



**TOWN OF TIMNATH
TOWN COUNCIL**

Tuesday, April 10, 2018

**IMMEDIATELY FOLLOWING THE TIMNATH LIQUOR BOARD MEETING, at 6:00 p.m.
4800 Goodman Street, Timnath, Colorado**

1. CALL TO ORDER AND ROLL CALL

Mayor	Jill Grossman-Belisle
Mayor Pro Tem	Bryan Voronin
Councilmember	Bill Neal
Councilmember	Aaron Pearson
Councilmember	Paul Steinway

2. AMENDMENTS TO THE AGENDA: *Note: The Council may add to this agenda, any item for discussion or action.*

3. PUBLIC COMMENT: *Note: It is requested that public comments be limited to three minutes. When several people wish to speak with the same position, they are requested to select a spokesperson to state that position.*

4. CONSENT AGENDA

- a. Approval of the March 27, 2018, Town Council Meeting Minutes
- b. Approval of the Check Register

5. REPORTS

- a. Mayor and Council

6. BUSINESS

a. SWEAR IN NEW COUNCILMEMBERS

b. APPOINT MAYOR PRO TEM

- c. **RESOLUTION NO. 30, SERIES 2018**, Resolution Approving the Colorado Department of Transportation Memorandum of Agreement and Warranty Deed
Presented by Robert Rogers, Contracted Town Attorney

7. ADJOURNMENT



**Town of Timnath
Regular Meeting Minutes
Tuesday, March 27, 2018
IMMEDIATELY FOLLOWED THE TIMNATH DEVELOPMENT AUTHORITY
MEETING, at 6:00 p.m.
Meeting was held at *Timnath Administration Building,*
*4800 Goodman Street, Timnath, Colorado***

1. CALL TO ORDER AND ROLL CALL:

Mayor Grossman-Belisle called to order the meeting of the Town Council on Tuesday, March 27, 2018, at 6:00 p.m.

Present:

- a. Mayor Jill Grossman-Belisle
- b. Mayor Pro Tem Bryan Voronin
- c. Councilmember Bill Neal
- d. Councilmember Aaron Pearson
- e. Councilmember Paul Steinway

Also Present:

- a. Robert Rogers, Contracted Town Attorney
- b. Milissa Peters, Town Clerk
- c. Brian Williamson, Contracted Town Planner
- d. Phil Goldstein, Timnath Resident
- e. Randall Black, Timnath Resident

2. AMENDMENTS TO THE AGENDA:

- a. NONE

3. PUBLIC COMMENT ON NON-AGENDA ITEMS:

- a. NONE

4. CONSENT AGENDA:

- a. Approval of the February 13, 2018, Town Council Meeting Minutes
- b. Approval of the Check Register

Councilmember Neal moved to approve the consent agenda. Councilmember Pearson seconded the motion. The motion passed unanimously by voice vote.

5. REPORTS:

- a. Mayor/Council
 - i. Reginal Elected Officials dinner on April 4th
- b. Staff-Included in the packet



6. BUSINESS:

a. ORDINANCE NO. 9, SERIES 2018, Public Hearing, An Ordinance Amending Chapter 7, Article 2 of the Timnath Municipal Code Regarding Nuisance Odors

Mayor Grossman-Belisle opened the public hearing at 6:04 p.m.

Staff Comments:

- Mr. Rogers spoke to Council about the proposed ordinance.

Public Comments:

- Randall Black, asked about odors originating outside of Timnath that come into Timnath and Mayor Grossman-Belisle stated that the Town did not have jurisdiction over odors from outside of Timnath.

Council Comments:

- Councilmember Pearson asked about the odors in old town and Mr. Williamson stated that the odors have not been detected in the past.

Mayor Grossman Belisle closed the public hearing at 6:05 p.m.

Councilmember Voronin moved to Approve ORDINANCE NO. 9, SERIES 2018, An Ordinance Amending Chapter 7, Article 2 of the Timnath Municipal Code Regarding Nuisance Odors. **Councilmember Neal seconded the motion. The motion passed unanimously by voice vote.**

b. RESOLUTION NO. 26, SERIES 2018, A Resolution Approving a Voluntary Collection Agreement for Timnath Lodging Tax

Staff Comments:

- Mr. Rogers spoke to Council about the proposed resolution.

Councilmember Pearson moved to approve RESOLUTION NO. 26, SERIES 2018, A Resolution Approving a Voluntary Collection Agreement for Timnath Lodging Tax. **Councilmember Steinway seconded the motion. The motion passed unanimously by voice vote.**

c. RESOLUTION NO. 27, SERIES 2018, A Resolution Approving the Farming Lease for 6644 Highway 14

Staff Comments:

- Mr. Williamson spoke to Council about the proposed resolution.

Council Comments:

- Councilmember Steinway asked about the market rate and Mr. Williamson stated that the rate is comparable but lower because the lesee provides their own water.

Councilmember Neal moved to approve RESOLUTION NO. 27, SERIES 2018, A Resolution Approving the Farming Lease for 6644 Highway 14. **Councilmember Steinway seconded the motion. The motion passed unanimously by voice vote.**



d. RESOLUTION NO. 28, SERIES 2018, A Resolution Approving the Grazing Lease for 6644 Highway 14

Staff Comments:

- Mr. Williamson spoke to Council about the proposed resolution.

