



Town of Frederick Board of Trustees Agenda

Frederick Town Hall
Board Chambers
401 Locust Street
Tuesday, August 22, 2023

7:00 PM

Livestreaming of the Board of Trustees regular meetings have been transitioned to the Town of Frederick website. Work Sessions are not livestreamed. The livestream for the regular meeting can be accessed at www.frederickco.gov/civicmedia

Public Comment will only be taken in person unless an accommodation is requested through the Town Clerk's Office. If you require an accommodation or have questions about making public comment please contact the Town Clerk's Office:

Meghan Martinez, Town Clerk
mmartinez@frederickco.gov
720-382-5500

Or

Kelly Green, Deputy Town Clerk
kgreen@frederickco.gov
720-382-5500

Built on What Matters.



Town of Frederick Board of Trustees Agenda

Frederick Town Hall
Board Chambers
401 Locust Street
Tuesday, August 22, 2023

6:30 P.M.

Work Session

7:00 P.M.

Regular Meeting

Call to Order – Roll Call:

Pledge of Allegiance:

Approval of Agenda:

Special Presentations:

Rocky Mountain Christian Church Shine Prom Community Funding Request – Matt Cote

Public Comment: This portion of the agenda is provided to allow members of the audience to provide comments to the Town Board. Please sign in and the Mayor will call you. If your comments or concerns require an action, that item(s) will need to be placed on a later Agenda. Please limit the time of your comments to three (3) minutes.

Staff Reports:

A. Administrative Report – Bryan Ostler, Town Manager

B. Town Clerk's Report – Meghan Martinez, Town Clerk

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 Items 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.

Built on What Matters.

- C. Resolution 23-R-32 Grant a Perpetual Non-Exclusive Easement to United Power – Maureen Welsh, Planner
- D. Resolution 23-R-33 Authorizing the Execution of an Intergovernmental Agreement between the Town of Frederick and Weld County for Conduct of Coordinated Elections and TABOR Notice Distribution – Meghan Martinez, Town Clerk
- E. List of Bills – Kurtis Adams, Finance Director

Action Agenda:

- F. Consideration of Appointments to the Frederick Youth Commission – Anthony Bixby, Accountant II
- G. Resolution 23-R-34 Continuing the Public Hearing on the Consideration of the Columbine Heights Metro District Service Plan and Intergovernmental Agreement – Ali van Deutekom, Planning Manager

Mayor and Trustee Reports:

Executive Session:

For a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) regarding oil and gas

Adjournment:

ORGANIZATION SUMMARY

Organization Name: Rocky Mountain Christian Church

Mailing Address: 5860 Majestic St. Frederick, CO 80504

Contact Person:

Matthew Cote
Name

Campus Pastor
Title

303.591.7528
Phone Number

Fax Number

Mattcote@rocky-church
Email Address

Federal Tax ID: 84-0942472 State Tax ID: 98-05751-0000

Please describe your project and the reason for your request:

For the last six years, Rocky Mountain Christian Church has hosted a prom for our Special needs community. Each guest enters this complimentary event on a red carpet with a warm welcome from a friendly crowd and paparazzi. Inside guests receive the royal treatment: corsage/boutonnieres, catered meals, games, professional photography and lots of dancing. There is a respite room for parents and caregivers to relax and treated to a meal, catered to enjoy. Towards the end of the night our guests are crowned kings and queens by the prom. It will be an unforgettable night of laughter, music, fun and connection for some of the most under-served people in our community.

Amount Requested: \$ 3,000

Number of Town of Frederick Residents and/or visitors that will participate and/or benefit from the program you are proposing: 500

In what way will this program enhance the Town of Frederick's positive image, provide opportunity for informal education, community building and/or family entertainment:

This is a prom where we serve a portion of our community that often times is overlooked. I love how our community comes together to serve at this event

Has your organization applied for a grant from the Town of Frederick before? YES ☒ NO ☐

How much did you receive? \$ 3,000

How was the grant money used?

We use the funds to give our guest an event to remember.

Were there funds left over? If so how those funds utilized by your organization?:

No

Please provide a list of organizations you have already solicited or will be soliciting)?:

STAPP Toyota, Town of Firestone, City of Dalton, Roberts excavating, Chick-El-A, Tiny Tykes

Please include the following attachments:

1. Board of Directors and Key Staff noting any paid staff.
2. Copy of the IRS Determination Letter indicating Tax-Exempt Status of the organization.

Name and Signature of Organization's Project Chairperson:

Matthew Cote
Name (Please Print)

[Signature]
Signature

303.591.7528
Telephone Number

8/6/2023
Date

PROGRAM / PROJECT BUDGET

Program Name: Shine Prom 2023 9/8/23

Total Project Budget (Please Itemize):
(Personnel, Promotion, Supplies, Services, etc.)

Amount:

<u>Catering</u>	\$ <u>5,900</u>
<u>Decorations</u>	\$ <u>6,100</u>
<u>Flowers</u>	\$ <u>100</u>
<u>Marketing</u>	\$ <u>500</u>
<u>Photo Booth</u>	\$ <u>1300</u>
<u>Carriage Rides</u>	\$ <u>2400</u>
<u>Dress Shop</u>	\$ <u>500</u>
<u>T-shirts</u>	\$ <u>5,000</u>
<u>Takeaway Gifts</u>	\$ <u>3500</u>
<u>Red carpet / Crowns</u>	\$ <u>1,000</u>

Total Cost (A):

\$ 26,200

Sources of Funding for the Program:
(Gifts and Grants pledged or paid)

Corporations:

\$ 18,500

Foundations:

\$ _____

Individuals:

\$ _____

Government:

\$ _____

Other:

\$ _____

Total Funds Available (B)

\$ 18,500

Balance Required (A minus B)

\$ 7,700

Amount Requested:

\$ 3,000

REQUEST FOR ADDITIONAL FUNDING

(COMPLETE ONLY IF REQUESTING FUNDS EXCEEDING \$500.00)

Funds Requested: \$3,000

Please explain why your organization has requested additional funding: _____

The Town of Frederick has generously supported this event in years past. With these funds, as a community, we get provide the best prom for our special needs community at no cost to the guest.
Thank you for your consideration.

Date: JUL 18 1984

Employer Identification Number:
84-0942472
Accounting Period Ending:
December 31
Form 990 Required: ☐ Yes ☒ No

Rocky Mountain Christian Church
P.O. Box 743
Longmont, CO 80501

Person to Contact
EO TECHNICAL ASSISTOR
Contact Telephone Number:
(214) 767-3326
EO:7216:BLW

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code.

We have further determined that you are not a private foundation within the meaning of section 509(a) of the Code, because you are an organization described in section 170(b)(1)(A)(i) & 509(a)(1).

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status. Also, you should inform us of all changes in your name or address.

As of January 1, 1984, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Since you are not a private foundation, you are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other Federal excise taxes. If you have any questions about excise, employment, or other Federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

The box checked in the heading of this letter shows whether you must file Form 990, Return of Organization Exempt from Income Tax. If Yes is checked, you are required to file Form 990 only if your gross receipts each year are normally more than \$25,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. The law imposes a penalty of \$10 a day, up to a maximum of \$5,000, when a return is filed late, unless there is a reasonable cause for the delay.

ja

(over)

Rocky Mountain Christian Church

Key Staff

- Shan Moyers
- Matt Cote
- Amanda Rohrbaugh
- Nic Carver
- Mitch Comstedt

Board of Elders

- James Wittler
- Joe Crisman
- Erle Mast
- Wes Statley
- Mark Birmingham
- Tim Jenkins



TOWN OF FREDERICK MEMORANDUM

TO: Honorable Mayor and Board of Trustees

FROM: Bryan Ostler, Town Manager

DATE: August 11, 2023

CC: Town Staff
Local Media

SUBJECT: Departmental Report

Upcoming Board of Trustees Work Sessions – If there are topics that the Board would like staff to schedule for discussion, please let me know. The following topics are scheduled for upcoming meetings. These topics may be changed or rescheduled from time to time.

- August 15, 2023 – No Meeting
- August 22, 2023 – Regular Meeting
- August 29, 2023 – Work Session
- September 5, 2023 – Work Session

Communications and Engagement Department:



Dynamic, Inclusive & Connected Community

- Town Event Preparation
 - Recruitment and Sponsors as of 8/7/2023
 - Sponsor commitments totaling \$66,650
 - 54 food truck applications
 - 95 market vendor applications
 - 10 Miners Day parade applications
 - 11 Miners Day burro race applications
 - Prep assets and marketing campaign for Miner's Day
 - Prep for Community Tour and Talk in Rinn Valley
 - Brainstorm meeting for expanding event programming.
- Community Partnerships
 - Collaborate with Merrie Garner on Event Individual Action Plans (IAP's)
 - Carbon Valley networking meeting
 - Empty Bowls flyer
 - POLCO meeting
 - Telephone Town Hall required forms

Built on What Matters.

