



TOWN OF KEENESBURG  
BOARD OF TRUSTEES REGULAR MEETING MINUTES  
MONDAY, APRIL 1, 2019 6:00 P.M.  
KEENESBURG TOWN MEETING HALL  
140 SOUTH MAIN STREET KEENESBURG, COLORADO 80643

**Call to Order**

The Board of Trustees of the Town of Keenesburg met in a regular session on April 1, 2019 at the Keenesburg Town Hall located at 140 South Main Street, Keenesburg, Colorado 80643. Mayor Gfeller called the meeting to order at 6:00 p.m.

**Pledge of Allegiance**

**Roll Call**

**Members Present:** Mayor Kenneth Gfeller, Trustees Marc Johns, Wilbur Wafel, Juanda Hesse, Carl Fredrickson, Tim Smith and Robert Zebroski

**Others Present:** Debra Chumley, Town Manager; Toni Johnson, Town Clerk, Mark Gray, Public Works Director and Kathleen Kelly, Town Attorney.

**Public Comment**

Debbie informed the board that Kent is no longer with Telesto Solutions, Inc.

John Cullor and Taryn Tigges, Telesto Solutions, Inc 3801 Automation Way, Suite 201 Fort Collins, Colorado 80525. He confirmed Kent is no longer with Telesto. They are very interested in keeping the town as their client and are willing to provide support services as needed. John and Taryn have worked with Kent on numerous projects with the town and they both have experience in municipal services. They provided the board with their resumes and business cards.

**Consent Agenda**

**A. Financial report and payment of bills**

**Approval of minutes March 4, 2019**

**Approval of minutes March 18, 2019**

Motion was made by Trustee Zebroski seconded by Trustee Fredrickson to approve the consent agenda items. Motion carried 7-0; Mayor Gfeller, Trustees Johns, Wafel, Hesse, Fredrickson, Smith and Zebroski voting yes.

**New Business**

**B. Presentation from Bio Solutions on lagoon options**

Loren Losh, Chief Executive Officer, Bio 2 Solutions. Mr. Losh provide the board with analytical data relating to the wastewater treatment facility. The voluntary incentive program which awards compliance scheduled credits based on how far the facility's effluent falls below the technology-based limits.

**C. RESOLUTION 2019-10 a resolution approving an agreement between the Town of Keenesburg and Great Copier Service for service and supplies**

The renewal covers services from April 30, 2019 through April 30, 2020. There is no increase in the per copy fee from last year, which remains at \$.02 per black copy and \$.08 per color copy. Motion was made by Trustee Fredrickson seconded by Trustee Zebroski to approve RESOLUTION 2019-10 a resolution approving an agreement between the Town of Keenesburg and Great Copier Service for service and supplies. Motion carried 7-0; roll call vote: Mayor Gfeller, Trustees Johns, Wafel, Hesse, Fredrickson, Smith and Zebroski voting yes.

**D. ORDINANCE 2019-04 an emergency ordinance amending Chapter 10 of the Keenesburg Municipal Code regarding the possession, consumption and purchase of cigarettes, tobacco products, and nicotine products by minors, and regarding the sale of such products to minors**

The ordinance was amended to add language to include nicotine products. The police department has been having difficulties issuing summonses based on the current definitions. Motion was made by Trustee Fredrickson seconded by Trustee Smith to approve ORDINANCE 2019-04 an emergency ordinance amending Chapter 10 of the Keenesburg Municipal Code regarding the possession, consumption and purchase of cigarettes, tobacco products, and nicotine products by a minor, and regarding the sale of such products to minors. Motion carried 7-0; roll call vote: Mayor Gfeller, Trustees Johns, Wafel, Hesse, Fredrickson, Smith and Zebroski voting yes.

**E. Water/waste water engineer selection**

It has been discussed in the past that the town is in need of a contracted water/wastewater engineer, to help with the capacity of technical and design work for the expansion of the water system as well as the wastewater system. We typically seek three proposals for the boards review, however the third proposal was received late Friday afternoon and did not make the packet. Tom Dea who works with Lamp Rynearson has a great understanding of the town's water systems, wells and is familiar with the lost creek ground basin. Staff recommended the board consider a contract with Lamp Rynearson based on Tom's experience with Keenesburg. The board agreed and directed staff to bring back an agreement between Lamp Rynearson and the Town of Keenesburg for consideration.

