

***Town of Mead***  
**BOARD OF TRUSTEES**  
**SPECIAL MEETING**  
**AGENDA**  
***441 3<sup>rd</sup> Street, Mead***

Saturday, March 21, 2020

**12:00 p.m. to 4:00 p.m.**  
**SPECIAL MEETING**

1. ***Call to Order – Roll Call***  
Mayor Colleen Whitlow  
Trustee David Adams  
Trustee Brooke Babcock  
Trustee Debra Brodhead  
Trustee Trisha Harris  
Trustee Terri Hatch  
Mayor Pro Tem Joyce Palaszewski
2. ***Pledge of Allegiance to the Flag***
3. ***Review and Approve Agenda***
4. ***Informational Items***
  - a. Colorado Department of Public Health & Environment  
Public Health Order 20-22 March 17, 2020
5. ***Public Comment:*** 3 minute time limit. Comment is for any item whether it is on the agenda or not, unless it is set for public hearing.
6. ***Consent Agenda:*** Consent Agenda items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda unless a Board member so requests, in which case the item may be removed from the Consent Agenda and considered at the end of the Consent Agenda. ***Consent Agenda includes:***
  - a. Approval of Minutes–Regular Meeting March 9, 2020
  - b. **Resolution No. 35-R-2020** – A Resolution of the Town of Mead, Colorado, Setting the Days and Times of the Board of Trustees Regular Meetings for Calendar Year 2020
  - c. **Resolution No. 36-R-2020** – A Resolution of the Town of Mead, Colorado, Approving the First Amendment to Subdivision Improvement Agreement Between the Town of Mead and the Developer of the Sorrento Subdivision
  - d. **Resolution No. 37-R-2020** – A Resolution of the Town of Mead, Colorado, Establishing a Rate of Pay for Election Judges for the April 7, 2020 Regular Municipal Election
7. ***Check Register March 17, 2020***
8. ***New Business***
  - a. **Resolution No. 38-R-2020** – A Resolution of the Town of Mead, Colorado, Establishing Supplementary Rules and Procedures for Emergency Meetings
  - b. Work Flow Interruptions

9. ***Public Comment:*** 3 minute time limit. Comment is for any item whether it is on the agenda or not, unless it is set for public hearing.

10. ***Elected Official Reports***

- a. Town Trustees
- b. Mayor Whitlow

11. ***Adjournment***



March 20, 2020

Dear Trustees,

The Special meeting scheduled for Thursday, March 19, 2020 was cancelled due to poor weather conditions and postponed to Saturday, March 21. In accordance with the Special Meeting Procedures of the Mead Municipal Code, Section 2-2-140, I am calling a Special Meeting for:

Saturday, March 21, 2020  
12:00 p.m. (noon)  
Mead Town Hall  
441 Third Street  
Mead, CO 80542

The purpose of the special meeting will be to consider a resolution adopting procedures for holding emergency meetings and to consider any other business before the Town of Mead. Given the current emergency declarations relating to COVID-19 (coronavirus) and the public health orders restricting the size of public gatherings, it is prudent to consider these items prior to our next scheduled Board meeting of March 30, 2020.

I have attached an agenda for your review. The Board Packet will be distributed electronically shortly.

Colleen G. Whitlow  
Mayor, Town of Mead  
[Cwhitlow@townofmead.org](mailto:Cwhitlow@townofmead.org)



## Agenda Item Summary

MEETING DATE: March 21, 2020

SUBJECT: Public Health Order regarding Bars, Restaurants, Events and Gyms

PRESENTED BY: Mary Strutt, Town Clerk

### SUMMARY

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Staff has included the Public Health Order requiring the closure of bars, restaurants, gyms and events with over 10 attendees.

### FINANCIAL CONSIDERATIONS

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None.

### STAFF RECOMMENDATION/ACTION REQUIRED

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No action required.

### ATTACHMENTS

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Public Health Order 20-22



March 17, 2020

**AMENDED NOTICE OF PUBLIC HEALTH ORDER 20-22 CLOSING BARS,  
RESTAURANTS, THEATERS, GYMNASIUMS, AND CASINOS STATEWIDE**

The Colorado Department of Public Health and Environment (CDPHE) is working to stop the spread of novel coronavirus 2019 (COVID-19). At this time I find it necessary to implement emergency measures to close down all bars, restaurants, theaters, gymnasiums and casinos in Colorado in an effort to protect and preserve the public health. This Order, originally issued on March 16, 2020, has been amended to exempt institutions of higher education in the services of meals, clarify that hotel dining services are not exempted other than in room dining services, add a definition of gymnasium, and extend the Order through April 30, 2020.

**FINDINGS**

1. COVID-19 was first detected in Wuhan, China in late 2019, and since then has spread to over 60 countries including the United States. There are 131 known presumptive positive cases of COVID-19 in Colorado as of March 16, 2020, and there is every expectation that more cases will be diagnosed.
2. COVID-19 is a respiratory illness transmitted like other respiratory illness through person-to-person contact or by contact with surfaces contaminated with the virus. Persons infected with COVID-19 may become symptomatic anywhere from two to fourteen days after exposure. Symptoms include fever, cough or shortness of breath or difficulty breathing.

3. Individuals with serious chronic health conditions and older adults are most at risk for becoming very ill with this disease.

3. On March 10, 2020, the Governor of Colorado declared a State of Emergency related to the presence of COVID-19 in the State. CDPHE has confirmed that COVID-19 continues to spread throughout the State of Colorado.

4. On March 13, 2020, the President of the United States declared a National Emergency due to COVID-19.

5. A significant number of Coloradans are at risk of serious health complications, including death, from COVID-19. Although most individuals who contract COVID-19 do not become seriously ill, persons with mild symptoms and asymptomatic persons with COVID-19 may place other vulnerable members of the public at significant risk. A large surge in the number of persons with serious infections can compromise the ability of the healthcare system to deliver necessary healthcare to the public. Colorado is experiencing a rapid increase in COVID-19 transmission that threatens the health of residents and risks overwhelming the healthcare system in the state of Colorado.

6. Pursuant to Colo. Rev. Stat. § 25-1.5-101(1)(a) and §25-1.5-102(1)(a)(I), this Public Health Order closes bars, restaurants, gyms, theaters, and casinos to slow the spread of the COVID-19 virus. CDPHE has the duty to investigate and control the causes of epidemic or communicable diseases and conditions affecting public health and to establish, to close public places and forbid gatherings of people when necessary to protect the public health, and to establish, maintain and enforce isolation and quarantine, and, in pursuance thereof and for this purpose only, to exercise such physical control over property and the persons of the people within this state as the department may find necessary for the protection of public health.

**ORDER**



**I. Definitions.** For purposes of this Order:

- A. **“Bar”** means any indoor area that is operated and licensed under article 3 of title 44, primarily for the sale and service of alcohol beverages for on-premises consumption and where the service of food is secondary to the consumption of such alcohol beverages. C.R.S. Section 25-14-203(3).
- B. **“Brew pub”** means a retail establishment that manufactures not more than one million eight hundred sixty thousand gallons of malt liquor and fermented malt beverages on its licensed premises or licensed alternating proprietor licensed premises, combined, each calendar year. C.R.S. Section 44-3-103(5).
- C. **“Casino”** means a licensed gaming establishment, which is any premises licensed pursuant to this Article 30 of Title 44 of the Colorado Revised Statutes for the conduct of gaming. C.R.S. Section 44-30-103(18).
- D. **“Cigar-tobacco bar”** means a bar that, in the calendar year ending December 31, 2005, generated at least five percent or more of its total annual gross income or fifty thousand dollars in annual sales from the on-site sale of tobacco products and the rental of on-site humidors, not including any sales from vending machines. C.R.S. Section 25-14-203(4).
- E. **“Distillery pub”** means a retail establishment:
- (1) Whose primary purpose is selling and serving food and alcohol beverages for on-premises consumption; and
  - (2) That ferments and distills not more than forty-five thousand liters of spirituous liquor on its licensed premises each calendar year. C.R.S. Section 44-3-103(14).
- F. **“Gymnasium”** means a building or room used for indoor sports, such as fitness and exercise studios and centers, recreation centers, bowling alleys, and other indoor athletic facilities.