- Evaluate Content Management System to improve social media management efficiencies with 30-day free trial.
- Prep for participation in Carbon Valley Parks and Recreation District turns 40 block party scheduled August 12th, from 10am-2pm
- Website Updates
 - Complete language for Ballot Initiative POST webpage
 - Website redesign demo from Civic-Plus
- Town App
 - Explore additional analytics for monthly reporting to BOT
 - Create SOP's for APP operations
 - Town APP update through Apple APP Store
- Interdepartmental Collaboration
 - Department project support
 - Transportation Initiative
 - Survey consolidation
 - Letter mailing to residents from BOT
 - POST Initiative
 - Flash Vote Survey
 - Website page
 - Community Parks Master Plan
 - Water Rebate programs
 - Road work projects
 - Continue work on Strategic Plan and updates
 - Water Infrastructure Master Plans survey
 - 2023 CAFR
- Board Meeting
 - Attendance at Board meetings to ensure Town communications align with Board's vision and work in progress



Effective, Efficient & Strategic Government Operations

- Complete Communications and Engagement Budget



Community and Economic Vitality

- New Release content
- Community Profile Publication



Safe and Secure

- Coordinated internal needs, external communication, and planning for National Night Out with Prairie Greens, Clark Ranch, Fox Run, Rinn Valley
- Create templates for PD Bulletins

Police Department:



Safe and Secure

- Co-responder Program – Through our cooperative efforts with North Range Behavioral Health, the Town of Mead and the cities of Firestone and Dacono, we welcome a new co-responder to the team. Leslie Coblentz has joined the program and will soon begin to respond to mental health crisis calls in our jurisdictions with police officers. The program was started in early 2022 and enjoyed great success. Unfortunately, the position was vacated by the previous co-responder and the program was placed on hold for a time to select a new person for this important position. After a competitive process, Leslie was chosen to revive the program. Welcome Leslie!
- New Police Officer – Officer Kiley Leatherwood recently began her employment as a police officer with the department. Kiley comes to us with about a years' experience with the Greeley Police Department and has began her Field Training Program. The Field Training Program pairs the trainee with an experienced training officer for a difficult 14 week program designed to give the trainee the basic skills and knowledge to be a successful Frederick Police Officer. The program is divided into four phases with each phase requiring a test to complete. The final phase is called the checkout phase where the trainee works with the training officer dressed in "plain clothes." The trainee must demonstrate they can successfully meet the expectations of a department before they can graduate and work on their own. Welcome Kiley and best of luck in FTO!

Public Works Department:



Strategic, Reliable and Sustainable Infrastructure

- Streets and Stormwater:
 - Third round of drainage and R.O.W mowing completed, hit residents concerns along 52 and along aggregate blvd. as well
 - Continuous pot hole and filling on arterial roads including Aggregate, Bella Rosa, Silver birch, CR 5 and Tipple Parkway Blvd.
 - Filled and graded turning radiuses in multiple areas.
 - Sealed all the carvings from this years Chainsaws and Chuck wagons event and all existing carvings in the downtown area.
 - Mowing operations continue around detention ponds between Ridgeway and Frederick way near Prairie Greens, also began the next round of drainage/ roadside cutting.
 - Excavated and replaced 4 damaged valve boxes and lids along 5th street mill and over lay project.
 - Repaired 4 damaged/vandalized street signs.
 - Grading continues along CR5, CR16.5, CR17, and CR14.
 - Assisting Parks Dept. with irrigation line leaking under W. Conservation Dr. in No Name Creek subdivision.
 - Chipping up limbs from tree limb drop off which occurred on 7/29/23, 42 residents participated in the drop off
 - Sweeping schedule continues in Industrial areas as well as downtown area Parkview, Maple Ridge, Coal Ridge, Countryside, and Westview subdivisions.
- Water
 - Locates: 62 completed
 - Final Reads: 13 completed
 - 28 Shut offs completed for non-payment
 - New Meter Installs: 3 completed
 - 5876 Merganser Ct. excavate and repair service line from defective curb box
 - Delivered 3 Final Notice letter for backflow concerns

- Checked 6 resident concerns for high usage in No Name, Eagle and Fox Run
- Contact CWCWCD for concerns about high pressure issues in Eagle Valley, issue was corrected
- Static pressure test at Agilent (passed)



Effective, Efficient & Strategic Government Operations

- Facilities
 - Completed 7 total work orders
 - 0 scheduled/preventative
 - 6 tasks
 - 1 calls for repair/maintenance
 - 1 immediate need/emergency
- Fleet Services
 - 8 scheduled services
 - 2 Police, 4 PW, 2 Parks
 - 6 unscheduled services
 - 2 Police, 2 PW, 2 Parks

People and Culture Department:



Effective, Efficient & Strategic Government Operations

- Recruitment of People and Culture Director
 - Recruitment was in full swing and panel interviews occurred. The team determined that the candidate pool did not find a top candidate. Staff is reviewing the Ideal Candidate Profile and Job Description and will be identifying more specific areas to post the position in the coming weeks for the right fit for the Town of Frederick
- Compensation and Benefits
 - An RFP is out for a firm to conduct a full compensation analysis. This process can take up to 6 months and the goal is to align this annually so that market adjustments do not occur the same time potential cost of living (COLA) or merit adjustments are made to keep these salary changes separate from items related to performance or inflationary impacts. In addition, the timing of this in the fall provides us the opportunity to stay in the top 90% in compensation compared to our identified competitors outlined in the Town's Compensation Philosophy. Once complete any areas identified under market will be addressed and those within market will have the appropriate data to support current salary grades/steps.
 - 2024 benefit conversations have started with our broker, Brown & Brown. Our broker is excited to enhance their level of service to staff. Town staff and our broker are committed to reviewing all facets of our benefits to remain competitive and cost effective to both the Town and employees.
- Personnel Policy Update
 - A subcommittee has been formed with representation from each work area and charged with updating the Town's personnel policy. The committee had their initial kick-off meeting last month, and will be working to bring the Town's personnel policy forward to include industry best practices, more clarity, and have it be a meaningful tool for employees and supervisors.

Parks and Open Space Department:



Effective, Efficient & Strategic Government Operations

- The Parks, Open Space and Trails Commission met on August 9th at Town Hall and via Zoom. The Commission heard presentations from staff relating to the 2024 Capital Improvement Plan as well as a possible Open Space sales tax initiative. Commissioners provided valuable comments relating to both items, with staff either implementing changes or planning to bring that input to the Board later this year. The Commission approved the 2024 CIP for POST.



Community and Economic Vitality

- The Community Parks Master Plan continues. The first round of public engagement will end near the end of August. Initial concepts are being planned with the consultant and staff and will be due to the POST Commission on September 13th and will be presented to the Board in an October Work Session. These concepts will also kick off the second round of public engagement. Water quality surveys will be completed in October and staff are working with the consultant to fast-track immediate opportunities for improvements in 2024.
- Bella Rosa staff hosted the final summer junior golf series on July 31st through August 3rd with 28 participants.
- Bella Rosa staff are gearing up to host the Summer Scramble on Saturday August 12th. This is one of the largest annual events for the golf course.
- Bella Rosa hosted the PanCan event on Saturday, August 5th which raised money for pancreatic cancer research. There were 32 golfers and kids enjoyed games and the bounce house.



Strategic, Reliable and Sustainable Infrastructure

- Both the Golf and POST Maintenance Teams are continuing to focus on vegetative management while gearing up for fall fertilization, cultivation and vegetative improvements.
- Fall is the single most important time for the application of nutrients, for aeration, which improves water and air infiltration into the soil, and to re-seed or to install new grasses or landscape plants. With most seasonal staffing gone for the year and in an effort to focus on these long-term proactive improvements, day-to-day maintenance such as mowing and trimming may be delayed by up to a week in some areas during September and October.
- For Bella Rosa, greens aeration is scheduled for Monday, August 14th followed by fairway and tee aeration and overseeding. Some partial closures will occur during this time, but will be posted to golfers prior to.

Finance Department:



Effective, Efficient & Strategic Government Operations

- Finalization of the FY2022 Audit and subsequent ACFR completion
- 2024 Budget Kick-off and all related general ledger population and review



Town of Frederick Memorandum

TO: Honorable Mayor Tracie Crites and Board of Trustees

FROM: Meghan Martinez, Town Clerk

DATE: August 11, 2023

SUBJECT: **Town Clerk's Report**



Effective, Efficient & Strategic Government Operations

- *Boards, Commissions, Committees Recruitment*
 - Participated in interviews for the Youth Commission.
 - Assistant Town Clerk Nitcher attended the Youth Commission meeting.
 - Received one application for the Frederick Arts Committee, need to schedule with Trustees Brown and Padia.
- *Records Requests*
 - The Clerk's Office has responded to 7 Requests for Public Records since the July 25, 2023 Board Meeting. Requests were for residential permit information, construction plan sets, bid information, etc.
- *Frederick Municipal Court*
 - Tyler Software Transition
 - Staff has completed the first data revision. Staff reviewed 500+ files that required attention for smooth translation into the new Tyler system. Town Clerk Martinez will be meeting with our software vendor most of the week of August 14th to verify the data pull and address any issues.
 - Staff still has work to complete on the fee tables as the old system has many historic fees that are no longer applicable.
 - Training
 - Town Clerk Martinez, Assistant Clerk Mijares, Assistant Clerk Nitcher, and Paralegal Estrada attended training on the new software related to case management.

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- *Liquor Licensing:*

- Rumbo 52 Transfer Application: The applicant requested a continuance for the hearing scheduled on August 10, 2023. The continuance was granted by Judge Cahn and the hearing will be held on Thursday, September 14, 2023 at 12:30.
- No current enforcement issues.



TOWN OF FREDERICK

Board of Trustees

Action Memorandum

Tracie Crites, Mayor

Dan March, Trustee
Mark Lamach, Trustee
Kevin Brown, Trustee

Adam Mahan, Trustee
Windi Padia, Trustee
Chad teVelde, Trustee

United Power Grant of Easement- Mendoza Property

Agenda Date: Town Board Meeting – August 22nd, 2023

Attachments:

- a. Grant of Easement Document
- b. Vicinity Map
- c. Resolution

Finance Review: _____
Administrative Services

Submitted by: _____
Maureen Welsh
Planner II

Approved for Presentation: _____
Bryan Ostler
Town Manager

☐ Quasi-Judicial

☐ Legislative

☒ Administrative

Summary Statement:

The existing File 32H well site, located at 6268 County Road 3.25 Frederick, Colorado 80516, has requested an increase in service from United Power. To provide this service, United Power has requested a Grant of Easement from the Town of Frederick that would allow a 15-foot-wide easement to run along the southern edge of the Mendoza Open Space.

Strategic Plan Alignment:



This request aligns with the Town's Strategic, Reliable & Sustainable Infrastructure—Frederick is dedicated to investing in existing and future transportation, water, storm water, and technology while planning for sustainable growth and development.

