

**Town of Nunn
Regular Board Meeting
April 19, 2018
6:00 p.m.**

A Regular Meeting of the Town Board, Which is Open to the Public,
Nunn Community Center Board Meeting Room

Call To Order:

The Regular Meeting of the Board Of Trustees of the Town of Nunn for April 19, 2018 was called to order and presided over by Mayor Bender at 6:00 p.m.

Pledge of Allegiance

Roll Call:

Mayor Bender
Trustee Lincoln - Absent
Trustee Vella
Trustee Jackson
Trustee Tinsley
Trustee Frederiksen
Trustee Vogel

Agenda Amended: Add: Approve posting of open Trustee position, Approve posting of Temporary Part Time Court Assistant, Approve donation to Highland Dictionary Fund, Approve appointment of Town Clerk/Treasurer, and Approve appointment of Town Attorney.

Motion by Trustee Frederiksen and seconded by Trustee Jackson to approve the Agenda as amended (Amended to add: Approve posting of open Trustee position, Approve posting of Temporary Part Time Court Assistant, Approve donation to Highland Dictionary Fund, Approve appointment of Town Clerk/Treasurer, and Approve appointment of Town Attorney). All in Favor. Motion carried.

Motion by Trustee Jackson and seconded by Trustee Frederiksen to forgo the public reading of the minutes for the Regular Meeting of March 15, 2018 and the Special Meeting of March 23, 2018. All in Favor. Motion carried.

Motion by Trustee Frederiksen and seconded by Trustee Vogel to Approve the Minutes for the Regular Meeting of March 15, 2018 and the Special Meeting of March 23, 2018 as submitted. All in Favor. Motion carried.

Motion by Trustee Vella and Seconded by Trustee Jackson to approve the bills as submitted for April 19, 2018 in the amount of \$46,026.61 and payroll in the amount of \$26,466.50. Roll Call Vote: Mayor Bender – yea, Trustee Vella – yea, Trustee Jackson – yea, Trustee Tinsley – yea, Trustee Frederiksen – yea, Trustee Vogel – yea. Motion carried.

Motion by Trustee Tinsley and seconded by Trustee Frederiksen to approve the Treasurers Statement as of April 19, 2018. Roll Call Vote: Mayor Bender – yea, Trustee Vella – yea, Trustee Jackson – yea, Trustee Tinsley – yea, Trustee Frederiksen – yea, Trustee Vogel – yea. Motion carried.

Police Report:

- Calls for Service 46
 - A.O.A.'s 2
 - Animal 8
 - Assist/Welfare Check 8
 - Code Violations 10
 - VIN Checks 10
 - Disturbances/D.V.'s 2/2
 - Theft 1
 - Accidents 2
 - Criminal Exploitation 1
 - Drugs 2
- Traffic Stats
 - Traffic Contacts 177
 - Summons 133
 - Warnings 11
- Reserves
 - Shane Clark logged 26 hours during the month of March. He advised me he has been approved (by his command) to help next month with coverage and Municipal Court.
 - I have two Reserve applications that look very good with previous experience in smaller departments. Both will be starting F.T.O. This month.
- Police Annex
 - The new office looks fantastic. Both Jonathon and Linda have been working hard to ready the annex. Cathy has been a great help getting things organized and ordered.
- Vehicles
 - All of the fleet is up and running great with no big problems to report.
- The Nunn Police staff would like to thank Mayor Bender for his diligent work as Mayor for the Town of Nunn.

