



TOWN COUNCIL REGULAR COUNCIL MEETING
Zoom Webinar and Town Council Chamber
3 S. Timber Ridge Parkway, Severance, CO 80550

AGENDA
TOWN COUNCIL REGULAR COUNCIL MEETING 2022-23
Tuesday, December 13, 2022, at 6:00 PM

A. CALL TO ORDER WORK SESSION

The Goal of the Work Session is to have the Town Council receive information on topics of Town business from the Town Manager, Town Attorney and Town Staff in order to exchange ideas and opinions regarding these topics.

1. Pledge of Allegiance

B. CALL TO ORDER REGULAR MEETING

1. Roll Call

2. Agenda Review by Town Manager

3. Consent Calendar

The Consent Calendar is intended to allow the Town Council to spend time and energy on the important items and not routine actions. A Council Member may request an item on this calendar to be "pulled" off the Consent Calendar and considered separately as a regular agenda item. Items remaining on the Consent Calendar will be approved by Town Council with one vote.

a. Pg 4 - 11.08.22 Minutes

b. Pg 10 - October Payables

c. Pg 14 - October Financials

4. Approval of Agenda

5. Public Comment

The purpose of the Public Comment is for members of the public to speak to the Town Council on any subject not scheduled on the agenda. To accomplish scheduled agenda items, comments should be limited to three minutes for those attending in person or an appropriate time as deemed by the Mayor. The Town Council is not obligated to make decisions or take action on comments but may choose to schedule the matter for a later discussion. Those addressing the Town Council, please state your name and address.

6. Council Member Comments

7. Reports

Council approval may be sought for administrative actions in association with staff reports.

- a. Pg 52 - Town Attorney
- b. Pg 56 - Town Staff
- c. Pg 85 - Town Management
- d. Council Members Liaisons
- e. Mayor

C. TOWN COUNCIL

1. **Pg 89 - PUBLIC HEARING - Resolution 2022-56R A Resolution of the Town Council of the Town of Severance, Colorado, ratifying and approving the Planning Commission's adoption of a Comprehensive Plan Amendment pertaining to real property located within section 35, township 7 north, range 67 west, County of Weld, State of Colorado**
 - Staff Presentation: Abdul Barzak, Town Planner
2. **Pg 95 - Ordinance 2022-20: An Ordinance of the Town Council of the Town of Severance, Colorado, ratifying and approving the Planning Commission's approval of an application zoning certain land, fully described herein, to Town of Severance Town Core and Suburban Perimeter zoning districts**
 - Quasi-Judicial
 - Staff Presentation: Abdul Barzak, Town Planner
3. **Pg 125 - Resolution 2022-57R: A Resolution of the Town Council of the Town of Severance, Colorado, approving a concept plan for a mixed-use development on certain real property located within section 35, township 7 north, range 67 west, County of Weld, State of Colorado**
 - Staff Presentation: Abdul Barzak, Town Planner
4. **Pg 229 - Saddler Ridge PUD Filing 4 (9 & 10) Extension**
 - Staff Presentation: Abdul Barzak, Town Planner
5. **Pg 240 - Severance South (WinDance) Easement Request**
 - Staff Presentation: Abdul Barzak, Town Planner
6. **Pg 257 - Resolution 2022-60R: Resolution to Appropriate Funds For Unanticipated Revenues and Expenditures**
 - Staff Presentation: Nancy Mueller, Finance Director
7. **Pg 260 - Ordinance 2022-31: An Ordinance of the Town Council of the Town of Severance, Colorado, Amending Chapter 16 of the Severance Municipal Code by the addition of a new Article 18 pertaining to Multi-family Design and Development Standards**
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- Staff Presentation: Abdul Barzak, Town Planner

8. Pg 270 - Resolution 2022-58R: A Resolution of the Town Council of the Town of Severance, Colorado, Extending the Land Use Advisory Committee Through December 31, 2023

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- Staff Presentation: Nicholas Wharton, Town Manager

9. Pg 273 - PUBLIC HEARING

Resolution 2022-59R: A Resolution of the Town Council of the Town of Severance, Colorado, Ratifying and Approving the Planning Commission's Adoption of a Comprehensive Plan Amendment pertaining to an area of the Town located within Section 35, Township 7 north, range 67 west, County of Weld, State of Colorado

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- Staff Presentation: Abdul Barzak, Town Planner

10. Pg 278 - Initial Review and Determination - Ethics Complaints - In re: Councilor Baszler

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- Staff Presentation: Mary Lynn Macsalka, Town Attorney

D. COUNCIL MEMBER PETITIONS

Council Members may ask for items to be added to future agendas.

E. EXECUTIVE SESSION

- 1. Pursuant to Colorado Revised Statutes section 24-6-402(4)(a) and (4)(e)(I) for the purposes of discussing the potential acquisition of real property, and to determine positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators regarding the same.**

F. ADJOURN

Town Council MEETING

Tuesday, December 13, 2022, 6:00 PM (MDT)

Registration URL

https://us02web.zoom.us/webinar/register/WN_GSL5tq02RNOARXxagWeWpA

The Town of Severance does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the provision of services. For disabled persons needing reasonable accommodation to attend or participate in a town service, program, public meeting, or activity, call 970-686-1218 at least 72 hours in advance. Disabled access is available from the front entrance of the Town Hall.



TOWN COUNCIL REGULAR MEETING
Zoom Webinar and Town Council Chamber
3 S. Timber Ridge Parkway, Severance, CO 80550

MINUTES
REGULAR MEETING 2022-21
Tuesday, November 8, 2022, at 6:00 PM

Present:

Mayor:

Matthew Fries

Mayor Pro-tem:

Stephen Gagliardi

Council Members:

Frank Baszler

Dan Meyers

David Bruen

Absent:

Michelle Duda & Dennis Kane

Audience: Larry & Lynda Moore, Paul Bruck, Kati Thompson, Lisa & Bob Christie, Kelly & Dave Seidl, Danny Dorrance, Janet & Michael Oliver, L.M. & Samantha Oliver, Morgan McKewzig, Cindy & Jeff Glanzer, David & Peggy Johnson, Aaron Lopez, Will & Renee Jones, Lee Birgenheier, Carri & Ed Parker, Jacob Paunt, Melody, Lowell, Christina & Tyer Person, Paul King, Stephanie Lauer, Dane Lueck, John McKinley, Cori & Julian Bateman, Kim & Kim Nohava, Ben Mashmoor, Les Gelvin, Tom & Rhonda Donohue, Jon & Claudia Umberger, Matt & Margie Caldwell, Trent Leisy, Melissa Steinke, Doug Carter, Andrew Moore, Jake Schroeder, & Jeremy Call

Staff:

Nicholas Wharton, Town Manager

Lindsay Radcliff-Coombes, Deputy Town Manager

Abdul Barzak, Town Planner

Nancy Mueller CPA, Finance Director

Keith Martin, Town Attorney

John Zacklene, Public Works Director

Becca Peters, Event Coordinator

Jim Gerdeman, Chief of Police

Sgt Lance Hoisington, Police Dept

A CALL TO ORDER REGULAR MEETING

.

1. Pledge of Allegiance

2. Roll Call

3. Agenda Review by Town Manager

MOTION WAS MADE BY Mayor Pro-Tem Gagliardi, seconded by Council Member Baszler to Approve Agenda Review by Town Manager. All Council Members present voting Yes,

MOTION PASSED

4 Consent Calendar

.

The Consent Calendar is intended to allow the Town Council to spend time and energy on the important items and not routine actions. A Council Member may request an item on this calendar to be "pulled" off the Consent Calendar and considered separately as a regular agenda item. Items remaining on the Consent Calendar will be approved by Town Council with one vote.

a. 10.25.22 Minutes

5. Approval of Agenda

MOTION WAS MADE BY Mayor Pro-Tem Gagliardi, seconded by Council Member Meyers to Approve the Agenda as amended changing Item 9 Ordinance 2022-27 to legislative from Quasi Judicial. All Council Members present voting Yes,

MOTION PASSED

6 Public Comment

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The purpose of the Public Comment is for members of the public to speak to the Town Council on any subject not scheduled on the agenda. To accomplish scheduled agenda items, comments should be limited to three minutes for those attending in person or an appropriate time as deemed by the Mayor. The Town Council is not obligated to make decisions or take action on comments but may choose to schedule the matter for a later discussion. Those addressing the Town Council, please state your name and address.

Trent Leisy-5563 Clarence Dr, Windsor

7. Council Member Comments

8 Reports

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Council approval may be sought for administrative actions in association with staff reports.

a. Town Attorney

- b. Town Staff
- c. Town Management
- d. Council Members Liaisons
- e. Mayor

B TOWN COUNCIL

1. PUBLIC HEARING

Resolution 2022-47R: A Resolution Adopting a Budget for the Fiscal Year of 2023

- Legislative
- Staff Presentation: Nancy Mueller, Finance Director

MOTION WAS MADE BY Council Member Meyers, seconded by Council Member Baszler to Approve **Resolution 2022-47R: A Resolution Adopting a Budget for the Fiscal Year of 2023.**

YEAS: Fries, Baszler, Meyers, Bruen

4

NAYS: Gagliardi

1

MOTION PASSED

Public Hearing Opened: 6:28 pm Closed: 7:22 pm

PUBLIC COMMENT: 1) Kati Thompson with daughter Annie Thompson-2665 Cutter Dr, 2) Danny Dorrance-41621 CR 19, 3) Joan Frantz-41228 CR 15) Janet Oliver-8505 CR 84, 5) Lee Birgenheier-9344 CR 84, 6) Bob Christy-14368 CR 15, 7) Christina Person-8637 CR 84, 8) Mike Oliver-8505 CR 84, 9) Wil Jones-7313 CR 84, 10) Julian Bateman-3781 Bridle Ridge Cir, 11) Larry Mooore-8504 WCR 84, 12) Kim Nohava-39533 Hilltop Cir, 13) Les Gelvin-40719 Remington Rd, 14) Aaron Lopez-2643 Branding Iron Dr, 15) Linda Moore-8504 CR 84, 16) John Mckinley-8095 CR 84, 17) Paul Bruck-7415 Serenity View Way, 18) Matt Caldwell-687 Takin Dr, 19) Jean Kearl-9505 CR 84, 20) Paul King-9152 CR 84

2. Resolution 2022-48R: A Resolution Levying General Property Taxes for the Year 2023

- Legislative
- Staff Presentation: Nancy Mueller, Finance Director

MOTION WAS MADE BY Council Member Baszler, seconded by Council Member Meyers to Approve **Resolution 2022-48R: A Resolution Levying General Property Taxes for the Year 2023.** All Council Members present voting Yes,

MOTION PASSED

3. Resolution 2022-49R: A Resolution to Appropriating Sums of Money for Various Funds

- Legislative
- Staff Presentation: Nancy Mueller, Finance Director

MOTION WAS MADE BY Council Member Baszler, seconded by Council Member Meyers to Approve **Resolution 2022-49R: A Resolution to Appropriating Sums of Money for Various Funds .** All Council Members present voting Yes,

MOTION PASSED

4. Resolution 2022-50R: A Resolution Prescribing Water and Wastewater Rates, Fees, Tolls, and Charges

- Legislative
- Staff Presentation: Nancy Mueller, Finance Director

MOTION WAS MADE BY Council Member Baszler, seconded by Council Member Meyers to Approve **Resolution 2022-50R**: A Resolution Prescribing Water and Wastewater Rates, Fees, Tolls, and Charges. All Council Members present voting Yes,

MOTION PASSED

5. Resolution 2022-51R: A Resolution Adopting the Town of Severance Fee Schedule

- Legislative
- Staff Presentation: Nancy Mueller, Finance Director

MOTION WAS MADE BY Council Member Baszler, seconded by Council Member Meyers to Approve **Resolution 2022-51R**: A Resolution Adopting the Town of Severance Fee Schedule . All Council Members present voting Yes,

MOTION

6. Ordinance 2022-26: Ordinance of the Town of Severance Amending the 2021 BHS Solar Annexation

- Legislative
- Staff Presentation: Abdul Barzak, Town Planner

MOTION WAS MADE BY Council Member Baszler, seconded by Council Member Meyers to Adopt **Ordinance 2022-26**: Ordinance of the Town of Severance Amending the 2021 BHS Solar Annexation . All Council Members present voting Yes,

MOTION PASSED

7. Resolution 2022-52R: A Resolution Approving the First Amendment of the 2021 BHS Solar Annexation

- Legislative
- Staff Presentation: Abdul Barzak, Town Planner

MOTION WAS MADE BY Council Member Baszler, seconded by Council Member Meyers to Approve **Resolution 2022-52R**: A Resolution Approving the First Amendment of the 2021 BHS Solar Annexation . All Council Members present voting Yes,

MOTION PASSED

8. PUBLIC HEARING

Resolution 2022-53R: A Resolution for Eligibility of the 2022 BHS Solar Annexation

- Quasi-Judicial
- Staff Presentation: Abdul Barzak, Town Planner

MOTION WAS MADE BY Council Member Baszler, seconded by Council Member Meyers to Approve **Resolution 2022-53R**: A Resolution for Eligibility of the 2022 BHS Solar Annexation . All Council Members present voting Yes,

MOTION PASSED

Public Hearing - Opened: 7:49 pm Closed: 7:51 pm

9. Ordinance 2022-27: 2022 BHS Solar Annexation

- Quasi-Judicial
- Staff Presentation: Abdul Barzak, Town Planner

MOTION WAS MADE BY Council Member Baszler, seconded by Council Member Meyers to Adopt **Ordinance 2022-27**: 2022 BHS Solar Annexation . All Council Members present voting Yes,

MOTION PASSED

Stephanie Lauer & Doug Carter Presented

10 Ordinance 2022-28: 2022 BHS Solar Zoning

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- Quasi-Judicial
- Staff Presentation: Abdul Barzak, Town Planner

MOTION WAS MADE BY Council Member Bruen, seconded by Council Member Baszler to Adopt **Ordinance 2022-28: 2022 BHS Solar Zoning** . All Council Members present voting Yes,

MOTION PASSED

11 Ordinance 2022-29: Parking Requirements (LUAC)

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- Legislative
- Staff Presentation: Abdul Barzak, Town Planner

MOTION WAS MADE BY Council Member Meyers, seconded by Council Member Baszler to Adopt **Ordinance 2022-29: Parking Requirements (LUAC)** . All Council Members present voting Yes,

MOTION

12 Ordinance 2022-30: Lighting Requirements (LUAC)

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- Legislative
- Staff Presentation: Abdul Barzak, Town Planner

MOTION WAS MADE BY Council Member Bruen, seconded by Mayor Pro-Tem Gagliardi to Adopt **Ordinance 2022-30: Lighting Requirements (LUAC)** . All Council Members present voting Yes,

MOTION PASSED

13 Resolution 2022-54R: A Resolution Ratifying Clearview Library District Appointments

.