Councilmember Neal moved to approve RESOLUTION NO. 28, SERIES 2018, A Resolution Approving the Grazing Lease for 6644 Highway 14. **Councilmember Steinway seconded the motion. The motion passed unanimously by voice vote.**

e. RESOLUTION NO. 29, SERIES 2018, A Resolution Approving a Consolidated Service Plan for Rendezvous Metropolitan District Nos. 1-5

Staff Comments:

- Mr. Rogers spoke to Council about the proposed resolution.

Council Comments:

- Councilmember Pearson asked about the mill levy amounts and Mr. Rogers explained the details regarding mill levy rollofs.
- Councilmember Voronin asked about the maintenance and Mr. Rogers spoke about the inclusion of maintenance in the proposed intergovernmental agreement.
- Councilmember Voronin asked about the director parcels and Mr. Rogers explained how director parcels could be moved around.

Councilmember Neal moved to approve RESOLUTION NO. 29, SERIES 2018, A Resolution Approving a Consolidated Service Plan for Rendezvous Metropolitan District Nos. 1-5. **Councilmember Voronin seconded the motion. The motion passed unanimously by voice vote.**

f. EXECUTIVE SESSION: “For the purposes of discussion concerning the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interests under Section §24-6-402(a), C.R.S.”

Councilmember Neal moved to approve enter into EXECUTIVE SESSION: “For the purposes of discussion concerning the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interests under Section §24-6-402(a), C.R.S.” **Councilmember Pearson seconded the motion. The motion passed unanimously by voice vote.**

Council went into executive session at 6:22 pm.

The regular meeting reconvened at 6:34 pm.

7. ADJOURNMENT:

Mayor Grossman-Belisle adjourned the meeting 6:34 p.m.



Town Council approved the March 27, 2018, Town Council Meeting Minutes on April 10, 2018.

TOWN OF TIMNATH

Jill Grossman-Belisle, Mayor

ATTEST:

Milissa Peters, CMC
Town Clerk

Vendor	Vendor Name	Invoice Number	Description	GL Period Date	Net Invoice Amount
4Rivers Equipment					
445201					
490	4Rivers Equipment	445201	John Deere Service	02/28/2018	1,126.50
Total 445201:					1,126.50
Total 4Rivers Equipment:					1,126.50
Adamson Police Products					
INV269284					
758	Adamson Police Products	INV269284	Uniform for Meckley	03/31/2018	133.00
Total INV269284:					133.00
Total Adamson Police Products:					133.00
ALL COPY PRODUCTS, INC					
58642300					
435	ALL COPY PRODUCTS, INC	58642300	Copier Rental	03/31/2018	981.59
Total 58642300:					981.59
Total ALL COPY PRODUCTS, INC:					981.59
AllStream					
15246019					
576	AllStream	15246019	Mar 2018 Phone Service	03/31/2018	444.14
Total 15246019:					444.14
Total AllStream:					444.14
AlSCO					
LLAR1271090					
272	AlSCO	LLAR1271090	2018 Mat Service	03/31/2018	52.00
Total LLAR1271090:					52.00
Total AlSCO:					52.00
APEX Shredding					
1291171					
735	APEX Shredding	1291171	2018 Shredding Services	03/31/2018	60.00
Total 1291171:					60.00
Total APEX Shredding:					60.00
AT&T MOBILITY					
03252018					
269	AT&T MOBILITY	03252018	Mar 2018 Admin Cell Phones	03/31/2018	97.85
269	AT&T MOBILITY	03252018	Mar 2018 Admin Misc Cell Phone	03/31/2018	42.00
269	AT&T MOBILITY	03252018	Mar 2018 Public Safety Cell Phon	03/31/2018	422.80
269	AT&T MOBILITY	03252018	Mar 2018 PW Cell Phones	03/31/2018	294.68
Total 03252018:					857.33

Vendor	Vendor Name	Invoice Number	Description	GL Period Date	Net Invoice Amount
	Total AT&T MOBILITY:				857.33
Bruen Media Group LLC					
13460					
711	Bruen Media Group LLC	13460	Mar 2018 Website Upgrades	03/31/2018	3,150.00
	Total 13460:				3,150.00
	Total Bruen Media Group LLC:				3,150.00
ChemaTox Laboratory, Inc					
26213					
778	ChemaTox Laboratory, Inc	26213	Drug Screen NH	03/31/2018	230.00
	Total 26213:				230.00
	Total ChemaTox Laboratory, Inc:				230.00
CIRSA					
180857					
465	CIRSA	180857	2nd Qtr 2018 Property & Casual	04/30/2018	17,033.75
	Total 180857:				17,033.75
W18255					
465	CIRSA	W18255	2nd Qtr 2018 Workers Comp	04/30/2018	9,255.75
	Total W18255:				9,255.75
	Total CIRSA:				26,289.50
Colorado Security Products					
108642					
854	Colorado Security Products	108642	Door system repair	03/31/2018	527.00
	Total 108642:				527.00
	Total Colorado Security Products:				527.00
Diesel Services of N. Colorado					
800365					
908	Diesel Services of N. Colorado	800365	Annual CDOT inspection	03/31/2018	100.00
	Total 800365:				100.00
	Total Diesel Services of N. Colorado:				100.00
Distinctive Welding Inc					
15075					
992	Distinctive Welding Inc	15075	Connection between boat docks	04/30/2018	1,182.08
	Total 15075:				1,182.08
	Total Distinctive Welding Inc:				1,182.08
Ford Motor Credit Company LLC					
1500376					
869	Ford Motor Credit Company LLC	1500376	Lease of 3 new police vehicles	04/30/2018	35,868.47

