

The July 2023 meeting of the Board of Trustees was held in regular session on Monday, July 10, 2023. Members present when this meeting was called to order by Mayor Hoschouer at 7:00 p.m. included Trustees Law, Fraker, Sherman, Wilson and Mast as well as Clerk Hartwell, Manager Nein and Attorney Wells. Trustee Campbell was excused from the meeting. A quorum was present, and the meeting could proceed after the Pledge of Allegiance. Guests included Rhonda Graham, Kim Orth, Jess Smith, Scott Szabo, Attorney Kelly Lowery, Patty Carter, Jeff Cook-Coyle, Michelle Beck, Tammy Schneider, Jen Lanckriet and News Correspondent Vickie Sandlin.

The **Agenda** for this meeting was reviewed. Clerk Hartwell requested SCOR / Patty Carter and Jess Smith for tree issues be added as Guests. Trustee Wilson made a motion and seconded by Trustee Law to approve the agenda additions as requested. Vote was unanimous.

A motion was made by Trustee Sherman and seconded by Trustee Mast approving the **Minutes** for the June 5, 2023 meeting as presented. Vote was unanimous.

Clerk Hartwell presented the June 2023 **Claims** for review and payment consideration. Trustee Sherman made a motion and Trustee Mast seconded to approve the claims as presented. Vote was unanimous. Trustee Sherman made a motion and seconded by Trustee Wilson to approve the Capital Improvement claims for \$ 37,185.21 for items with the streets' seal coating. Vote was unanimous.

	ELECT	WATER	SEWER	SANIT	GENERAL	TOTAL
TOTAL	93,198.38	23,395.62	11,896.31	15,108.31	82,664.30	226,262.92

Clerk/Treasurer Hartwell presented the May 31, 2023 **Financial Statement**. A motion was made by Trustee Sherman and seconded by Trustee Mast approving this report, as presented. Vote was unanimous.

Guest Szabo presented the 2022 audit report and detailed any irregularities in each fund. Trustee Mast made a motion and seconded by Trustee Sherman to approve the audit report as presented. A unanimous vote was recorded. Guest Szabo thanked the Board Members and dismissed himself at 7:16 pm.

Guest Beck gave an update on the Communities That Care program and noted the program has been having regular meetings in all three towns in the County. During the school year, the program will continue to offer an after-school program in Ovid two days a week and in Julesburg two days a week.

Guest Graham thanked the Town employees for their work setting up and tearing down the tables and trash receptables for the 4th of July event at the nursing home although the weather did not allow for many residents to participate, an update for Cruise Night was given and she requested the Board Members allow her until next month to receive more applications for food vendors, and a request to opt-in to participate in

Colorado Housing and DOLA's housing program. These programs will coordinate with the IHOP housing program the Town has already initiated.

Guest Carter thanked the Board Members for donating the high school building to the County. SCOR approached the County after the Town's decision to donate the building and wants to occupy part of the facility. The County has tasked SCOR to be self-supporting and to build their own programs to use the facility for a Community Center that benefits our youth, adults and seniors. SCOR has begun seeking a Facilities Director to begin quickly and aims to have volleyball leagues and tournaments beginning in September. SCOR would like the Town to relinquish the JREC youth program to them and either donate (or SCOR can purchase) all the Town's equipment and uniforms. No discussion was held on the request.

Guests Schneider and Beck dismissed themselves at 7:43 pm.

Guest Smith requested the Board Members enforce the tree ordinance and have property owners trim or remove the trees that interfere with sidewalks, intersections and right-of-way areas. Mayor Hoschouer thanked him for the request and noted that was already on the checklist to notify the property owners.

Under **Legal Matters**, Attorney Wells and Attorney Lowery reviewed the items such as the new bus barn IGA, streets IGA, Quitclaim Deed, and Statement of Authority that needs to be approved between the Town and the School District. After discussion, Trustee Wilson made a motion and seconded by Trustee Mast to approve the items and sign as needed. Vote was unanimous. Attorney Lowery thanked the Town and Board Members for their support of the school project and dismissed herself at 8:15 pm.

