **Karval –**
  - A. Hosted Strategic Planning with James on 10/23
  - B. Helped submit application on 10/15 for food pantry and ADA restrooms to Karval Community Building
- VI. **Small Business Development Center (SBDC) Activities**
  - A. Year 2 funding utilized for small business outreach
  - B. Hosted Succession Planning meeting for SBDC following Chamber Meeting 10/11
  - C. New Quilt Shop ribbon cutting to be held 11/17
- VII. **Your Community Foundation**
  - A. Received phased cost estimates for theater restoration from consultants.
  - B. Had team leader meeting and am securing Gary Davis to take over Bill Bennett's duties. Began connecting directly now with Gary.
  - C. New local nonprofit for Arts & Music forming, will need passthrough services.
  - D. Expanded board seats to 11 to accommodate willing members to YCF board of directors
- VIII. **Americorps/VISTA**
  - A. James completed all first-round Strategic Planning sessions, now reaching out to other community leaders.
  - B. Gathered good municipal input and shared with commissioners in planning session.
  - C. Preparing Supervisor Summary for first three months for submission
- IX. **Conferences/Training**
  - A. Troy attended Drive-Lead-Succeed in Estes Park 10/24-10/26
  - B. Raejean attended the Women's Small Business Conference in Greeley 10/18
  - C. James attended Ports to Plains annual conference in Del Rio, TX and Acuna' Mexico
  - D. Troy covered FTZ booth at Apparel Expo in Denver 10/18
  - E. James and Troy attending Opportunity Zone meeting in Sterling 11/15