**F. RESOLUTION 2019-11 a resolution finding substantial compliance for an annexation petition filed with the Town of Keenesburg, Colorado, known as the Rocky Mountain Midstream Annexation to the Town of Keenesburg, and setting a public hearing thereon**

A petition for annexation of property known as Rocky Mountain Midstream Annexation has been filed with the Town. Public hearings for the annexation are set for the board for May 6, 2019 at 6pm and in front of the PC for initial zoning on May 2, 2019. The notice shall be published in the paper for four consecutive weeks. Motion was made by Trustee Fredrickson seconded by Trustee Smith to approve RESOLUTION 2019-11 a resolution finding substantial compliance for an annexation petition filed with the Town of Keenesburg, Colorado, known as the Rocky Mountain Midstream Annexation to the Town of Keenesburg, and setting a public hearing thereon. Motion carried 7-0; roll call vote: Mayor Gfeller, Trustees Johns, Wafel, Hesse, Fredrickson, Smith and Zebroski voting yes.

**G. RESOLUTION 2019-12 a resolution approving a cost sharing agreement with Rocky Mountain Midstream, LLC**

The agreement obligates Rocky Mountain Midstream to pay \$90,000 to the town in which the town will remit to Robertson Land Holding as a part of their cost recovery agreement. Robertson Lewton has made an investment in the installation of a water main along CR 398 and RMM desires to extend the main along for approximately 13,600 feet. Motion was made by Trustee Fredrickson seconded by Trustee Smith to approve RESOLUTION 2019-12 a resolution approving a cost sharing agreement with Rocky Mountain Midstream, LLC. Motion carried 7-0; roll call vote: Mayor Gfeller, Trustees Johns, Wafel, Hesse, Fredrickson, Smith and Zebroski voting yes.

**H. RESOLUTION 2019-13 a resolution approving a cost recovery agreement with Rocky Mountain Midstream, LLC**

The agreement gives RMM the opportunity to be reimbursed for the cost they incurred in the water main extension from the RV Park to the Gas Plant. The extension is potentially capable of providing water service to other parcels of property located between the entrance to the RV park and the gas plant. This will potentially allow the property owners to connect to the system without having to pay the full cost of the extension. Motion was made by Trustee Zebroski seconded by Trustee Fredrickson to approve RESOLUTION 2019-13 a resolution approving a cost recovery agreement with Rocky Mountain Midstream, LLC. Motion carried 7-0; roll call vote: Mayor Gfeller, Trustees Johns, Wafel, Hesse, Fredrickson, Smith and Zebroski voting yes.

**I. RESOLUTION 2019-14 a resolution approving a water main extension agreement with Rocky Mountain Midstream, LLC**

Rocky Mountain requested a bond in which the town doesn't agree, and they are not set up to do a letter of credit. They have determined a cash deposit was their best option. Generally, for subdivisions the town requires 125% of the engineers estimated cost of public improvements. Since this is not a subdivision they are not tied to the 125%, they negotiated at 110% instead. The town shall reduce to deposit by 25% increments, following each inspection. At the time of conditional acceptance of the main the town shall reduce the amount to 10%. Motion was made by Trustee Hesse seconded by Trustee Fredrickson to approve RESOLUTION 2019-14 a resolution approving a water main extension agreement with Rocky Mountain Midstream, LLC. Motion carried 7-0; roll call vote: Mayor Gfeller, Trustees Johns, Wafel, Hesse, Fredrickson, Smith and Zebroski voting yes.