- G. **“Restaurant”** means an establishment provided with special space, sanitary kitchen and dining room equipment, and persons to prepare, cook, and serve meals, where, in consideration of payment, meals, drinks, tobaccos, and candies are furnished to guests. For purposes of this order, “Restaurant” also includes any restaurant facilities located within a hotel, lodging and entertainment facility, resort hotel, or resort complex. C.R.S. Section 44-3-103(21), (29), (44), (45), (47).
  - H. **“Tavern”** means an establishment serving alcohol beverages in which the principal business is the sale of alcohol beverages at retail for consumption on the premises and where sandwiches and light snacks are available for consumption on the premises. C.R.S. Section 44-3-103(57).
  - I. **“Public accommodation”** for purposes of this Order is a private entity that owns, operates, leases, or leases to, a place of public accommodation. Places of public accommodation subject to this Order include bars which include taverns, brew pubs, distillery pubs, restaurants, gymnasiums, theaters, and casinos.
- II. Effective March 17, 2020 at 8:00 AM, and continuing through April 30, 2020, the following places of public accommodation are closed to ingress, egress, use, and occupancy by members of the public:
- 1. Restaurants, food courts, cafes, coffeehouses, and other similar places of public accommodation offering food or beverage for on-premises consumption;
  - 2. Bars, taverns, brew pubs, breweries, microbreweries, distillery pubs, wineries, tasting rooms, special licensees, clubs, and other places of public accommodation offering alcoholic beverages for on-premises consumption;
  - 3. Cigar bars;
  - 4. Gymnasiums;



5. Movie and performance theaters, opera houses, concert halls, and music halls; and
6. Casinos.

Places of public accommodation subject to this section are encouraged to offer food and beverage using delivery service, window service, walk-up service, drive-through service, or drive-up service, and to use precautions in doing so to mitigate the potential transmission of COVID-19, including social distancing. In offering food or beverage, a place of public accommodation subject to this section may permit up to five members of the public at one time in the place of public accommodation for the purpose of picking up their food or beverage orders, so long as those individuals are at least six feet apart from one another while on premises.

- III. The restrictions imposed by this order do not apply to any of the following:
  1. Places of public accommodation that offer food and beverage not for on-premises consumption, including grocery stores, markets, convenience stores, pharmacies, drug stores, and food pantries, other than those portions of the place of public accommodation subject to the requirements of Section II;
  2. Room service in hotels;
  3. Health care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities;
  4. Crisis shelters or similar institutions;
  5. Airport concessionaires;
  6. Institutions of higher education offering dining hall services located in or adjacent to campus dormitories that are accessed through student, staff, faculty, or campus associated identification, as well as grab and go

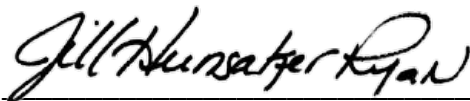
food services within these institutions, while exercising social distancing measures of at least six feet between individuals;

7. Fitness centers included in hotels, apartment or condominium complexes or similar housing arrangements that are limited to use only by hotel guests or lessees or owners of the housing who are following social distancing requirements of at least 6 feet between individuals, and the hotel or property managers are performing frequent environmental cleaning; and
8. Any emergency facilities necessary for the response to these events.

**This Order takes effect at 8:00 AM on March 17, 2020 and remains in effect through April 30, 2020, unless otherwise extended in writing by the Executive Director.**

CDPHE is tasked with protecting the health and welfare of the citizens of Colorado by investigating and controlling the causes of epidemic and communicable disease. This Order is necessary to control any potential transmission of disease to others. See sections 25-1.5-101(1)(a) and 25-1.5-102(1)(a)(I), C.R.S. Immediate issuance of this Order is necessary for the preservation of public health, safety, or welfare.

**FAILURE TO COMPLY WITH THIS ORDER IS SUBJECT TO THE PENALTIES CONTAINED IN SECTIONS 25-1-114, C.R.S, INCLUDING A FINE OF UP TO ONE THOUSAND (1,000) DOLLARS AND IMPRISONMENT IN THE COUNTY JAIL FOR UP TO ONE YEAR.**



Jill Hunsaker Ryan, MPH  
Executive Director

March 17, 2020

Date

**Town of Mead  
Regular Meeting  
Board of Trustees  
March 9, 2020  
6:00 p.m.**

**1. Call to Order - Roll Call**

Mayor Colleen Whitlow called the Regular Meeting of the Board of Trustees to order at 6:01 p.m.

**Present**

Mayor Colleen Whitlow  
Trustee David Adams  
Trustee Brooke Babcock  
Trustee Debra Brodhead  
Trustee Terri Hatch  
Trustee Trisha Harris  
Mayor Pro Tem Joyce Palaszewski

**Absent**

None

Also present: Town Manager Helen Migchelbrink; Town Attorney Marcus McAskin; Town Engineer / Public Works Director Erika Rasmussen; Town Clerk / Treasurer Mary Strutt; Public Information Officer Erika Harper; Chief of Police Brent Newbanks; Planning Director Chris Kennedy.

**2. Pledge of Allegiance to the Flag**

The assembly pledged allegiance to the flag.

**3. Review and Approve Agenda**

*Motion was made by Mayor Pro Tem Palaszewski, seconded by Trustee Adams, to approve the agenda. Motion carried 7-0.*

**4. Public Comment**

There was no public comment at this time.

**5. Consent Agenda**

- a. Approval of Minutes–Regular Meeting February 24, 2020
- b. Aged Receivables
- c. **Resolution No. 28-R-2020** – A Resolution of the Town of Mead, Colorado, Approving a Non-Exclusive Public Utility Easement Agreement with Little Thompson Water District for Installation of Improvements on Certain Real Property Owned by the Town
- d. **Resolution No. 29-R-2020** – A Resolution of the Town of Mead, Colorado, Accepting an Annexation Petition, Making Certain Findings of Fact, Finding

Substantial Compliance for Such Petition, and Setting a Public Hearing for Property Known as the Waterfront Annexation

- e. **Resolution No. 30-R-2020** – A Resolution of the Town of Mead, Colorado, Authorizing and Approving the Town of Mead’s Participation in the Metro Mortgage Assistance Plus Program, and Authorizing the Execution of the Delegation and Participation Agreement and Other Documents in Connection Therewith

*Motion was made by Trustee Adams, seconded by Trustee Babcock, to approve the Consent Agenda. Motion carried 7-0.*

**6. Check Register March 4, 2020**

*Motion was made by Trustee Babcock, seconded by Trustee Adams, to approve the March 4, 2020 check register. Motion carried 7-0, on a roll call vote.*

**7. Staff Report: Town Manager Report**

Town Manager Helen Migchelbrink discussed cancellation of business appreciation lunch; budget summary and postcard of events; staffing of Mead Police Department. Chief Newbanks discussed the need for three new police officers to allow for 24/7 coverage and comply with contract with Weld County Sheriff’s Office. Staff will bring back full proposal for approval.

**8. New Business**

- a. **Proclamation:** Vietnam War Veterans’ Day

Trustee Brodhead read the Proclamation for Vietnam Veterans’ Day March 29, 2020.

*Motion was made by Mayor Pro Tem Palaszewski, seconded by Trustee Adams, to authorize Mayor Whitlow to sign the Proclamation for Vietnam Veterans’ Day March 29, 2020. Motion carried 7-0.*

- b. **Resolution No. 31-R-2020** – A Resolution of the Town of Mead, Colorado, Approving the Intergovernmental Agreement By and Between the Town of Mead and the Town of Platteville Pertaining to the Establishment of Planning and Development Areas

Town Attorney Marcus McAskin discussed the renewal of the previous IGA which was signed in 2011 and expired in 2016.

*Motion was made by Trustee Babcock, seconded by Trustee Adams, to adopt Resolution No. 31-R-2020 – A Resolution of the Town of Mead, Colorado, Approving the Intergovernmental Agreement By and Between the Town of Mead and the Town of Platteville Pertaining to the Establishment of Planning and Development Areas. Motion carried 7-0.*

- c. **Resolution No. 32-R-2020** – A Resolution of the Town of Mead, Colorado, Approving a First Amendment to the Agreement for Professional Services By and Between the Town of Mead and Precision Employment Consulting, LLC for Outsourced Human Resources Services

Town Manager Helen Migchelbrink discussed the contract extension for outsourced human resource services.

*Motion was made by Trustee Adams, seconded by Trustee Brodhead, to adopt Resolution No. 32-R-2020 – A Resolution of the Town of Mead, Colorado, Approving a First Amendment to the Agreement for Professional Services By and Between the Town of Mead and Precision Employment Consulting, LLC for Outsourced Human Resources Services for an additional amount not to exceed \$60,000.00. Motion carried 7-0, on a roll call vote.*

- d. **Resolution No. 33-R-2020** – A Resolution of the Town of Mead, Colorado, Approving a First Amendment to the Agreement for Professional Services By and Between the Town of Mead and Professional Management Systems, LLC for Financial Services

Town Manager Helen Migchelbrink discussed the contract extension for outsourced financial services.