Clerk Report:

- Town Clerk thanked retiring Trustees for their efforts and commitment to improve the Town.
- Highland Dictionary Fund is requesting donation. In the past the Town has donated \$50 each year.
- Volume of Court is no longer manageable for the existing staff. Linda will need to concentrate her efforts in the Maintenance Department over the summer due to increased workload in that department during the summer months. The last court docket had 70 arraignments which is way beyond the initial average docket of 20 arraignments. Would like approval to hire a temporary court assistant for up to six months.
- Don Sandoval from DOLA stopped by to let us know he is available to talk with the Town Board about funding and projects we may need assistance on.
 - Mr Sandoval stated he continually receives emails from one of our residents and responds out of courtesy. He is not available to be a Town Manager and said the Town does not need one at this time. He did provide a couple of names for Town planners that could be utilized on an as needed basis to assist with our planning department.
- There will be a meeting a 1:30 p.m. tomorrow in the Board Room with Weld County to discuss CR 98 expansion.
- Newly elected officers will need to come into Town office next week to pick up their packet of materials and laptop check out.
- First quarter budget performance copies are available for review.

Court Clerk Report:

- Arraignments: 64 on docket, 38 showed up for court and accepted plea agreements, 5 continuances, 18 FTA's warning letters ordered, and 3 continuances for defendants with attorneys.

- First continuance: 6 on docket, 2 accepted plea agreements, 2 called in for second continuance, 2 hired attorneys to represent them – continued at no charge and 1 given courtesy continuance by Judge Lazar.
- Second Continuance: 4 on docket, 3 hired attorneys to represent them – continuance at no charge, 1 accepted plea agreement.
- Trial: Defendant was found guilty of Dog at Large on both counts, fine imposed of \$190.00
- Failure to Appear/Failure to Pay: 4 on docket, 1 accepted plea agreements, 3 OJW/Default ordered.
- Payment Plan: 4 on docket, 2 came to court asking for additional time to pay, 2 OJW/Default ordered.
- Deferred Sentence: 12 on docket, all 12 dismissed.
- Voids: None
- Prosecuting Attorney Mike Brown was here from 1:00 to 4:00 p.m. (3 hours) April 10, 2018.
- Judge Mike Lazar was here from 1:30 to 4:00 p.m. (2 hours 30 minutes) April 10, 2018.
- Income
 - Paid Citations: \$31,160.00
 - Nunn Officer Vin Inspections \$ 200.00
 - Certified Vin Inspections \$11,458.00
 - March 2018 Deposits \$42,818.00

Maintenance Report:

- Police Office Annex is completed except for deck to meet ADA requirements. Found a kit (includes lumber and hardware) to build the deck which meets ADA compliance for about \$1,700. Motion by Trustee Frederiksen and seconded by Trustee Jackson to approve spending up to \$2,000 to purchase deck kit to bring the Police Office Annex up to ADA requirements. Roll Call Vote: Mayor Bender – yea, Trustee Vella – yea, Trustee Jackson – yea, Trustee Tinsley – yea, Trustee Frederiksen – yea, Trustee Vogel – yea. Motion carried.
- Issue with water tank but was corrected by cleaning out the filter.
- Obtained bids to trim trees at Drylanders Museum, Town Hall, and Park as well as remove some dead trees at the Park. The dead tree the Board previously discussed having carved appears to be totally rotten so it will have to be removed.
 - Tabled to next Work Session.

Public Comments On Items Not on the Agenda:

- None

New Business:

- None

Old Business:

- None

Finance/Budget/Personnel/Grants:

- **Open Trustee Position:** Motion by Trustee Frederiksen and seconded by Trustee Vogel to approve posting of the Open Trustee position. A discussion regarding deadline ensued. The position will be posted with a deadline of two weeks that can be extended if no response.
- **Temporary Part-Time Paid Position:** Clerk Payne stated she envisions the position being a 20 hour / week position from May thru the end of September 2018. Motion to approve posting of Temporary Part-Time Court Assistant by Trustee Vogel and seconded by Trustee Tinsley. Roll Call Vote: Mayor Bender – yea, Trustee Vella – yea, Trustee Jackson – yea, Trustee Tinsley – yea, Trustee Frederiksen – yea, Trustee Vogel – yea. Motion carried.
- **Highland Dictionary Fund:** Motion by Trustee Jackson and seconded by Trustee Tinsley to approve a donation of \$50 to the Highland Dictionary Fund. Roll Call Vote: Mayor Bender – yea, Trustee Vella – yea,

Trustee Jackson – yea, Trustee Tinsley – yea, Trustee Frederiksen – yea, Trustee Vogel – yea. Motion carried.