Vendor	Vendor Name	Invoice Number	Description	GL Period Date	Net Invoice Amount
Total 1500376:					35,868.47
Total Ford Motor Credit Company LLC:					35,868.47
FORT COLLINS LOVELAND WATER DIST					
FEB 2018					
14	FORT COLLINS LOVELAND WAT	FEB 2018	Feb 2018 Irrigation 5990 Harmony	02/28/2018	18.40
14	FORT COLLINS LOVELAND WAT	FEB 2018	Feb 2018 Irr-4602 Signal Tree	02/28/2018	18.40
14	FORT COLLINS LOVELAND WAT	FEB 2018	Feb 2018 4800 Goodman Street	02/28/2018	73.64
14	FORT COLLINS LOVELAND WAT	FEB 2018	Feb 2018 5500 Summerfield Park	02/28/2018	69.30
14	FORT COLLINS LOVELAND WAT	FEB 2018	Feb 2018 Irrigation Weitzel St	02/28/2018	18.40
14	FORT COLLINS LOVELAND WAT	FEB 2018	Feb 2018 4104 Main Street	02/28/2018	43.44
14	FORT COLLINS LOVELAND WAT	FEB 2018	Feb 2018 3930 Main St	02/28/2018	18.40
14	FORT COLLINS LOVELAND WAT	FEB 2018	Feb 2018 4201 Main Street	02/28/2018	43.40
Total FEB 2018:					303.38
Total FORT COLLINS LOVELAND WATER DIST:					303.38
Heather Erbes					
MAR 2018					
882	Heather Erbes	MAR 2018	Mar 2018 Mileage	03/31/2018	35.31
Total MAR 2018:					35.31
Total Heather Erbes:					35.31
iCompass Technologies					
18194					
993	iCompass Technologies	18194	Agenda Software	01/31/2018	3,500.00
Total 18194:					3,500.00
Total iCompass Technologies:					3,500.00
JCG Technologies					
6286					
657	JCG Technologies	6286	2018 Liberty recording service	03/31/2018	850.00
Total 6286:					850.00
Total JCG Technologies:					850.00
Larimer County					
0329240					
651	Larimer County	0329240	2017 Property taxes	04/30/2018	2,792.94
Total 0329240:					2,792.94
0330302					
651	Larimer County	0330302	2018 Property taxes	04/30/2018	295.22
Total 0330302:					295.22
Total Larimer County:					3,088.16

Vendor	Vendor Name	Invoice Number	Description	GL Period Date	Net Invoice Amount
Larimer County Clerk/Recorder					
ESCROW ACCOUNT					
23	Larimer County Clerk/Recorder	ESCROW ACC	Refill Escrow Balance	04/30/2018	742.00
Total ESCROW ACCOUNT:					742.00
VOTER REGISTRATION					
23	Larimer County Clerk/Recorder	VOTER REGIS	voter registration list	04/30/2018	26.15
Total VOTER REGISTRATION:					26.15
Total Larimer County Clerk/Recorder:					768.15
Larimer County Dept of Natural Resources					
12112					
847	Larimer County Dept of Natural R	12112	Restoration of Vegetated Slope	03/31/2018	1,848.11
Total 12112:					1,848.11
Total Larimer County Dept of Natural Resources:					1,848.11
Law Office of Avi S. Rocklin, LLC					
1505					
915	Law Office of Avi S. Rocklin, LLC	1505	Mar 2018 Prosecutor Services	03/31/2018	1,100.00
Total 1505:					1,100.00
Total Law Office of Avi S. Rocklin, LLC:					1,100.00
Lisa R Crocker					
2131					
801	Lisa R Crocker	2131	Mar 2018 Subscribe/mail feature f	03/31/2018	501.00
Total 2131:					501.00
Total Lisa R Crocker:					501.00
Magellan Strategies					
2772					
991	Magellan Strategies	2772	Survey and Focus Group	03/31/2018	27,000.00
Total 2772:					27,000.00
Total Magellan Strategies:					27,000.00
Mantooth Marketing Company					
INV-2283					
674	Mantooth Marketing Company	INV-2283	2017 Holiday Lighting	02/28/2018	176.70
Total INV-2283:					176.70
INV-2284					
674	Mantooth Marketing Company	INV-2284	2018 Clean up day	02/28/2018	1,512.50
Total INV-2284:					1,512.50
INV-2285					
674	Mantooth Marketing Company	INV-2285	2018 Timnath Sponsorship	02/28/2018	7,650.25