- Legislative
- Staff Presentation: Nicholas Wharton, Town Manager

Council Member Baszler and Mayor Pro-tem Gagliardi recuse themselves

MOTION WAS MADE BY Council Member Meyers, seconded by Council Member Bruen to Approve **Resolution 2022-54R: A Resolution Ratifying Cheryl Brown, Don Dunwirth and Lisa Gagliardi as Clearview Library District Appointments**. All Council Members present voting Yes,

MOTION PASSED

14 Resolution 2022-55R: A Resolution Amending Professional Services Between the Town of Severance and SAFEbuilt

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- Legislative
- Staff Presentation: Nicholas Wharton, Town Manager

Russ Weber, SAFEbuilt Colorado Account Manager appears on behalf of SAFEbuilt

MOTION WAS MADE BY Council Member Meyers, seconded by Mayor Pro-Tem Gagliardi to Approve **Resolution 2022-55R: A Resolution Amending Professional Services Between the Town of Severance and SAFEbuilt**. All Council Members present voting Yes,

MOTION PASSED

C COUNCIL MEMBER PETITIONS

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Council Members may ask for items to be added to future agendas.

D ADJOURN

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8:26 pm

Report Criteria: Invoices with totals above \$0 included. Only paid invoices included. [Report].Amount Paid = {<>} 0

Vendor Name	Invoice Number	Description	Amount Paid
A & E Tire, Inc.	C48467-87	Tire service @ fleet truck #239	\$ 336.27
AAA Auto Parts, Inc.	317471	Supplies	\$ 166.14
Ablao Law, LLC	1144	Municipal Judge - OCT 2022	\$ 600.00
AFLAC	971133	Employee Deductions	\$ 875.10
Agfinity, Inc	H71577	Grub control pellets	\$ 126.10
Air Comfort, Inc.	C005573	PW - Quarterly HVAC Maintenance	\$ 643.00
Amazon Capital Services	1FR7-FXJR-JFQ1	Business Prime Membership Fee	\$ 499.00
Amazon Capital Services	1TG9-QC13-Q6W1	Space heater	\$ 23.99
Amazon Capital Services	1TG9-QC13-Q6W1	Ground rod & fire extinguisher per Cirsa inspection	\$ 345.07
Amazon Capital Services	1TG9-QC13-Q6W1	Chalkboard calendar	\$ 39.99
Amazon Capital Services	1TG9-QC13-Q6W1	Halloween supplies	\$ 242.18
Amazon Capital Services	1TG9-QC13-Q6W1	Town Hall supplies	\$ 235.68
Amazon Capital Services	1TG9-QC13-Q6W1	Grab handle for TK# 225	\$ 53.90
Amazon Capital Services	1TG9-QC13-Q6W1	US Constitution & Declaration of Independence booklets	\$ 65.82
Amazon Capital Services	1TG9-QC13-Q6W1	Climate control module - TK# 212	\$ 140.99
Amazon Capital Services	1TG9-QC13-Q6W1	Pendaflex folders for court	\$ 73.89
Amazon Capital Services	1W34-W7L4-KFRW	Blackhawk backpack, CPR rescue mask, flag football helmet, handcuffs, emergency trauma kit	\$ 2,702.58
Arbor Valley	INV35903	Park Trees	\$ 2,524.00
Ascent Broadband, LLC	35131	PW Internet Service	\$ 330.00
Ausmus Law Firm PC	7733	Contract prosecution for the months of May, June, July 2022	\$ 2,550.00
Ausmus Law Firm PC	7789	Contract prosecution for the months of August & September 2022	\$ 1,700.00
Ayres Associates Inc.	202593	Landscape Architect - Water Tank	\$ 2,320.00
Ayres Associates Inc.	202811	Planning services - DOLA 2022 (IHOP)	\$ 2,482.81
Ayres Associates Inc.	202813	Land Use Advisory Committee	\$ 10,538.17
Banner Occupational Health Clinics	783376	Health Fair	\$ 170.00
Beavers Fish Farm Inc	2694	FISH SEVERANCE DAY	\$ 1,175.00
Caselle, Inc.	120033	Caselle Software Support	\$ 2,018.00
CEBT	INV 0050622	Group AAJ2 Health & Life Insurance	\$ (0.01)
CEBT	INV 0051032	Group AAJ2 Health & Life Insurance	\$ 41,761.58
CIRSA	221822	Claim# PC6017588-1	\$ 500.00
CIRSA	221943	Deletion and Addition of vehicles	\$ 792.10
CIRSA	W22651	Workers' Compensation Coverage	\$ 16,436.25
Colorado Association of Chiefs of Police	3863	Online Officer Selection Tests - Qty 10	\$ 185.00
Colorado Civil Group Inc.	0042.0000.00-67	General Services	\$ 9,979.00
Colorado Civil Group Inc.	0042.0000.00-68	General Services	\$ 2,296.25
Colorado Civil Group Inc.	0042.0000.09-06	General Engineering Water Fund	\$ 8,352.50
Colorado Civil Group Inc.	0042.0000.10-14	Capital Improvement Projects	\$ 3,908.00
Colorado Civil Group Inc.	0042.0000.10-15	Capital Improvement Projects	\$ 406.00
Colorado Civil Group Inc.	0042.0001.08-22	Engineering services - Cust# 276	\$ 697.00
Colorado Civil Group Inc.	0042.0001.08-23	Engineering services - Cust# 276	\$ 3,346.00
Colorado Civil Group Inc.	0042.0001.10-08	Engineering services - Cust# 246	\$ 2,976.00
Colorado Civil Group Inc.	0042.0009.03-33	Engineering services - Cust# 193	\$ 210.00
Colorado Civil Group Inc.	0042.0009.03-34	Engineering services - Cust# 193	\$ 688.75
Colorado Civil Group Inc.	0042.0011.02-29	Engineering services - Cust# 194	\$ 35.00
Colorado Civil Group Inc.	0042.0014.02-11	Engineering services - Cust# 233	\$ 1,834.00
Colorado Civil Group Inc.	0042.0014.02-12	Engineering services - Cust# 233	\$ 1,209.00
Colorado Civil Group Inc.	0042.0016.02-02 OCT2022	Engineering services - Cust# 281	\$ 558.00
Colorado Civil Group Inc.	0042.0021.00-07	Engineering services - Cust# 274	\$ 140.00
Colorado Civil Group Inc.	0042.0500.02-14	WCR 23/GWT Pedestrian Connection	\$ 1,551.50
Colorado Civil Group Inc.	0042.0500.03-18	Severance Community Park	\$ 20.00
Colorado Civil Group Inc.	0042.0500.04-01	GWT Connection Construction Mgmt	\$ 5,707.61
Colorado Civil Group Inc.	0042.0506.02-14	Elevated Water Tank	\$ 10,701.00
Colorado Civil Group Inc.	0042.0506.02-15	Elevated Water Tank	\$ 2,395.50
Colorado Civil Group Inc.	0042.0506.03-04	Water Treatment Plant	\$ 560.00
Colorado Civil Group Inc.	0042.0507.00-34	Sanitary Sewer System Master Plan	\$ 762.00
Colorado Civil Group Inc.	0042.0507.00-35	Sanitary Sewer System Master Plan	\$ 482.00
Colorado Civil Group Inc.	0042.0510.00-09	E Harmony Rd - WCR 19 Improv	\$ 2,114.00
Colorado Civil Group Inc.	0042.0510.00-10	E Harmony Rd - WCR 19 Improv	\$ 1,297.00
Colorado Civil Group Inc.	0042.0511.00-08	Traffic Signal (392/23)	\$ 2,365.00
Colorado Civil Group Inc.	0042.0511.00-09	Traffic Signal (392/23)	\$ 2,672.50
Colorado Civil Group Inc.	0042-0001-10-07	Engineering services - Cust# 246	\$ 455.00
Coyote Ridge Construction	SEP2022 REFUND	Hydrant #3 deposit refund	\$ 3,500.00
Creative Services of New England	C22-26392	Jr Officer Badge stickers	\$ 216.95
Direct Discharge Consulting, LLC	1935	ORC Services	\$ 1,500.00
Dog Waste Depot	510016	Dog bag supplies	\$ 347.35
Drexel, Barrell & Co.	25285	Project Management - Harmony and WCR 19 intersection design	\$ 5,172.50
Drexel, Barrell & Co.	25396	Project Management - Harmony and WCR 19 intersection design	\$ 2,640.00
Eaton Grove Nursery Ltd	101022	Colorado Blue Spruce, tree wraps, soil pep	\$ 387.45
Employers Council Services, Inc.	434747	Travel expenses - 08.17.22 - M. Harte	\$ 15.12
Employers Council Services, Inc.	435090	HR professional services	\$ 1,080.00
Evident, Inc.	194443A	PD supplies for invest/evidence	\$ 1,439.21
Evident, Inc.	194443B	Evidence recovery kit, combo latent print field kit	\$ 1,392.00
Fort Collins Winlectric	571550 01	Vet clinic LED bulbs	\$ 100.01

Freedom Mailing Services Inc	43748	Postcard Bill Processing	\$ 1,101.38
Front Range Fire Protect Inc	SD4170	PW building - Fire sprinkler testing	\$ 495.00
Front Range Fire Protect Inc	SD4171	PD Building Fire Annual Inspection	\$ 495.00
Frontier Business Products	814774	PD - 96081 Copy Machine - Color Copies	\$ 102.87
Frontier Business Products	815910	PW Color Copies	\$ 387.17
Frontier Business Products	819477	PD - 96081 Copy Machine - Color Copies	\$ 95.22
Greeley Lock and Key	18893	Locks for water shut offs	\$ 260.16
Hayashi & Macsalka, LLC	305	Legal Fees - Cust# 246	\$ 236.50
Hayashi & Macsalka, LLC	306	Legal Fees - P-2103-Great Western Trails - TAP/MMOF	\$ 214.50
Hayashi & Macsalka, LLC	307	Legal Fees - Cust# 265	\$ 494.50
Hayashi & Macsalka, LLC	308	Legal expenses for travel to and from meetings	\$ 245.00
Hayashi & Macsalka, LLC	310	Legal Fees - Cust# 270	\$ 645.00
Hayashi & Macsalka, LLC	311	Legal Fees - Cust# 281	\$ 156.00
Hayashi & Macsalka, LLC	315	Legal Fees - General Services	\$ 8,892.00
Hotsy Equipment of Northern Colorado Inc	81487	Parts	\$ 160.00
Integrity Tire	102052	PD 2018 Ford Interceptor - oil change, air filter, shock repairs	\$ 416.52
Integrity Tire	102183	Tires TRL #790	\$ 134.22
Jennifer and Jeff Place	44835	Final restitution payment	\$ 1,195.20
JR Engineering, LLC	80817	Engineering services - Cust# 270	\$ 422.50
JR Engineering, LLC	80818	Harmony & SH 257 Traffic Analysis	\$ 2,266.25
JR Engineering, LLC	80819	Engineering services - Cust# 246	\$ 85.00
K & K Laser Creations, LLC	33684	PC member - name plate sign	\$ 24.95
Kidron, LLC	070527000013 PARCEL ID	Land purchase for water tank	\$ 71,500.00
La Salle Oil Co.	172375	Fuel	\$ 2,094.95
Language Line Services, Inc.	10639753	Translation Services	\$ 28.70
LightGig Communications, LLC	424027	Severance Town Hall Service	\$ 120.00
MAC Equipment, Inc.	409727	Replace tubeless mower tires	\$ 318.12
MAC Equipment, Inc.	410821	Insulation foam pad	\$ 40.33
MAC Equipment, Inc.	411449	Mower parts	\$ 263.29
MAC Equipment, Inc.	411640	New broom for Ventrac for ballfield and sidewalks	\$ 5,805.60
Majestic Surveying, LLC	4698	As-built survey - field crew/project management	\$ 1,165.00
Maxey Trailer Sales & Truck Fitting	226531	Parts for DOT	\$ 115.08
Mountain West Disposal, LLC	11963	Porta potty for our CLTAP equipment training	\$ 160.00
Nicholson Building Co & Excavating, LLC	5823	Demo trailer house	\$ 9,150.00
NOCO Dent Repair	7483	Hail improvement 2019 town hall minivan	\$ 4,000.00
North Weld County Water	3386000-SEP2022	Water Utility	\$ 14,402.41
North Weld County Water	3654000-SEP2022	Water Utility	\$ 24.90
North Weld County Water	6546000-SEP2022	Water Utility	\$ 73,147.20
Northern Engineering Services Inc	1136-001/00085	Cust 265	\$ 520.00
Onix IT, Inc.	7500	Azure Subscription	\$ 318.60
Onix IT, Inc.	7520	Monthly IT Support	\$ 4,340.00
Permit Refunds	22SEV-00594-REFUND	22SEV-00594-Refund	\$ 184.22
Platte Valley Veterinary Serv	29436	Animal medical care	\$ 175.00
Platte Valley Veterinary Serv	31564	Animal medical care	\$ 175.00
Poudre Valley REA	135 1022	Town of Severance Street Lights	\$ 104.68
Poudre Valley REA	135 1022	CO RD 80 and Rangeview	\$ 30.56
Poudre Valley REA	135 1022	Sunset Ridge 2nd Street Lights	\$ 249.18
Poudre Valley REA	135 1022	Street Lights Phase 2 & 3	\$ 235.37
Poudre Valley REA	135 1022	Severance Shores - Street Lights	\$ 221.76
Poudre Valley REA	135 1022	Subd Lights Phase 1	\$ 190.95
Poudre Valley REA	135 1022	75 Flat Iron Ln Power Source	\$ 71.56
Poudre Valley REA	135 1022	Street Lights Phase 1	\$ 134.42
Poudre Valley REA	135 1022	629 Shoreview Pkwy Lift Station	\$ 298.01
Poudre Valley REA	135 1022	36252 Evans St Power	\$ 48.41
Poudre Valley REA	135 1022	CO RD 21 and 76 1/2 - Water Tank	\$ 1,068.32
Poudre Valley REA	135 1022	Summit View 9 Street Lights	\$ 417.45
Poudre Valley REA	135 1022	Hidden Valley Farms 5th St Lights	\$ 1,416.28
Poudre Valley REA	135 1022	CO RD 23 and Belmont Dr	\$ 31.03
Poudre Valley REA	135 1022	CO RD 74 & 19	\$ 13.34
Poudre Valley REA	74118001 1022	2880 Branding Iron Power	\$ 71.97
Pride Mechanical LLC	16137	Men's bathroom tank repair	\$ 123.47
PURCHASE POWER	Sep-22	Acct	\$ 503.50
Reliable Communication Assistant	10	Court Interpreter - Sept '22 & Oct '22	\$ 180.00
Republic Services, Inc	0642-000300664	Trash Services - wastewater plant - Acct# 3-0642-3240350	\$ 3.62
SBS Services Group LLC	5498668	Town hall - routine janitorial	\$ 520.00
SBS Services Group LLC	5498727	PD - routine janitorial	\$ 250.00
Signs By Tomorrow	44216	Public Hearing Sign 2022-04-Franklin Place #246, 2022-05-BHS Solar #265, 2022-6-Moody-#233	\$ 240.00
Skaggs Companies, Inc.	100_A_107419_6	BLA 4660-04 L/R/Jacket, soft shell fleece, Navy	\$ 106.00
Skaggs Companies, Inc.	100_A_107419_7	return BLA 4660-04 L/R/Jacket, soft shell fleece, navy	\$ (106.00)
Skaggs Companies, Inc.	100_A_110616_4	BLA 8472W-04 M/ Armorskin, Women's S/S Streetshirt wool, dk navy	\$ (92.00)
Skaggs Companies, Inc.	100_A_138336_1	Stock polos	\$ 456.00
Skaggs Companies, Inc.	100_A_143356_1	red streamlight cones	\$ 23.96
Town of Windsor	015265-000 0922	Wastewater Treatment	\$ 13,281.24
TransUnion Risk and Alternative Data	44805	Background Checks	\$ 75.00
Tri-Tech Security, Inc.	33507	CIRSA repairs per inspection	\$ 96.00
UMB Staff Credit Cards	0151 0922	Sq *the Goodness Truck-Sales tax refund from the goodness truck-charged at SD	\$ (5.48)
UMB Staff Credit Cards	0151 0922	Facebk Vqnk7h7hw2-Facebook promo	\$ 64.57
UMB Staff Credit Cards	0151 0922	Bcp*warehouse Supply Inc	\$ 35.80
UMB Staff Credit Cards	0151 0922	Sq *camca-2022 CAMCA Annual Meeting for Karina	\$ 75.00