*Motion was made by Trustee Babcock, seconded by Trustee Harris, to adopt Resolution No. 33-R-2020 – A Resolution of the Town of Mead, Colorado, Approving a First Amendment to the Agreement for Professional Services By and Between the Town of Mead and Professional Management Systems, LLC for Financial Services for an additional amount not to exceed \$69,390.00. Motion carried 7-0, on a roll call vote.*

- e. **Resolution No. 34-R-2020** – A Resolution of the Town of Mead, Colorado, Approving a Special Project Task Order for JVA, Incorporated to Complete Final Design of the Public Works Facility

Town Engineer / Public Works Director Erika Rasmussen discussed the design of a Public Works facility for which the Town has been awarded a DOLA grant of \$130,625.

*Motion was made by Trustee Harris, seconded by Trustee Babcock, to adopt Resolution No. 34-R-2020 – A Resolution of the Town of Mead, Colorado, Approving a Special Project Task Order for JVA, Incorporated to Complete Final Design of the Public Works Facility for an amount not to exceed \$269,717.00. Motion carried 7-0, on a roll call vote.*

#### f. **Website Proposals**

Public Information Officer Erika Harper discussed proposals received for updating and improving the town's website. The Board discussed the cost of the website and the need.

*Motion was made by Trustee Harris, seconded by Trustee Brodhead, to authorize the Town Manager, or her designee, to negotiate the terms of a mutually acceptable services agreement with CivicPlus, LLC, a Kansas limited liability company, for website design, implementation and annual hosting services. Motion failed 3-4. Mayor Whitlow and Trustees Brodhead and Harris voted yes; Mayor Pro Tem Palaszewski and Trustees Adams, Babcock, and Hatch voted no.*

### 9. **Public Comment**

Resident Andrea Lee and Steve Fox discussed town communication with residents including website, signage, social media and newsletter.

## 10. Elected Officials Report

### a. Town Trustees

The Trustees discussed communication to residents and directed staff to execute a short social media poll about website usage.

### b. Mayor Whitlow

Mayor Whitlow discussed the final meeting of the I-25 parallel arterial (WCR 9.5) study which will be on March 19 at SW Weld offices.

The Board discussed doing further review of the Comprehensive Plan.

## 11. Adjournment

*Motion was made by Trustee Adams, seconded by Mayor Pro Tem Palaszewski, to adjourn the meeting. Motion carried 7-0.*

The Regular Meeting of the Town of Mead Board of Trustees adjourned at approximately 7:45 p.m. on Monday, March 9, 2020.

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Colleen G. Whitlow, Mayor

ATTEST:

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Mary E. Strutt, MMC, Town Clerk



## Agenda Item Summary

MEETING DATE: March 21, 2020

SUBJECT: Annual Setting of the Days and Times of Board of Trustees Regular Meetings

PRESENTED BY: Mary Strutt, Town Clerk

### SUMMARY

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Section 2-2-130(a) of the Mead Municipal Code requires the Town Board to set the regular meeting dates and times on an annual basis via resolution. The attached resolution sets the Board's regular meetings for the second and last Mondays of each month from 6:00 p.m. to 10:00 p.m. and includes the 2020 meeting calendar.

### FINANCIAL CONSIDERATIONS

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None

### STAFF RECOMMENDATION/ACTION REQUIRED

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Staff recommends a motion to adopt Resolution No. 35-R-2020, a resolution of the Town of Mead, Colorado, setting the days and times of the Board of Trustees Regular Meetings for Calendar Year 2020.

### ATTACHMENTS

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Resolution No. 35-R-2020

**TOWN OF MEAD, COLORADO  
RESOLUTION NO. 35-R-2020**

**A RESOLUTION OF THE TOWN OF MEAD, COLORADO, SETTING THE  
DAYS AND TIMES OF THE BOARD OF TRUSTEES REGULAR MEETINGS  
FOR CALENDAR YEAR 2020**

**WHEREAS**, Section 2-2-130(a) of the *Mead Municipal Code* (“MMC”) provides that the Board of Trustees shall meet at least once per month and shall set the days and times of its regular meetings by resolution each year; and

**WHEREAS**, the Board of Trustees desires to set the dates and times of its regular meetings for calendar year 2020 through adoption of this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Town of Mead, Colorado, Weld County, Colorado, as follows:

**Section 1.** The Board of Trustees hereby determines that its regular meetings for 2020 shall be held on the second and last Mondays of each month. The Board of Trustees regular meeting schedule is attached to this Resolution as **Exhibit A** and is incorporated herein by reference.

**Section 2.** The Board of Trustees further determines that its regular meetings shall start at 6:00 p.m. and shall end at 10:00 p.m., subject to extension to a time certain by a majority vote of the Board of Trustees in attendance, as specifically permitted by Section 2-2-130(b) of the Mead Municipal Code.

**Section 3. Effective Date.** This resolution shall become effective immediately upon adoption.

**Section 4. Certification.** The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

**INTRODUCED, READ, PASSED AND ADOPTED THIS 21st DAY OF MARCH, 2020.**

**ATTEST:**

**TOWN OF MEAD**

By: \_\_\_\_\_  
Mary E. Strutt, MMC, Town Clerk

By: \_\_\_\_\_  
Colleen G. Whitlow, Mayor



## EXHIBIT A



### 2020 BOARD OF TRUSTEE MEETINGS

2<sup>nd</sup> and Last Monday of Every Month, 6:00 p.m. – 10:00 p.m. (unless otherwise indicated)

Mead Town Hall, 441 Third Street, Mead, CO 80542

January 13<sup>th</sup>

January 27<sup>th</sup>

February 10<sup>th</sup>

February 24<sup>th</sup>

March 9<sup>th</sup>

March 30<sup>th</sup>

April 13<sup>th</sup>

April 27<sup>th</sup>

May 11<sup>th</sup>

Tuesday, May 26<sup>th</sup>

June 8<sup>th</sup>

June 29<sup>th</sup>

July 13<sup>th</sup>

July 27<sup>th</sup>

August 10<sup>th</sup>

August 31<sup>st</sup>

September 14<sup>th</sup>

September 28<sup>th</sup>

October 12<sup>th</sup>

October 26<sup>th</sup>

November 9<sup>th</sup>

November 30<sup>th</sup>

December 14<sup>th</sup>

December 28<sup>th</sup> (cancelled)



## Agenda Item Summary

MEETING DATE: March 21, 2020

SUBJECT: Resolution No. 36-R-2020, A Resolution Approving the First Amendment to Subdivision Improvement Agreement between the Town of Mead and the Developer of the Sorrento Subdivision

PRESENTED BY: Helen Migchelbrink, Town Manager

THROUGH: Marcus McAskin, Town Attorney

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### SUMMARY

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The Town of Mead and 532 VENTURES, LLC, a Colorado limited liability company (“532 Ventures”) entered into that certain Subdivision Improvement Agreement dated October 29, 2018 and recorded in the official records of Weld County, Colorado, on December 3, 2018 at Reception No. 4450516 regarding improvements to be made in the Sorrento Subdivision (the “Agreement”). The Agreement constitutes the subdivision improvement agreement for the Sorrento Subdivision Final Plat, as required by Sec. 16-4-130 of the *Mead Municipal Code*.

532 Ventures assigned its interest in the Agreement to ENCORE ENERGY INVESTMENTS LLC, a Nevada limited liability company, LORSON SOUTH LAND CORP., a Colorado corporation, BABCOCK ENCHANGE, LLC, a Colorado limited liability company, and BABCOCK LAND CORP., a Colorado corporation (collectively, the “Developer”). The Developer is the current developer of the Sorrento Subdivision. The Developer desires to adjust the Project Commencement Date for the CR 32 Improvements (as those terms are defined in the Agreement), in order to permit building permits to be obtained within Phase 3 and certificates of occupancy or temporary certificates of occupancy to be issued within Phases 1 through 3. The Agreement currently requires the CR 32 Improvements to be commenced prior to any development or site work within Phase 3.