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Detail of Issue/Request:

The proposed 15-foot easement would allow United Power to install 1-6" PVC conduit and 1-2" Poly conduit for future fiber optics to serve the adjacent File 32H well site located at 6268 County Road 3.25 Frederick, Colorado 80516. If granted, United Power would work within the proposed easement starting at the northwest corner of Tipple Parkway and Aggregate Blvd (Weld County Road 7), running within the proposed easement directly west to Weld County Road 3.25 and then south to the well site.

If approved, upon completion of construction, United Power, as grantee, shall restore the surface of the open space (grantor's) property to substantially the same level and condition as existed prior to construction. Additionally, the Parks and Open Space Department will coordinate with the grantee to ensure work is conducted in conformance with applicable environmental regulations and best practices.

The Town's Land Use Attorney and Parks and Open Space Director have reviewed the details of this request. They had initially noted that this easement would reside within a dedicated conservation easement. The conservation easement restricts aboveground utilities, except for those for agricultural, residential or associated structures provided for in the easement. As this proposes to replace an existing aboveground utility line with a belowground utility line and the replacement utility line services structures on the open space provided for in the conservation easement, it was determined there is no violation to the terms of the conservation easement.

The Town's legal counsel has reviewed and provided edits to the provided Grant of Easement Document.

Parks and Open Space Director Comments:

Typically, the installation of above or below ground utilities on park or open space lands is not allowed by managing entities. However, this grant of easement and utility installation is advantageous to the Town for three reasons. 1 – It is along a boundary to the open space, which would not generally restrict potential improvements or agricultural/maintenance operations in the area; 2 – Should the Town choose to develop additional amenities at the open space in the future, the ability to connect to electricity and fiber internet in an already established easement and pipe will save project costs; and 3 – Many State and Federal grants that may be utilized for improvements to the open space would require eliminating aboveground utilities and placing them underground, which would have incurred a significant cost to the Town to complete.

The Department fully supports this grant of easement and utility installation project for the above reasons.

Legal Comments:

The Town's Land Use Attorney reviewed the Grant of Easement and prepared the Resolution.

Alternatives/Options:

The Town Board may choose whether or not to accept the Grant of Easement.

Approval: The easement shall be granted which would allow United Power to extend their service lines to serve an existing property within Town.

Denial: The easement shall not be granted and additional service shall not be provided through the Mendoza Property.

Financial Considerations:

Not Applicable.

Staff Recommendation:

Staff recommends approval of the Resolution as presented accepting the Grant of Easement.

GRANT OF PERPETUAL NON-EXCLUSIVE EASEMENT

Town of Frederick, GRANTOR (whether one or more), whose address is P.O. Box 435, Frederick, CO 80530, in consideration of Ten and 00/100 Dollars (\$10.00) and other valuable consideration, receipt of which is hereby acknowledged, grants and conveys unto UNITED POWER, INC., GRANTEE, whose address is 500 Cooperative Way, Brighton, Colorado 80603, its successors and assigns, a perpetual non-exclusive easement and the right to construct, operate, maintain, replace, enlarge, reconstruct, improve, inspect, repair and remove utility, electrical and communications facilities and all fixtures and devices appurtenant thereto, as may from time to time be useful to, or required by Grantee, on, over, under, and across the following described property in the County of Weld, State of Colorado to-wit:

Easement description as set forth in Exhibit "A" attached hereto and incorporated herein by reference.

Those facilities may be overhead, underground and/or at grade and may include, but shall not be limited to, poles, cables, conduits, wire, conductors, transformers, manholes and supports of whatever materials, including braces, guides, and other fixtures or devices used or useful in connection therewith.

Grantee shall have the right of ingress and egress 24 hours a day, 7 days a week, over and across the lands of the Grantor to and from the easement described in Exhibit "A" to survey, construct, operate, maintain, replace, enlarge, reconstruct, improve, inspect, repair and remove utility, electrical and communications facilities and all fixtures and devices appurtenant thereto, and the right to remove any objects interfering therewith, including but not limited to, the trimming of trees and bushes as may be necessary. Grantee shall have the right to use the adjacent lands of Grantor, described as Temporary Workspace in Exhibit "A", during construction, maintenance, replacement, enlargement, reconstruction, improvement, inspection, repairs and removal as may be required to permit the operation of standard utility construction or repair machinery or the operation of any other equipment within the boundaries of this easement.

Grantor reserves the right to occupy, use, and landscape said easement for all purposes not inconsistent with the rights granted to Grantee so long as said use does not damage or interfere with the Grantee's facilities or the construction, operation, maintenance, replacement, enlargement, reconstruction, improvement, inspection, repair and removal thereof. Grantor shall not plant any tree or bush within 5.0 feet of any existing Grantee facilities or within 10.0 feet of the opening side of any transformer or cabinet without the prior written approval of Grantee. Grantor shall not install, or permit the installation of, any buildings or permanent structures or facilities of any kind on, over, under, or across said easement without the prior written approval of Grantee, not to be unreasonably withheld.

Upon completion of construction, Grantee shall restore the surface of Grantor's property to substantially the same level and condition as existed prior to construction.

Each and every one of the benefits and burdens of this Grant of Easement shall run with the land and shall inure to and be binding upon the respective legal representatives, heirs, executors, administrators, successors and assigns of the parties hereto. The rights of Grantee hereunder may be exercised by its employees, licensees, contractors and permittees.

Grantee shall defend, indemnify and hold harmless Grantor, its affiliates and the officers, directors, employees and agents of both, from any and all claims for personal injury to Grantor's personnel or damage to Grantor's property or to the property of Grantor's personnel, occurring as a result of Grantee's activities described herein, howsoever caused.

The venue for any dispute arising from this Grant of Easement shall be in the courts of Weld County, Colorado.

Unless special provisions are listed below and/or attached, the above constitutes the entire agreement between the parties and no additional or different oral representation; promise or agreement shall be binding on any of the parties with respect to the subject matter of this Grant of Easement.

SIGNED AND SEALED BY GRANTOR this ____ day of _____, 2023.

**GRANTOR:
TOWN OF FREDERICK**

BY: _____

ITS: _____

STATE OF COLORADO)
)
COUNTY OF _____)

ACKNOWLEDGMENT

This record was acknowledged before me on _____, 2023

by _____ as _____ of

Town of Frederick.

(Notary's official signature)

(Commission Expiration)



EXHIBIT A

United Power, Inc.

Sheet 1 of 3

Town of Frederick – Address: 7201 County Road 7, Colorado

Parcel 28-1

A strip of land fifteen (15) feet in width being a part of Tract B, MENDOZA MINOR SUBDIVISION, Reception No. 4536595, recorded October 30, 2019, Weld County Records, lying in the Southeast one-quarter (SE 1/4) of Section 28, Township 2 North, Range 68 West of the 6th Principal Meridian, Weld County, State of Colorado, 7.5 feet on each side of the following described line:

Beginning at the southeast corner of said SE 1/4; thence north 7.5 feet, more or less, along the east line of said SE 1/4; thence west, sixty (60) feet on a line that lies 7.5 feet north of and parallel with the south line of said SE 1/4 to the east line of said Tract B, the TRUE POINT OF BEGINNING;

thence continuing west, 1975.59 feet, on the extension of aforesaid line;
thence northwest, 42.43 feet, on an angle to the left of 135°;
thence west, 548.59 feet, more or less, on an angle to the right of 135°;
thence north, 314.58 feet, along a line that lies 27.50 feet east of and parallel with the west line of said SE 1/4;
thence west, 27.50 feet, on an angle to the right of 90°, to the west line of said SE 1/4, the Point of Terminus, EXCEPT that land in Lot B, MINOR SUBDIVISION NO. 1313-28-4-MS-13, Reception No. 1602492, recorded November 27, 1972.

Parcel 28-1 has 36,560 square feet (0.859 acres) more or less.

An illustration for said parcel is attached on Sheets 2 & 3 and made a part hereof.

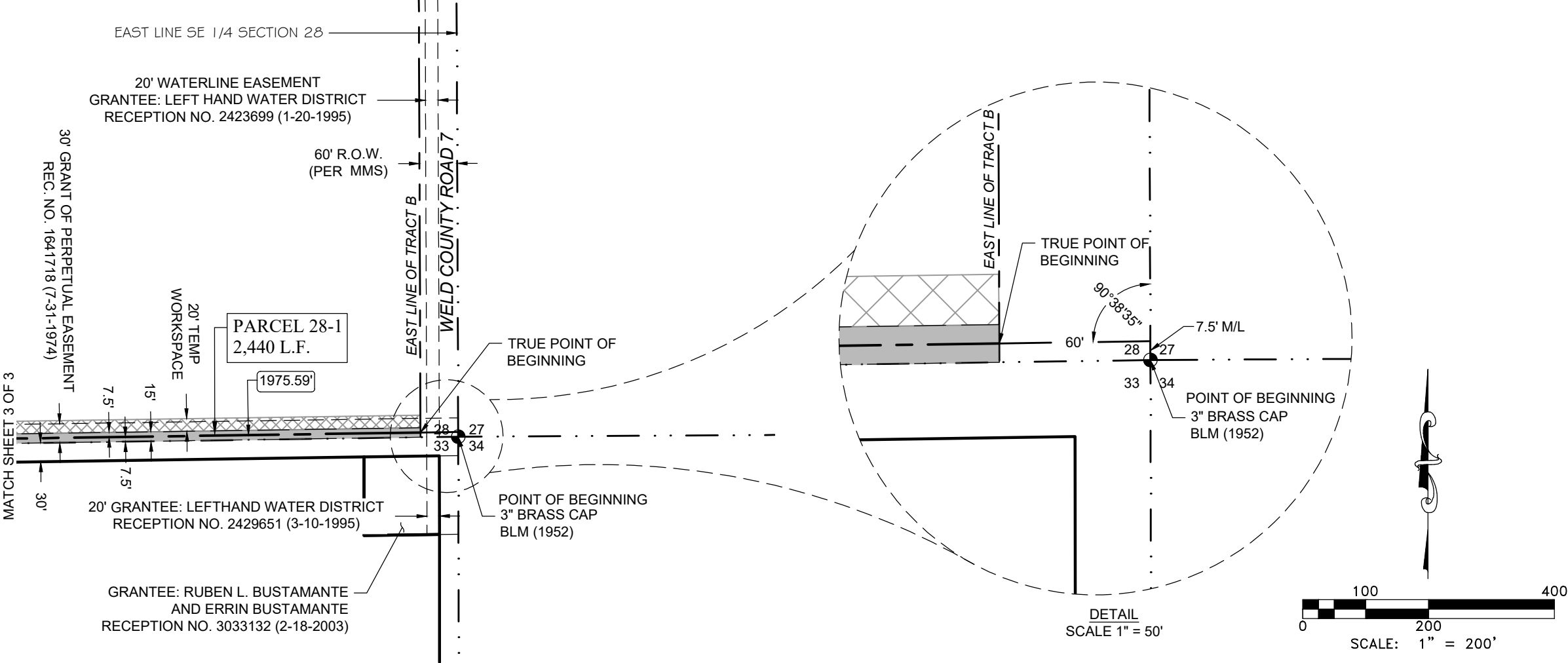
The author of this description is Mr. John S. Lambert, PLS 13212, a registered professional land surveyor licensed to practice in the State of Colorado. The description was written for United Power, Inc., and on behalf of Lambert Land Consulting, LLC, on July 11, 2023, under Job Number L23-22, and is NOT to be construed as representing a monumented land survey.