UMB Staff Credit Cards	0151 0922	Hotel Colorado- Barons-Meal for training	\$	26.36
UMB Staff Credit Cards	0151 0922	Party City 570-Halloween Decorations for Town Hall - Trick or Treat Parade	\$	68.40
UMB Staff Credit Cards	0151 0922	Otc Brands Inc-Halloween decorations	\$	33.96
UMB Staff Credit Cards	0151 0922	In *s & G Colorado Proper-Invoice for employee meals during Severance Days	\$	79.00
UMB Staff Credit Cards	0151 0922	In *memco Inc-Fuel Station Fobs	\$	136.70
UMB Staff Credit Cards	0151 0922	Colorado Municipal League-CML Mayor Summit - Matthew Fries	\$	85.00
UMB Staff Credit Cards	0151 0922	Otc Brands Inc-Halloween decorations	\$	251.78
UMB Staff Credit Cards	0151 0922	Bcp*warehouse Supply Inc	\$	650.70
UMB Staff Credit Cards	0151 0922	King Soopers # 0097-Officer appreciation BBQ (food)	\$	223.55
UMB Staff Credit Cards	0151 0922	Sq *little Lady Burritos-Cake for Swearing Ceremony for Janelle 9.27.22	\$	60.00
UMB Staff Credit Cards	0151 0922	Uber Trip-ICMA Conference Trip from Airport to Hotel	\$	5.58
UMB Staff Credit Cards	0151 0922	Delta Air-ICMA Luggage from Conference	\$	30.00
UMB Staff Credit Cards	0151 0922	Walgreens #7417-Propane for PD event	\$	64.10
UMB Staff Credit Cards	0151 0922	Panera Bread #202433 O-Tree Board Meal 9.26.22	\$	148.92
UMB Staff Credit Cards	0151 0922	Subway 15092-ICMA Conference Lunch Day 2	\$	15.45
UMB Staff Credit Cards	0151 0922	Hyatt Regency Columbus F-ICMA Conference Breakfast Day 3	\$	22.35
UMB Staff Credit Cards	0151 0922	Hotel Colorado - Legen-Meals for training	\$	12.05
UMB Staff Credit Cards	0151 0922	Samsclub.Com-Candy for trick or treat parade	\$	531.80
UMB Staff Credit Cards	0151 0922	Hyatt Regency Columbus F-ICMA Conference Breakfast Day 2	\$	22.85
UMB Staff Credit Cards	0151 0922	Uber Trip-ICMA Conference Trip from Hotel to Airport	\$	3.43
UMB Staff Credit Cards	0151 0922	Vecinos Mexican Grill-Finance team building lunch	\$	56.65
UMB Staff Credit Cards	0151 0922	Marriott Vail Mountain-Colorado Planning Conference/APA Colorado-Abdul	\$	378.00
UMB Staff Credit Cards	0151 0922	Otc Brands Inc-Halloween decorations	\$	65.69
UMB Staff Credit Cards	0151 0922	Otc Brands Inc-Tax refund from Halloween order placed.	\$	(10.23)
UMB Staff Credit Cards	0151 0922	Dxp Enterprises-Baldridge lift station gate valve replacement	\$	185.37
UMB Staff Credit Cards	0151 0922	Ezcaterjasons Deli-LULAC 9.07.22 Mtg Meal	\$	262.35
UMB Staff Credit Cards	0151 0922	Hellofax Monthly-Hellofax	\$	14.98
UMB Staff Credit Cards	0151 0922	Indeed-Community Dev Director posting	\$	82.00
UMB Staff Credit Cards	0151 0922	Indeed-PD com dev receipt shows splits	\$	150.25
UMB Staff Credit Cards	0151 0922	Indeed-PD and Public works positions for hire split (marketing)	\$	500.66
UMB Staff Credit Cards	0151 0922	Tst* 4023 Bareburger - Sh-ICMA Conference Day 4 Lunch	\$	30.96
UMB Staff Credit Cards	0151 0922	Subway 15092-ICMA Conference Day 5 Lunch	\$	14.99
UMB Staff Credit Cards	0151 0922	Uber Trip-ICMA Conference Trip from Hotel to Airport	\$	22.89
UMB Staff Credit Cards	0151 0922	Donatos Pizzeria #429-ICMA Conference Day 6 Lunch	\$	9.94
UMB Staff Credit Cards	0151 0922	Hyatt Regency Columbus-ICMA Hotel and two Dinners	\$	1,205.50
UMB Staff Credit Cards	0151 0922	Hotel Colorado - Legen-Meal for training	\$	10.42
UMB Staff Credit Cards	0151 0922	Delta Air-ICMA Luggage Fee to Conference	\$	30.00
UMB Staff Credit Cards	0151 0922	First Watch - 0425-Management/Mayor Meeting	\$	66.83
UMB Staff Credit Cards	0151 0922	Hyatt Regency Columbus F-ICMA Conference Day Dinner Day 1	\$	17.90
UMB Staff Credit Cards	0151 0922	Msp Pod1 Mimosa-ICMA Lunch Day 1	\$	22.39
UMB Staff Credit Cards	0151 0922	Mykonos Gyros-ICMA Conference Lunch Day 3	\$	18.20
UMB Staff Credit Cards	0151 0922	Hyatt Regency Columbus F-ICMA Conference Breakfast Day 3	\$	22.55
UMB Staff Credit Cards	0151 0922	Fmcsa D&a Clearinghouse-DOT for PW set up for compliance	\$	25.00
UMB Staff Credit Cards	0151 0922	Drury Denver Tech-Lodging for SRO school G YANKE	\$	576.40
UMB Staff Credit Cards	0151 0922	McCartys At Eaton Co-Town Council Retreat - Eaton Country Club - 9.08.22 All Town Council & Directors	\$	658.44
UMB Staff Credit Cards	0151 0922	Anthony's Pizza And Pasta-TC Mtg 9.13.22	\$	151.23
UMB Staff Credit Cards	0151 0922	Ezcaterjasons Deli-PC Mtg 9.21.22	\$	189.90
UMB Staff Credit Cards	0151 0922	King Soopers #0117-Plates,Silverware & water - restock for Council	\$	12.26
UMB Staff Credit Cards	0151 0922	G5 Brew Pub-Thank you lunch for PW	\$	76.59
UMB Staff Credit Cards	0151 0922	Lastpass.Com-Password Vault for Nick, Lindsay, Nancy, Marianne, Jakob & Jacquelyn	\$	432.00
UMB Staff Credit Cards	0151 0922	Colorado Ltap-Refund for Shane Marbry LTAP course	\$	(50.00)
UMB Staff Credit Cards	0151 0922	Colorado Ltap-CLTAP Training- Backhoe	\$	500.00
UMB Staff Credit Cards	0151 0922	Fort Collins Winlectrc-Repaired Float system at #2 wastewater pond	\$	33.06
UMB Staff Credit Cards	0151 0922	Wyoming Bearing And Suppl-Repaired float system at wastewater pond	\$	9.42
UMB Staff Credit Cards	0151 0922	4imprint, Inc-Sales Tax credit	\$	(129.68)
UMB Staff Credit Cards	0151 0922	Signs By Tomorrow-Big check for auto show donation presentation	\$	75.00
UMB Staff Credit Cards	0151 0922	Costco Whse #1178-Tax charged/refunded-see \$7.83	\$	(7.83)
UMB Staff Credit Cards	0151 0922	Costco Whse #1178-sales tax was charged/refunded-\$9.78	\$	(9.78)
UMB Staff Credit Cards	0151 0922	Costco Whse #1178-Halloween Parade candy-tax charged/refunded-see \$7.83	\$	159.75
UMB Staff Credit Cards	0151 0922	Costco Whse #1178-Candy for Halloween Trick or Treat Parade- sales tax was charged/refunded-\$9.78	\$	199.68
UMB Staff Credit Cards	0151 0922	Olive Garden 0021376-Meal for TC - All Dept Heads 9.27.22	\$	264.11
UMB Staff Credit Cards	0151 0922	Uber Trip-ICMA Conference Trip from Airport to Hotel	\$	27.91
UMB Staff Credit Cards	0151 0922	Hyatt Regency Columbus F-ICMA Conference Dinner Day 5	\$	22.85
UMB Staff Credit Cards	0151 0922	Hotel Colorado-Evidence Tech Training	\$	446.64
UMB Staff Credit Cards	0151 0922	Sams Club #6633-Meat for garden BBQ	\$	110.38
UNUM Life Insurance Co America	80122	Monthly Disability Insurance	\$	(0.01)
UNUM Life Insurance Co America	100122	Monthly Disability Insurance	\$	3,329.27
Utility Notification Center	222091391	RTL Transmissions	\$	573.30
Utility Refunds	580.03	Refund - Cust# 580.03 - 248 3rd Avenue	\$	81.24
Utility Refunds	3622.03	Refund - Cust# 3622.03-1796 Valley Brook Lane	\$	5.41
Utility Refunds	4212.03	Refund - Cust# 4212.03 - 945 Mt Shavano Avenue	\$	67.70
Utility Refunds	4492.03	Refund - Cust# 4492.03 - 340 Torreyes Drive	\$	55.73
Utility Refunds	4675.02	Refund - Cust# 4675.02 - 1547 Water Vista Lane	\$	68.88
Utility Refunds	5213.02	Refund - Cust# 5213.02 - 1443 Markhor Drive	\$	63.34
Verizon Wireless	9916137781	Cell Phone Service - TH & PW	\$	1,107.85
Verizon Wireless	9917172210	Cell Phone Service - PD	\$	1,598.88
Waste Management of Colorado, Inc	4941065-2534-3	Trash Service - PW	\$	134.64
Waste Management of Colorado, Inc	4948511-2534-9	Roll Off Trash Service	\$	1,026.00
Weld CO School District RE-4	80222	Parking 5 hours - Severance Days	\$	100.00

WEX BANK	84086143	Offsite Fuel	\$	1,256.14
Windsor Ace Hardware	162556/4	Supplies	\$	20.69
Windsor Ace Hardware	162651/4	Supplies - toilet at town hall	\$	13.78
Xcel Energy	797078634	300954583 - 20/15 2-6-67 Sewage Plant	\$	3,547.46
Xcel Energy	797078634	302039930 - 1236 1/2 Baldridge Dr Unit Lift	\$	203.38
Xcel Energy	797986380	301748145 - 410 Timber Ridge Pkwy Unit Spkl	\$	12.15
Xcel Energy	797986380	301274394 - 209 1st St Bldg Fire	\$	242.65
Xcel Energy	797986380	304683265 - 410 Immigrant Trail - Settlers Landing HOA	\$	13.37
Xcel Energy	797986380	300942323 - 10822 County Road 74 Bldg Stoc	\$	31.11
Xcel Energy	797986380	301709610 - 57/16 2-6-67 Pump	\$	11.38
Xcel Energy	797986380	300966458 - 211 1st St	\$	90.69
Xcel Energy	797986380	301894204 - 50 Timber Ridge Pkwy	\$	111.01
Xcel Energy	797986380	300954583 - 20/15 2-6-67 Sewage Plant	\$	3,856.98
Xcel Energy	797986380	301872364 - 513 1/2 Broadview Dr	\$	23.53
Xcel Energy	797986380	301597386 - 400 Timber Ridge Pkwy Unit Spkl	\$	12.63
Xcel Energy	797986380	304182684 - 231 W 4th Ave Unit Pump	\$	523.49
Xcel Energy	797986380	301456912 - 336 1st St	\$	130.40
Xcel Energy	797986380	303987355 - 3 S Timber Ridge Pkwy	\$	831.93
Xcel Energy	797986380	301443761 - 1020 Mahogany Dr Unit Pump	\$	982.97
Xcel Energy	797986381	304182684 - 231 W 4th Ave Unit Pump	\$	525.04
Xcel Energy	797986381	303987355 - 3 S Timber Ridge Pkwy	\$	824.33
Xcel Energy	797986383	302039930 - 1236 1/2 Baldridge Dr Unit Lift	\$	219.37
Xcel Energy	798341711	304920983 - 100 Waterfall Way	\$	476.24
Xcel Energy	798341711	304920986 - 101 Waterfall Way	\$	144.28
Xcel Energy	798341711	304881524 - 145 3rd St	\$	801.73
Xcel Energy	798530911	Street Lights	\$	3,434.57
Grand Totals:			\$	441,126.24