Town staff is amenable to amending the Agreement to permit site work to commence within Phase 3, including the issuance of building permits, temporary certificates of occupancy and certificates of occupancy therein, conditioned on the following:

- (1) Developer agreeing to commence the CR 32 Improvements on or before September 1, 2020 and completing the same within a five (5) month construction period; and

- (2) Developer collateralizing the CR 32 Improvements by agreeing that a portion of the Required Collateral filed with the Town in accordance with the Agreement (Irrevocable Letter of Credit # 202008 dated February 12, 2020), will continue to be held by the Town to secure the completion of the CR 32 Improvements (the “CR 32 Collateral”). The CR 32 Collateral will be equal to 115% preliminary cost estimate associated with the same (as attached to the Agreement as **Exhibit D** or 115% of the then-outstanding CR Improvements which amount shall be reviewed and verified by the Town Engineer; and
- (3) Developer contributing an equitable share of costs associated with the installation of a future traffic signal and related improvements at the Weld County Road 5 (WCR 5) and Highway 66 intersection (the “Traffic Signal”).

The Town retained traffic engineering consultant Fox Tuttle (Bill Fox) to determine the Developer’s equitable share of the Traffic Signal. The consultant has concluded that the Developer’s share of the Traffic Signal is 10.1%. A copy of the consultant’s memorandum dated February 27, 2020 is attached to this Agenda Item Summary for the Board’s reference. Based on a current cost estimate for the Traffic Signal of \$600,000.00, the Developer’s share of same is equal to \$60,600.00.

The necessary amendments to the Agreement are memorialized in that certain First Amendment to Subdivision Improvement Agreement (the “First Amendment”), a copy of which is attached to the Resolution as **Exhibit A**. The First Amendment has been executed by the Developer and is on file with the Town Clerk. The Resolution approves the First Amendment and delegates authority to the Town Manager to execute the First Amendment on behalf of the Town. If approved by the Board, the fully executed First Amendment will be recorded in the Weld County real property records.

#### FINANCIAL CONSIDERATIONS

Approval of the Resolution will secure \$60,600.00 toward future costs associated with the Traffic Signal. The First Amendment states that the timing of the Traffic Signal “. . . shall be determined by the Town in its sole discretion.”

#### STAFF RECOMMENDATION/ACTION REQUIRED

Staff recommends adopting Resolution No. 36-R-2020 to authorize the execution of the First Amendment.

Suggested Motion – “I move to adopt Resolution No. 36-R-2020, A Resolution Approving the First Amendment to Subdivision Improvement Agreement between the Town of Mead and the Developer of the Sorrento Subdivision.”

## ATTACHMENTS

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Resolution No. 36-R-2020

First Amendment to Subdivision Improvement Agreement

Fox Tuttle Memorandum dated February 27, 2020 (Re: Sorrento Cost Share for Improvements at CR 5 and SH 66 Intersection)

**TOWN OF MEAD, COLORADO  
RESOLUTION NO. 36-R-2020**

**A RESOLUTION OF THE TOWN OF MEAD, COLORADO,  
APPROVING THE FIRST AMENDMENT TO SUBDIVISION  
IMPROVEMENT AGREEMENT BETWEEN THE TOWN OF MEAD  
AND THE DEVELOPER OF THE SORRENTO SUBDIVISION**

**WHEREAS**, the Town of Mead and 532 VENTURES, LLC, a Colorado limited liability company (“532 Ventures”) entered into that certain Subdivision Improvement Agreement dated October 29, 2018 and recorded in the official records of Weld County, Colorado, on December 3, 2018 at Reception No. 4450516 regarding improvements to be made in the Sorrento Subdivision (the “Agreement”); and

**WHEREAS**, the Agreement constitutes the subdivision improvement agreement for the Sorrento Subdivision Final Plat, as required by Sec. 16-4-130 of the *Mead Municipal Code*; and

**WHEREAS**, 532 Ventures assigned its interest in the Agreement to ENCORE ENERGY INVESTMENTS LLC, a Nevada limited liability company, LORSON SOUTH LAND CORP., a Colorado corporation, BABCOCK ENCHANGE, LLC, a Colorado limited liability company, and BABCOCK LAND CORP., a Colorado corporation (collectively, the “Developer”) by that certain Assignment and Assumption of Subdivision Improvements Agreement dated December 12, 2018 and recorded in the official records of Weld County, Colorado, on December 14, 2018 at Reception No. 4453787; and

**WHEREAS**, Developer desires to adjust the Project Commencement Date for the CR 32 Improvements, as those terms are defined in the Agreement, in order to permit building permits to be obtained within Phase 3 and certificates of occupancy or temporary certificates of occupancy to be issued within Phases 1 through 3; and

**WHEREAS**, the Town desires to consent to the adjustment of the Project Commencement Date for the CR 32 Improvements conditioned on the Developer contributing an equitable share of costs associated with the installation of a future traffic signal and related improvements to be located at the intersection of Weld County Road 5 (WCR 5) and Highway 66; and

**WHEREAS**, the amendments to the Agreement to are set forth in that certain First Amendment to Subdivision Improvement Agreement (the “First Amendment”), a copy of which is attached to this Resolution as **Exhibit A** and is incorporated herein by reference; and

**WHEREAS**, the First Amendment has been executed by the Developer and is on file with the Town Clerk; and

**WHEREAS**, the Board of Trustees desires to approve the First Amendment and further desires to authorize the Town Manager to execute the First Amendment on behalf of the Town,

**NOW THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

**Section 1.** The foregoing recitals and findings are incorporated herein as findings and conclusions of the Board of Trustees.

**Section 2.** The Board of Trustees hereby: (a) approves the First Amendment in substantially the same form as is attached hereto as **Exhibit A**; (b) authorizes the Town Attorney in cooperation with the Town Manager to make non-material changes to the First Amendment that do not increase the Town's obligations; and (c) authorizes the Town Manager to execute the First Amendment on behalf of the Town.

**Section 3.** Following the execution of the First Amendment by the Town Manager, the Town Clerk shall cause the First Amendment to be recorded in the real property records of Weld County, Colorado.

**Section 4. Effective Date.** This resolution shall be effective immediately upon adoption.

**Section 5. Repealer.** All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

**Section 6. Certification.** The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

**INTRODUCED, READ, PASSED, AND ADOPTED THIS 21st DAY OF MARCH, 2020.**

**ATTEST:**

**TOWN OF MEAD**

By \_\_\_\_\_  
Mary E. Strutt, MMC, Town Clerk

By \_\_\_\_\_  
Colleen G. Whitlow, Mayor

Attachment(s):

**Exhibit A** - First Amendment to Subdivision Improvement Agreement

## FIRST AMENDMENT TO SUBDIVISION IMPROVEMENT AGREEMENT

**THIS FIRST AMENDMENT TO SUBDIVISION IMPROVEMENT AGREEMENT** (“FIRST AMENDMENT”) is made and entered into by and between the **TOWN OF MEAD**, a Colorado municipal corporation, whose address is P.O. Box 626, Mead, Colorado (“TOWN”), and **ENCORE ENERGY INVESTMENTS LLC**, a Nevada limited liability company, **LORSON SOUTH LAND CORP.**, a Colorado corporation, **BABCOCK ENCHANGE, LLC**, a Colorado limited liability company, and **BABCOCK LAND CORP.**, a Colorado corporation (collectively, “DEVELOPER”) (together, the “Parties”). This First Amendment shall be effective upon mutual execution hereof by the Parties (the “Effective Date”).

**WHEREAS**, the TOWN and 532 VENTURES, LLC, a Colorado limited liability company (“Assignor”) entered into that certain Subdivision Improvement Agreement dated October 29, 2018 and recorded in the official records of Weld County, Colorado, on December 3, 2018 at Reception No. 4450516 (the “AGREEMENT”); and

**WHEREAS**, the AGREEMENT constitutes the subdivision improvement agreement for the Sorrento Subdivision Final Plat, as required by Sec. 16-4-130 of the Mead Municipal Code; and

**WHEREAS**, Assignor assigned its interest in the AGREEMENT to DEVELOPER by that certain Assignment and Assumption of Subdivision Improvements Agreement dated December 12, 2018 and recorded in the official records of Weld County, Colorado, on December 14, 2018 at Reception No. 4453787; and

**WHEREAS**, DEVELOPER desires to adjust the Project Commencement Date for the CR 32 Improvements, as those terms are defined in the AGREEMENT, in order to permit building permits to be obtained within Phase 3 and certificates of occupancy or temporary certificates of occupancy to be issued within Phases 1 through 3; and

**WHEREAS**, the TOWN desires to consent to the adjustment of the Project Commencement Date for the CR 32 Improvements conditioned on DEVELOPER: (1) contributing an equitable share of costs associated with the installation of a future traffic signal and related improvements to be located at the intersection of Weld County Road 5 (WCR 5) and Highway 66; and (2) ensuring that a portion of the Required Collateral that has been posted with the Town in accordance with Paragraph 1.11(h) of the Agreement will continue to be held by the Town pending conditional acceptance of the CR 32 Improvements by the Town.