Attorney Wells noted an update for the Zoning overlay and Charges for excavations by contractors was not available this month. Within the Campbell Subdivision, an interested party is apparently "under contract" for a lot being sold by a local realtor. Attorney Wells noted the realtor, developer or interested party has not contacted the Town regarding the transaction and that the Town will still require a development agreement and work out details regarding zoning modifications and an improvement district. Attorney Wells reported our airport is an FAA recognized public use airport and both the Federal and State authorities would have to allow the Town to sell the airport. Before the Town would be allowed to sell, numerous steps will have to be met such as proper valuation, if the Town would retain covenants and public access, notification to existing lessees for other parcels surrounding the airport activities, public meetings for all residents and current property owners since the use would likely be changed, and the entire bidding process would be public. The Town cannot sell to a selected entity without adherence to the State mandated bidding process. No further discussion was held on the matter.

Guest Cook-Coyle with Premier Energy was introduced to present information regarding a solar field project that could be installed within a 10-acre area by the fairgrounds. After discussion, Trustee Sherman made a motion and seconded by Trustee Mast to approve applying to further vet the project and determine if it would be feasible and beneficial for the Town. As presented by Premier Energy, our application is not binding or obliging the Town to carry out the project. Vote was unanimous.

Guests Lanckriet, Cook-Coyle and Smith dismissed themselves at 8:55 pm.

For **Old Business**, Manager Nein noted the Stretesky Foundation has determined not to reimburse the Town for the construction of Jenkins Street as per their commitment letter received in February 2017. He noted written notification was not given to the Town from the Foundation regarding their decision. A verbal notification was received on June 20th from the Foundation's Director stating "the commitment of \$ 350,000 had lapsed since the area had not had three parcels built out and occupied by businesses. The Foundation continues to support our efforts and welcomes future applications." The Board Members will review during the upcoming budget work sessions how their decision impacts on any planned future projects and what the Town will be able to do without the expected replenishment of funds. Manager Nein reported the So. Platte River continues to run at a high flow rate and we have had to fortify the river bank to mitigate erosion to save components of our infrastructure, Cobblestone has yet to break ground but he has received word a local person has been hired to be the project General Contractor and the County is in the process of selling the former Sweden Crème parcel by silent auction.

The chlorotech machine at the water plant is running well since this component was replaced.

Miller & Associates were not able to provide a revised design for the pool project in time for tonight's meeting. When asked if demolition could begin, Attorney Wells responded the project could not move forward until a design was approved and met the restrictions of the bond issue.

Trustee Law provided an update for Cruise Night and inquired if Town Hall and the Library could close at noon that day. The Board Members agreed. Trustee Law provided an update for Community Economic Development and noted the County wishes to bid on the athletic equipment at the school's auction later this week and that Gates Foundation has awarded a grant of \$ 75,000 for the school facility.

Clerk Hartwell presented a food vendor application for Topsy Cow for Cruise Night. Trustee Mast made a motion and seconded by Trustee Fraker to approve the application. Vote was unanimous.

Guests Carter and Orth dismissed themselves at 9:44 pm.

Under **New Business**, Manager Nein reported the street repairs are ongoing and that our fog coating date has not been determined yet; (2) over the past month, the Town has had two main water line breaks and

have made the necessary repairs; (3) mosquito spraying continues to occur twice a week due to the wet and rainy conditions; (4) the Board of Appeals approved the request by Keith Ward to temporarily place two additional sea containers beside the former Willy's Place while he remodels the building. The Board of Appeals stated if the containers are needed longer than September 1st, Ward would need to request from the Town Board and receive approval of any extension of time. Trustee Wilson made a motion and seconded by Trustee Fraker to approve the request and to accept the restriction of timeframe. Vote was unanimous; (5) the streetlights on Cottonwood Street by the new school are installed; (6) the School's contractor has begun to remove the trees at the Elementary School location to prep for demolition of the building and clear the two blocks for future residential housing; (7) coordinating for the storm drainage revisions in Campbell Subdivision continues and intends to begin on the south end near 3rd Street and work towards the north; and (8) a new app is available that may assist in notifying residents when a utility problem arises such as a water main break. Manager Nein needs to investigate this app to determine if it is cost effective.