TOWN OF SEVERANCE
COMBINED CASH INVESTMENT
OCTOBER 31, 2022

COMBINED CASH ACCOUNTS

01-100700	CASH ON HAND	395
01-101000	BANK OF CO- CHECKING ***1469	830,809
01-101500	BANK OF CO CREDIT CARD ***1481	57,712
01-102100	COLOTRUST	16,246,196
01-102180	UMB SAFEKEEPING	34,771,662
01-106000	XPRESS DEPOSIT ACCOUNT	47,604
	TOTAL COMBINED CASH	51,954,378
01-100000	CASH ALLOCATED TO OTHER FUNDS	(51,954,378)

TOTAL UNALLOCATED CASH

CASH ALLOCATION RECONCILIATION

10	ALLOCATION TO GENERAL FUND	17,836,960
11	ALLOCATION TO CONSERVATION TRUST FUND	105,108
12	ALLOCATION TO TRANSPORTATION FUND	3,820,407
13	ALLOCATION TO PARKS FUND	194,164
14	ALLOCATION TO PUBLIC FACILITIES FUND	1,122,461
15	ALLOCATION TO PUBLIC SAFETY FUND	228,406
51	ALLOCATION TO WATER FUND	15,596,900
52	ALLOCATION TO WASTEWATER FUND	11,699,078
53	ALLOCATION TO STORMWATER FUND	1,317,087
75	ALLOCATION TO CAPITAL PROJECTS	33,809
	TOTAL ALLOCATIONS TO OTHER FUNDS	51,954,378
	ALLOCATION FROM COMBINED CASH FUND - 01-100000	(51,954,378)

ZERO PROOF IF ALLOCATIONS BALANCE

TOWN OF SEVERANCE

BALANCE SHEET

OCTOBER 31, 2022

GENERAL FUND

ASSETS

10-100000	CASH - COMBINED FUND	17,836,960	
10-105000	TAXES RECEIVABLE	1,434	
10-105300	CASH W/ WELD COUNTY TREASURER	23,190	
10-115000	ACCOUNTS RECEIVABLE	27,184	
10-115010	FUEL INVENTORY	4,511	
10-115300	CONTRACT RECEIVABLE	1,379	
10-120000	DEVELOPER RECEIVABLES	5,286	
10-131000	DUE FROM OTHER GOVERNMENTS	178,490	
	TOTAL ASSETS		18,078,433

LIABILITIES AND EQUITYLIABILITIES

10-202000	ACCOUNTS PAYABLE	201,809	
10-203000	CUSTOMER DEPOSITS-DEVELOPERS	48,456	
10-203500	CUSTOMER DEPOSITS-RENTALS	1,475	
10-211400	COLORADO UNEMPLOYMENT PAYABLE	329	
10-211800	DEFERRED PROPERTY TAXES	1,434	
10-222000	DEFERRED REVENUE	1,635,022	
	TOTAL LIABILITIES		1,888,525

FUND EQUITY

	UNAPPROPRIATED FUND BALANCE:		
10-290000	FUND BALANCE	14,228,472	
	REVENUE OVER EXPENDITURES - YTD	1,961,435	
	BALANCE - CURRENT DATE	16,189,908	
	TOTAL FUND EQUITY		16,189,908
	TOTAL LIABILITIES AND EQUITY		18,078,433

TOWN OF SEVERANCE
REVENUES AND EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
REVENUE						
	<u>TAXES</u>					
10-31-1000	GENERAL PROPERTY TAX	8,442	1,797,684	1,799,151	1,467	99.9
10-31-3000	SALES TAX	178,490	1,396,575	1,680,000	283,425	83.1
10-31-4000	USE TAX BUILDING MATERIALS	117,049	1,169,639		(1,169,639)	.0
10-31-8100	SEVERANCE TAX (OIL & GAS)		404,945	5,000	(399,945)	8098.9
10-31-8200	FRANCHISE	10,519	180,149	160,000	(20,149)	112.6
10-31-9000	INTEREST / DELINQUENT TAX	582	1,753	300	(1,453)	584.3
	TOTAL TAXES	315,081	4,950,745	3,644,451	(1,306,294)	135.8
	<u>LICENSES & PERMITS</u>					
10-32-1000	BUS.LICENSE	205	1,975	4,000	2,025	49.4
10-32-1100	LIQUOR LICENSE	100	500	300	(200)	166.7
10-32-2000	HOME BASED BUSINESS FEES	250	1,000	1,500	500	66.7
10-32-2100	BUILDING PERMIT & LICENSE	53,703	648,752	550,000	(98,752)	118.0
10-32-2600	ANIMAL LICENSES	45	1,440	750	(690)	192.0
10-32-3100	ADMIN. SERVICE DEVELOPMENT FEE	3,600	50,100	59,400	9,300	84.3
10-32-3400	ADMINISTRATION FEES	18,485	198,598		(198,598)	.0
10-32-4100	ROW/HUNT/SIGN/DEVELOP. PERMITS	550	7,365	7,500	135	98.2
10-32-4150	SOLICITOR LICENSES		12,750		(12,750)	.0
	TOTAL LICENSES & PERMITS	76,938	922,480	623,450	(299,030)	148.0
	<u>INTERGOVERNMENTAL</u>					
10-33-4000	STATE GRANTS		57,895		(57,895)	.0
10-33-5000	HIGHWAY USERS	51,576	212,725	259,905	47,180	81.9
10-33-5050	MINERAL LEASE		87,606	35,000	(52,606)	250.3
10-33-5100	MOTOR VEHICLE FEES	5,001	42,908	52,000	9,092	82.5
10-33-5200	COUNTY ROAD & BRIDGE		66,955	115,000	48,045	58.2
10-33-5300	SPECIFIC OWNERSHIP TAX	9,255	90,257	65,000	(25,257)	138.9
10-33-5600	CIGARETTE TAX	595	3,396	3,000	(396)	113.2
10-33-6000	SHARED REVENUE WINDSOR		221,639	100,000	(121,639)	221.6
	TOTAL INTERGOVERNMENTAL	66,428	783,380	629,905	(153,475)	124.4
	<u>CHARGES FOR SERVICES</u>					
10-34-1100	COURT COSTS	878	2,761	2,000	(761)	138.0
10-34-1200	POLICE REVENUE	14,227	57,316	45,000	(12,316)	127.4
10-34-1400	MAPS, PLANS, COPIES	962	4,039	150	(3,889)	2692.3
	TOTAL CHARGES FOR SERVICES	16,066	64,115	47,150	(16,965)	136.0

TOWN OF SEVERANCE
REVENUES AND EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>FINES & FORFEITS</u>					
10-35-1000 MUNICIPAL COURT FINES	6,587	48,481	50,000	1,519	97.0
10-35-1100 SURCHARGE	275	2,375	2,000	(375)	118.8
10-35-1300 RESTITUTION - TOWN	9,150	9,183	100	(9,083)	9183.0
TOTAL FINES & FORFEITS	16,012	60,039	52,100	(7,939)	115.2
<u>MISCELLANEOUS</u>					
10-36-1000 RETURN CHECK CHARGES	210	2,490	1,000	(1,490)	249.0
10-36-1600 SPECIAL ASSESSMENTS			3,981	3,981	.0
10-36-2000 OTHER MISCELLANEOUS REVENUE	2,715	72,804	3,000	(69,804)	2426.8
10-36-3000 RENT	3,430	34,400	41,200	6,800	83.5
10-36-3500 INTEREST AND DIVIDENDS	12,885	94,813	50,000	(44,813)	189.6
10-36-3550 CHANGE IN MARKET VALUE	(38,494)	(446,139)		446,139	.0
10-36-4500 MATERIALS AND LABOR	1,407	9,723	8,000	(1,723)	121.5
10-36-5000 SPECIAL EVENT REVENUE	425	68,073	25,000	(43,073)	272.3
10-36-5100 SPECIAL EVENT REVENUE-IN-KIND		13,131		(13,131)	.0
10-36-6500 REIMBURSEMENTS/REFUNDS		7,444		(7,444)	.0
10-36-8050 OIL AND GAS ROYALTIES	1,284	11,663	10,000	(1,663)	116.6
10-36-9900 OTHER REVENUES		523,309		(523,309)	.0
TOTAL MISCELLANEOUS	(16,137)	391,711	142,181	(249,529)	275.5
TOTAL FUND REVENUE	474,388	7,172,470	5,139,237	(2,033,233)	139.6

EXPENDITURES

TOWN OF SEVERANCE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>LEGISLATIVE</u>					
10-41-1100 REGULAR STAFF WAGES	6,138	63,435	79,500	16,065	79.8
10-41-1104 RETIREMENT 457	181	1,804	2,205	401	81.8
10-41-1105 BOARD OF TRUSTEE FEES	800	8,550	15,000	6,450	57.0
10-41-1130 FICA/MEDICARE	528	5,482	5,586	104	98.1
10-41-1140 WORKERS COMPENSATION		1,909	200	(1,709)	954.7
10-41-1150 UNEMPLOYMENT	12	126	221	95	57.1
10-41-1160 HEALTH INSURANCE	948	9,478	11,340	1,862	83.6
10-41-1161 DISABILITY INSURANCE	125	1,255	1,380	125	90.9
10-41-1162 INSURANCE DEDUCTIBLE REIMBURSE		1,000	1,000		100.0
10-41-2100 LEGAL FEES	10,046	99,341	115,000	15,659	86.4
10-41-3150 TELEPHONE	78	709		(709)	.0
10-41-3180 MILEAGE			1,000	1,000	.0
10-41-3210 INSURANCE AND BONDS		31,165	28,000	(3,165)	111.3
10-41-3330 PUBLISHING/RECORDING		838	2,600	1,762	32.2
10-41-3350 ORDINANCE CODIFICATION		4,399	3,500	(899)	125.7
10-41-3810 DUES/MEMBERSHIPS/SUBSCRIPTIONS	185	876	2,700	1,824	32.4
10-41-3820 CONTINUING EDUCATION	650	5,309	11,000	5,691	48.3
10-41-3825 MEETING/MEALS	698	7,098	10,000	2,902	71.0
10-41-3990 MISCELLANEOUS	82	1,794	500	(1,294)	358.8
10-41-4320 COMPUTER REPLACE./AUDIO VISUAL		3,502	5,000	1,499	70.0
10-41-4330 COMPUTER SUPPORT AND MAINT		15,715	18,500	2,786	84.9
10-41-4810 UNIFORMS	12	1,003	2,000	997	50.2
10-41-4990 SUPPLIES	25	2,114	1,000	(1,114)	211.4
10-41-5500 TOWN COUNCIL DISCRETIONARY		25,706	144,843	119,137	17.8
10-41-5550 LAND USE ADVISORY COMMITTEE	11,075	27,484	30,000	2,516	91.6
10-41-5555 IHOP GRANT	4,957	10,527	50,200	39,673	21.0
10-41-5560 TREE BOARD		1,064	2,000	936	53.2
10-41-8200 ALLOCATION TO WATER FUND	(1,865)	(24,040)	(25,896)	(1,856)	(92.8)
10-41-8300 ALLOCATION TO WASTEWATER FUND	(1,776)	(22,893)	(24,663)	(1,770)	(92.8)
10-41-8400 ALLOCATION TO STORMWATER FUND	(593)	(7,639)	(8,221)	(582)	(92.9)
TOTAL LEGISLATIVE	32,308	277,109	485,495	208,386	57.1
<u>ELECTIONS</u>					
10-42-3320 PRINTING			10,000	10,000	.0
10-42-3330 PUBLISHING			500	500	.0
10-42-3980 ELECTION JUDGES			2,000	2,000	.0
10-42-3990 JUDGE'S MEALS			500	500	.0
10-42-4340 POSTAGE			4,000	4,000	.0
10-42-4990 SUPPLIES			500	500	.0
TOTAL ELECTIONS			17,500	17,500	.0

TOWN OF SEVERANCE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>JUDICIAL</u>					
10-43-1100 REGULAR STAFF WAGES	1,841	20,628	25,850	5,222	79.8
10-43-1102 OVERTIME			250	250	.0
10-43-1104 RETIREMENT 457	55	571	656	85	87.1
10-43-1130 FICA/MEDICARE	118	1,361	1,672	311	81.4
10-43-1140 WORKERS COMPENSATION		955	25 (	930)	3818.5
10-43-1150 UNEMPLOYMENT	4	43	66	23	64.8
10-43-1160 HEALTH INSURANCE	688	6,196	8,244	2,048	75.2
10-43-1161 DISABILITY INSURANCE	39	395	480	85	82.2
10-43-1162 INSURANCE DEDUCTIBLE REIMBURSE			500	500	.0
10-43-2100 LEGAL FEES		9,126	13,000	3,874	70.2
10-43-2110 MUNICIPAL JUDGE	600	5,645	6,600	955	85.5
10-43-3150 TELEPHONE	14	136	(	136)	.0
10-43-3830 TRANSLATOR/JUROR FEES	180	540	1,500	960	36.0
10-43-4310 COURT SUPPLIES		662	200 (	462)	330.8
TOTAL JUDICIAL	3,539	46,257	59,043	12,786	78.3