**NOW, THEREFORE**, in consideration of the foregoing, the Parties hereto promise, covenant and agree as follows:

- A. Capitalized Terms. Capitalized terms used herein but not otherwise defined shall have the meaning given them in the AGREEMENT.
- B. Paragraph 12 Amended. Paragraph 12 of the AGREEMENT is hereby amended as set forth below. Specifically, deletions are shown in ~~strike through text~~ and additions are shown in **and underlined** text.

12. Notwithstanding anything contained in this AGREEMENT to the contrary, DEVELOPER shall construct those certain improvements to County Road 32 as specifically shown and described on Exhibit D attached hereto (the “CR 32 Improvements”). Preliminary cost estimates associated with the CR 32 Improvements are set forth and included in Exhibit

D (“CR 32 Preliminary Cost Estimates”). DEVELOPER covenants and agrees to design and submit plans associated with the CR 32 Improvements to the TOWN prior to the issuance of the 101st building permit for the DEVELOPMENT or prior to the commencement of any development or site work within Phase 2 as indicated on the Phasing Plan approved by the TOWN, whichever first occurs. DEVELOPER further covenants to commence construction of the CR 32 Improvements ~~prior to the commencement of any development or site work within Phase 3~~ **on or before September 1, 2020** (“Project Commencement Date”). If DEVELOPER fails to commence the CR 32 Improvements by the Project Commencement Date, the TOWN shall be permitted to withhold all future building permits within the DEVELOPMENT.

- C. Paragraph 12.1 Amended. Paragraph 12.1 of the AGREEMENT is hereby amended as set forth below. Specifically, deletions are shown in ~~strike through text~~ and additions are shown in **and underlined** text.

**12.1** Subject to force majeure and delays caused by the TOWN, DEVELOPER covenants and agrees to complete the CR 32 Improvements and have the same conditionally accepted, subject to ordinary punch list items, by the TOWN ~~within the earlier of~~ **no later than twelve (12) five (5)** months following the Project Commencement Date ~~or prior to DEVELOPER’s commencement of any development or site work within Phase 4~~ (**“Project Completion Date”**). The TOWN shall provide prompt inspection services during the pendency of the construction of the CR 32 Improvements. The TOWN and its consultants and representatives will remain available for consultation for the duration of the completion of the CR 32 Improvements. **The TOWN and the TOWN’s building official, as applicable, shall be authorized to issue certificates of occupancy and temporary certificates of occupancy for homes constructed within Phase 1, Phase 2, and Phase 3 prior to the Project Completion Date in accordance with the provisions of the Mead Residential Code. The DEVELOPER shall provide “as-built” plans to the Town Engineer. DEVELOPER’s failure to complete the CR 32 Improvements by the Project Completion Date shall constitute a breach of this AGREEMENT and the TOWN shall be authorized to call on the CR 32 Collateral as required by Paragraph 12.7 below, in addition to exercising its rights under Paragraphs 14.1 and 14.16 of this AGREEMENT.**

- D. No Amendment to Paragraphs 12.2, 12.3, 12.4 or 12.5 of the AGREEMENT. No provisions of Paragraphs 12.2, 12.3, 12.4 or 12.5 of the AGREEMENT are amended hereby.

- E. Paragraph 12.6 Added. Paragraph 12.6 is hereby added to the AGREEMENT, to read in full as follows:

**12.6** DEVELOPER shall contribute to the TOWN, within ten (10) business days of the Effective Date of the FIRST AMENDMENT, the sum of SIXTY THOUSAND SIX HUNDRED DOLLARS (\$60,600.00) for the TOWN’s use in defraying the future cost of a traffic signal and related improvements at the intersection of Weld County Road 5 (WCR 5) and Highway 66 (the “FUTURE INTERSECTION IMPROVEMENTS”). The DEVELOPER’s contribution toward the FUTURE INTERSECTION IMPROVEMENTS is supported by the Sorrento Traffic Impact Study, as reviewed and approved by the TOWN, and is based upon the development of 454 lots. The timing of the FUTURE INTERSECTION IMPROVEMENTS shall be determined by the TOWN in its sole discretion.



- F. Paragraph 12.7 Added. Paragraph 12.7 is hereby added to the AGREEMENT, to read in full as follows:

**12.7** As additional consideration for the TOWN agreeing to issue building permits within Phase 3, and the TOWN's building official being authorized to issue certificates of occupancy and temporary certificates of occupancy for homes constructed within Phase 1, Phase 2, and Phase 3 prior to the Project Completion Date of the CR 32 Improvements, DEVELOPER agrees that a portion of the Required Collateral filed with the Town in accordance with Paragraph 1.11(h)(iv) of the AGREEMENT (Irrevocable Letter of Credit # 202008 dated February 12, 2020), specifically one hundred and fifteen percent (115%) of the preliminary cost estimates associated with the CR 32 Improvements and attached to this AGREEMENT as **Exhibit D** or one hundred and fifteen percent (115%) of the then-outstanding CR 32 Improvements, which amount shall be reviewed and verified by the Town Engineer, shall continue to be held by the Town as collateral to secure the completion of the CR 32 Improvements (the "CR 32 Collateral"). Upon completion of the CR 32 Improvements secured by the CR 32 Collateral and issuance of conditional acceptance by the Town, the CR 32 Collateral will be released. No portion of the Project Collateral shall be used for the CR 32 Collateral.

- G. Full Force and Effect. The AGREEMENT remains in full force and effect without any further amendments, alterations or modifications thereto except as expressly set forth in this FIRST AMENDMENT.
- H. Recordation. This FIRST AMENDMENT shall be recorded with the Weld County Clerk and Recorder, and the provisions of this FIRST AMENDMENT shall be binding upon and shall inure to the benefit of the beneficiaries, successors and assigns of the Parties. Recordation shall not occur prior to the Effective Date.
- I. Counterparts. This FIRST AMENDMENT may be executed in counterparts, each of which will be an original, but all of which together shall constitute one and the same instrument.

**IN WITNESS WHEREOF**, the Parties have executed this FIRST AMENDMENT as of the date(s) set forth below, to be effective as of the Effective Date.

**DEVELOPER:**

**ENCORE ENERGY INVESTMENTS LLC**, a Nevada limited liability company


By:   
Jeff Mark, Authorized Signing Agent

STATE OF COLORADO                    )  
  )ss.  
COUNTY OF El Paso                    )

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of March, 2020, by Jeff Mark as Authorized Signing Agent of ENCORE ENERGY INVESTMENTS, LLC, a Colorado limited liability company.

My commission expires: 3-22-21

Witness my hand and official seal.

  
Notary Public

SUSAN L GONZALES  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20044004607  
MY COMMISSION EXPIRES MARCH 22, 2021

LORSON SOUTH LAND CORP., a Colorado corporation

By:   
Jeff Mark, Vice President

STATE OF COLORADO )  
 )ss.  
COUNTY OF El Paso )

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of March, 2020, by Jeff Mark as Vice President of LORSON SOUTH LAND CORP., a Colorado corporation.

My commission expires: 3-22-21

Witness my hand and official seal.

SUSAN L GONZALES  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20044004607  
MY COMMISSION EXPIRES MARCH 22, 2021

  
Notary Public

BABCOCK ENCHANGE, LLC, a Colorado limited liability company

By:   
Jeff Mark, Manager

STATE OF COLORADO )  
 )ss.  
COUNTY OF El Paso )

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of March, 2020, by Jeff Mark as Manager of BABCOCK ENCHANGE, LLC, a Colorado limited liability company.

My commission expires: 3-22-21

Witness my hand and official seal.

SUSAN L GONZALES  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20044004607  
MY COMMISSION EXPIRES MARCH 22, 2021

  
Notary Public

**BABCOCK LAND CORP.**, a Colorado corporation

By:   
Jeff Mark, Vice President

STATE OF COLORADO            )  
  )ss.  
COUNTY OF El Paso        )

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of March, 2020, by Jeff Mark as Vice President of BABCOCK LAND CORP., a Colorado corporation.

My commission expires: 3.22.21

Witness my hand and official seal.

  
Notary Public

SUSAN L GONZALES  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20044004607  
MY COMMISSION EXPIRES MARCH 22, 2021

[Town signature page follows].

