
Town of Flagler, Colorado
RECORD OF PROCEEDINGS
REGULAR SESSION

March 10, 2025

The Board of Trustees for the Town of Flagler, Colorado met Monday, March 10, 2025, for the REGULAR MEETING at 6:00 p.m. The meeting was held at Town Hall 311 Main Ave. Those present at the meeting were Mayor Randy Fagerlund, Trustees Cody Martin, Troy Kindley, Wyatt Taylor, Jake Allacher, Chuck Crisp, Marlys Kossman, Town Manager Bob Rush, Town Accountant Tim Fulmer, Town Clerk Kendra Eberle, and Recreation Director Trisha Fritzler. At 6:00 PM the mayor called the meeting to order followed by the Pledge of Allegiance.

PUBLIC AUDIENCE:

- The public audience in attendance included Cheryl Witt, Erika Saffer, Terry Bredehoft, Thomas Bredehoft, Amy Bredehoft, Bobby Laviguer, Christian Rose, Mark Morton and Kip Backlund.
- **Erica Saffer** gave an update on Lincoln Community Hospital.
 - Announcement of a new grant for hospital upgrades, including a new chiller, maintenance pickup, commercial dishwasher for the dietary department, new surgical equipment, new resident and hospital beds, and the purchase of an ADA-compliant bus to replace an unreliable previous model.
 - Colorectal Cancer Awareness: Recognition of March as Colorectal Cancer Awareness Month with information about specialist visits from Dr. Francom and Dr. Schumacher at the specialty clinic.
 - Flagler Clinic Schedule Change: Notification about reducing the Flagler Clinic operations to four days a week along with instructions to complete a QR code survey to choose which day should be closed (Wednesday or Friday).
- **Mark Morton** of GMS introduced the topic by describing the discharge permit and its new requirements.
 - Wastewater Treatment Facility Discharge Permit Discussion (GMS): Discussion on the recent discharge permit which includes new water quality requirements, stipulations and reporting (DMRs) to the health department. The discussion centered on understanding the permit details, determining the level of detail board members need, and ensuring the town's compliance with these new regulations.
 - Upcoming compliance schedule deadlines include notifying the health department by April 30th and completing a seepage evaluation for the lagoon system by October 31st.
 - An inflow and infiltration study for the collection system is also due by October 31st, with phased corrective actions required over the subsequent four years.
 - Concerns were raised that failure to comply with the new limits and deadlines could result in significant fines or a Notice of Violation Cease and Desist Order (NOVCO).
 - Efforts are being made to involve higher-level representatives, including senators and other communities, to seek reprieve and better negotiating power with the Health Department.
 - Mark reminded board members that the portal for the grant application is open; a vote to pursue the grant is required before the deadline in April or else the next round will not open until October.
- **Bobby Laviguer & Christian Rose** of Hyre Energy LLC presented proposal for the free land opportunity.
 - A hydrogen project development company based out of California.
 - Proposes developing a local renewable energy microgrid with solar and wind power, battery storage, and hydrogen production using an electrolyzer.
 - The proposal outlines the transition from finite fossil fuels toward hydrogen-based energy solutions, targeting heavy-duty transportation, decentralized ammonia production, and remote power generation.
 - The plan includes installing renewable energy infrastructure on available land at Flagler, partnering with local stakeholders, and pursuing grant funding and tax equity financing.

REPORTS

- **Town Manager, Bob Rush**

- He will be pursuing the grant GMS spoke about on the town's behalf. He reported he visited Greg Etl of DOLA and there are concerns that the Town may be at a disadvantage based off the water and sewer rates the town charges. The average rate in 2022 for the statewide was \$59.19 a month for water, \$41.23 for sewer. It's been going up about \$1.50 every year in rates. If the town comes in under the statewide average by a lot, the chances of getting grants and funding go down. Going forward, there's going to be less and less funding for the upcoming years. Funding is going to get tight & competition's going to get tight. Bob suggested the Town start budgeting a little extra money towards covering some of this.
- Some street work was done.
- He is working on the trash trucks. One has been completed and plans on getting the other one completed in the next couple of weeks.
- He expressed the need to purchase about six dumpsters and provided price quotes from two companies for three two-yards and three three-yarders. Bids were provided for the boards for consideration.
- Reported that he is working on the wells.
- He reported that the lift station quit working as the pump burned out so there was some extra expense last month. He explained that the pumps were working too long and recommended having a company clean out the solids every six months as it would save the town money in the long run.