**J. Administrative Assistant Position**

The 2019 budget was created with the addition of an assistant manager position and money was appropriated for this position. It is unlikely we have the building that was anticipated during 2019, which is more likely to hit in 2020. Staff doesn't believe there will be revenue to support the position. Debbie proposed to create an administrative assistant position, to help fill the gaps until the town can sustain an assistant town manager. There were fourteen applications for the UB position, some of which would fill this role well. Depending on qualifications and experience staff proposes the position at \$17-19 per hour. The position would help to administrate agreements, organize development submittals for review, schedule meetings, developer billing and fill-in for other areas as needed. Motion was made by Trustee Wafel seconded by Trustee Fredrickson to approve the creation of an administrative assistant position and direct the Town

Manager to move forward with the hiring for the new position. Motion carried 7-0; roll call vote: Mayor Gfeller, Trustees Johns, Wafel, Hesse, Fredrickson, Smith and Zebroski voting yes.

#### **K. Discussion on Town Hall options**

Included in the packets was a detailed spreadsheet to demonstrate that either option can be accomplished within a few years, with the assistance of a grant. The board may decide to purchase the school property and to hold an election to sell the current town hall, creating additional revenue and changing the timeline. This gives additional commercial space to promote business growth along Main Street. Financing either option is recommended and using the proceeds from the town hall impact fees for payment is preferable, as this will help to retain more of the capital improvement fund to allow for street improvements. The remodel of the town hall or the school administration location should be able to be accomplished for significantly less than the proposal by supplying much of labor internally by utilizing the public works crew.

#### **L. Review and discuss Evan's Place Metro District draft service plan**

The board was provided a copy of the draft service plan. Kathleen had some time to review the plan, but not in complete detail. Based on her review she noticed that it's missing substantial components. She recommended the town reach out to LGI's attorney for a more detailed financial plan. In addition, suggested staff reach out to public finance counsel, specifically Monica with Butler Snow for review of the numbers portion of the plan. It is important for the board to determine what they would like to see the metro district have the ability to do. Based on current development, metro districts are very common and it's important for the town to implement a plan they see fit the community best. Legal will provide a draft model service plan ordinance to help the board create one for the future. Staff informed the board that LGI is depending on a metro district as a financing tool to complete the development.

#### **M. Discussion and direction on code enforcement**

The code enforcement officer has been asked to be proactive on weed violations, we typically give a few warnings prior to issuing summonses which in turn result in large weeds. Past practice has been that the code enforcement officer issue violations on items that are seen from the street or alley and he can look over the fence if there's a complaint. Kathleen informed staff that the officer cannot look over the fence even if there's a complaint. The violation can only be addressed if it can be seen from a place that the public can see as well. If someone lives in a two story and can see weeds, etc. from their window that is permissible, and that individual must be the complainant. Debbie clarified that the building official also acts as the code enforcement officer, therefore if he were doing a roof inspection and sees a violation in a backyard, can he enforce it. Kathleen said no because he is not there in that capacity. The board agreed to continue to follow past practice, which gives the code enforcement officer the ability to issue notices for violations seen from the street and alley.

#### **N. Schedule Special Meeting**

Debbie asked the board to schedule a special meeting on April 4, 2019 immediately following the planning meeting to help address timely items of business. The board scheduled a special meeting for April 4, 2019 immediately following the Planning Commission meeting.

## O. Board member information and discussion

### I. CML comments on SB 181

Mayor Gfeller shared the email correspondence with the board for their knowledge.

Trustee Smith inquired about past discussions about creating a cemetery. He was born and raised in Keenesburg and would like a cemetery in town. The board asked staff and legal to do research on the process of forming a cemetery.

## P. Staff Reports

### I. Town Manager

Kent has resigned from Telesto, he is working with Professional Engineering Consultants (PEC). Kent informed Debbie of his parting and asked it not to be discussed until he was officially gone. The town initially hired Kent aside from Telesto and followed him to Telesto. Debbie suggested the board consider continuing services with Kent, he is great to work with and has knowledge of recent projects. She had a conversation with the president of Telesto and he offered to sub contract with Kent through PEC to allow Kent to follow up on town business during the transitional period. The board agreed with Debbie's suggestion to continue working with Kent and asked staff to bring back an agreement.