**TOWN OF MEAD**

By: \_\_\_\_\_  
Helen Migchelbrink, Town Manager, *authorized*  
*pursuant to Resolution No. \_\_\_\_\_*

Date of execution: \_\_\_\_\_, 2020

**ATTEST:**

By: \_\_\_\_\_  
Town Clerk

**MEMORANDUM**

**To:** Erika Rasmussen

**From:** Bill Fox

**Date:** February 27, 2020

**Project:** Sorrento Development Review

**Subject:** Sorrento Cost Share for Improvements at CR 5 and SH 66 Intersection

At your request I have reviewed the traffic study prepared for the Sorrento project (dated June 16, 2017 by Eugene Coppola, P.E.) with a focus on an appropriate cost sharing calculation for future intersection improvements at the CR5 and SH 66 intersection. Future improvements will likely include signalization of the intersection and widening for additional lanes on the approaches.

The cost sharing methodology focuses on the long-term planning horizon (Year 2035 in this case) and compares the traffic entering the intersection that is generated by the Sorrento project with the total traffic that is projected to enter the intersection. This comparison utilizes the total of the AM and PM peak hour traffic at the intersection. This information is contained in the Sorrento Traffic Impact Study as follows:

- Figure 6 Site Traffic
- Figure 10 Long Term Total Traffic

The comparison then allows a reasonable basis for sharing the cost of future intersection improvements based on a proportionate share of traffic contribution to the intersection. The key traffic information is summarized in the following tabulation:

<b>Traffic Source / Time Period</b>	<b>Total of AM and PM Peak Hour Traffic Entering Intersection</b>
Sorrento Site Generated Traffic:	475 vehicles
Long Term Total Traffic:	4,705 vehicles
Percent Generated by Sorrento	<b>10.1 %</b>

As can be seen in the above table, the share of intersection improvements (signalization and additional approach lanes) attributed to the Sorrento project would be 10.1%. Figure 12 of the traffic study projects the need to widen the approaches to the intersection to include:

- Separate southbound left, through and right lanes on CR 5
- A westbound right turn deceleration lane on SH 66

- Additional eastbound and westbound through lanes on SH 66.

Please let me know if you have any questions or need additional information.

BF/



## Agenda Item Summary

MEETING DATE: March 21, 2020

SUBJECT: Election Judges' Pay for the Municipal Election April 7, 2020

PRESENTED BY: Mary Strutt, Town Clerk

### SUMMARY

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The Town of Mead will hold its next regularly scheduled election on April 7, 2020. The voters will elect a Mayor to a two-year term, three Trustees to four-year terms, respond to a ballot issue on lodging tax and a ballot question on the election date.

The Town is required to pay election judges and to set that rate of pay per Colorado Revised Statute Section 31-10-408. We are required to pay no less than \$5.00 and no more than what the State of Colorado pays election judges. The state's current rate is \$15.00 / hour for judges, \$17.50 for supervisors.

### FINANCIAL CONSIDERATIONS

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The budget for election judges is \$ 1,000.00 (01-41-5230). The actual amount paid will depend upon the number of ballots received.

### STAFF RECOMMENDATION/ACTION REQUIRED

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Staff recommends adoption of Resolution No. 37-R-2020 – A Resolution of the Town of Mead, Colorado, establishing a rate of pay for election judges for the April 7, 2020 regular municipal election.

### ATTACHMENTS

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Resolution No. 37-R-2020



**TOWN OF MEAD, COLORADO  
RESOLUTION NO. 37-R-2020**

**A RESOLUTION OF THE TOWN OF MEAD, COLORADO,  
ESTABLISHING A RATE OF PAY FOR ELECTION JUDGES FOR THE APRIL  
7, 2020 REGULAR MUNICIPAL ELECTION**

**WHEREAS**, the Town of Mead holds general and special municipal elections from time to time; and

**WHEREAS**, in accordance with C.R.S. § 31-10-401 and Resolution No. 79-R-2019, the Board of Trustees has delegated the authority and responsibility to appoint election judges to the Town Clerk, who is functioning as the designated election official for the April 7, 2020 regular election; and

**WHEREAS**, C.R.S. § 31-10-408, establishes that election judges will be paid not less than five dollars and not more than the maximum amount allowed by statute for payment to the judges of the general election of the State of Colorado, as determined by the governing body of the municipality; and

**WHEREAS**, the Board of Trustees desires to set the rate of pay for election judges for the April 7, 2020 Regular Municipal Election.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Town of Mead, Colorado,

**Section 1.** The appointed judges' rate of pay will be:

\$ 15.00 per hour

\$ 20.00

Additional pay for the supply judge

**Section 2. Effective Date.** This resolution shall become effective immediately upon adoption.

**Section 3. Repealer.** All resolutions or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

**Section 4. Certification.** The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

**INTRODUCED, READ, PASSED, AND ADOPTED THIS 21st DAY OF MARCH,  
2020.**

**ATTEST:**

**TOWN OF MEAD**

By: \_\_\_\_\_  
Mary E. Strutt, MMC, Town Clerk

By: \_\_\_\_\_  
Colleen G. Whitlow, Mayor

## Report Criteria:

Report type: GL detail

GL Period	Check Issue Date	Check Number	Payee	Invoice Number	Invoice GL Account	Description	Invoice Amount
03/20	03/17/2020	31817	Melinda O'Layo	031720	01-11-4112	Community Room rental deposit refund	200.00
Total 31817:							200.00
03/20	03/17/2020	31818	ADAMSON POLICE PRODUCTS	INV320020	01-42-5254	Schreiner - Uniform sewing	75.50
03/20	03/17/2020	31818	ADAMSON POLICE PRODUCTS	INV320030	01-42-5254	Dixon - nameplate	11.95
03/20	03/17/2020	31818	ADAMSON POLICE PRODUCTS	INV320155	01-42-5254	Ross - carrier	108.95
03/20	03/17/2020	31818	ADAMSON POLICE PRODUCTS	INV320370	01-42-5254	Newbanks - gear	57.98
Total 31818:							254.38
03/20	03/17/2020	31819	CENTURY LINK	022520 0831	01-40-5300	Town Hall fax 3/2020	64.91
03/20	03/17/2020	31819	CENTURY LINK	022520 4770	01-44-5300	pw shop 2/2020	76.74
03/20	03/17/2020	31819	CENTURY LINK	022520 4770	01-42-5305	pw shop 2/2020	76.73
03/20	03/17/2020	31819	CENTURY LINK	030120 4018	01-40-5300	Elevator line	66.06
Total 31819:							284.44
03/20	03/17/2020	31820	Christopher Jobes & Jennifer How	03122020	99-01-1075	Utility Refund Account 1366.01	91.65
Total 31820:							91.65
03/20	03/17/2020	31821	CITY OF GREELEY POLICE DEP	001P000849	01-42-5331	2020 Guard Terminal Fee	2,581.10
Total 31821:							2,581.10
03/20	03/17/2020	31822	Colorado Foundation for Agricultu	031720	01-11-4112	Community room rental deposit return	200.00
Total 31822:							200.00
03/20	03/17/2020	31823	DEAN KORECKY, JR.	03092020	01-44-5700	Work boots	209.99
Total 31823:							209.99
03/20	03/17/2020	31824	FELSBURG HOLT AND ULLEVIG	26736	01-40-5440	Red Barn 2/2020	684.87
03/20	03/17/2020	31824	FELSBURG HOLT AND ULLEVIG	26737	01-40-5440	Iglesia Church - Development Review 2/	195.00
03/20	03/17/2020	31824	FELSBURG HOLT AND ULLEVIG	26739	01-40-5440	Waterfront 12/2019-2/29/2020	202.50
Total 31824:							1,082.37
03/20	03/17/2020	31825	FRONTIER SELF STORAGE	04012020	01-40-5700	Storage 4/2020	100.00
Total 31825:							100.00
03/20	03/17/2020	31826	G AND M DISPOSAL INC.	2003013303	06-47-5310	4504 Welker 3/2020	89.26
03/20	03/17/2020	31826	G AND M DISPOSAL INC.	20030133119	01-40-5310	Trash service 441 Third St 3/2020	120.75
03/20	03/17/2020	31826	G AND M DISPOSAL INC.	2003013312	01-40-5310	Trash service 537 Main St 3/2020	116.29
Total 31826:							326.30
03/20	03/17/2020	31827	Jeremiah Crane	03032020	01-11-4112	room rental deposit return	200.00