TOWN OF SEVERANCE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>ADMINISTRATION</u>					
10-44-1100 REGULAR STAFF WAGES	15,611	172,463	219,003	46,540	78.8
10-44-1101 PART-TIME STAFF WAGES			7,500	7,500	.0
10-44-1102 OVERTIME		558	3,000	2,442	18.6
10-44-1104 RETIREMENT	545	5,727	6,373	646	89.9
10-44-1130 FICA/MEDICARE	1,107	12,413	14,267	1,854	87.0
10-44-1140 WORKERS COMPENSATION		5,617	250	(5,367)	2246.8
10-44-1150 UNEMPLOYMENT	31	346	537	191	64.5
10-44-1160 HEALTH & LIFE INSURANCE	3,532	35,323	34,044	(1,279)	103.8
10-44-1161 DISABILITY INSURANCE	300	3,004	2,922	(82)	102.8
10-44-1162 INSURANCE DEDUCTIBLE REIMBURSE			2,450	2,450	.0
10-44-2100 LEGAL FEES		342	5,000	4,658	6.8
10-44-2150 HR SERVICES		6,429		(6,429)	.0
10-44-2990 OTHER PROFESSIONAL FEES	4,200	4,200		(4,200)	.0
10-44-3110 UTILITIES	887	9,417	11,000	1,583	85.6
10-44-3150 TELEPHONE	311	3,118	6,000	2,882	52.0
10-44-3175 BUILDING REPAIRS & MAINTENANCE	575	10,468	20,000	9,532	52.3
10-44-3177 VEHICLE REPAIRS & MAINTENANCE	62	4,125	800	(3,325)	515.7
10-44-3210 INSURANCE AND BONDS		35,422	33,000	(2,422)	107.3
10-44-3220 CIRSA DEDUCTIBLES	1,292	1,792	1,500	(292)	119.5
10-44-3330 PUBLISHING			20,000	20,000	.0
10-44-3350 BAD DEBTS		976		(976)	.0
10-44-3810 DUES/MEMBERSHIPS/SUBSCRIPTIONS		1,009	6,000	4,991	16.8
10-44-3820 CONTINUING EDUCATION	52	7,508	7,500	(8)	100.1
10-44-3825 MEALS/MISCELLANEOUS	398	1,774	2,000	226	88.7
10-44-3990 MISCELLANEOUS SERVICES/COPIER	585	5,817	3,500	(2,317)	166.2
10-44-3992 SPECIAL EVENT EXPENDITURE	(11,325)	115,807	155,000	39,193	74.7
10-44-3993 SPECIAL EVENTS IN-KIND COST	13,131	13,131		(13,131)	.0
10-44-4000 ADVERTISING	172	1,303	3,000	1,697	43.4
10-44-4310 OFFICE SUPPLIES	333	4,215	6,000	1,785	70.2
10-44-4320 COMPUTER REPLACE./AUDIO VISUAL		10,560	40,000	29,440	26.4
10-44-4330 COMPUTER SUPPORT AND MAINT	1,621	29,348	33,575	4,227	87.4
10-44-4340 POSTAGE		3,207	3,000	(207)	106.9
10-44-4390 OTHER OFFICE EXPENSE		1,386	3,000	1,614	46.2
10-44-4520 VEHICLE FUEL	125	3,102	5,000	1,898	62.0
10-44-4810 UNIFORMS	12	984	1,100	116	89.4
10-44-4990 MISCELLANEOUS SUPPLIES		1,159	3,000	1,841	38.6
10-44-7010 CAPITAL OUTLAY FACILITIES	52,785	52,785		(52,785)	.0
10-44-8000 LEASE PAYMENT		663	1,000	337	66.3
10-44-8200 ALLOCATION TO WATER FUND	(3,020)	(46,144)	(53,354)	(7,210)	(86.5)
10-44-8300 ALLOCATION TO WASTEWATER FUND	(2,876)	(43,938)	(50,813)	(6,875)	(86.5)
10-44-8400 ALLOCATION TO STORMWATER FUND	(960)	(14,666)	(16,938)	(2,272)	(86.6)
TOTAL ADMINISTRATION	79,489	460,750	539,216	78,466	85.5

TOWN OF SEVERANCE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>FINANCE</u>					
10-45-1100 REGULAR STAFF WAGES	13,321	146,317	179,658	33,341	81.4
10-45-1102 OVERTIME			100	100	.0
10-45-1104 RETIREMENT 457	400	4,196	5,195	999	80.8
10-45-1130 FICA/MEDICARE	1,001	11,020	13,247	2,227	83.2
10-45-1140 WORKERS COMPENSATION		4,105	215	(3,890)	1909.3
10-45-1150 UNEMPLOYMENT	27	293	519	226	56.4
10-45-1160 HEALTH & LIFE INSURANCE	2,442	24,299	36,191	11,892	67.1
10-45-1161 DISABILITY INSURANCE	270	2,721	2,994	273	90.9
10-45-1162 INSURANCE DEDUCTIBLE REIMBURSE		1,250	2,150	900	58.1
10-45-2200 AUDIT & ACCOUNTING FEES		20,750	20,000	(750)	103.8
10-45-3150 TELEPHONE	59	589		(589)	.0
10-45-3315 WELD COUNTY TREASURER FEE	90	17,990	21,000	3,010	85.7
10-45-3340 BANK CHARGES		1,000	2,000	1,000	50.0
10-45-3810 DUES/MEMBERSHIPS/SUBSCRIPTIONS			1,000	1,000	.0
10-45-3820 CONTINUING EDUCATION		3,386	6,000	2,614	56.4
10-45-3825 MEALS/MISCELLANEOUS		57		(57)	.0
10-45-4310 OFFICE SUPPLIES	171	916	1,500	584	61.1
10-45-4330 COMPUTER SUPPORT AND MAINT		432	6,500	6,068	6.7
10-45-4810 UNIFORMS	31	535	700	165	76.4
10-45-8200 ALLOCATION TO WATER FUND	(1,603)	(21,581)	(26,322)	(4,741)	(82.0)
10-45-8300 ALLOCATION TO WASTEWATER FUND	(1,526)	(20,550)	(25,069)	(4,519)	(82.0)
10-45-8400 ALLOCATION TO STORMWATER FUND	(509)	(6,859)	(8,356)	(1,497)	(82.1)
TOTAL FINANCE	14,173	190,866	239,222	48,356	79.8

TOWN OF SEVERANCE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PUBLIC SAFETY</u>					
10-51-1100 REGULAR STAFF WAGES	56,019	706,687	900,523	193,836	78.5
10-51-1102 OVERTIME	4,418	36,285	40,000	3,715	90.7
10-51-1104 RETIREMENT	228	2,495	3,903	1,408	63.9
10-51-1130 FICA/MEDICARE	1,253	14,878	21,124	6,247	70.4
10-51-1140 WORKERS COMPENSATION		22,927	23,750	823	96.5
10-51-1150 UNEMPLOYMENT	121	1,484	2,702	1,218	54.9
10-51-1155 POLICE PENSION	4,276	51,762	69,338	17,576	74.7
10-51-1160 HEALTH INSURANCE	10,279	154,123	214,464	60,341	71.9
10-51-1161 DISABILITY INSURANCE	2,508	29,443	28,943	(500)	101.7
10-51-1162 INSURANCE DEDUCTIBLE REIMBURSE		1,000	12,500	11,500	8.0
10-51-2100 LEGAL FEES		234	1,000	766	23.4
10-51-2300 MEDICAL		525	2,000	1,475	26.3
10-51-2310 PSYCHOLOGICAL			1,500	1,500	.0
10-51-2900 CONTRACT POLICE SERVICES		750		(750)	.0
10-51-2990 OTHER PROFESSIONAL FEES	537	26,709	40,000	13,291	66.8
10-51-3110 UTILITIES	374	3,919	5,000	1,081	78.4
10-51-3150 TELEPHONE/PAGERS	1,599	15,000	20,000	5,000	75.0
10-51-3170 REPAIRS & MAINTENANCE		1,456	3,000	1,544	48.5
10-51-3175 BUILDING REPAIRS & MAINTENANCE	757	2,816		(2,816)	.0
10-51-3177 VEHICLE REPAIRS & MAINTENANCE	10,479	34,741	37,000	2,259	93.9
10-51-3180 MILEAGE		51	500	449	10.2
10-51-3210 INSURANCE AND BONDS		43,733	42,000	(1,733)	104.1
10-51-3220 CIRSA DEDUCTIBLES			10,000	10,000	.0
10-51-3320 PRINTING/FORMS	95	3,932	5,000	1,068	78.6
10-51-3610 DISPATCH COMMUNICATIONS		4,186	25,000	20,814	16.7
10-51-3630 MENTAL HEALTH CO-RESP. PROGRAM			30,000	30,000	.0
10-51-3640 DRUG TASK FORCE		1,000	1,000		100.0
10-51-3650 DOG TAGS/IMPOUND FEES	350	350	1,000	650	35.0
10-51-3740 RADIO MAINTENANCE		890	2,500	1,610	35.6
10-51-3810 DUES/MEMBERSHIPS/SUBSCRIPTIONS		775	2,500	1,725	31.0
10-51-3820 CONTINUING EDUCATION & TRAIN	518	10,136	13,000	2,864	78.0
10-51-3825 MEALS/MISCELLANEOUS	246	1,058	1,000	(58)	105.8
10-51-3840 CONFINEMENT FEES			2,000	2,000	.0
10-51-3850 LAB TESTING FEES		176	2,500	2,324	7.1
10-51-3950 TOWING			1,000	1,000	.0
10-51-3990 MISCELLANEOUS SERVICES	217	770	2,000	1,230	38.5
10-51-4300 OFFICE FURNITURE			1,000	1,000	.0
10-51-4310 OFFICE SUPPLIES		2,236	3,000	764	74.5
10-51-4320 COMPUTER REPLACE./AUDIO VISUAL		2,229		(2,229)	.0
10-51-4330 COMPUTER SUPPORT AND MAINT	1,621	22,852	46,775	23,923	48.9
10-51-4340 POSTAGE		19	200	181	9.4
10-51-4520 VEHICLE FUEL	1,956	27,227	35,000	7,773	77.8
10-51-4720 EQUIPMENT FOR PATROL	223	4,702	5,000	298	94.0
10-51-4730 EQUIPMENT FOR TRAINING		3,652	5,000	1,348	73.0
10-51-4740 EQUIPMENT FOR INVEST./EVIDENCE	1,392	3,743	5,000	1,257	74.9
10-51-4810 UNIFORMS	364	17,930	15,000	(2,930)	119.5
10-51-4990 MISCELLANEOUS SUPPLIES	103	3,493	5,000	1,507	69.9
10-51-7000 CAPITAL OUTLAY		293,059	288,825	(4,234)	101.5
10-51-7550 VEHICLES		159,179	159,260	81	100.0
10-51-7990 OTHER SMALL EQUIPMENT	439	2,433	3,000	567	81.1
TOTAL PUBLIC SAFETY	100,372	1,717,044	2,139,807	422,763	80.2

TOWN OF SEVERANCE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>STREETS / MAINTENANCE</u>					
10-61-1100 REGULAR STAFF WAGES	7,871	103,964	133,094	29,130	78.1
10-61-1102 OVERTIME	33	1,981	5,000	3,019	39.6
10-61-1104 RETIREMENT	237	2,906	3,993	1,087	72.8
10-61-1130 FICA/MEDICARE	546	7,522	11,712	4,190	64.2
10-61-1140 WORKERS COMPENSATION		4,582	3,600	(982)	127.3
10-61-1150 UNEMPLOYMENT	16	211	399	188	52.9
10-61-1160 HEALTH & LIFE INSURANCE	2,117	26,645	37,140	10,495	71.7
10-61-1161 DISABILITY INSURANCE	161	2,002	2,514	512	79.6
10-61-1162 INSURANCE DEDUCTIBLE REIMBURSE			2,400	2,400	.0
10-61-2990 OTHER PROFESSIONAL FEES			500	500	.0
10-61-3150 TELEPHONE	130	978	1,500	522	65.2
10-61-3161 STREET LIGHTING	6,831	62,223	80,000	17,777	77.8
10-61-3170 REPAIRS & MAINTENANCE		2,120		(2,120)	.0
10-61-3172 REPAIRS & MAINTENANCE - STREET		96,139	175,000	78,861	54.9
10-61-3173 REPAIRS & MAINTENANCE - EQUIPM	734	27,650	41,000	13,350	67.4
10-61-3175 BUILDING REPAIRS & MAINTENANCE	127	1,159		(1,159)	.0
10-61-3177 VEHICLE REPAIRS & MAINTENANCE	760	8,534	12,000	3,466	71.1
10-61-3820 CONTINUING EDUCATION		1,168	2,000	832	58.4
10-61-3990 MISCELLANEOUS SERVICES		600		(600)	.0
10-61-4311 STREET SUPPLIES		2,078	5,000	2,922	41.6
10-61-4330 COMPUTER SUPPORT & MAINTENANCE	269	3,796	4,438	642	85.5
10-61-4520 VEHICLE FUEL	502	7,947	14,000	6,053	56.8
10-61-4810 UNIFORMS	155	419	900	481	46.5
10-61-4990 MISCELLANEOUS SUPPLIES		1,841	2,500	659	73.6
10-61-5000 STREET SIGNS		15,601	15,000	(601)	104.0
10-61-5001 SNOW AND ICE REMOVAL	3,003	40,723	40,000	(723)	101.8
10-61-7000 CAPITAL OUTLAY		25,574		(25,574)	.0
TOTAL STREETS / MAINTENANCE	23,493	448,364	593,690	145,326	75.5

TOWN OF SEVERANCE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PUBLIC WORKS OVERHEAD</u>					
10-64-1100 REGULAR STAFF WAGES	658	10,934	14,767	3,833	74.0
10-64-1102 OVERTIME		329	500	171	65.8
10-64-1104 RETIREMENT	20	325	533	208	60.9
10-64-1130 FICA/MEDICARE	46	795	1,359	564	58.5
10-64-1140 WORKERS COMPENSATION		573	300	(273)	190.9
10-64-1150 UNEMPLOYMENT	1	23	53	30	42.5
10-64-1160 HEALTH & LIFE INSURANCE	309	3,465	4,830	1,365	71.7
10-64-1161 DISABILITY INSURANCE	22	264	348	84	75.8
10-64-1162 INSURANCE DEDUCTIBLE REIMBURSE			300	300	.0
10-64-2990 OTHER PROFESSIONAL FEES	5	5		(5)	.0
10-64-3110 UTILITIES	(1,491)	15,729	24,000	8,271	65.5
10-64-3150 TELEPHONES & INTERNET	65	661	6,800	6,139	9.7
10-64-3175 BUILDING REPAIRS & MAINTENANCE	2,583	10,896	14,000	3,104	77.8
10-64-3177 VEHICLE REPAIRS & MAINTENANCE	196	421	1,000	579	42.1
10-64-3210 INSURANCE AND BONDS		41,921	38,000	(3,921)	110.3
10-64-3690 MOSQUITO CONTROL		21,951	30,000	8,049	73.2
10-64-3820 CONTINUING EDUCATION	55	406	1,000	594	40.6
10-64-3825 MEALS, MEETINGS AND TRAVEL		477	500	23	95.4
10-64-3990 MISCELLANEOUS SERVICES		1,401	2,500	1,099	56.0
10-64-4310 OFFICE SUPPLIES	126	554	1,000	446	55.4
10-64-4330 COMPUTER SUPPORT & MAINTENANCE	269	3,796	4,438	642	85.5
10-64-4520 VEHICLE FUEL	16	829	1,350	521	61.4
10-64-4810 UNIFORMS		265	450	185	58.9
10-64-4990 MISC SUPPLIES	340	3,793	4,000	207	94.8
10-64-5001 TORNADO SIRENS			2,500	2,500	.0
10-64-7990 OTHER SMALL EQUIPMENT			1,000	1,000	.0
TOTAL PUBLIC WORKS OVERHEAD	3,219	119,814	155,528	35,714	77.0