Vendor	Vendor Name	Invoice Number	Description	GL Period Date	Net Invoice Amount
Total INV-2285:					7,650.25
INV-2286					
674	Mantooth Marketing Company	INV-2286	2018 4th of July	02/28/2018	3,620.25
Total INV-2286:					3,620.25
INV-2287					
674	Mantooth Marketing Company	INV-2287	2018 Timnath Communications	02/28/2018	2,062.06
Total INV-2287:					2,062.06
Total Mantooth Marketing Company:					15,021.76
McCauley Constructors, Inc					
1514913					
836	McCauley Constructors, Inc	1514913	Timnath Community Park Retaina	01/31/2018	120,342.59
Total 1514913:					120,342.59
1514932					
836	McCauley Constructors, Inc	1514932	Timnath Community Park Retaina	01/31/2018	45,496.45-
Total 1514932:					45,496.45-
Total McCauley Constructors, Inc:					74,846.14
MHO Networks					
515222					
937	MHO Networks	515222	March 2018 MHO service	03/31/2018	1,099.00
Total 515222:					1,099.00
515535					
937	MHO Networks	515535	April 2018 MHO service	04/30/2018	1,099.00
Total 515535:					1,099.00
Total MHO Networks:					2,198.00
MILISSA PETERS					
MARCH 2018					
391	MILISSA PETERS	MARCH 2018	March 2018 mileage reimburseme	03/31/2018	44.69
Total MARCH 2018:					44.69
Total MILISSA PETERS:					44.69
Mtn States Employers Council					
203452					
219	Mtn States Employers Council	203452	2nd Qtr 2018 Membership Dues	04/30/2018	655.05
Total 203452:					655.05
Total Mtn States Employers Council:					655.05

Vendor	Vendor Name	Invoice Number	Description	GL Period Date	Net Invoice Amount
MuniRevs					
901					
978	MuniRevs	901	LodgingRev	02/28/2018	650.00
Total 901:					650.00
902					
978	MuniRevs	902	LodgingRev	03/31/2018	650.00
Total 902:					650.00
Total MuniRevs:					1,300.00
Neopost USA Inc					
55544023					
302	Neopost USA Inc	55544023	Mar 2018 Postage Meter Lease	03/31/2018	56.32
Total 55544023:					56.32
55618505					
302	Neopost USA Inc	55618505	Apr 2018 Postage Meter Lease	04/30/2018	64.76
Total 55618505:					64.76
Total Neopost USA Inc:					121.08
North Weld County Water District					
MARCH 2018					
709	North Weld County Water District	MARCH 2018	Mar 2018 Water services at Wild	03/31/2018	19.74
709	North Weld County Water District	MARCH 2018	Mar 2018 Water services at Wild	03/31/2018	19.74
Total MARCH 2018:					39.48
Total North Weld County Water District:					39.48
Northern Colorado Air, Inc					
145417					
654	Northern Colorado Air, Inc	145417	2018 Annual Service Plan	02/28/2018	1,700.00
Total 145417:					1,700.00
Total Northern Colorado Air, Inc:					1,700.00
PORTABLE RENTAL SYSTEMS					
59715					
143	PORTABLE RENTAL SYSTEMS	59715	Apr 2018 Porta-potty service	04/30/2018	302.00
Total 59715:					302.00
Total PORTABLE RENTAL SYSTEMS:					302.00
Proforce					
339972					
799	Proforce	339972	Taser Magazine	03/31/2018	261.00
Total 339972:					261.00

Vendor	Vendor Name	Invoice Number	Description	GL Period Date	Net Invoice Amount
Total Proforce:					261.00
Sandi Bishop					
021					
895	Sandi Bishop	021	Mar 2018 Public Restroom Cleani	03/31/2018	585.00
Total 021:					585.00
Total Sandi Bishop:					585.00
SECURITY AND SOUND DESIGN					
33001					
546	SECURITY AND SOUND DESIG	33001	2nd Qtr 2018 Fire Monitoring & In	04/30/2018	120.00
Total 33001:					120.00
Total SECURITY AND SOUND DESIGN:					120.00
Susan Bieber					
MARCH 2018					
969	Susan Bieber	MARCH 2018	Mar 2018 Mileage	03/31/2018	56.90
Total MARCH 2018:					56.90
REIMBURSEMENT					
969	Susan Bieber	REIMBURSME	Reimbursment for Food	03/31/2018	19.74
Total REIMBURSEMENT:					19.74
Total Susan Bieber:					76.64
THE CACHE LA POUFRE RESERVIOR					
03222018					
396	THE CACHE LA POUFRE RESE	03222018	2018 Insurance	03/31/2018	7,594.00
Total 03222018:					7,594.00
Total THE CACHE LA POUFRE RESERVIOR:					7,594.00
TST, INC CONSULTING ENGINEERS					
MARCH 2018					
406	TST, INC CONSULTING ENGINE	MARCH 2018	Mar 2018 Engineering Deferral	03/31/2018	1,371.54
406	TST, INC CONSULTING ENGINE	MARCH 2018	Mar 2018 Planning Services	03/31/2018	33,845.93
406	TST, INC CONSULTING ENGINE	MARCH 2018	Mar 2018 Master Planning Studie	03/31/2018	5,286.25
406	TST, INC CONSULTING ENGINE	MARCH 2018	Mar 2018 Public Works Director	03/31/2018	13,952.36
406	TST, INC CONSULTING ENGINE	MARCH 2018	Mar 2018 General Engineering	03/31/2018	8,640.64
406	TST, INC CONSULTING ENGINE	MARCH 2018	Mar 2018 Severance Annexation	03/31/2018	2,078.00
406	TST, INC CONSULTING ENGINE	MARCH 2018	Mar 2018 Wal-mart Roundabout	03/31/2018	907.75
406	TST, INC CONSULTING ENGINE	MARCH 2018	Mar 2018 Budgeting Open House	03/31/2018	808.75
406	TST, INC CONSULTING ENGINE	MARCH 2018	Mar 2018 Timnath South Regional	03/31/2018	2,180.18
406	TST, INC CONSULTING ENGINE	MARCH 2018	Mar 2018 Timnath Reservoir Trail	03/31/2018	10,125.50
406	TST, INC CONSULTING ENGINE	MARCH 2018	Mar 2018 General Park Developm	03/31/2018	846.25
406	TST, INC CONSULTING ENGINE	MARCH 2018	Mar 2018 Harmony & Latham Sig	03/31/2018	1,240.00
406	TST, INC CONSULTING ENGINE	MARCH 2018	Mar 2018 Harmony Road Ph IV	03/31/2018	4,599.50
406	TST, INC CONSULTING ENGINE	MARCH 2018	Mar 2018 Three Bell Parkway RR	03/31/2018	1,822.50
406	TST, INC CONSULTING ENGINE	MARCH 2018	Mar 2018 Old Town Improvements	03/31/2018	9,163.07
406	TST, INC CONSULTING ENGINE	MARCH 2018	Mar 2018 New Timnath Admin Bld	03/31/2018	3,536.25