GL Period	Check Issue Date	Check Number	Payee	Invoice Number	Invoice GL Account	Description	Invoice Amount
Total 31827:							200.00
03/20	03/17/2020	31828	MAIN STREET MAT COMPANY	4877	01-40-5210	Town Hall mat svcs 3/16/2020	51.06
Total 31828:							51.06
03/20	03/17/2020	31829	MARY STRUTT	03052020	01-40-5705	Mileage 2/7-3/5/2020	79.35
03/20	03/17/2020	31829	MARY STRUTT	03052020	01-41-5230	Election supplies	71.93
03/20	03/17/2020	31829	MARY STRUTT	03052020	01-41-5700	BOT supplies	25.64
Total 31829:							176.92
03/20	03/17/2020	31830	MOUNTAIN STATES LIGHTING	9623	01-45-5262	Replacement banner arms	354.42
Total 31830:							354.42
03/20	03/17/2020	31831	National Auto Fleet Group	18028 R1	01-44-5500	PO 050119100 2019 Ford F-250	33,342.00
Total 31831:							33,342.00
03/20	03/17/2020	31832	PITNEY BOWES INC	1015233140	01-40-5205	Meter rental 4/1-6/30/2020	75.00
Total 31832:							75.00
03/20	03/17/2020	31833	RON'S PRINTING CENTER	139201	01-40-5202	PD Letter send to residents	1,727.95
Total 31833:							1,727.95
03/20	03/17/2020	31834	SAM'S CLUB	4230 030220	01-42-5210	Supplies 2/2020	47.92
03/20	03/17/2020	31834	SAM'S CLUB	4230 030220	01-40-5210	Supplies 2/2020	78.24
03/20	03/17/2020	31834	SAM'S CLUB	4230 030220	01-40-5210	Supplies 2/2020	165.36
03/20	03/17/2020	31834	SAM'S CLUB	4230 030220	01-42-5210	Supplies 2/2020	32.70
03/20	03/17/2020	31834	SAM'S CLUB	4230 030220	01-40-5700	Supplies 2/2020	16.42
03/20	03/17/2020	31834	SAM'S CLUB	4230 030220	01-40-5200	Supplies 2/2020	131.92
03/20	03/17/2020	31834	SAM'S CLUB	4230 120219	01-45-5262	Giving tree	21.10
03/20	03/17/2020	31834	SAM'S CLUB	4230 120219	01-40-5210	OPERATING SUPPLIES TH	87.48
03/20	03/17/2020	31834	SAM'S CLUB	4230 120219	01-42-5210	OPERATING SUPPLIES PD	54.54
03/20	03/17/2020	31834	SAM'S CLUB	4230 120219	01-40-5210	OPERATING SUPPLIES TH	100.40
03/20	03/17/2020	31834	SAM'S CLUB	4230 120219	01-40-5200	Office Supplies	43.46
03/20	03/17/2020	31834	SAM'S CLUB	4230 120219	01-40-5700	MISC	42.34
03/20	03/17/2020	31834	SAM'S CLUB	4230 120219	01-42-5210	OPERATING SUPPLIES PD	56.32
03/20	03/17/2020	31834	SAM'S CLUB	4230 120219	01-45-5265	Senior Events - HALF & HALF	6.54
Total 31834:							884.74
03/20	03/17/2020	31835	SHERWIN WILLIAMS	5430-4	01-45-5260	Paint	55.03
Total 31835:							55.03
03/20	03/17/2020	31836	TDS	03172020	01-01-1302	Prepay	452.60
Total 31836:							452.60
03/20	03/17/2020	31837	UNITED RENTALS INC.	176331996-0	01-44-5216	Equipment Rental	1,246.74
03/20	03/17/2020	31837	UNITED RENTALS INC.	176331996-0	01-44-5216	Equipment Rental	2,400.00

GL Period	Check Issue Date	Check Number	Payee	Invoice Number	Invoice GL Account	Description	Invoice Amount
Total 31837:							3,646.74
03/20	03/17/2020	31838	WELD COUNTY	PO 20-01151	01-42-5500	2 pack set and 2 mobile radios PO 20-01	17,107.44
Total 31838:							17,107.44
03/20	03/17/2020	31839	WHITE BEAR ANKELE TANAKA	9003	20-40-5400	MURA Legal 1/2020	617.05
03/20	03/17/2020	31839	WHITE BEAR ANKELE TANAKA	9418	20-40-5400	MURA Legal 2/2020	483.80
Total 31839:							1,100.85
03/20	03/17/2020	31840	XCEL ENERGY	674026557	01-40-5305	537 4th St 2/2020	330.32
Total 31840:							330.32
Grand Totals:							64,835.30

Summary by General Ledger Account Number

GL Account	Debit	Credit	Proof
01-01-1302	452.60	.00	452.60
01-02-2000	.00	63,553.54-	63,553.54-
01-11-4112	600.00	.00	600.00
01-40-5200	175.38	.00	175.38
01-40-5202	1,727.95	.00	1,727.95
01-40-5205	75.00	.00	75.00
01-40-5210	482.54	.00	482.54
01-40-5300	130.97	.00	130.97
01-40-5305	330.32	.00	330.32
01-40-5310	237.04	.00	237.04
01-40-5440	1,082.37	.00	1,082.37
01-40-5700	158.76	.00	158.76
01-40-5705	79.35	.00	79.35
01-41-5230	71.93	.00	71.93
01-41-5700	25.64	.00	25.64
01-42-5210	191.48	.00	191.48
01-42-5254	254.38	.00	254.38
01-42-5305	76.73	.00	76.73
01-42-5331	2,581.10	.00	2,581.10
01-42-5500	17,107.44	.00	17,107.44
01-44-5216	3,646.74	.00	3,646.74
01-44-5300	76.74	.00	76.74
01-44-5500	33,342.00	.00	33,342.00
01-44-5700	209.99	.00	209.99
01-45-5260	55.03	.00	55.03
01-45-5262	375.52	.00	375.52
01-45-5265	6.54	.00	6.54
06-02-2000	.00	89.26-	89.26-
06-47-5310	89.26	.00	89.26
20-02-2000	.00	1,100.85-	1,100.85-
20-40-5400	1,100.85	.00	1,100.85
99-01-1075	91.65	.00	91.65

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GL Account	Debit	Credit	Proof
99-02-2000	.00	91.65-	91.65-
Grand Totals:	<u>64,835.30</u>	<u>64,835.30-</u>	<u>.00</u>

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Report Criteria:

Report type: GL detail

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## Agenda Item Summary

MEETING DATE: March 21, 2020

SUBJECT: Emergency Meeting Rules of Procedure

PRESENTED BY: Helen Migchelbrink, Town Manager

### SUMMARY

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On March 10, 2020 Governor Jared Polis declared a state of emergency in Colorado in response to the COVID-19 virus. Further direction from the governor's office and the Weld County Department of Public Health has limited public events of over ten (10) attendees in order to slow the transmission of this virus. Given the current state of emergency and the need to provide for continuity in the Town's governance, staff is suggesting that emergency meeting rules of procedure be adopted by the Board of Trustees. The Town Attorney has prepared the attached resolution to facilitate the adoption of those rules ("Emergency Meeting Procedures").

Currently, Section 2-2-145 of the Mead Municipal Code ("MMC") permits the Board of Trustees to call emergency meetings to protect the public health, safety and welfare of the residents of the Town. If adopted, the Emergency Meeting Procedures would supplement those provisions and permit emergency meetings to be held either at a different location or virtually (i.e., by telephone, electronically, or other means of communication). Similarly, Section 3-1-40 sets forth the process by which Town boards, commissions, and committees may meet. Under the proposed Emergency Meeting Procedures, virtual emergency meetings of the Board of Trustees or Town boards, commissions, and committees can only occur if certain conditions are met, including:

- (1) an in-person meeting is not practical;
- (2) the public receives full and timely notice of the meeting and the means by which they can monitor it;
- (3) communication by Board members is adequate and permits public monitoring of the meeting;
- (4) no quasi-judicial matters may be heard;
- (5) adequate record of the meeting and official action of the Board and individual members is maintained; and

(6) to the extent possible, the public has an opportunity to participate in the meeting that is commensurate with the similar opportunity that is routinely given during in-person meetings.

#### FINANCIAL CONSIDERATIONS

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None

#### STAFF RECOMMENDATION/ACTION REQUIRED

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Staff recommends that the Board of Trustees adopt Resolution No. 38-R-2020– A Resolution of the Board of Trustees of the Town of Mead Adopting Supplementary Rules and Procedures for Emergency Meetings.