L A M B E R T
LAND CONSULTING

ILLUSTRATION

SOUTHEAST ONE-QUARTER OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6th P.M.
WELD COUNTY, STATE OF COLORADO

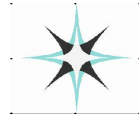


NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

#	Date	Revisions
0	6-29-2023	ORIGINAL DOCUMENT - MTS

Prepared for: WO# 202111049 Project#: L23-022

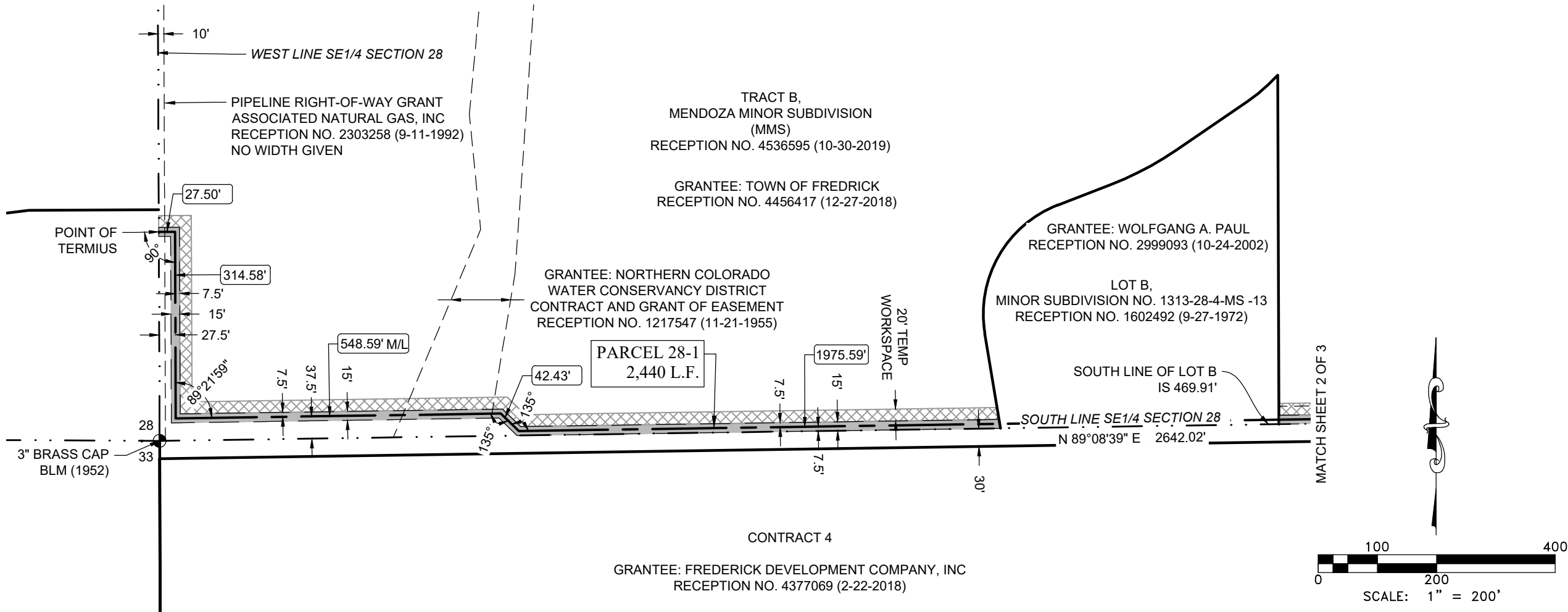
UNITED POWER, INC



Lambert Land Consulting, LLC
417 S. Whitcomb Street · Fort Collins · Colorado 80521
Phone 970.217.2190 - 970.232.9830 Fax

ILLUSTRATION

SOUTHEAST ONE-QUARTER OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6th P.M.
WELD COUNTY, STATE OF COLORADO



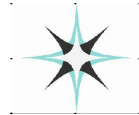
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G:\2023\L23-022 UPI File 32H Well Load Increase\dwg\L23-022.dwg July 11, 2023 - 2:28pm

#	Date	Revisions
0	6-29-2023	ORIGINAL DOCUMENT - MTS

Prepared for: WO# 202111049 Project#: L23-022

UNITED POWER, INC



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417 S. Whitcomb Street · Fort Collins · Colorado 80521
Phone 970.217.2190 - 970.232.9830 Fax



United Power Grant of Easement VicinityMap

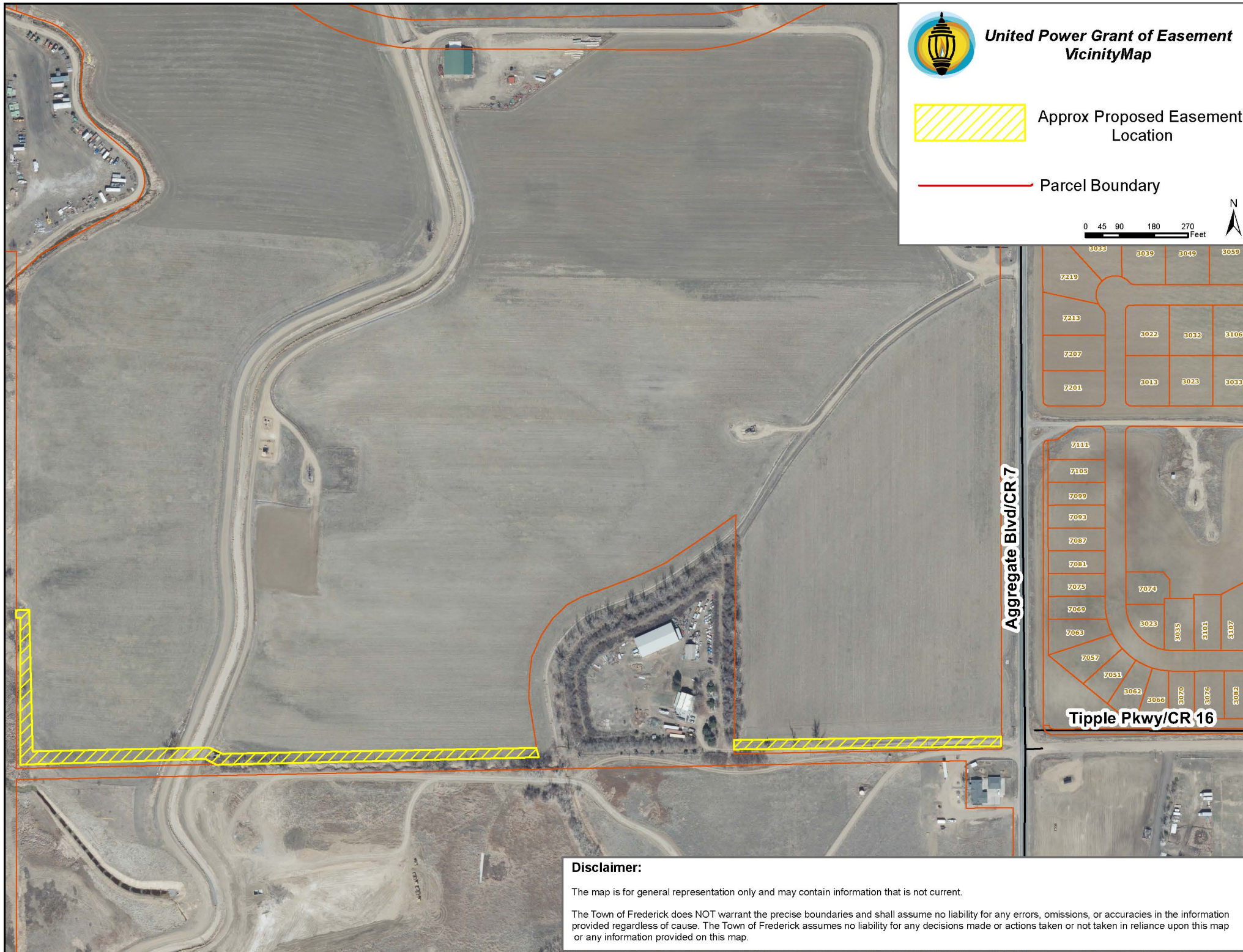


Approx Proposed Easement
Location



Parcel Boundary

0 45 90 180 270 Feet



Disclaimer:

The map is for general representation only and may contain information that is not current.

The Town of Frederick does NOT warrant the precise boundaries and shall assume no liability for any errors, omissions, or accuracies in the information provided regardless of cause. The Town of Frederick assumes no liability for any decisions made or actions taken or not taken in reliance upon this map or any information provided on this map.