TOWN OF SEVERANCE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PARKS / GREEN SPACE</u>					
10-65-1100 REGULAR STAFF WAGES	6,556	85,826	140,330	54,504	61.2
10-65-1101 PART-TIME STAFF WAGES		21,033	25,000	3,968	84.1
10-65-1102 OVERTIME	33	1,652	5,500	3,848	30.0
10-65-1104 RETIREMENT	198	2,374	4,765	2,391	49.8
10-65-1130 FICA/MEDICARE	454	7,823	14,446	6,623	54.2
10-65-1140 WORKERS COMPENSATION		5,728	4,500	(1,228)	127.3
10-65-1150 UNEMPLOYMENT	13	216	476	260	45.4
10-65-1160 HEALTH & LIFE INSURANCE	1,665	21,746	50,368	28,622	43.2
10-65-1161 DISABILITY INSURANCE	125	1,598	3,030	1,432	52.7
10-65-1162 INSURANCE DEDUCTIBLE REIMBURSE			3,000	3,000	.0
10-65-2990 OTHER PROFESSIONAL FEES		775	300	(475)	258.2
10-65-3110 UTILITIES	1,919	18,614	19,000	386	98.0
10-65-3150 TELEPHONE/PAGERS	187	1,549	1,800	251	86.0
10-65-3171 VANDALISM	167	2,559		(2,559)	.0
10-65-3172 TREE & LANDSCAPE MAINTENANCE		2,509	4,000	1,491	62.7
10-65-3173 REPAIRS & MAINTENANCE - EQUIPM	474	10,630	15,500	4,870	68.6
10-65-3175 BUILDING REPAIRS & MAINTENANCE	127	1,159		(1,159)	.0
10-65-3176 GROUNDS MAINTENANCE	2,400	11,405	12,000	595	95.0
10-65-3177 VEHICLE REPAIRS & MAINTENANCE	369	6,201	8,500	2,299	73.0
10-65-3210 INSURANCE AND BONDS		1,078	1,000	(78)	107.8
10-65-3810 DUES/MEMBERSHIPS/SUBSCRIPTIONS		267		(267)	.0
10-65-3820 CONTINUING EDUCATION	115	772	3,000	2,228	25.7
10-65-3990 SERVICES	330	330		(330)	.0
10-65-4330 COMPUTER SUPPORT & MAINTENANCE	269	3,796	4,438	642	85.5
10-65-4520 VEHICLE FUEL	470	6,816	10,000	3,184	68.2
10-65-4810 UNIFORMS	155	499	1,050	551	47.5
10-65-4990 SUPPLIES	512	12,781	18,000	5,219	71.0
10-65-4995 EQUIPMENT	5,806	7,244	10,000	2,756	72.4
10-65-6000 TREE CITY USA	2,911	16,920	19,200	2,280	88.1
10-65-7000 CAPITAL OUTLAY		3,242	10,115	6,873	32.1
10-65-7990 OTHER SMALL EQUIPMENT		7,450		(7,450)	.0
TOTAL PARKS / GREEN SPACE	25,254	264,592	389,318	124,726	68.0

TOWN OF SEVERANCE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>COMMUNITY DEVELOPMENT</u>					
10-70-1100 REGULAR STAFF WAGES	13,251	151,667	227,305	75,638	66.7
10-70-1104 RETIREMENT	475	5,131	7,488	2,357	68.5
10-70-1130 FICA/MEDICARE	993	11,411	17,389	5,978	65.6
10-70-1140 WORKERS COMPENSATION		6,778	610	(6,168)	1111.1
10-70-1150 UNEMPLOYMENT	27	303	682	379	44.5
10-70-1160 HEALTH & LIFE INSURANCE	2,462	25,567	35,033	9,466	73.0
10-70-1161 DISABILITY INSURANCE	280	2,804	3,540	736	79.2
10-70-1162 INSURANCE DEDUCTIBLE REIMBURSE			3,050	3,050	.0
10-70-2500 ENGINEERING	2,334	43,332	40,000	(3,332)	108.3
10-70-2600 PLANNING SERVICES	324	16,342	40,000	23,658	40.9
10-70-2980 BUILDING INSPECTIONS & LICENSE	46,144	382,569	550,000	167,431	69.6
10-70-2990 OTHER PROFESSIONAL FEES	5	380	2,500	2,120	15.2
10-70-3110 UTILITIES	73	2,329	5,000	2,671	46.6
10-70-3150 TELEPHONE	146	1,069	2,800	1,731	38.2
10-70-3173 REPAIRS & MAINTENANCE - EQUIPM		3,664	3,800	136	96.4
10-70-3175 BUILDING REPAIRS & MAINTENANCE		84	2,000	1,916	4.2
10-70-3330 PUBLISHING/COMMUNICATIONS		150	5,000	4,850	3.0
10-70-3810 DUES & MEMBERSHIPS		3,490	2,800	(690)	124.6
10-70-3820 CONTINUING EDUCATION	(40)	917	3,000	2,083	30.6
10-70-3825 MEALS/MISCELLANEOUS/TRAVEL			200	200	.0
10-70-3990 SERVICES	9,150	9,150		(9,150)	.0
10-70-4099 DEVELOPER EXP.TO BE REIMBURSED	2,544	18,716		(18,716)	.0
10-70-4310 OFFICE SUPPLIES		951	1,000	49	95.1
10-70-4320 COMPUTER REPLACE./AUDIO VISUAL		260		(260)	.0
10-70-4330 COMPUTER SUPPORT	1,614	26,674	32,625	5,951	81.8
10-70-4520 VEHICLE FUEL	179	2,570	3,500	930	73.4
10-70-4810 UNIFORMS		419	600	181	69.8
10-70-4987 ECONOMIC DEVELOPMENT	2,238	23,162	20,000	(3,162)	115.8
10-70-4989 TRAIL DEVELOPMENT		10,000	10,000		100.0
10-70-7530 PROFESSIONAL SERVICES	215	215		(215)	.0
TOTAL COMMUNITY DEVELOPMENT	82,413	750,104	1,019,922	269,818	73.6
<u>TRANSFERS TO OTHER FUNDS</u>					
10-90-9011 TRANSFERS TO OTHER FUNDS	592,287	936,137		(936,137)	.0
TOTAL TRANSFERS TO OTHER FUNDS	592,287	936,137		(936,137)	.0
TOTAL FUND EXPENDITURES	956,545	5,211,035	5,638,741	427,706	92.4
NET REVENUE OVER EXPENDITURES	(482,157)	1,961,435	(499,504)	(2,460,939)	392.7

TOWN OF SEVERANCE
BALANCE SHEET
OCTOBER 31, 2022

CONSERVATION TRUST FUND

<u>ASSETS</u>			
11-100000	CASH - COMBINED FUND	105,108	
	TOTAL ASSETS		105,108
<u>LIABILITIES AND EQUITY</u>			
<u>FUND EQUITY</u>			
UNAPPROPRIATED FUND BALANCE:			
11-290000	FUND BALANCE	52,486	
	REVENUE OVER EXPENDITURES - YTD	52,622	
	BALANCE - CURRENT DATE	105,108	
	TOTAL FUND EQUITY		105,108
	TOTAL LIABILITIES AND EQUITY		105,108

TOWN OF SEVERANCE
REVENUES AND EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

CONSERVATION TRUST FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
REVENUE						
	<u>INTERGOVERNMENTAL</u>					
11-33-5900	COLORADO LOTTERY		75,274		(75,274)	.0
	TOTAL INTERGOVERNMENTAL		75,274		(75,274)	.0
	<u>MISCELLANEOUS</u>					
11-36-3500	INTEREST AND DIVIDENDS	73	479		(479)	.0
11-36-3550	CHANGE IN MARKET VALUE	(234)	(2,254)		2,254	.0
	TOTAL MISCELLANEOUS	(161)	(1,775)		1,775	.0
	TOTAL FUND REVENUE	(161)	73,499		(73,499)	.0
EXPENDITURES						
	<u>TRANSFERS TO OTHER FUNDS</u>					
11-90-9010	TRANSFERS TO OTHER FUNDS	733	20,877		(20,877)	.0
	TOTAL TRANSFERS TO OTHER FUNDS	733	20,877		(20,877)	.0
	TOTAL FUND EXPENDITURES	733	20,877		(20,877)	.0
	NET REVENUE OVER EXPENDITURES	(894)	52,622		(52,622)	.0

TOWN OF SEVERANCE
BALANCE SHEET
OCTOBER 31, 2022

TRANSPORTATION FUND

<u>ASSETS</u>			
12-100000	CASH - COMBINED FUND	3,820,407	
	TOTAL ASSETS		3,820,407
<u>LIABILITIES AND EQUITY</u>			
<u>LIABILITIES</u>			
12-202000	ACCOUNTS PAYABLE	50,599	
	TOTAL LIABILITIES		50,599
<u>FUND EQUITY</u>			
UNAPPROPRIATED FUND BALANCE:			
12-290000	FUND BALANCE	3,615,070	
	REVENUE OVER EXPENDITURES - YTD	154,738	
	BALANCE - CURRENT DATE	3,769,808	
	TOTAL FUND EQUITY		3,769,808
	TOTAL LIABILITIES AND EQUITY		3,820,407

TOWN OF SEVERANCE
REVENUES AND EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

TRANSPORTATION FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
REVENUE						
	<u>IMPACT FEES</u>					
12-34-3000	ROAD INFRASTRUCTURE FEE	30,274	458,210		(458,210)	.0
	TOTAL IMPACT FEES	30,274	458,210		(458,210)	.0
	<u>MISCELLANEOUS</u>					
12-36-3500	INTEREST AND DIVIDENDS	2,360	20,679		(20,679)	.0
12-36-3550	CHANGE IN MARKET VALUE	(6,155)	(97,303)		97,303	.0
	TOTAL MISCELLANEOUS	(3,795)	(76,624)		76,624	.0
	<u>TRANSFERS FROM OTHER FUNDS</u>					
12-39-1000	TRANSFERS FROM OTHER FUNDS	560,859	560,859		(560,859)	.0
	TOTAL TRANSFERS FROM OTHER FUNDS	560,859	560,859		(560,859)	.0
	TOTAL FUND REVENUE	587,338	942,445		(942,445)	.0
EXPENDITURES						
	<u>STREETS CAPITAL OUTLAY</u>					
12-61-7400	OVERLAYS AND CHIPSEALS		560,859	600,000	39,141	93.5
12-61-7800	MASTER PLAN		1,054		(1,054)	.0
	TOTAL STREETS CAPITAL OUTLAY		561,913	600,000	38,087	93.7
	<u>CR 74 IMPROVEMENTS PROJECT</u>					
12-83-2100	LEGAL FEES	156	468		(468)	.0
12-83-2400	ENGINEERING	50,443	225,327	100,000	(125,327)	225.3
12-83-7500	CONSTRUCTION			3,041,000	3,041,000	.0
	TOTAL CR 74 IMPROVEMENTS PROJECT	50,599	225,795	3,141,000	2,915,205	7.2
	TOTAL FUND EXPENDITURES	50,599	787,707	3,741,000	2,953,293	21.1
	NET REVENUE OVER EXPENDITURES	536,739	154,738	(3,741,000)	(3,895,738)	4.1

TOWN OF SEVERANCE
BALANCE SHEET
OCTOBER 31, 2022

PARKS FUND

<u>ASSETS</u>			
13-100000	CASH - COMBINED FUND	194,164	
	TOTAL ASSETS		194,164
<u>LIABILITIES AND EQUITY</u>			
<u>FUND EQUITY</u>			
UNAPPROPRIATED FUND BALANCE:			
13-290000	FUND BALANCE	327,892	
	REVENUE OVER EXPENDITURES - YTD	(133,728)	
	BALANCE - CURRENT DATE	194,164	
	TOTAL FUND EQUITY		194,164
	TOTAL LIABILITIES AND EQUITY		194,164

TOWN OF SEVERANCE
REVENUES AND EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

		PARKS FUND				
		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
REVENUE						
	<u>IMPACT FEES</u>					
13-34-7400	PARKS FEES	17,760	238,880		(238,880)	.0
	TOTAL IMPACT FEES	17,760	238,880		(238,880)	.0
	<u>MISCELLANEOUS</u>					
13-36-3500	INTEREST AND DIVIDENDS	154	1,467		(1,467)	.0
13-36-3550	CHANGE IN MARKET VALUE	(370)	(6,901)		6,901	.0
	TOTAL MISCELLANEOUS	(216)	(5,435)		5,435	.0
	TOTAL FUND REVENUE	17,544	233,445		(233,445)	.0
EXPENDITURES						
	<u>TRANSFERS TO OTHER FUNDS</u>					
13-90-9010	TRANSFERS TO OTHER FUNDS	14,965	367,173		(367,173)	.0
	TOTAL TRANSFERS TO OTHER FUNDS	14,965	367,173		(367,173)	.0
	TOTAL FUND EXPENDITURES	14,965	367,173		(367,173)	.0
	NET REVENUE OVER EXPENDITURES	2,579	(133,728)		133,728	.0

TOWN OF SEVERANCE
BALANCE SHEET
OCTOBER 31, 2022

PUBLIC FACILITIES FUND

<u>ASSETS</u>			
14-100000	CASH – COMBINED FUND	1,122,461	
	TOTAL ASSETS		1,122,461
<u>LIABILITIES AND EQUITY</u>			
<u>FUND EQUITY</u>			
UNAPPROPRIATED FUND BALANCE:			
14-290000	FUND BALANCE	972,341	
	REVENUE OVER EXPENDITURES - YTD	150,120	
	BALANCE - CURRENT DATE	1,122,461	
	TOTAL FUND EQUITY		1,122,461
	TOTAL LIABILITIES AND EQUITY		1,122,461

TOWN OF SEVERANCE
REVENUES AND EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