- **Trustee Cody Martin**

- Reported that Metis provided a bid for the street construction of repaving Ruffner. \$221,299.50 for paving both traffic lanes and exterior areas on town-owned property, with the county contributing half of additional patching work. The contract includes milling, overlay, and adjustments, and a mobilization fee of \$13,000 is included.

- **Town Accountant, Tim Fulmer**

- Reported he has implemented a dumpster rental agreement. Moving forward customers wishing to rent our dumpsters for trash service will come to the office to sign the rental agreement which will be placed in a binder so we can keep track of where our dumpsters are.
- Tim requested clarification from the board regarding customers who have not made any effort to pay their Trash bill in 90 days and if a second notice was to be sent before we discontinued service. Tim added that in addition to the 30 days' notice he attempts to contact them on the phone to see if payment arrangements can be made. The collected response from the board was no, a second notice was not warranted.
- Tim advised that he believed the Town's trash rates for out-of-town customers are low and he believes they need to be raised to cover our costs. He added that the trash costs have not been allocated properly in the past, so the board has not been seeing the true cost of what a service costs.

- **Town Clerk, Kendra Eberle**

- Reported that the Free Land information on the Town's website is outdated by several years. Updates are needed. She will scan the Freeland information and email it to the board to review.
- Requested the board to consider a day of the week not to have the Clerk's office open to the public. She added that there are several things that need attention to include the Recodification, .gov website, filing, etc. and one day a week to focus her attention solely on these projects would be beneficial. The board discussed several options and requested the clerk to consider and let them know.
- Report on the status of Library Tech applicants.

- **Town Recreation Director, Trisha Fritzler**

- Reported on Baseball registrations and the search for Babe Ruth and Cal Ripken coaches.
- Requested the board to consider when hiring summer help that one of their responsibilities be to help drag, chalk and mow the fields.
- Reported she requested a quote from Gary Elrick for the dugout covers.
- Requested the board to consider when they want to offer Family Swim Night and what our pool hours will be. The board's response was that if we have lifeguards then open the pool on Thursday nights for a couple of hours and Sunday 2-4.

- **Trustee, Troy Kindley**

- Suggested installation of speed bumps on W. 3rd He reported personal experiences with dangerous speeding behavior near residential areas and schools, citing specific examples of several vehicle speeding as if drag-racing. There were suggestions to consider alternatives like gutters while

addressing local traffic and safety concerns. The conversation included mentions of previous accidents and the need to differentiate parking zones to enhance road safety.

Approval of minutes

The February 10th meeting minutes were approved on a motion made by Trustee Chuck Crisp, seconded by Trustee Troy Kindley.

Voting Results Motion passed 6 in favor/0 opposed/0 abstention

Main Motions

1. **Final Motion** to approve Resolution 152 made by Trustee Troy Kindley and seconded by Trustee Wyatt Taylor to acknowledge and engage GMS as the designated wastewater project engineer, thereby authorizing them to assist the town in addressing all compliance issues related to the discharge permit and the wastewater treatment plant analysis. This decision is based on the need to meet short-fuse deadlines imposed by the health department and to pursue an economically feasible alternative to a full mechanical treatment plant.

1. **Discussion**

- The discussion covered the challenges associated with meeting new discharge permit requirements, including short deadlines and the complexities of engaging an engineer without the standard RFQ process due to time constraints.
- There was an in-depth analysis of various wastewater treatment alternatives, including mechanical treatment versus an evaporative pond system, with emphasis on cost, feasibility, and long-term operational issues.
- It was explained the need for detailed reports such as the Preliminary Engineering Report (PER) for both the wastewater treatment facility and the collection system (I&I PER), highlighting the processes like smoke tests and video inspections to determine pipeline conditions.
- Funding mechanisms were discussed, especially the use of the EIAF program, which is structured as a 50-50 cost-sharing program, and the importance of obtaining initial funding to move forward with planning and possible construction.
- Additional considerations were mentioned regarding water rights, nutrient regulations, and the potential requirement for recharge wells in the case of an evaporative system.