**TOWN OF FREDERICK, COLORADO
RESOLUTION NO. 23-R-32**

**A RESOLUTION OF THE TOWN OF FREDERICK, COLORADO, ACCEPTING
A GRANT OF PERPETUAL NON-EXCLUSIVE EASEMENT TO UNITED
POWER, INC.**

WHEREAS, the TOWN OF FREDERICK (“Grantor”) is the owner of certain real property described as:

TRACT B, MENDOZA MINOR SUBDIVISION, lying in the Southeast one-quarter (SE ¼) of Section 28, Township 2 North, Range 68 West of the 6th Principal Meridian, State of Colorado

WHEREAS, Grantor desires to grant to UNITED POWER INC. (“Grantee”) a perpetual non-exclusive easement (attached hereto) over a portion of Grantor’s property described above.

**BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF
FREDERICK, COLORADO, AS FOLLOWS:**

Section 1. Grant of a Perpetual Non-Exclusive Easement.

- a. The Board of Trustees approves the grant of the easement, generally located within Tract B, Mendoza Minor Subdivision, Southeast one-quarter of Section 28, Township 2 North, Range 68 West of the 6th P.M., Weld County, State of Colorado.
- b. The Board of Trustees authorizes the execution of the easement by the Mayor on behalf of the Town of Frederick.

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 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 22ND DAY OF
AUGUST, 2023.**

ATTEST:

TOWN OF FREDERICK

By _____
Meghan Martinez, MMC, Town Clerk

By _____
Tracie Crites, Mayor

EXHIBIT A
Grant of Easement Agreement



TOWN OF FREDERICK

Board of Trustees

Action Memorandum

Dan March, Mayor Pro Tem
Mark Lamach, Trustee
Adam Mahan, Trustee

Tracie Crites, Mayor

Chad teVelde, Trustee
Kevin Brown, Trustee
Windi Padia, Trustee

Consideration of Approval of an IGA with Weld County, Colorado to Coordinate for the November, 2023 Election

Agenda Date: Town Board Meeting – August 22, 2023

Attachments:

Finance Review:

Finance Director

Submitted by:



Town Clerk

Approved for Presentation:



Town Manager

☐ Quasi-Judicial

☐ Legislative

☒ Administrative

Strategic Plan Alignment:

Effective, Efficient and Strategic Government Operations – This request aligns with the Town's Strategic Plan by meeting the goal of analyzing and developing a strategy regarding political capital and potential resources to aid in further implementing the Strategic Plan.

Summary Statement:

The proposed Intergovernmental Agreement (IGA) with Weld County outlines the election responsibilities between the Town of Frederick and Weld County for the Coordinated Election. This is another step in moving forward to a final decision on whether the Town of Frederick will place a ballot referendum on the November 2023 ballot

Detail of Issue/Request:

Built on What Matters.

The proposed IGA defines the election responsibilities between the Town of Frederick and the Weld County Election Department. The Coordinated Election will be a Mail Ballot Election. Execution of the IGA will authorize the Election Manager for the Weld County Clerk and Recorder's Office to conduct the election for the Town of Frederick for the November 2023 Election.

The Board has until September 8, 2023 to adopt the ballot language that would be placed on the November Ballot. Execution of the IGA meets the requirements of state statute and allows the Town to continue to study whether the placement of a question on the ballot will be beneficial to the community.

Legal Comments:

The IGA was reviewed by the Town Attorney.

Alternatives/Options:

The Board may choose to or not to approve the proposed resolution.

Financial Considerations:

This item has been budgeted in the 2023 adopted budget.

Staff Recommendation:

Staff recommends approval of this item if the Board wishes to continue to study the feasibility of referring a question to the community on the November 2023 Ballot.

Memorandum of Intergovernmental Agreement
For Conduct of Coordinated Elections

Town of Frederick, hereinafter referred to as “Jurisdiction,” does hereby agree and contract with the Board of County Commissioners of the County of Weld, hereinafter referred to as “Commissioners,” and the Weld County Clerk and Recorder, hereinafter referred to as “County Clerk,” concerning the administration of the November 7, 2023, Coordinated Election conducted pursuant to the Uniform Election Code of 1992 as amended (hereinafter “Code”), and the rules and regulations promulgated thereunder, found at 8 C.C.R. 1505-1. This Agreement is not intended to address or modify statutory provisions regarding voter registration, nor to address or modify the County Clerk’s duties thereunder.

WHEREAS, the Jurisdiction desires to conduct an election pursuant to its statutory authority or to have certain items placed on the ballot at an election pursuant to its statutory authority, such election to occur via mail ballot on November 7, 2023; and

WHEREAS, the Jurisdiction agrees to conduct a Coordinated Election with the County Clerk acting as the Coordinated Election Official; and

WHEREAS, the County Clerk is the “Coordinated Election Official,” pursuant to C.R.S. §1-7-116, and is to perform certain election services in consideration of performances by the Jurisdiction of the obligations herein below set forth; and

WHEREAS, such agreements are authorized by statute at C.R.S. §§1-1-111(3), 1-7-116, and 29-1-203, et seq.

NOW, THEREFORE, in consideration of the mutual covenants herein, the parties agree as follows:

1. The Jurisdiction encompasses territory within Weld County and _____ County. This Agreement shall be construed to apply only to that portion of the Jurisdiction within Weld County.
2. Term of Agreement: This Agreement is intended only to deal with the conduct of the November 7, 2023, Coordinated Election.
3. The Jurisdiction agrees to perform the following tasks and activities:
 - a. Conduct all procedures required of the clerk or designated election official for initiatives, referenda, and referred measures under the provisions of C.R.S. §§31-11-101 through 31-11-118.
 - b. To do all tasks required by law of designated election officials concerning nomination of candidates by petition, including, but not limited to: issue approval as to form, where appropriate, of nominating petition; determine candidate eligibility; receive candidate acceptance of nominations; accept notice of intent, petitions for nomination, and affidavits of circulators; verify signatures on nominating petitions; and hear any protests of the nominating petitions, as said tasks are set forth in any applicable provisions of Title 1, Article IV, Parts 8 and 9, and C.R.S. §1-4-501, C.R.S., and those portions of the Colorado Municipal Election Code of 1965, Article X of Title 31, as adopted by reference pursuant to C.R.S. §1-4-805.

Memorandum of Intergovernmental Agreement
For Conduct of Coordinated Elections

- c. Establish order of names and questions for Jurisdiction's portion of the ballot and submit to the County Clerk in final form. The ballot content, including a list of candidates, ballot title, and text, must be certified to the County Clerk no later than 60 days before the election, pursuant to C.R.S. §1-5-203(3)(a). The Jurisdiction must provide a Spanish (US) translation of the ballot title and text for the County to provide a Spanish language sample ballot and a Spanish language in-person ballot pursuant to § 1-5-906 and 1-5-907, C.R.S. The translation services selected by the Jurisdiction must be screened and tested for proficiency in both written English and Spanish with affiliation or accreditation by a nationally recognized association of translators or have credentials or certifications that are comparable to or exceed the standards used by a nationally recognized association of translators, and must produce translations that are linguistically accurate, culturally appropriate, and technically consistent with the original documents. The County Clerk will require the certification of translation be turned in with the ballot content.
- d. Accept written comments for and against ballot issues pursuant to C.R.S. §§ 1-7-901 and Colorado Constitution Article 10, Section 20(3)(b)(v). Comments to be accepted must be filed by noon on the Friday before the 45th day before the election. Preparation of summaries of written comments shall be done by the Jurisdiction but only to the extent required pursuant to C.R.S. §1-7-903(3). The full text of any required ballot issue notices must be transmitted to and received by the County Clerk no later than 43 days prior to the election pursuant to C.R.S. §1-7-904. No portion of this Subsection 3(d) shall require the County Clerk to prepare summaries regarding the Jurisdiction's ballot issues.
- e. Collect, prepare, and submit all information required to give notice pursuant to Colorado Constitution Article 10, Section 20(3)(b), the Taxpayer's Bill of Rights. Such information must be received by the County Clerk no less than 43 days prior to the election to give the County Clerk sufficient time to circulate the information to voters.
- f. Accept affidavits of intent to accept write-in candidacy up until close of business on the 64th day before the election, provide a list of valid affidavits received and forward them to the County Clerk pursuant to C.R.S. §1-4-1102(2).
- g. Pay the sum of \$1.25 per registered elector eligible to vote in the Jurisdiction's election as of November 7, 2023, with a \$200 minimum, within 30 days of billing, regardless of whether or not the election is actually held. If the Jurisdiction cancels the election before its Section 20, Article X, the Taxpayer's Bill of Rights, notices are due to the County, and prior to the County Clerk incurring any expenses for the printing of the ballots, the Jurisdiction shall not be obligated for any expenses under this Subsection 3(g). The Jurisdiction shall also be responsible for costs of recounts pursuant to C.R.S. §§1-10.5-107 or 1-11-215, except for costs collected from an "interested party"

Memorandum of Intergovernmental Agreement
For Conduct of Coordinated Elections

pursuant to C.R.S. §1-10.5-106 which shall be collected by the entity conducting the recount.

- h. Designate an “election official” who shall act as the primary liaison between the Jurisdiction and the County Clerk and who will have primary responsibility for the conduct of election procedures to be handled by the Jurisdiction hereunder.
- i. By approval of this Agreement, any municipality thereby resolves to not use the provisions of the Colorado Municipal Election Code, except as otherwise set forth herein or as its use is specifically authorized by the Code.
- j. Mail ballot issue notices pursuant to C.R.S. §1-7-906(2) for active registered electors who do not reside within the county or counties where the political subdivision is located.
- k. Carry out all action necessary for cancellation of an election including notice pursuant to C.R.S. §1-5-208, and pay any costs incurred by the County Clerk within 30 days of receipt of an invoice setting forth the costs of the canceled election pursuant to C.R.S. §1-5-208(5).
- l. Jurisdiction shall verify as being accurate the list of registered elector’s names and addresses previously forwarded to the Jurisdiction by the Weld County Clerk and Recorder’s Office. By signing this Agreement, Jurisdiction represents that the list of registered elector’s names and addresses has been reviewed by the Jurisdiction and is accurate. The Jurisdiction will promptly notify Adam Gonzales, the Weld County Election Manager (see contact information in 5(h)), of any changes to the information contained in said list.
- m. By September **8th**, Jurisdiction shall notify all candidates to call the Election Office at 970-400-3109, to leave a voice mail on how to pronounce the candidate’s name and the office the candidate is seeking.