PUBLIC FACILITIES FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
REVENUE						
	<u>IMPACT FEES</u>					
14-32-3000	PUBLIC FACILITIES IMPACT FEE	12,000	167,000		(167,000)	.0
	TOTAL IMPACT FEES	12,000	167,000		(167,000)	.0
	<u>MISCELLANEOUS</u>					
14-36-3500	INTEREST AND DIVIDENDS	764	4,556		(4,556)	.0
14-36-3550	CHANGE IN MARKET VALUE	(2,571)	(21,436)		21,436	.0
	TOTAL MISCELLANEOUS	(1,807)	(16,880)		16,880	.0
	TOTAL FUND REVENUE	10,193	150,120		(150,120)	.0
	NET REVENUE OVER EXPENDITURES	10,193	150,120		(150,120)	.0

TOWN OF SEVERANCE
BALANCE SHEET
OCTOBER 31, 2022

PUBLIC SAFETY FUND

<u>ASSETS</u>			
15-100000	CASH – COMBINED FUND	228,406	
	TOTAL ASSETS		228,406
<u>LIABILITIES AND EQUITY</u>			
<u>FUND EQUITY</u>			
UNAPPROPRIATED FUND BALANCE:			
15-290000	FUND BALANCE	148,858	
	REVENUE OVER EXPENDITURES - YTD	79,548	
	BALANCE - CURRENT DATE	228,406	
	TOTAL FUND EQUITY		228,406
	TOTAL LIABILITIES AND EQUITY		228,406

TOWN OF SEVERANCE
REVENUES AND EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

		PUBLIC SAFETY FUND				
		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
REVENUE						
<u>IMPACT FEES</u>						
15-32-3000	PUBLIC SAFETY IMPACT FEE	6,000	84,000		(84,000)	.0
	TOTAL IMPACT FEES	6,000	84,000		(84,000)	.0
<u>MISCELLANEOUS</u>						
15-36-3500	INTEREST AND DIVIDENDS	161	1,201		(1,201)	.0
15-36-3550	CHANGE IN MARKET VALUE	(475)	(5,653)		5,653	.0
	TOTAL MISCELLANEOUS	(314)	(4,452)		4,452	.0
	TOTAL FUND REVENUE	5,686	79,548		(79,548)	.0
	NET REVENUE OVER EXPENDITURES	5,686	79,548		(79,548)	.0

TOWN OF SEVERANCE

BALANCE SHEET

OCTOBER 31, 2022

WATER FUND

ASSETS

51-100000	CASH - COMBINED FUND	15,596,900	
51-115000	ACCOUNTS RECEIVABLE	173,707	
51-115005	PARTS INVENTORY	40,354	
51-115300	CONTRACT RECEIVABLE	51	
51-162100	ACCUMULATED DEPRECIATION	(1,159,994)	
51-163000	WATER SYSTEM	7,769,490	
51-164000	EQUIPMENT	170,739	
51-165000	CONSTRUCTION IN PROGRESS	1,015,365	
51-166000	WATER RIGHTS	34,176,374	
51-167000	PURCHASE CAPACITY	3,398,850	
51-168000	BUILDINGS	163,907	
51-168500	NISP PROJECT	4,370,069	
TOTAL ASSETS			65,715,812

LIABILITIES AND EQUITYLIABILITIES

51-202000	ACCOUNTS PAYABLE	78,523	
51-212000	ACCRUED COMPENSATED ABSENCES	12,657	
51-222000	HYDRANT METER DEPOSITS	7,000	
TOTAL LIABILITIES			98,180

FUND EQUITY

51-273000	CONTRIBUTED CAPITAL - DEVELOPM	6,848,000	
UNAPPROPRIATED FUND BALANCE:			
51-290000	RETAINED EARNINGS	59,440,057	
	REVENUE OVER EXPENDITURES - YTD	(670,426)	
BALANCE - CURRENT DATE		58,769,632	
TOTAL FUND EQUITY			65,617,632
TOTAL LIABILITIES AND EQUITY			65,715,812

TOWN OF SEVERANCE
REVENUES AND EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

WATER FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
REVENUE						
	<u>CHARGES FOR SERVICES</u>					
51-34-1000	WATER SALES- WATER BILLS	175,169	1,648,787	1,634,927	(13,860)	100.9
	TOTAL CHARGES FOR SERVICES	175,169	1,648,787	1,634,927	(13,860)	100.9
	<u>MISCELLANEOUS</u>					
51-36-2000	WATER PIT/METER SET FEE	3,232	92,250		(92,250)	.0
51-36-3000	WATER RENTAL	31,763	31,763		(31,763)	.0
51-36-3500	INTEREST AND DIVIDENDS	11,488	109,272		(109,272)	.0
51-36-3550	CHANGE IN MARKET VALUE	(27,635)	(514,177)		514,177	.0
51-36-6500	WATER ACQUISITION FEE	1,250	668,750		(668,750)	.0
51-36-9900	OTHER REVENUES		1,676		(1,676)	.0
	TOTAL MISCELLANEOUS	20,098	389,534		(389,534)	.0
	<u>LOCAL PLANT INVESTMENT FEES</u>					
51-37-7150	LOCAL PLANT INVESTMENT FEE	36,600	1,195,600		(1,195,600)	.0
	TOTAL LOCAL PLANT INVESTMENT FEES	36,600	1,195,600		(1,195,600)	.0
	TOTAL FUND REVENUE	231,867	3,233,920	1,634,927	(1,598,993)	197.8
EXPENDITURES						
	<u>ADMINISTRATION</u>					
51-81-1100	REGULAR STAFF WAGES	1,482	16,848	19,383	2,535	86.9
51-81-1102	OVERTIME			200	200	.0
51-81-1104	RETIREMENT	45	470	581	111	80.9
51-81-1130	FICA/MEDICARE	114	1,290	1,483	193	87.0
51-81-1140	WORKERS COMPENSATION		573	40	(533)	1432.0
51-81-1150	UNEMPLOYMENT	3	34	58	24	58.2
51-81-1160	HEALTH & LIFE INSURANCE	379	3,791	4,536	745	83.6
51-81-1161	DISABILITY INSURANCE	34	345	408	63	84.5
51-81-3162	CC FEES	1,687	14,382	11,500	(2,882)	125.1
51-81-4330	COMPUTER SUPPORT AND MAINT	269	3,796	4,438	642	85.5
51-81-4345	MAILING SERVICE	560	6,226	7,500	1,274	83.0
	TOTAL ADMINISTRATION	4,574	47,754	50,127	2,373	95.3

TOWN OF SEVERANCE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

WATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>WATER OPERATIONS</u>					
51-82-1100 REGULAR STAFF WAGES	15,977	172,602	195,620	23,018	88.2
51-82-1102 OVERTIME	53	4,632	3,000	(1,632)	154.4
51-82-1104 RETIREMENT	558	5,889	6,537	648	90.1
51-82-1130 FICA/MEDICARE	1,166	13,009	14,965	1,956	86.9
51-82-1140 WORKERS COMPENSATION		5,441	4,125	(1,316)	131.9
51-82-1150 UNEMPLOYMENT	32	354	587	233	60.3
51-82-1160 HEALTH & LIFE INSURANCE	3,927	34,448	45,088	10,640	76.4
51-82-1161 DISABILITY INSURANCE	339	3,097	3,578	481	86.6
51-82-1162 INSURANCE DEDUCTIBLE REIMBURSE		250	2,750	2,500	9.1
51-82-2100 LEGAL FEES		12,317	23,500	11,183	52.4
51-82-2400 ENGINEERING			2,000	2,000	.0
51-82-2410 WATER SYSTEM IMPROVE. PERMIT			500	500	.0
51-82-2900 OTHER PROFESSIONAL FEES		7,454	25,000	17,546	29.8
51-82-3110 UTILITIES	974	12,204	22,000	9,796	55.5
51-82-3150 TELEPHONE	215	1,609	2,200	591	73.1
51-82-3173 REPAIRS & MAINTENANCE - EQUIPM		15,325	22,000	6,675	69.7
51-82-3177 VEHICLE REPAIRS & MAINTENANCE	1,916	5,167	6,000	833	86.1
51-82-3178 SYSTEM REPAIR & MAINTENANCE	(500)	4,417	30,000	25,583	14.7
51-82-3200 SAMPLING/TESTING	24	1,825	7,500	5,676	24.3
51-82-3810 DUES/MEMBERSHIPS/SUBSCRIPTIONS		450	1,500	1,050	30.0
51-82-3820 CONTINUING EDUCATION	365	2,049	2,450	401	83.6
51-82-3825 MEETING/MEALS/TRAVEL		40		(40)	.0
51-82-3990 OTHER SERVICES	1,466	5,253	15,000	9,747	35.0
51-82-4120 WATER SYSTEM SUPPLIES	71	71	15,000	14,929	.5
51-82-4130 METER SET SUPPLIES	12,845	91,399		(91,399)	.0
51-82-4520 VEHICLE FUEL	1,217	10,726	13,000	2,274	82.5
51-82-4810 UNIFORMS	205	275	350	75	78.6
51-82-4990 MISCELLANEOUS SUPPLIES	1,368	7,506	10,000	2,494	75.1
51-82-4995 WATER TREATMENT & DISTRIBUTION	63,472	655,027	1,000,000	344,973	65.5
51-82-4996 AUGMENTATION PUMPING FEE			1,500	1,500	.0
51-82-4997 WATER SHARE ASSESSMENTS		82,859	120,000	37,141	69.1
51-82-7990 OTHER SMALL EQUIPMENT		7,450		(7,450)	.0
51-82-8000 LEASE PAYMENT			6,148	6,148	.0
51-82-8200 ADMIN OVERHEAD ALLOCATION	6,488	91,766	105,572	13,806	86.9
TOTAL WATER OPERATIONS	112,178	1,254,912	1,707,470	452,558	73.5

TOWN OF SEVERANCE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

WATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>WATER CAPITAL</u>					
51-83-2100 LEGAL FEES	332	1,900		(1,900)	.0
51-83-2400 ENGINEERING	3,564	33,950	161,653	127,703	21.0
51-83-7500 CONSTRUCTION			5,950,000	5,950,000	.0
51-83-7540 LAND	71,500	71,500		(71,500)	.0
51-83-7545 BUILDING/STRUCTURE			400,000	400,000	.0
51-83-7550 VEHICLES			7,500	7,500	.0
51-83-7562 WATER AQUISITION		3,192		(3,192)	.0
51-83-7565 SYSTEM IMPROVEMENTS	530	14,037	289,708	275,672	4.9
51-83-7750 ROW			94,500	94,500	.0
TOTAL WATER CAPITAL	75,926	124,578	6,903,361	6,778,783	1.8
<u>LOCAL PLANT INVESTMENT EXPENSE</u>					
51-84-2100 LEGAL FEES	585	1,931		(1,931)	.0
51-84-7530 PROFESSIONAL SERVICES	4,299	43,573	15,738	(27,835)	276.9
51-84-7540 NORTHERN INTEGRATED SUPPLY		950,000	1,000,000	50,000	95.0
TOTAL LOCAL PLANT INVESTMENT EXPENS	4,884	995,503	1,015,738	20,235	98.0
<u>OTHER PLANT INVESTMENT EXPENSE</u>					
51-85-2100 LEGAL FEES		78		(78)	.0
51-85-4996 OTHER PLANT INVESTMENT EXPENSE		1,481,211	2,200,000	718,789	67.3
TOTAL OTHER PLANT INVESTMENT EXPEN		1,481,289	2,200,000	718,711	67.3
<u>TRANSFERS TO OTHER FUNDS</u>					
51-90-9010 TRANSFERS TO OTHER FUNDS		310		(310)	.0
TOTAL TRANSFERS TO OTHER FUNDS		310		(310)	.0
TOTAL FUND EXPENDITURES	197,561	3,904,346	11,876,696	7,972,350	32.9
NET REVENUE OVER EXPENDITURES	34,306	(670,426)	(10,241,769)	(9,571,343)	(6.6)

TOWN OF SEVERANCE
BALANCE SHEET
OCTOBER 31, 2022

WASTEWATER FUND

ASSETS

52-100000	CASH - COMBINED FUND	11,699,078	
52-115000	ACCOUNTS RECEIVABLE	97,570	
52-115002	MISCELLANEOUS RECEIVABLE	246,255	
52-115300	CONTRACT RECEIVABLE	23	
52-162100	ACCUMULATED DEPRECIATION	(2,927,732)	
52-163000	SEWER SYSTEM	14,642,898	
52-164000	EQUIPMENT	162,088	
52-165000	CONSTRUCTION IN PROGRESS	617,710	
52-168000	BUILDINGS	69,807	
	TOTAL ASSETS		24,607,696

LIABILITIES AND EQUITY

LIABILITIES

52-202000	ACCOUNTS PAYABLE	23,318	
52-212000	ACCRUED COMPENSATED ABSENCES	12,213	
	TOTAL LIABILITIES		35,531

FUND EQUITY

	UNAPPROPRIATED FUND BALANCE:		
52-290000	RETAINED EARNINGS	23,594,252	
	REVENUE OVER EXPENDITURES - YTD	977,913	
	BALANCE - CURRENT DATE	24,572,166	
	TOTAL FUND EQUITY		24,572,166
	TOTAL LIABILITIES AND EQUITY		24,607,696

TOWN OF SEVERANCE
REVENUES AND EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

WASTEWATER FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
REVENUE						
	<u>CHARGES FOR SERVICES</u>					
52-34-1000	WASTEWATER TREATMENT FEES	97,325	960,047	1,050,261	90,214	91.4
	TOTAL CHARGES FOR SERVICES	97,325	960,047	1,050,261	90,214	91.4
	<u>MISCELLANEOUS</u>					
52-36-3500	INTEREST AND DIVIDENDS	8,380	69,440		(69,440)	.0
52-36-3550	CHANGE IN MARKET VALUE	(22,931)	(326,750)		326,750	.0
	TOTAL MISCELLANEOUS	(14,551)	(257,310)		257,310	.0
	<u>WASTEWATER PLANT INVEST. FEE</u>					
52-38-7100	WASTEWATER PLANT INVEST. FEE	71,500	962,088		(962,088)	.0
	TOTAL WASTEWATER PLANT INVEST. FEE	71,500	962,088		(962,088)	.0
	TOTAL FUND REVENUE	154,273	1,664,825	1,050,261	(614,564)	158.5
EXPENDITURES						
	<u>WASTEWATER ADMINISTRATION</u>					
52-81-1100	REGULAR STAFF WAGES	937	10,541	12,115	1,574	87.0
52-81-1102	OVERTIME			125	125	.0
52-81-1104	RETIREMENT	28	294	363	69	80.9
52-81-1130	FICA/MEDICARE	71	806	927	121	87.0
52-81-1140	WORKERS COMPENSATION		573	25 (	548)	2291.1
52-81-1150	UNEMPLOYMENT	2	21	36	15	58.6
52-81-1160	HEALTH & LIFE INSURANCE	237	2,370	2,835	466	83.6
52-81-1161	DISABILITY INSURANCE	22	216	255	39	84.6
52-81-1162	INSURANCE DEDUCTIBLE REIMBURSE			250	250	.0
52-81-3162	CC FEES	1,687	14,382	13,000 (	1,382)	110.6
52-81-4330	COMPUTER SUPPORT AND MAINT	269	3,796	4,438	642	85.5
52-81-4345	MAILING SERVICE	560	5,161	6,800	1,639	75.9
52-81-5500	BAD DEBTS		92		(92)	.0
	TOTAL WASTEWATER ADMINISTRATION	3,813	38,250	41,169	2,919	92.9