Clerk Hartwell presented the liquor license renewal for JT's. Trustee Sherman made a motion and seconded by Trustee Wilson to approve the license renewal. A unanimous vote was recorded.

As distributed in the Board Member's meeting packets, Resolution 2023-04 is the recurring resolution notifying the State that our Board of Appeals and Library Board Members are volunteers. Trustee Wilson made a motion and seconded by Trustee Fraker to approve the resolution. Vote was unanimous.

Clerk Hartwell presented a small business application by Estrada at 115 Construction Avenue. After discussion, Trustee Law made a motion and seconded by Trustee Wilson to deny the request due to its non-conforming use and to notify Estrada of their decision. A unanimous vote was recorded.

As discussed earlier in the meeting, Trustee Wilson made a motion and seconded by Trustee Law to have the Town opt-in to the Colorado Housing and DOLA's housing program with regard to Proposition 123. Vote was unanimous.

No **Correspondence** was received this month.

Trustee Concerns included concerns about weed abatement at the I-76 area, location of the blood drives and the playground equipment at the Elementary School that is the Town's to acquire. Manager Nein will follow up on the concerns.

A motion was made by Trustee Wilson and seconded by Trustee Fraker to adjourn from Regular Session into Executive Session for the purpose of personnel matters. A unanimous vote was recorded. The Board Chambers were cleared.

Announcement Number 1 – It is Monday, July 10, 2023 and the time is 10:20 pm. For the record, I am serving as the presiding officer of the Town of Julesburg. As required by the Open Meeting Law, this Executive Session is being electronically recorded.

Also present at this Executive Session are the following persons: Trustees Law, Fraker, Sherman, Wilson and Mast, Clerk Hartwell, Manager Nein, and Attorney Wells.

This is an Executive Session held for the purpose of discussing personnel matters per C.R.S. §24-6-402(4)(f).

I caution each participant to confine all discussion to the stated purpose of the Executive Session, and that no formal action may occur in the Executive Session. If at any point in the Executive Session any participant believes that the discussion is going outside the proper scope of said Executive Session, please interrupt the discussion and make an objection. This Executive Session may now proceed.

At the end of this Executive Session, a motion was made by Trustee Law, seconded by Trustee Mast to adjourn from Executive Session and to reconvene into Regular Session. Vote was unanimous.

Announcement Number 2 – At the end of such Executive Session, I as Mayor attest that the recording reflects the actual contents of the discussion at the Executive Session and has been made in lieu of any written minutes to satisfy the recording requirements of the Open Meetings Law noting said tape will be retained at Town Hall for a 90-day period. The time is now 10:39 pm and we conclude the Executive Session and return to the open Regular Session.

All Guests could return to Chambers to continue the Board Meeting.

Announcement Number 3 – The time is 10:39 pm and we have concluded the Executive Session. The participants in the Executive Session were Trustees Law, Fraker, Sherman, Wilson and Mast, Clerk Hartwell, Manager Nein and Attorney Wells.

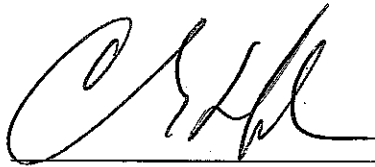
For the record, if any person who participated in the Executive Session believes that any substantial discussion of any matters not included in the motion to go into Executive Session occurred during the Executive Session and in violation of the Open Meetings Law, I would ask that you state your concerns for the record.

Hearing no objections, is there other business that needs to be addressed?

The next Board Meeting is scheduled for Monday, August 7, 2023 at 7:00 pm.

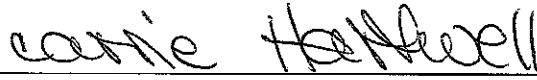
There being no additional business, a motion was made by Trustee Wilson and seconded by Trustee

Law at 10:40 pm for adjournment.



MAYOR

Aug. 7, 2023
APPROVED



TOWN CLERK