#### ATTACHMENTS

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Resolution No. 38-R-2020



**TOWN OF MEAD, COLORADO  
RESOLUTION NO. 38-R-2020**

**A RESOLUTION OF THE TOWN OF MEAD, COLORADO, ESTABLISHING  
SUPPLEMENTARY RULES AND PROCEDURES FOR EMERGENCY  
MEETINGS**

WHEREAS, a new outbreak of coronavirus disease, now identified specifically as COVID-19, was detected in China in December 2019; and

WHEREAS, since then, the disease has spread widely throughout the world, and as of March 13, 2020, worldwide there were over 145,000 reported cases of, and 5,416 deaths resulting from, COVID-19, and these numbers are increasing hourly; and

WHEREAS, on March 10, 2020, Governor Polis declared a state of epidemic disaster emergency in Colorado, and on March 11, 2020, the World Health Organization declared a global pandemic due to the spread of COVID-19; and

WHEREAS, according to the Centers for Disease Control and Prevention, one of the ways in which COVID-19 most quickly spreads through personal contact, including contact that occurs when people congregate in enclosed spaces; and

WHEREAS, the Town of Mead, Colorado, through its Board of Trustees, and other Town boards, commissions, and committees may find it necessary to meet virtually during this state of epidemic disaster to continue to act in the best interests of the health, safety, and welfare of its citizens, and

WHEREAS, the Board of Trustees finds that it is appropriate to adopt rules and procedures that permit virtual conduct of and participation in Town meetings during this state of epidemic disaster; and

WHEREAS, in adopting the attached policy, the Board of Trustees intends to follow the letter and spirit of the Colorado Open Meetings Law in every respect, and to the extent possible and practical under emergency circumstances.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF MEAD, COLORADO AS FOLLOWS:

Section 1. The Board of Trustees hereby approves and adopts the Town of Mead Emergency Meeting Rules and Procedures, attached hereto as **Exhibit 1**.

Section 2. If any part or provision of this resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this

resolution, it being the intention of the Board of Trustees that the various provisions hereof are severable.

Section 3. This resolution shall be effective immediately.

**INTRODUCED, READ, PASSED, AND ADOPTED THIS 21st DAY OF MARCH, 2020.**

**ATTEST:**

**TOWN OF MEAD:**

By: \_\_\_\_\_  
Mary E. Strutt, MMC, Town Clerk

By: \_\_\_\_\_  
Colleen G. Whitlow, Mayor

Attachment(s):  
Exhibit 1 - Town of Mead Emergency Meeting Rules and Procedures

## EXHIBIT 1

### Town of Mead – Emergency Meeting Rules and Procedures

#### I. Scope.

These Emergency Meeting Rules and Procedures shall apply to regular and special meetings of the Board of Trustees of the Town of Mead, Colorado and of all advisory boards, commissions and committees of the Town as set forth in Chapter 3 of the Mead Municipal Code (“MMC”) called as an emergency or under emergency conditions.

#### II. Emergency Meeting Rules and Procedures.

The Board of Trustees and any other Town board, commission, or committee (“Committees”) to which these rules apply may call and convene an emergency meeting only in compliance with the following Emergency Meeting Rules and Procedures (the “Rules”):

A. Emergency Meetings. All emergency meetings of the Board of Trustees shall be called, held and conducted in accordance with the provisions of Sec. 2-2-145 of the *Mead Municipal Code* (“MMC”) and these Rules. All emergency meetings of Committees shall be called, held and conducted in accordance with the MMC and these Rules. The Board intends that these Rules shall supplement but not amend Sec. 2-2-145 or Section 3-1-40 of the MMC, as applicable.

B. Calling Emergency Meeting. As set forth in Sec. 2-2-145 of the MMC, the Mayor or any two (2) Trustees may call an emergency meeting by providing notice to each member of the Board of Trustees by telephone, or whatever other means are reasonable to meet the circumstances of the emergency. Town Committees shall follow the provisions of Section 3-1-40 of the MMC, to the extent practical.

C. Notice. Notice of an emergency meeting shall be provided as set forth in B. above. Said notice shall identify: (1) the nature of the emergency; (2) the purpose of the emergency meeting (or proposed draft agenda for said emergency meeting); and (3) the date, time and location of the meeting.

D. Location. The meeting location shall be:

1. Mead Town Hall; or
2. If Town Hall has been closed by public health authorities or other governing authority, then in a building situated within the jurisdictional boundaries of the Town where the public may congregate.

If no location as described in subsection D.2 above is reasonably available, the meeting may be held in accordance with section E. below.

E. Virtual Meetings. In the event an emergency meeting is properly called and noticed pursuant to B. and C. above, such meeting may be held by telephone, electronically, or other means of communication only if each of the following conditions is met:

1. The Mayor or any two (2) Trustees calling the emergency meeting in accordance with B. above, or the chair of the Committee calling the emergency meeting, determines that meeting in person is neither practical nor prudent due a health epidemic or declaration of emergency affecting the Town;
2. All members of the Board of Trustees or Committee can hear one another or otherwise communicate with one another and can hear or read all discussion and testimony in a manner designed to provide maximum participation;
3. No quasi-judicial matters or witnesses will be heard, and no sworn testimony will be taken;
4. To the extent feasible, the public is provided an opportunity to listen to or otherwise monitor the meeting in real time;
5. All votes are conducted by roll call;
6. Minutes of the meeting are taken and promptly recorded, and such records are open to public inspection; and
7. To the extent possible, full and timely notice is given to the public setting forth: (i) the date and time of the meeting; (ii) the fact that the meeting will be conducted by telephone, electronically, or other similar means of communication; and (iii) the fact that the public may listen to or otherwise monitor the meeting electronically and the means for doing so.
9. To the extent possible, the Board or Committee shall provide adequate opportunity for the public to participate in the meeting that is commensurate with the similar opportunity that is routinely given during in-person meetings – e.g., the public comment portion of the Board of Trustees meeting agenda. The Mayor or Chair may, if deemed necessary and prudent due to a health epidemic or an emergency affecting the Town, and if adequate notice is provided to the public, permit the public to submit comments in advance of the meeting to be read into the record at a meeting.
10. The Board of Trustees only may also convene executive sessions in virtual regular or special meetings conducted if such sessions otherwise conform to the provisions of Colorado law. All Board members participating in an executive session taking place during a virtual meeting shall take all steps necessary to ensure that the privacy and confidentiality of the executive session are maintained at the highest level. No individual Board member may permit any other person to hear, see, or otherwise have access to executive sessions or related materials.
11. The Board or chair of a Committee may discontinue participation in a virtual meeting by one or more members or citizens during a meeting where such participation results in delays or interference in the meeting process; e.g., where the electronic connection is repeatedly lost, the quality of the electronic connection is unduly noisy, or a participant member is unable to hear speakers using a normal speaking voice amplified to a level suitable for the meeting audience in attendance. If a quorum is no longer present, the trustees or chair of a Committee may adjourn the meeting.



## Agenda Item Summary

MEETING DATE: March 21, 2020

SUBJECT: Work Flow Interruptions

PRESENTED BY: Helen Migchelbrink, Town Manager

### SUMMARY

On March 10, 2020, Colorado Governor Jared Polis declared a state of emergency in response to COVID-19 (novel coronavirus). Due to this global pandemic, Colorado schools, event centers and eat-in restaurants have been closed and anyone exposed to the virus is being self-quarantined for two weeks. In addition, the Colorado Department of Public Health and Environment has issued Public Health Order 20-22 and the Weld County Department of Public Health has issued a Pandemic Health Emergency and Public Health Order, both are in line with President Trump's national emergency declaration. The Order requires social distancing, meaning people must stay at least six feet away from each other, and all "events" of ten people or more are cancelled.

Effective March 17, 2020, the Mead Town Hall has closed to the public, but staff continues to work and provide services via email, phone and online. Employees nationwide are being faced with the economic impact of taking time off of work due to illness and/or quarantine, to care for sick or elderly relatives, to care for school-aged children or business closure. Employers in many industries including municipalities, retail stores and event venues are providing additional time off for their employees, ranging from two weeks to thirty days, to aid with the economic impact.

Elaine Alberding, Precision Employment Consulting, the Town's HR consultant will be on hand to discuss the potential impact on employees who are encouraged to stay home due to illness or exposure and the impact of closed schools and businesses.

Staff is recommending that the Board consider giving the Town Manager authority to allow employees to take time off with pay even if it gives them a negative balance of paid time off ("PTO"). The negative balance would be "reimbursed" by future accrual of PTO.

### FINANCIAL CONSIDERATIONS

No additional costs at this time.

### STAFF RECOMMENDATION/ACTION REQUIRED

Staff recommends a motion authorizing the Town Manager to allow full time employees to take time off with pay and accrue a negative balance of their PTO.