4. The County Clerk Agrees to perform the following tasks and activities:

- a. Except as otherwise expressly provided for in this Agreement, to act as the Coordinated Election Official for the conduct of the election for the Jurisdiction for all matters in the Code which require action by the Coordinated Election Official.
- b. Circulate the Taxpayer’s Bill of Rights notice pursuant to Colorado Constitution Article X, Section 20.
- c. Circulate general Ballot Issues notices pursuant to C.R.S. §§ 1-7-905 and 1-7-906(1), and publish and post notice, as directed in C.R.S. §1-5-205.

Memorandum of Intergovernmental Agreement
For Conduct of Coordinated Elections

- d. Designate the statutory required number of drop boxes during the election cycle. Designate not less than the statutory requirement of voter service and polling centers for early voting and election day.
- e. After Election Day, bill Jurisdiction for number of registered electors within the Jurisdiction as of Election Day; identify the members of the Board of Canvassers eligible for receiving a fee; and bill the Jurisdiction for the fees.
- f. Designate an employee of the Weld County Clerk and Recorder's Office, Election Division to act as a primary liaison or contact between the County Clerk and the Jurisdiction (see contact information in 5(h)).
- g. The County Clerk shall appoint and train election judges and this power shall be delegated by the Jurisdiction to the County Clerk, to the extent required or allowed by law.
- h. Select and appoint a Board of Canvassers to canvass the votes, provided that the Jurisdiction, at its option, may designate one of its members and one eligible elector from the jurisdiction to assist the County Clerk in the survey of the returns for that Jurisdiction. If the Jurisdiction desires to appoint one of its members and an eligible elector to assist, it shall make such appointments, and shall notify the County Clerk in writing of such appointments not later than 15 days prior to the election. The County Clerk shall receive and canvass all votes, and shall certify the results in the time and manner provided and required by the Code. The County Clerk shall perform all recounts required by the Code.

5. Additional Provisions

- a. Time of the Essence.

Time is of the essence in this Agreement. The statutory time frames of the Code shall apply to the completion of the tasks required by this Agreement.

- b. Conflict of Agreement with Law.

This Agreement shall be interpreted to be consistent with the Code, provisions of Title 31 applicable to the conduct of elections, and the Colorado Election Rules contained in 8 C.C.R. 1505-1. Should there be an irreconcilable conflict between the statutes, this Agreement and the Colorado Election Rules, the statutes shall first prevail, then this Agreement and lastly the Colorado Election Rules.

- c. Right of Termination.

If Jurisdiction fails to accomplish its obligations, County is relieved of any further obligation under this agreement. Jurisdiction is fully responsible for any actions that result from its failure to meet its obligations.

- d. Liquidated Damages.

Memorandum of Intergovernmental Agreement For Conduct of Coordinated Elections

In the event that a Court of competent jurisdiction finds that the election for the Jurisdiction was void or otherwise fatally defective as a result of the sole negligence or failure of the County Clerk to perform in accordance with this Agreement or laws applicable thereto, then the County Clerk shall, as liquidated damage, not as a penalty, refund all payments made, pursuant to Subsection 3(g) of this Agreement and shall, if requested by the Jurisdiction, conduct the next Coordinated Election which may include any election made necessary by a defect in the election conducted pursuant to this Agreement with no fee assessed to the Jurisdiction. This remedy shall be the sole and exclusive remedy for damages available to the Jurisdiction under this Agreement.

e. No Waiver of Privileges or Immunities.

No term or condition of this Agreement shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections or other provisions, of the Colorado Governmental Immunity Act §§ 24-10-101 et seq., as applicable now or hereafter amended, or any other applicable privileges or immunities held by the parties to this Agreement.

f. No Third Party Beneficiary Enforcement.

It is expressly understood and agreed that the enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the undersigned parties and nothing in this Agreement shall give or allow any claim or right of action whatsoever by any other person not included in this Agreement. It is the express intention of the undersigned parties that any entity other than the undersigned parties receiving services or benefits under this Agreement shall be an incidental beneficiary only.

g. Entire Agreement, Modification, Waiver of Breach.

This Agreement contains the entire Agreement and understanding between the parties to this Agreement and supersedes any other agreements concerning the subject matter of this transaction, whether oral or written. No modification, amendment, novation, renewal, or other alteration of or to this Agreement and any attached exhibits shall be deemed valid or of any force or effect whatsoever, unless mutually agreed upon in writing by the undersigned parties. No breach of any term, provision, or clause of this Agreement shall be deemed waived or excused, unless such waiver or consent shall be in writing and signed by the party claimed to have waived or consented. Any consent by any party hereto, or waiver of, a breach by any other party, whether express or implied, shall not constitute a consent to, waiver of, or excuse for any other, or subsequent, breach.

Memorandum of Intergovernmental Agreement
For Conduct of Coordinated Elections

- h. Notice provided for in this Agreement shall be given by the Jurisdiction to the primary liaison designated according to section 4.f. above:

Adam Gonzales
Phone: (970) 400-3178
Fax: (970) 304-6566
Email: agonzales@weld.gov
Address: PO Box 459, Greeley, CO 80632

Notice provided for in this Agreement shall be given to the Jurisdiction election official referred to in Subsection 3(h) of this Agreement by phone:

Designated Election Official for Jurisdiction: _____
Phone: _____
After hour phone number: _____
Additional Contact Information:
Fax: _____
E-mail: _____
Address: _____
_____.

DATED this _____ day of _____, 2023.

WELD COUNTY CLERK AND RECORDER

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF WELD COUNTY

Carly Koppes, Clerk and Recorder

Mike Freeman, Chair

APPROVED AS TO FORM:

ATTEST: _____
Clerk to the Board of County Commissioners

County Attorney

Deputy Clerk to the Board

Town of Frederick
APPROVED AS TO FORM:

ATTEST:

Attorney for Jurisdiction (Signature)

Designated Election Official for Jurisdiction
(Signature)

**TOWN OF FREDERICK, COLORADO
RESOLUTION NO. 23-R-33**

**A RESOLUTION OF THE TOWN OF FREDERICK, COLORADO,
AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL
AGREEMENT BETWEEN THE TOWN OF FREDERICK AND WELD
COUNTY FOR CONDUCT OF COORDINATED ELECTIONS AND
TABOR NOTICE DISTRIBUTION.**

WHEREAS, pursuant to Colorado Constitution Article XIV, Section 18 (2) (a), and Section 29-1-203, C.R.S., as amended, the County Clerk and the Town may cooperate or contract with each other to provide any function, service or facility lawfully authorized to each, and any such contract may provide for the sharing of costs, the imposition of taxes, and incurring a debt; and

WHEREAS, the County Clerk and Recorder (County Clerk) and the Town are authorized to conduct elections as provided by law; and

WHEREAS, the Town has determined that it is in the best interest of the Town to conduct its mail-in ballot election to be held on November 7, 2023 (Election) as a coordinated election as such term is defined in the Uniform Election Code of 1992, as amended (Code), and the Code contemplates the entry into and performance of an intergovernmental agreement to cooperate in the conduct and financing of the election; and

WHEREAS, the County Clerk and Town have determined that it is in the best interest of the County and Town to cooperate in a contract concerning the election upon the terms and conditions contained in the intergovernmental agreement;

**BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF
FREDERICK, COLORADO, AS FOLLOWS:**

Section 1. The Mayor and Town Clerk are hereby authorized and directed to forthwith take those steps necessary to effectuate the Intergovernmental Agreement for Coordinated Elections and TABOR Notice Distribution between Weld County and the Town of Frederick.

Section 2. The Board has determined to conduct the election by mail-in ballot.

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

Section 4. 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 5. 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 22nd DAY OF
AUGUST, 2023.**

ATTEST:

TOWN OF FREDERICK

By _____

By _____

Meghan C. Martinez, MMC, Town Clerk

-
Tracie Crites, Mayor

Town of Frederick List of Bills
June 30, 2023 - July 27, 2023

1800DRYCLEAN NORTH METRO DENVER	Uniform cleaning service	319.15
4 RIVERS EQUIPMENT LLC	Equipment maintenance supplies	148.64
5STARWASHCV LLC	Vehicle maintenance	1,307.10
AAA PEST PROS LLC	Pest control	210.00
ACE HARDWARE OF FIRESTONE	Supplies	1,347.57
ACUSHNET COMPANY	Golf shop merchandise	1,494.63
ADAMSON POLICE PRODUCTS	Police uniforms	742.15
AGFINITY	Fuel - PD	15,905.76
AH ARCHITECTURE PC	Community Parks Master Plan	14,136.40
AIRBOUND INC	Inflatable - Chainsaws & Chuckwagons	1,338.00
ALI VANDEUTEKOM	Reimbursement for travel	23.75
ALL IN ONE PROFESSIONAL SERVICES LLC	Interpreting services	289.83
ALLIANCE SAFETY INC	Safety clothing	161.00
ALTITUDE AWARDS AND APPAREL	Uniforms for PW Facilities	322.60
ALTITUDE SIGNAL LLC	Traffic signal supplies	1,719.86
AMERICAN ARBORIST SERVICE	Tree removal	1,100.00
AMERICAN EAGLE DISTRIBUTING	Beverage order for restaurant	348.03
ANDY FAIRBANKS	Reimbursement for supplies & training expenses	156.11
ASHLEY DUFOUR	Restitution payment	300.00
AXE WOMEN LOGGERS OF MAINE	Axe show at Chainsaws & Chuckwagons	7,450.00
BATTERIES PLUS	Battery	34.45
BC EXCAVATING INC	Hydrant Meter Deposit refund	2,200.00
BCCONSULTING INC	Burro race timing	800.00
BE BRANDED LLC	Employee appreciation logo items	2,406.58
BETTER BUSINESS CLEANING	Monthly cleaning service	5,102.00
BISON RIDGE CONSTRUCTION LLC	Hydrant Meter deposit refund	2,200.00
BK TIRE, INC.	Tire replacement and disposal	1,080.46
BLACK HILLS ENERGY	Gas utility	1,786.54
BRAD DAVIES	Reimbursement for training expenses	49.63
BUTCHER AND THE BLONDE LLC	Community Tour & Talk catering	991.20
CAPITAL BUSINESS SYSTEMS INC	Town copier lease program	105.80
CARBON VALLEY PARKS & RECREATION DIST	URA TIF revenue sharing	217.40
CARD SERVICES	Supplies, travel, training & subscriptions	13,164.64
CENTRAL WELD COUNTY WATER DIST	Water purchased	118,189.69
CERTIFIED IAQ PROFESSIONALS	Mold inspection	950.00
CHACON PAVING INC	Asphalt patching	7,492.62
CHAVEZ SERVICES LLC	Sidewalk replacement	5,700.00
CHRIS FOLTZ	Chainsaws & Chuckwagons travel money	200.00
CINTAS CORPORATION	Mat service & PW uniforms	599.98
COBRA PUMA GOLF	Golf shop merchandise	1,972.50
COLORADO BARRICADE CO	Legend signs	1,399.70
COLORADO DEPARTMENT OF REVENUE	Liquor License renewal - Back 9 at Bella Rosa	725.00
COMCAST CABLE	Monthly internet, tv and phone service	1,160.77
COMCAST PHONE	Town wide internet service	2,655.00
CORKAT DATA SOLUTIONS LLC	Monthly IT support & computer equipment	46,331.80
CUSTOM FLAG COMPANY	Flags	1,017.00
DANA KEPNER CO	Water meters & supplies	5,810.11
DAVID HETTICH	Propane reimbursement for Frederick in Flight	124.19
DBC IRRIGATION SUPPLY	Irrigation repair parts	520.47
DEPARTMENT OF THE TREASURY	PCORI fee	500.89
DESIGN CONCEPTS CLA INC	Frederick Recreation Area & Centennial Park	15,055.72
DISCOUNT PLUMBING SERVICES INC	FRA service call	1,256.95
DNI HEATING AC REFRIGERATION	HVAC repair	537.50
EDGAR SANCHEZ	Restitution payment	690.00
ELDORADO ARTESIAN SPRINGS INC	Water delivery service	111.35
ELEMENT WATER CONSULTING INC	Water Engineering Services	49,757.50

Town of Frederick List of Bills
June 30, 2023 - July 27, 2023

ENTENMANN-ROVIN CO	Police badge	141.75
ENTERPRISE FM TRUST	Vehicle lease program	51,395.69
ERIK HINKLEY	Reimbursement for training expenses	19.09
F B HOWES III	Propane reimbursement for Frederick in Flight	40.22
FACTORY MOTOR PARTS CO	Maintenance supplies	1,192.76
FAIRFIELD AND WOODS PC	Legal services	8,312.50
FARNSWORTH GROUP INC	Architectural Planning Services	2,112.75
FERNANDO DULNUAN JR	Chainsaws & Chuckwagons travel money	200.00
FLEXX PRODUCTIONS LLC	Event rentals	1,570.75
FOOD TRUCK AVENUE	Meal vouchers for staff and carvers	505.50
FORSGREN ASSOCIATES INC	Potable & Non Potable Infrastructure Master Plan	41,371.18
FREDERICK FIRESTONE FIRE PROTECTION DIST	URA TIF revenue sharing	320,389.30
FREEDOM MAILING SERVICES LLC	Mailing costs for CCR	1,925.67
G & G EQUIPMENT INC	Stormwater supplies	247.67
GADES SALES CO INC	Supplies	3,460.00
GARRETT OSMAN	Boot reimbursement	100.00
GEORGIA BOYS COMMERCIAL SERVICES	Refrigeration service repair	185.00
GEORGIA BOYS SMOKEHOUSE	Community Tour & Talk catering	1,389.27
GOLF & SPORT SOLUTIONS LLC	Topsoil for golf course	448.64
GRAHAM LUCKETT	Propane reimbursement for Frederick in Flight	43.61
GREEN MILL SPORTMAN'S CLUB	Range use	300.00
GREEN MOUNTAIN PROMOTIONS	Name plates	290.42
GUS'S GOODIES	Snacks for restaurant	423.00
HELENA AGRI ENTERPRISES LLC	Product for golf course fertilization	8,606.30
HIGH COUNTRY BEVERAGE	Beverage order for restaurant	4,013.40
HIGH PLAINS LIBRARY DISTRICT	URA TIF revenue sharing	94,543.93
HOLIDAY INN EXPRESS & SUITES FIRESTONE	Hotel accommodations for pilots & carvers	11,020.00
HOME DEPOT CREDIT SERVICES	Supplies	813.50
IDEAL FENCING CORPORATION LLC	Handrail installation	8,101.25
IMAGEFIRST HOSPITALITY	Linen service for restaurant	504.99
INNOVATE! INC	GIS consultant work	2,290.49
INTERSTATE FORD	Vehicle parts	625.63
INTERSTATE RENTAL & SALES, INC.	Equipment rental for Chainsaws & Chuckwagons	748.80
J R HOE INC	Stormwater trash racks	3,120.00
JAG'S ENTERPRISE INC	Concrete and alleyway maintenance program	68,085.43
JAMAR TECHNOLOGIES INC	Law enforcement radar kit	3,068.28
JAMES MATTHEW OUNSWORTH	Chainsaws & Chuckwagons travel money	200.00
JC GOLF ACCESSORIES	Golf shop merchandise	907.44
JEANNE MARIE ANSON	Propane reimbursement for Frederick in Flight	24.25
JOE KNIGHT	Chainsaws & Chuckwagons auctioneer	400.00
JOSEPH SRHOLEZ	Chainsaws & Chuckwagons travel money	200.00
JUAN HERRERA	Restitution payment	200.00
JUB ENGINEERS INC	Engineering Services for Silver Birch & Bella Rosa	11,139.20
JUSTIN DRIVER	Chainsaws & Chuckwagons travel money	200.00
KP & ASSOCIATES	Retail Consulting Services	7,300.00
KYLE A RICHARDS	BOT meeting livestream operations	150.00
L.G. EVERIST INC	Road base	1,251.20
L.L. JOHNSON DISTRIBUTING COMPANY	Equipment repair parts	470.69
LEFT HAND WATER DISTRICT	Rinn Valley irrigation	446.30
LONGMONT HUMANE SOCIETY	Animal impound fees	1,052.25
LUKE JOHNSON	Reimbursement for training expenses	186.50
MARIA RIEHL	Propane reimbursement for Frederick in Flight	85.59
MARK WILLIAMS	Propane reimbursement for Frederick in Flight	47.52
MARSH LAW PC	Carriage Hills II/Babcock	315.00
MARTIN R ADIE	Reimbursement for FIF propane & lodging	143.05
MASEK GOLF CAR COMPANY	Golf cart fleet lease payment, rentals and repairs	4,713.19

Town of Frederick List of Bills
June 30, 2023 - July 27, 2023

MCGEE COMPANY	Shop supplies	401.48
METRO CITY ATTORNEYS ASSOCIATION INC	MCAA dues	180.00
MIRROR IMAGE BREWING COMPANY	Beverage order for restaurant/ C&C beer garden	1,340.00
MOSES WITTEMYER HARRISON & WOODRUFF PC	Legal services	41,847.68
MY GUY HEATING AND AIR	HVAC service call	685.00
NANCY J LAMBERTSON	Propane reimbursement for Frederick in Flight	57.52
NATHAN H HALL	Chainsaws & Chuckwagons travel money	200.00
NATIONAL BUSINESS FURNITURE LLC	Office furniture	5,434.56
NORTHERN CO. WATER CONSERVANCY DISTRICT	URA TIF revenue sharing	29,388.84
NORTHERN CO. WATER CONSERVANCY DISTRICT	Annual assessment for 7 units of CBT	353.85
NORTHERN ENGINEERING SERVICES	Colorado Blvd/Tipple Parkway/Countryside Sub	5,965.00
OCCUPATIONAL HEALTH CENTERS	Pre-Employment Screening	720.00
OPENGOV INC	Fleet Services Implementation	3,975.00
O'REILLY AUTOMOTIVE INC	Vehicle maintenance supplies	881.77
PAUL C BENEDETTI	Legal Services - FURA	10,670.00
PEEL HANDCRAFTED PIZZA, EDGE GOURMET STREET KITCHEN	Community Tour & Talk catering	330.40
PHILIP KAJEMUSUK	Chainsaws & Chuckwagons travel money	200.00
POLICE AND SHERIFFS PRESS INC	Photo IDs	65.65
POTESTIO BROTHERS EQUIPMENT INC	Repair to JD tractor & park equipment	3,300.32
PRAIRIE MOUNTAIN MEDIA	Publishing costs	1,064.20
PREMIUM EVENT STAFFING	Chainsaws & Chuckwagons beer garden staff	10,114.25
PRO GOLF REPAIR LLC	Reimbursement for lessons and club repairs	6,885.00
PSYCHOLOGICAL DIMENSIONS	Pre-Employment Psych evaluation	400.00
QDC RANCH SERVICES LLC	Prairie dog control	707.00
REDI SERVICES LLC	Porta johns and handwashing stations	2,405.00
REIF & HUNSAKER PC	Legal services	1,316.00
REPUBLIC NATIONAL DISTRIBUTING CO LLC	Restaurant supplies	226.27
RESOURCE CENTRAL	Water conservation programs	4,445.00
RINGCENTRAL INC	Town phone system	3,743.60
ROBERT ALLAN HAHN	Propane reimbursement for Frederick in Flight	52.09
ROCKY MOUNTAIN HOT AIR LLC	Propane reimbursement for Frederick in Flight	148.11
ROCKY MOUNTAIN INFORMATION NETWORK	Membership dues	100.00
RYAN ANDERSON	Chainsaws & Chuckwagons travel money	200.00
SAFEBUILT COLORADO LLC	Inspection services	9,072.50
SAFEWAY	Anniversary gift cards and supplies	405.29
SAM'S CLUB / GECRB	Supplies	753.24
SARAH WATSON	Reimbursement for travel & training expenses	3,035.78
SHANE GREEN	Chainsaws & Chuckwagons travel money	750.00
SHRED VAULT COLORADO LLC	Document shredding	155.00
SIGNARAMA	Event and clubhouse signs	1,025.00
SMITH ENVIRONMENTAL & ENGINEERING	Frederick GW Impacts Study	7,213.22
SONGER CARVING	Chainsaws & Chuckwagons travel money	200.00
SOUTHERN GLAZERS WINE AND SPIRITS	Beverage order for restaurant	203.65
ST VRAIN SANITATION DISTRICT	URA TIF revenue sharing	12,633.92
ST VRAIN VALLEY SCHOOL DISTRICT	URA TIF revenue sharing	940,102.64
STAPLES ADVANTAGE	Office supplies	1,053.29
SUNBELT RENTALS INC	Chainsaw rental	268.98
SWIRE COCA-COLA USA	Beverage supplies for restaurant	302.85
SYMBOLARTS LLC	Medals and pins	2,393.50
SYSCO DENVER	Restaurant supplies	1,867.10
TAYLOR MADE GOLF COMPANY	Golf course merchandise	1,934.62
TBK BANK,SSB	PW Facility Loan Payment	84,820.10
TELOS ONLINE INC	Back-up link	75.00
THE HANGRY ELF	Meal vouchers for carvers and staff	197.50
THE SJS OLSON GROUP LLC	Renogize Leadership Training - Coaching	3,000.00
TLO LLC	Investigation fees	220.40