Vendor	Vendor Name	Invoice Number	Description	GL Period Date	Net Invoice Amount
Total MARCH 2018:					97,661.39
REM-MAR 2018					
406	TST, INC CONSULTING ENGINE	REM-MAR 201	REM-Mar 2018 Riverbend	03/31/2018	172.00
406	TST, INC CONSULTING ENGINE	REM-MAR 201	REM-Mar 2018 Harmony LLC	03/31/2018	344.00
406	TST, INC CONSULTING ENGINE	REM-MAR 201	REM-Mar 2018 WildWing	03/31/2018	972.60
406	TST, INC CONSULTING ENGINE	REM-MAR 201	REM-Mar 2018 Timnath Landings	03/31/2018	1,085.00
406	TST, INC CONSULTING ENGINE	REM-MAR 201	REM-Mar 2018 Timnath Ranch	03/31/2018	3,864.78
406	TST, INC CONSULTING ENGINE	REM-MAR 201	REM-Mar 2018 Harmony Estates	03/31/2018	774.00
406	TST, INC CONSULTING ENGINE	REM-MAR 201	REM-Mar 2018 Fewell Feldman	03/31/2018	602.00
406	TST, INC CONSULTING ENGINE	REM-MAR 201	REM-Mar 2018 Kitchel Lake	03/31/2018	344.00
406	TST, INC CONSULTING ENGINE	REM-MAR 201	REM-Mar 2018 General	03/31/2018	4,768.22
406	TST, INC CONSULTING ENGINE	REM-MAR 201	REM-Mar 2018 Harmony LLC	03/31/2018	327.50
406	TST, INC CONSULTING ENGINE	REM-MAR 201	REM-Mar 2018 DR Horton	03/31/2018	190.00
406	TST, INC CONSULTING ENGINE	REM-MAR 201	REM-Mar 2018 Timnath Ranch	03/31/2018	640.00
406	TST, INC CONSULTING ENGINE	REM-MAR 201	REM-Mar 2018 Harmony Estates	03/31/2018	220.00
406	TST, INC CONSULTING ENGINE	REM-MAR 201	REM-Mar 2018 Fewell Feldman	03/31/2018	2,092.50
406	TST, INC CONSULTING ENGINE	REM-MAR 201	REM-Mar 2018 4033 Kern	03/31/2018	737.50
406	TST, INC CONSULTING ENGINE	REM-MAR 201	REM-Mar 2018 Wendy's	03/31/2018	155.00
406	TST, INC CONSULTING ENGINE	REM-MAR 201	REM-Mar 2018 Neenan	03/31/2018	1,937.50
406	TST, INC CONSULTING ENGINE	REM-MAR 201	REM-Mar 2018 General	03/31/2018	288.75
Total REM-MAR 2018:					19,515.35
Total TST, INC CONSULTING ENGINEERS:					117,176.74
United Reprographic Supply Inc					
IN149835					
857	United Reprographic Supply Inc	IN149835	2018 Maintenance Contract	02/28/2018	80.00
Total IN149835:					80.00
Total United Reprographic Supply Inc:					80.00
Verizon Wireless					
9804126660					
810	Verizon Wireless	9804126660	Mar 2018 Wireless Air Cards	03/31/2018	300.16
Total 9804126660:					300.16
Total Verizon Wireless:					300.16
Xcel Energy					
576596243					
47	Xcel Energy	576596243	Jan 2018 3909 Main Street	01/31/2018	16.99
Total 576596243:					16.99
577017745					
47	Xcel Energy	577017745	Jan 2018 5096 County Road 38	01/31/2018	87.56
Total 577017745:					87.56
577114923					
47	Xcel Energy	577114923	Jan 2018 4201 Main Street	01/31/2018	149.29