Voting Results Motion passed 6 in favor/0 opposed/0 abstention

2. **Final Motion** made by Trustee Troy Kindley to authorize Town Manager, Bob Rush to work with Greg Edel and submit EIAF grant application for the wastewater project. Motion seconded by Trustee Wyatt Taylor

1. **Discussion**

- Discussions included concerns about local match obligations (\$59,000), questions regarding the timeline for meeting new specifications, and the need to gather further clarity on project financing.

Voting Results Motion passed 6 in favor/0 opposed/0 abstention

3. **Final Motion** made by Trustee Troy Kindley and seconded by Trustee Marlys Kossman to accept the bid for street construction on Ruffner. Details: Accept the bid of \$221,299.50 for paving both traffic lanes and exterior areas on town-owned property, with the county contributing half of additional patching work. The contract includes milling, overlay, and adjustments, and a mobilization fee of \$13,000 is included. The decision was made after discussion of funding sources including the streets budget and COVID funds.

Voting Results Motion passed 6 in favor/0 opposed/0 abstention

4. **Final Motion** The motion to approve Library Board of five members, Trisha Gale, Lora Charles, Emily Kindley, Marlys Kossman, and Cheryl Witt was made by Trustee Chuck Crisp and seconded by Trustee Cody Martin. Trustees Marlys Kossman and Troy Kindley abstained.

1. **Discussion**

- The motion discussed who should conduct the interviews and recommended, with the proposal to let the ad run another week if necessary, before interviews, and with voting details recorded.
- Members discussed the urgency of filling the library board positions, the process for interviewing candidates, and emphasized the need to free up the clerk's time by hiring a new librarian. There was also discussion on timing relative to current projects.

Voting Results Motion passed 4 in favor/0 opposed/2 abstention

5. **Final Motion** made by Trustee Marlys Kossman and seconded by Trustee Wyatt Taylor to accept the contract for \$75,000 with an additional \$25,000 in next year's budget for the project with Rocks Works Equipment and Stratton. The contract includes project mobilization, material pricing that may vary depending on actual tons moved, details regarding fees charged per crushed bucket, and procedures for material sales and billing.

1. **Discussion**

- The discussion detailed allocations for the project, including a \$50,000 project fund and a \$25,000 mobilization fee, and noted discrepancies in material estimates between different parties. It was clarified that the contractor would charge for each crushed bucket, with estimates ranging based on material tonnage.
- Participants discussed revenue from material sales, including pricing strategies, and the method of using scale tickets to record sales. There were also discussions about operational aspects such as water supply for the contractor and handling potential customer billing issues.

Voting Results Motion passed 6 in favor/0 opposed/0 abstention

6. **Final Motion** made by Trustee Wyatt Taylor and seconded by Marlys Kossman to approve American Legion Post 81 Liquor License.

Voting Results Motion passed 6 in favor/0 opposed/0 abstention

7. **Final Motion** made by Trustee Wyatt Taylor and seconded by Trustee Troy Kindley to approve the bid of \$4,085 for purchasing six dumpsters (three two-yarders and three three-yarders) was. Details: This bid from MCS was compared to an alternative bid of \$5,000 delivered. The motion includes approval for fixing some of the existing dumpsters and replacing those deemed unusable, with funds from scrap disposal of old dumpsters assisting in funding the new purchase.

1. **Discussion**

- Reviewed the pricing comparison between bids.
- Discussed the plan to salvage funds from scrapping unusable dumpsters to finance new purchases.
- Confirmed that the town's need for additional dumpsters is due to current leased ones being filled or in disrepair.

Voting Results Motion passed 6 in favor/0 opposed/0 abstention

8. **Final Motion** made by Trustee Marlys Kossman and seconded by Trustee Jake Allacher to increase Kendra's wages to \$26.50. Effective immediately.

1. **Discussion**

- There was discussion about Kendra's workload and her handling of multiple tasks including website development, ordinance organization, and library operations.
- Board members agreed that her contributions were invaluable and that the increase was justified.

Voting Results Motion passed 6 in favor/0 opposed/0 abstention

FINANCIAL REPORT:

- Trustee Marlys Kossman made a motion to approve the bills. Trustee Jake Allacher seconded the motion.

Voting Results Motion passed 6 in favor/0 opposed/0 abstention

- Mayor Randy Fagerlund adjourned the meeting at 10:00 pm.

Randy B Fagerlund MAYOR

Kendrick M. Eiler CLERK

April 14, 2025 DATE APPROVED

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