Town of Frederick List of Bills
June 30, 2023 - July 27, 2023

TOWN OF FREDERICK	Chainsaws and Chuckwagons quick carve auction	1,300.00
TRANSWEST TRUCK	Vehicle supplies	91.12
TRUEPOINT SOLUTIONS LLC	System Configuration & Script Development	2,548.55
TYLER TECHNOLOGIES	Insite transaction fees & UB notification calls	15,976.15
U.S. POSTAL SERVICE (CMRS-FP)	Postage for meter machine	700.00
UMB BANK, NA	Annual Agent fee	300.00
UME CUSTOM EMBROIDERY & IMPRINTING LLC	Employee appreciation logo items	3,784.94
UNITED POWER	Electric utility	9,344.15
UNIVERSITY AUTO PARTS INC	Vehicle parts	700.83
US FOODS INC	Dishwasher machine lease	184.00
UTILITY NOTIFICATION CENTER OF COLORADO	Utility locates	482.46
UTILITY TECHNOLOGIES LLC	Locate tools	269.05
VANCE BROTHERS INC	Seal Project - Pavement maintenance program	233,296.16
VECTOR DISEASE CONTROL INTERNATIONAL LLC	Mosquito Control	8,917.50
VERIZON WIRELESS	Cell phones and wireless services	7,418.45
VIA MOBILITY SERVICES	Transportation	5,280.00
WASTE CONNECTIONS OF COLO INC	Trash service and roll offs	4,606.22
WELD COUNTY	New vehicle radio activation & programming	260.00
WELD COUNTY COURT	Bond transfer	200.00
WELD COUNTY GOVERNMENT	URA TIF revenue sharing	13,322.45
WELD COUNTY HEALTH DEPT	Laboratory Services	525.00
WELD COUNTY INFORMATION TECHNOLOGY	RSA Tokens	128.24
WELD COUNTY TREASURER	Real estate taxes - Tract 4B Eagle Business Park 3	98.81
WILLDAN FINANCIAL SERVICES	Water Rate Study	2,775.00
WILLIAM J FITZGERALD	Propane reimbursement for Frederick in Flight	43.47
WTC-WICKHAM TRACTOR CO	Trail maintenance	2,175.00
WYNDHAM HILL METRO DIST NO.3	Wyndham URA TIF revenue sharing	5,386.19
		2,542,357.88



TOWN OF FREDERICK

Board of Trustees

Action Memorandum

Dan March, Mayor Pro Tem
Mark Lamach, Trustee
Adam Mahan, Trustee

Tracie Crites, Mayor

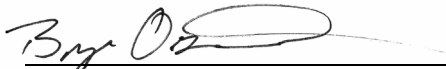
Chad teVelde, Trustee
Kevin Brown, Trustee
Windi Padia, Trustee

Consideration of Appointments to the Frederick Youth Commission

Agenda Date: Town Board Meeting – August 11, 2023

Finance Review: _____
Finance Director

Submitted by: Anthony Bixby
Accountant II

Approved for Presentation: 
Town Manager

☐ Quasi-Judicial

☐ Legislative

☒ Administrative

Strategic Plan Alignment:

Dynamic, Inclusion and Connected Community – This request aligns with the Town's Strategic Plan by engaging actively with Carbon Valley residents on matters important to youth in Frederick. The appointment of youth commissions creates new avenues to increase accessibility for public engagement as well as encourages and support youth in addressing important community needs and issues.

Summary Statement:

Staff is submitting candidates for appointment to the Town of Frederick Youth Commission.

Detail of Issue/Request:

On July 8, 2023 and August 2, 2023 Trustee Brown and various members of staff participated on an interview panel for vacancies on the newly created Frederick Youth Commission.

Following the interviews, it is the recommendation of the panel to make appointments to the Frederick Youth Commission.

Built on What Matters.

There are currently 15 vacancies on the commission, and the panel is recommending appointment of Kelsey Mathews, Isabel Howell, Jamison Stanworth, and Nora Dukart to the Frederick Youth Commission.

Legal/Political Considerations:

None

Alternatives/Options:

The Board may choose to appoint the candidates or request staff continue to advertise the vacancies.

Financial Considerations:

Not applicable.

Staff Recommendation:

Staff takes no position on this item.



TOWN OF FREDERICK

Board of Trustees

Action Memorandum

Dan March, Mayor Pro Tem
Mark Lamach, Trustee
Adam Mahan, Trustee

Tracie Crites, Mayor

Chad TeVelde, Trustee
Kevin Brown, Trustee
Windi Padia, Trustee

Consideration of a Request to Continue the Columbine Heights Metro District Service Plan and Intergovernmental Agreement

Agenda Date: Town Board Meeting – August 22nd, 2023

Attachments: a. Resolution

Finance Review: _____
Finance Director

Submitted by: _____
Ali van Deutekom
Planning Manager

Approved for Presentation: _____
Bryan Ostler
Town Manager

☒ Quasi-Judicial

☐ Legislative

☐ Administrative

Summary Statement:

This is a request to continue the consideration of the Columbine Heights Metro District Service Plan and Intergovernmental Agreement.

Strategic Plan Alignment:

This request aligns with following Town of Frederick Strategic Plan:



2. Community and Economic Vitality- Frederick is a community that fosters economic, recreational, cultural, and environmental vitality and builds upon and enhances a variety of economic opportunities.

Detail of Issue/Request:

Built on What Matters.

The Columbine Heights Metro District Service Plan and Intergovernmental Agreement was proposed to be considered by the Board of Trustees on August 22, 2023, and was noticed as such. With consent from the applicant, Staff is requesting that the item be continued until the September 12th, 2023, Board of Trustees meeting to provide the team additional time to work through the outstanding items in the Service Plan and Intergovernmental Agreement.

Legal Comments:

Should the Board choose to table this item, it must be tabled to a specific date.

Alternatives/Options:

The Board of Trustees may choose whether or not to continue the item and may choose the date to which the item is continued. The creation of this metropolitan district requires action by the District Court (i.e., the filing of a petition, a hearing, and a court order for the election) following the Board action. Because of this required District Court action and the timing required to get in front of the District Court, the applicant needs the metropolitan district petition be heard no later than September 2023 to allow sufficient time for the District Court process. Thus, Staff is requesting the September 12th, 2023, Board of Trustees meeting date.

Financial Considerations:

Not Applicable.

Staff Recommendation:

Staff seeks direction from the Board of Trustees.

**TOWN OF FREDERICK, COLORADO
RESOLUTION NO. 23-R-34**

**A RESOLUTION OF THE TOWN OF FREDERICK, COLORADO,
CONTINUING THE PUBLIC HEARING ON THE CONSIDERATION OF THE
COLUMBINE HEIGHTS METRO DISTRICT SERVICE PLAN AND
INTERGOVERNMENTAL AGREEMENT**

WHEREAS, pursuant to the provisions of Chapter 14 of the Frederick Land Use Code, a public hearing for the consideration of the Columbine Heights Metro District Service Plan and Intergovernmental Agreement was set and noticed for 7:00 p.m. on August 22, 2023, during the regular meeting of the Board of Trustees at the Frederick Town Hall; and

WHEREAS, due to timing, the public hearing on the consideration of the Columbine Heights Metro District Service Plan and Intergovernmental Agreement needs to be continued to September 12th, 2023.

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

Section 1. That the Board of Trustees does hereby continue the public hearing on the consideration of the Columbine Heights Metro District Service Plan and Intergovernmental Agreement until 7:00 p.m. on September 12th, 2023, at the regular Board of Trustees meeting held at the Frederick Town Hall.

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 22ND DAY OF AUGUST, 2023.

ATTEST:

TOWN OF FREDERICK

By _____
Meghan C. Martinez, MMC, Town Clerk

By _____
Tracie Crites, Mayor