Vendor	Vendor Name	Invoice Number	Description	GL Period Date	Net Invoice Amount
Total 577114923:					149.29
577115053					
47	Xcel Energy	577115053	Jan 2018 4100 Main Street	01/31/2018	315.55
Total 577115053:					315.55
577333385					
47	Xcel Energy	577333385	Jan 2018 4104 Main Street	01/31/2018	273.67
47	Xcel Energy	577333385	Jan 2018 5500 Summerfield Park	01/31/2018	457.80
Total 577333385:					731.47
577492375					
47	Xcel Energy	577492375	Jan 2018 68W-7N-34-21/08 Area	01/31/2018	33.91
Total 577492375:					33.91
577642910					
47	Xcel Energy	577642910	Jan 2018 2221 S County Line Ro	01/31/2018	25.35
Total 577642910:					25.35
578373735					
47	Xcel Energy	578373735	Jan 2018 4800 Goodman Street	01/31/2018	1,026.61
Total 578373735:					1,026.61
578909195					
47	Xcel Energy	578909195	Jan 2018 Tax Address	01/31/2018	4,501.93
Total 578909195:					4,501.93
579030237					
47	Xcel Energy	579030237	Jan 2018 ESL Lights	01/31/2018	60.76
Total 579030237:					60.76
580402157					
47	Xcel Energy	580402157	Feb 2018 3909 Main Street	02/28/2018	16.81
Total 580402157:					16.81
580739289					
47	Xcel Energy	580739289	Feb 2018 4100 Main Street Lights	02/28/2018	222.80
Total 580739289:					222.80
580925186					
47	Xcel Energy	580925186	Feb 2018 4201 Main Street	02/28/2018	123.40
Total 580925186:					123.40
581015283					
47	Xcel Energy	581015283	Feb 2018 5096 County Road 38	02/28/2018	76.00

Vendor	Vendor Name	Invoice Number	Description	GL Period Date	Net Invoice Amount
Total 581015283:					76.00
581157647					
47	Xcel Energy	581157647	Feb 2018 68W-7N-34-21/08 Area	02/28/2018	33.60
Total 581157647:					33.60
581163036					
47	Xcel Energy	581163036	Feb 2018 4104 Main Street	02/28/2018	220.66
47	Xcel Energy	581163036	Feb 2018 5500 Summerfield Park	02/28/2018	481.96
Total 581163036:					702.62
581620181					
47	Xcel Energy	581620181	Feb 2018 2221 S County Line Ro	02/28/2018	30.90
Total 581620181:					30.90
582370850					
47	Xcel Energy	582370850	Feb 2018 Tax Address	02/28/2018	4,624.27
Total 582370850:					4,624.27
582459797					
47	Xcel Energy	582459797	Feb 2018 ESL Lights	02/28/2018	60.76
Total 582459797:					60.76
582531874					
47	Xcel Energy	582531874	Feb 4800 Goodman Street	02/28/2018	1,022.80
Total 582531874:					1,022.80
583838307					
47	Xcel Energy	583838307	Mar 2018 3909 Main Street	03/31/2018	16.55
Total 583838307:					16.55
584803829					
47	Xcel Energy	584803829	Mar 2018 68W-7N-34-21/08 Area	03/31/2018	32.99
Total 584803829:					32.99
584943059					
47	Xcel Energy	584943059	Mar 2018 4201 Main Street	03/31/2018	95.24
Total 584943059:					95.24
584943895					
47	Xcel Energy	584943895	Mar 2018 4100 Main Street Lights	03/31/2018	233.54
Total 584943895:					233.54
584977127					
47	Xcel Energy	584977127	Mar 2018 4104 Main Street	03/31/2018	190.58
47	Xcel Energy	584977127	Mar 2018 5500 Summerfield Park	03/31/2018	460.84

Vendor	Vendor Name	Invoice Number	Description	GL Period Date	Net Invoice Amount
Total 584977127:					651.42
585029665					
47	Xcel Energy	585029665	Mar 2018 5096 County Road 38	03/31/2018	77.57
Total 585029665:					77.57
585438944					
47	Xcel Energy	585438944	Mar 2018 2221 S County Line Ro	03/31/2018	24.43
Total 585438944:					24.43
Total Xcel Energy:					14,995.12
Grand Totals:					347,412.58