There were fourteen applications received for the utility billing position, interviews will be conducted later in the week. Milestone continues to work on the punch list items on the sewer repair project. The final grant reporting and reimbursement request was filed for the sewer repair project on March 7, 2019. We received a check in the amount of \$269,466.84, the grant was awarded for \$300,000.00, which ended up leaving \$30,533.16 on the table which is much better than initially anticipated. Ouro submitted all required plans for review. Revised plans for Chuy's Mexican Restaurant were received and they are being reviewed by the building department as well as the fire department. They still have to submit their site plan for review and approval prior to the issuance of building permits. An after-hours construction permit was issued to NGF construction who is working on the gas plant; they will likely apply for three additional, three week permits following the expiration of this one that will expire April 18, 2019. Staff met with Paul Martin of Eagle Precast which is located on Highway 52 just east of Weld Central. His SUP was reviewed, he has been unable to meet his timeline. He was asked to propose an amendment to the permit to review the timeline that can realistically be completed. He will be working on this amendment and it will be set for public hearings in the near future. The Diamond K SIA is not finalized, we are waiting on changes to the schedule of public improvements.

### 2. Public Works

Quarterly tank inspections have been completed on the High School and Cedar Street tanks. The goal is to have bids for painting of the tanks, however Mark suggests painting Cedar Street tank first and putting the town's logo on it before the centennial celebration. Ambiente H2O is building a quote to rebuild the pumps at the RV park lift station, which is estimated to be about \$800-\$1,200. They believe the communications were lost due to the oil rig that was erected east of the park. The rig is gone, and everything is running smoothly. Mark has contacted companies to check the depth of sludge in the lagoons. There is \$50,000 budgeted for sidewalks, Marc proposed installing new sidewalks before the Centennial Celebration; starting on the east side of the park, at Owen down to the railroad tracks. This would provide three blocks of new sidewalks, six new ADA pans. Public works crew will excavate and move the dirt to prep the

areas. The board agreed it was a great idea. The sidewalk was completed north of town hall. Crews ordered new weight limit signs to be placed around town. They are also working with Lochbuie Police Department to create a map of speed limit signs around town. They will review and suggest other locations for signage to help enforcement.

### **Adjournment**

Motion was made by Trustee Johns seconded by Trustee Fredrickson to adjourn the meeting. Motion carried 7-0; Mayor Gfeller, Trustees Johns, Wafel, Hesse, Fredrickson, Smith and Zebroski voting yes. The meeting adjourned at 8:33 p.m.

ATTEST:

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Kenneth Gfeller, Mayor

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Toni Johnson, Town Clerk

**TOWN OF KEENESBURG  
LIQUOR LICENSING AUTHORITY MEETING MINUTES  
IMMEDIATELY FOLLOWING THE REGULAR BOARD MEETING  
KEENESBURG TOWN MEETING HALL  
140 SOUTH MAIN STREET KEENESBURG, COLORADO 80643**

### **Call to Order**

The Liquor Licensing Authority of Keenesburg met in a regular session at Keenesburg Town Hall located at 140 South Main Street Keenesburg, Colorado 80643. Mayor Gfeller called the meeting to order at 8:33 p.m.

### **Roll Call**

**Members Present:** Mayor Kenneth Gfeller, Trustees Marc Johns, Wilbur Wafel, Juanda Hesse, Carl Fredrickson, Tim Smith and Robert Zebroski

**Others Present:** Debra Chumley, Town Manager; Toni Johnson, Town Clerk, Mark Gray, Public Works Director and Kathleen Kelly, Town Attorney.

### **Q. Liquor License Renewal for Deno's I-76 Restaurant & Lounge**

Motion was made by Trustee Wafel seconded by Trustee Fredrickson to approve the liquor license renewal for Deno's I-76 Restaurant & Lounge. Roll call vote: Mayor Gfeller, Trustees Johns, Wafel, Hesse, Fredrickson voting yes. Trustee Zebroski abstained. Motion carried.

### **Adjournment**

Motion was made by Trustee Johns seconded by Trustee Fredrickson to adjourn the meeting. Motion carried 7-0; Mayor Gfeller, Trustees Johns, Wafel, Hesse, Fredrickson, Smith and Zebroski voting yes. The meeting adjourned at 8:34 p.m.

ATTEST:

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Kenneth Gfeller, Mayor

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Toni Johnson, Town Clerk