Planning and Development:

- **Varra Convenience Store Site Plan Review:** Town Engineer Mike Kettering offered his comments on the site plan which included driveway location concerns, parking areas, pump access, traffic impact, additional right of way. Clerk Payne will provide Mr Varra with a hard copy of the Town Engineer’s review.
- **Variance Request for 1424 2nd St:** Resident requesting a variance to keep 2 horses on their 2.2 acres at this address. Resident provided letter dated September 13, 1994 indicating the current owner would be allowed to continue the grazing use. Board agreed this property was not zoned Ag, which would be required to continue the use, but zoned Residential and the property has changed ownership and the use had been abandoned. Motion by Trustee Frederiksen and seconded by Trustee Tinsley to deny the variance request. Roll Call Vote: Mayor Bender – yea, Trustee Vella – nay, Trustee Jackson – yea, Trustee Tinsley – nay, Trustee Frederiksen – yea, Trustee Vogel – yea. Motion carried (variance denied).

Code Enforcement/Fire/Police:

- **Weld County Sheriff Department Jail Services Agreement:** Motion to approve the Weld County Sheriffs Department Jail Services Agreement by Trustee Frederiksen and seconded by Trustee Jackson. Roll Call Vote: Mayor Bender – yea, Trustee Vella – yea, Trustee Jackson – yea, Trustee Tinsley – yea, Trustee Frederiksen – yea, Trustee Vogel – yea. Motion carried.

Water/Streets/Maintenance/Sewer:

- **Lincoln Ave North End Seeding:** Mr Varra would like to seed the north portion of Lincoln Ave which has been closed. Easement will have to be researched. Tabled to Work Session.

Parks/Cemetery/Grounds/Recreation:

- None

Technology:

- New Board Members should go in to Town Office next week to sign out their computers.

Emergency Planning:

- None

Appreciation for Retiring Board Members:

- Mayor Bender, Trustee Tinsley, Trustee Jackson, and Trustee Lincoln – absent were / will be presented with plaques in appreciation of their service.

Oath of Office for Elected Officials:

- Swearing in of newly elected officials by Town Clerk Payne: Terry Tinsley sworn in as Mayor, Robert Colegate and John Vogel sworn in as 4 year Trustees, Susan Frederiksen sworn in as 2 year Trustee. Trustee elect Judd Sittner was absent and will be sworn in at a later date.
- Previous Board vacated and new Board seated.

Mayor Tinsley presiding over remainder of meeting.

Appointment of Town Clerk/Treasurer and Town Attorney:

- Motion to approve appointment of Cathy Payne as Town Clerk/Treasurer for a 2 year term by Trustee Frederiksen and seconded by Trustee Vogel. Roll Call Vote: Mayor Tinsley – yea, Trustee Frederiksen – yea, Trustee Vogel – yea, Trustee Vella – yea, Trustee Colegate – yea. Motion carried.

- Motion to approve appointment of Matthew Gould as Town Attorney for a 2 year term made by Trustee Frederiksen and seconded by Trustee Vogel. Roll Call Vote: Mayor Tinsley – yea, Trustee Frederiksen – yea, Trustee Vogel – yea, Trustee Vella – yea, Trustee Colegate – yea. Motion carried.

Oath of Office for Town Clerk/Treasurer and Town Attorney:

- Town Clerk/Treasurer Cathy Payne sworn in by Mayor Tinsley.
- Town Attorney Matthew Gould sworn in by Mayor Tinsley.

Public Comments:

- None

Motion to Adjourn made by Trustee Vogel and seconded by Trustee Colegate. All in Favor. Motion Carried.

Meeting Adjourned: 7:14 p.m.

Mayor Bender

Trustee Susan Frederiksen

Mayor Tinsley