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____



TIMNATH TOWN COUNCIL COMMUNICATION

Meeting Date: April 10, 2018	Item: Resolution Approving the Colorado Department of Transportation Memorandum of Agreement and Warranty Deed (the “ Resolution ”).	Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> For Information <input type="checkbox"/>
Presented by: Robert Rogers Town Attorney		
EXECUTIVE SUMMARY: In December of 2017, the Colorado Department of Transportation (“CDOT”) offered to purchase approximately 89,000 sq. ft. of right-of-away from the Town for the widening of I-25 for \$46,700. The Town procured an appraisal of the property and determined that the value of the property was \$178,642. Spencer Fane as Outside Counsel for the Town and CDOT exchanged various letters and phone calls and ultimately CDOT increased its offer to \$111,651.25. Spencer Face as Outside Counsel recommends the Town sign the Memorandum of Agreement and adopt the Resolution.		
STAFF RECOMMENDATION: Staff recommends approval of this Resolution.		
KEY POINTS/SUPPORTING INFORMATION: <ul style="list-style-type: none"> • The Resolution authorizes the Town to sign the Memorandum of Agreement and the Warranty Deed conveying approximately 89,000 sq. ft. of right-of-away to CDOT for the widening of I-25. • The Town and CDOT were able to negotiate fair compensation for the property without resorting to condemnation proceedings. 		
ADVANTAGES: The Town will receive financial compensation and CDOT will be able to widen I-25.		
DISADVANTAGES: None.		
FINANCIAL IMPACT: The Town will receive \$111,651.25 as compensation for the right-of-way.		
RECOMMENDED MOTION: I move approval of Resolution No. 30, Series 2018, A Resolution Approving the Colorado Department of Transportation Memorandum of Agreement and Warranty Deed.		
ATTACHMENTS: <ol style="list-style-type: none"> 1. Resolution 2. Memorandum of Agreement and Warranty Deed 		

**TOWN OF TIMNATH, COLORADO
RESOLUTION NO. 30, SERIES 2018**

**A RESOLUTION APPROVING THE COLORADO DEPARTMENT OF
TRANSPORTATION MEMORANDUM OF AGREEMENT AND WARRANTY DEED**

WHEREAS, the Town Council of the Town of Timnath (the “**Town**”) pursuant to C.R.S. § 31-15-103, has the power to pass resolutions; and

WHEREAS, the Colorado Department of Transportation (“**CDOT**”) has offered to purchase approximately 89,000 sq. ft. of right-of-way (the “**Property**”) from the Town for the purpose of widening I-25;

WHEREAS, attached hereto as **Exhibit A** is a Memorandum of Agreement between the Town and CDOT and a Warranty Deed conveying the Property to CDOT; and

WHEREAS, the Town Council is familiar with the Memorandum of Agreement and the Warranty Deed and finds it to be in the best interest of the Town, its residents, and the general public to approve both documents.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO AS FOLLOW:

Section 1. Approval

The Memorandum of Agreement and the Warranty Deed are hereby approved in substantially the form as attached hereto as **Exhibit A**, with such modifications and additions as the Town Manager, in consultation with Legal Counsel, determines to be necessary and appropriate to protect the interests of the Town or effectuate the purposes set forth herein and not otherwise inconsistent with this Resolution.

INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, ON APRIL 10, 2018.

TOWN OF TIMNATH, COLORADO

Jill Grossman-Belisle, Mayor

ATTEST:

Milissa Peters, CMC
Town Clerk

EXHIBIT A

Memorandum of Agreement and Warranty Deed

**COLORADO DEPARTMENT OF
TRANSPORTATION
MEMORANDUM OF
AGREEMENT**

Project Code: 21506

Parcel No: RW-258, RW-258A,
AC-258, AC-258A

Project No: IM 0253-255

Location: I-25 North

County: Larimer

State Highway No: 402 to 14

This agreement made on _____, 2018, is between the State of Colorado for the use and benefit of the Colorado Department of Transportation (GRANTEE) for the purchase of the parcel(s) listed above from the Owner(s) The Town of Timnath, a home rule municipal corporation of the state of Colorado (GRANTOR).

Just compensation was determined by an appropriate valuation procedure prepared in accordance with Colorado state laws and regulations. The amount of money and/or compensation listed below is full consideration for the following land, easements, improvements, and damages of any kind.

Description		Item Amt	Total Amt
Land (described in attached exhibits) RW-258, RW-258A	89,321 Sq.ft. <input checked="" type="checkbox"/> /acres <input type="checkbox"/>	\$89,321	\$89,321
Permanent and Slope Easements : NONE	Sq.ft. <input type="checkbox"/> /acres <input type="checkbox"/>	\$	\$
Temporary Easements : NONE	Sq.ft. <input type="checkbox"/> /acres <input type="checkbox"/>	\$	\$
Improvements: N/A		\$	\$
Damages: N/A		\$	\$
Total Fair Market Value / Just Compensation		\$89,321	\$89,500 (R)
Less Credit		\$0	\$0
Total Offer Amount			\$89,500.00

Settlement Amount: **\$111,651.25**

The GRANTOR:

- 1) Will, at the closing, pay all taxes (including prorated taxes for the current year) and special assessments for the current year;
- 2) Has entered into this agreement only because the GRANTEE has the power of eminent domain and requires the property for public purposes;
- 3) Be responsible for securing releases from all liens, judgments and encumbrances to deliver clear, unencumbered title to GRANTEE. Any encumbrance required to be paid by GRANTOR shall be paid at or before closing from the proceeds of the transaction hereby contemplated or from any other source;
- 4) Will execute and deliver to GRANTEE those documents indicated below;
- 5) Excepts from the subject property described herein in the attached Exhibits, the mineral estate and including all coal, oil, gas and other hydrocarbons, and all clay and other valuable mineral in and under said subject property. The GRANTOR hereby covenants and agrees that the GRANTEE shall forever have the right to take and use, without payment of further compensation to the GRANTOR, any and all sand, gravel, earth, rock, and other road building materials found in or upon said subject property and belonging to the GRANTOR; and
- 6) The GRANTOR further covenants and agrees that no exploration for, or development of any of the products, as described above, and owned by the GRANTOR heretofore or hereafter the date set forth above and hereby excepted will ever be conducted on or from the surface of the premises described in the attached Exhibits, and that in the event any of such operations may hereafter be carried on beneath the surface of said premises, the GRANTOR shall perform no act which may impair the subsurface or lateral support of said premises. These covenants and agreements hereunder, shall inure to and be binding upon the GRANTOR and its heirs, personal and legal representatives, successors and assigns forever.

NOTE: At GRANTOR'S sole discretion, the GRANTOR may convey the underlying mineral estate owned by GRANTOR to the GRANTEE. GRANTEE makes no representations about the nature, title or value of the mineral estate. In transactions where GRANTOR conveys the underlying mineral estate to GRANTEE, Paragraphs 5 and 6, as set forth above, will be deleted from this Memorandum of Agreement and the conveyance document.

GRANTOR conveys the underlying mineral estate to GRANTEE. Paragraphs 5 and 6 are hereby deleted from the Memorandum of Agreement and the conveyance document.

The GRANTEE:

- 1) Will be entitled to specific performance of this agreement upon tender of the agreed consideration;
- 2) Will be held harmless from any claims against the property or to any interest in the property, except for any benefits due under relocation law;
- 3) Will make payment after receiving acceptable conveyance instruments from the GRANTOR;
- 4) Will take possession and use of the parcel(s) when it deposits the consideration, as set forth above, into an escrow account for the benefit of the GRANTOR, or when GRANTEE disburses funds to GRANTOR. Transfer of title to the parcel(s) shall occur upon performance of any and all terms under this agreement, and release of the payment from escrow to the GRANTOR, unless other arrangements are made that follow Title III of the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended; and

5) Will prepare the following documents:

- General Warranty Deed
- Access Deed
- Full Release(s) Book/Page:
- Partial Release(s) Book/Page:
- Or (specify):
- Title Company to prepare documents except:
- Utility Easement
- Permanent Easement
- Slope Easement
- Temporary Easement

Order Warrant \$89,500 \$111,651.25	Payable to: Fidelity National Title F/B/O Town of Timanth
Order Warrant \$	Payable to:
Real Estate Specialist	GRANTOR signature Attach form W-9
	GRANTOR (if applicable)
Division approval (Region ROW Manager/Supervisor)	GRANTEE signature

cc: Project Development Branch – ROW Services (original)
 Property Owner
 Region Right-of-Way Manager
 Region Program Engineer/Resident Engineer/Project Engineer

WARRANTY DEED

THIS DEED is dated _____, and is made between the Town of Timnath, a home rule municipal corporation of the State of Colorado, the “Grantor” and the Colorado Department of Transportation, State of Colorado, the “Grantee,” whose legal address is 4201 East Arkansas of the City and County of Denver, and State of Colorado.

WITNESS, that the Grantor, for and in consideration of the sum of ONE HUNDRED ELEVEN THOUSAND SIX HUNDRED FIFTY ONE DOLLARS, (\$ 111,651.25), the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto the Grantee and the Grantee’s heirs and assigns forever, all the real property, together with any improvements thereon, located in the County of Larimer and State of Colorado, described as follows:

See Attached Exhibits “A” (RW-258 and RW-258A) and Exhibits “B” (AC-258 and AC-258A) dated May 15, 2017 for:

Project Number: IM 0253-255
Parcel Number: RW-258 and RW-258A
Project Code: 21506

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversions, remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee and the Grantee’s heirs and assigns forever.

The Grantor, for the Grantor and the Grantor’s heirs and assigns, does covenant, grant, bargain, and agree to and with the Grantee, and the Grantee’s heirs and assigns: that at the time of the ensembling and delivery of these presents, the Grantor is well seized of the premises above described; has good, sure, perfect, absolute and indefeasible estate of inheritance, in law and in fee simple; and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid; and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except and subject to: none; or the following matters:

Reserving unto the grantor all coal, oil, gas and other hydrocarbons, and all clay and other valuable minerals in and under said premises; provided, however, and the grantor hereby covenant and agree that the grantee shall forever have the right to take and use, without payment of further compensation to the grantor, any and all sand, gravel, earth, rock, and other road building materials found in or upon said Parcel No. RW-258 AND RW-258A.

And the Grantor shall and will WARRANT THE TITLE AND DEFEND the above described premises, *but not any adjoining vacated street or alley*, if any, in the quiet and peaceable possession of the Grantee and the heirs and assigns of the Grantee, against all and every person or persons claiming the whole or any part thereof, subject to reservations in Patent from the United States of America and rights, reservations and restrictions now of record.

IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.

GRANTOR:

By: _____

As: _____

For: the Town of Timnath, a home rule municipal corporation of the state of Colorado

STATE OF COLORADO _____)
) ss.
County of Larimer _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2018, by _____ as _____ of **the Town of Timnath, a home rule municipal corporation of the state of Colorado.**

Witness my hand and official seal.
My commission expires: _____

Notary Public

Name and Address of Person Creating Newly Created Legal Description (§38-35-106.5, C.R.S.) Kevin Williams, PLS 28294, for and on behalf of AECOM, 6200 South Quebec Street, Greenwood Village, CO 80111