TOWN OF SEVERANCE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

WASTEWATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>WASTEWATER OPERATIONS</u>					
52-82-1100 REGULAR STAFF WAGES	15,977	172,602	195,620	23,018	88.2
52-82-1102 OVERTIME	53	4,632	3,000	(1,632)	154.4
52-82-1104 RETIREMENT	558	5,888	6,537	649	90.1
52-82-1130 FICA/MEDICARE	1,166	13,008	14,965	1,957	86.9
52-82-1140 WORKERS COMPENSATION		5,155	4,125	(1,030)	125.0
52-82-1150 UNEMPLOYMENT	32	354	587	233	60.3
52-82-1160 HEALTH & LIFE INSURANCE	3,927	34,448	45,088	10,640	76.4
52-82-1161 DISABILITY INSURANCE	339	3,097	3,578	481	86.6
52-82-1162 INSURANCE DEDUCTIBLE REIMBURSE		250	2,750	2,500	9.1
52-82-2400 ENGINEERING			5,000	5,000	.0
52-82-2410 DISCHARGE PERMIT FEES	976	1,466	1,400	(66)	104.7
52-82-2900 OTHER PROFESSIONAL FEES	(976)	7,454	50,000	42,546	14.9
52-82-3110 UTILITIES	4,330	41,573	45,000	3,427	92.4
52-82-3150 TELEPHONE	211	1,568	2,000	432	78.4
52-82-3173 REPAIRS & MAINTENANCE - EQUIPM		15,958	23,000	7,042	69.4
52-82-3177 VEHICLE REPAIRS & MAINTENANCE	1,916	2,306	2,000	(306)	115.3
52-82-3178 SYSTEM REPAIR & MAINTENANCE	977	32,456	50,000	17,544	64.9
52-82-3200 SAMPLING/TESTING	293	3,622	10,500	6,879	34.5
52-82-3290 OTHER TREATMENT COSTS	13,831	135,008	175,000	39,992	77.2
52-82-3810 DUES/MEMBERSHIPS/SUBSCRIPTIONS		1,000		(1,000)	.0
52-82-3820 CONTINUING EDUCATION		166	2,000	1,834	8.3
52-82-3990 OTHER SERVICES	1,466	1,753	5,000	3,247	35.1
52-82-4120 SYSTEM SUPPLIES		7,470	20,000	12,530	37.4
52-82-4520 VEHICLE FUEL	1,217	10,608	12,000	1,392	88.4
52-82-4810 UNIFORMS	205	459	350	(109)	131.1
52-82-4990 MISCELLANEOUS SUPPLIES		2,825	15,000	12,175	18.8
52-82-8200 ADMIN OVERHEAD ALLOCATION	6,178	87,381	100,545	13,164	86.9
TOTAL WASTEWATER OPERATIONS	52,677	592,506	795,045	202,539	74.5
<u>WASTEWATER CAPITAL</u>					
52-83-7550 VEHICLES			7,500	7,500	.0
52-83-7575 COLLECTION LINES		48,750	57,000	8,250	85.5
TOTAL WASTEWATER CAPITAL		48,750	64,500	15,750	75.6
<u>WASTEWATER INVESTMENT EXPENSE</u>					
52-84-2100 LEGAL FEES	59	2,109	4,000	1,892	52.7
52-84-7530 PROFESSIONAL SERVICES	412	5,290	67,064	61,774	7.9
52-84-7570 WINDSOR/SEV. SEWER PROJECT			500,000	500,000	.0
TOTAL WASTEWATER INVESTMENT EXPEN	471	7,399	571,064	563,666	1.3

TOWN OF SEVERANCE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

WASTEWATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>TRANSFERS TO OTHER FUNDS</u>					
52-90-9010 TRANSFERS TO OTHER FUNDS		7		(7)	.0
TOTAL TRANSFERS TO OTHER FUNDS		7		(7)	.0
 TOTAL FUND EXPENDITURES	 56,960	 686,912	 1,471,778	 784,866	 46.7
 NET REVENUE OVER EXPENDITURES	 97,313	 977,913	 (421,517)	 (1,399,430)	 232.0

TOWN OF SEVERANCE
BALANCE SHEET
OCTOBER 31, 2022

STORMWATER FUND

ASSETS

53-100000	CASH - COMBINED FUND	1,317,087	
53-115000	ACCOUNTS RECEIVABLE	16,243	
53-115300	CONTRACT RECEIVABLE	4	
53-162100	ACCUMULATED DEPRECIATION	(464,442)	
53-163000	STORM DRAINAGE SYSTEM	6,542,918	
53-164000	VEHICLES & EQUIPMENT	6,032	
53-165000	CONSTRUCTION IN PROGRESS	1,844,110	
	TOTAL ASSETS		9,261,952

LIABILITIES AND EQUITY

LIABILITIES

53-202000	ACCOUNTS PAYABLE	362	
53-212000	ACCRUED COMPENSATED ABSENCES	5,329	
	TOTAL LIABILITIES		5,692

FUND EQUITY

53-273000	CONTRIBUTED CAPITAL	4,113,680	
	UNAPPROPRIATED FUND BALANCE:		
53-290000	RETAINED EARNINGS	5,108,156	
	REVENUE OVER EXPENDITURES - YTD	34,424	
	BALANCE - CURRENT DATE	5,142,580	
	TOTAL FUND EQUITY		9,256,260
	TOTAL LIABILITIES AND EQUITY		9,261,952

TOWN OF SEVERANCE
REVENUES AND EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

		STORMWATER FUND				
		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
REVENUE						
<u>STORMWATER SYSTEM INVEST. FEE</u>						
53-32-3000	STORMWATER / DRAINAGE FEE	12,000	167,000		(167,000)	.0
	TOTAL STORMWATER SYSTEM INVEST. FEE	12,000	167,000		(167,000)	.0
<u>CHARGES FOR SERVICES</u>						
53-34-1000	STORMWATER FEES	15,786	154,705	158,750	4,045	97.5
	TOTAL CHARGES FOR SERVICES	15,786	154,705	158,750	4,045	97.5
<u>MISCELLANEOUS</u>						
53-36-3500	INTEREST AND DIVIDENDS	946	7,975		(7,975)	.0
53-36-3550	CHANGE IN MARKET VALUE	(2,554)	(37,525)		37,525	.0
	TOTAL MISCELLANEOUS	(1,608)	(29,551)		29,551	.0
<u>TRANSFERS FROM OTHER FUNDS</u>						
53-39-1000	TRANSFERS FROM OTHER FUNDS		2,134		(2,134)	.0
	TOTAL TRANSFERS FROM OTHER FUNDS		2,134		(2,134)	.0
	TOTAL FUND REVENUE	26,178	294,289	158,750	(135,539)	185.4
EXPENDITURES						
<u>ADMINISTRATION</u>						
53-81-1100	REGULAR STAFF WAGES	564	6,326	8,269	1,943	76.5
53-81-1102	OVERTIME			75	75	.0
53-81-1104	RETIREMENT	17	176	218	42	80.8
53-81-1130	FICA/MEDICARE	43	484	556	72	87.0
53-81-1140	WORKERS COMPENSATION		382	15	(367)	2545.5
53-81-1150	UNEMPLOYMENT	1	13	22	9	57.5
53-81-1160	HEALTH & LIFE INSURANCE	142	1,422	1,701	279	83.6
53-81-1161	DISABILITY INSURANCE	13	129	153	24	84.5
53-81-1162	INSURANCE DEDUCTIBLE REIMBURSE			150	150	.0
53-81-4330	COMPUTER SUPPORT AND MAINT	269	3,796	4,800	1,004	79.1
53-81-5500	BAD DEBTS		2		(2)	.0
	TOTAL ADMINISTRATION	1,049	12,730	15,959	3,229	79.8

TOWN OF SEVERANCE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

STORMWATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>STORMWATER OPERATIONS</u>					
53-82-1100 REGULAR STAFF WAGES	4,010	42,752	57,114	14,362	74.9
53-82-1102 OVERTIME		1,063	1,000	(63)	106.3
53-82-1104 RETIREMENT	120	1,252	1,743	491	71.8
53-82-1130 FICA/MEDICARE	288	3,197	4,446	1,249	71.9
53-82-1140 WORKERS COMPENSATION		1,527	1,275	(252)	119.8
53-82-1150 UNEMPLOYMENT	8	87	174	87	50.1
53-82-1160 HEALTH & LIFE INSURANCE	852	10,964	13,598	2,634	80.6
53-82-1161 DISABILITY INSURANCE	77	903	1,050	147	86.0
53-82-1162 INSURANCE DEDUCTIBLE REIMBURSE		250	850	600	29.4
53-82-3150 TELEPHONE	48	317	750	433	42.3
53-82-3173 REPAIRS & MAINTENANCE - EQUIPM		8,495	14,000	5,505	60.7
53-82-3177 VEHICLE REPAIRS & MAINTENANCE	196	394	1,500	1,106	26.2
53-82-3178 SYSTEM REPAIR & MAINTENANCE			5,000	5,000	.0
53-82-3990 OTHER SERVICES		350	5,000	4,650	7.0
53-82-4330 COMPUTER SUPPORT & MAINTENANCE			4,437	4,437	.0
53-82-4520 VEHICLE FUEL	68	1,409	2,000	591	70.5
53-82-4810 UNIFORMS		10		(10)	.0
53-82-8200 ADMIN OVERHEAD ALLOCATION	2,062	29,163	33,515	4,352	87.0
TOTAL STORMWATER OPERATIONS	7,730	102,133	147,452	45,319	69.3
<u>STORMWATER CAPITAL</u>					
53-83-1100 REGULAR STAFF WAGES			16,377	16,377	.0
53-83-1104 RETIREMENT 457			491	491	.0
53-83-1130 FICA/MEDICARE			1,252	1,252	.0
53-83-1140 WORKERS COMPENSATION			110	110	.0
53-83-1150 UNEMPLOYMENT			49	49	.0
53-83-1160 HEALTH & LIFE INSURANCE			2,268	2,268	.0
53-83-1161 DISABILITY INSURANCE			276	276	.0
53-83-1162 INSURANCE DEDUCTIBLE REIMBURSE			200	200	.0
53-83-2100 LEGAL FEES		39		(39)	.0
53-83-2400 ENGINEERING		24,611	103,798	79,188	23.7
53-83-7500 CONSTRUCTION		120,353	921,476	801,123	13.1
53-83-7750 ROW			55,000	55,000	.0
TOTAL STORMWATER CAPITAL		145,002	1,101,297	956,295	13.2
TOTAL FUND EXPENDITURES	8,778	259,865	1,264,708	1,004,843	20.6
NET REVENUE OVER EXPENDITURES	17,400	34,424	(1,105,958)	(1,140,382)	3.1

TOWN OF SEVERANCE
BALANCE SHEET
OCTOBER 31, 2022

CAPITAL PROJECTS

<u>ASSETS</u>			
75-100000	CASH – COMBINED FUND	33,809	
	TOTAL ASSETS		33,809
<u>LIABILITIES AND EQUITY</u>			
<u>LIABILITIES</u>			
75-202000	ACCOUNTS PAYABLE	9,420	
75-205000	RETAINAGE PAYABLE	44,001	
	TOTAL LIABILITIES		53,421
<u>FUND EQUITY</u>			
UNAPPROPRIATED FUND BALANCE:			
75-290000	FUND BALANCE	2,600	
	REVENUE OVER EXPENDITURES - YTD	(22,212)	
	BALANCE - CURRENT DATE	(19,612)	
	TOTAL FUND EQUITY		(19,612)
	TOTAL LIABILITIES AND EQUITY		33,809

TOWN OF SEVERANCE
REVENUES AND EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

		CAPITAL PROJECTS				
		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
REVENUE						
<u>TRANSFERS FROM OTHER FUNDS</u>						
75-39-1000	TRANSFERS FROM OTHER FUNDS	47,126	761,510		(761,510)	.0
	TOTAL TRANSFERS FROM OTHER FUNDS	47,126	761,510		(761,510)	.0
	TOTAL FUND REVENUE	47,126	761,510		(761,510)	.0
EXPENDITURES						
<u>OVERHEAD</u>						
75-64-7000	CAPITAL OUTLAY		37,291	351,521	314,230	10.6
	TOTAL OVERHEAD		37,291	351,521	314,230	10.6
<u>CAPITAL OUTLAY</u>						
75-65-2100	LEGAL FEES		1,209		(1,209)	.0
75-65-2400	ENGINEERING	9,420	40,501	15,642	(24,859)	258.9
75-65-7500	CONSTRUCTION	1,165	686,221	1,720,181	1,033,960	39.9
75-65-7750	ROW		18,500		(18,500)	.0
	TOTAL CAPITAL OUTLAY	10,585	746,431	1,735,823	989,392	43.0
<u>CAPITAL</u>						
75-83-1100	REGULAR STAFF WAGES			24,564	24,564	.0
75-83-1104	RETIREMENT 457			736	736	.0
75-83-1130	FICA/MEDICARE			1,879	1,879	.0
75-83-1140	WORKERS COMPENSATION			165	165	.0
75-83-1150	UNEMPLOYMENT			73	73	.0
75-83-1160	HEALTH & LIFE INSURANCE			3,402	3,402	.0
75-83-1161	DISABILITY INSURANCE			414	414	.0
75-83-1162	INSURANCE DEDUCTIBLE REIMBURSE			300	300	.0
	TOTAL CAPITAL			31,533	31,533	.0
	TOTAL FUND EXPENDITURES	10,585	783,722	2,118,877	1,335,155	37.0
	NET REVENUE OVER EXPENDITURES	36,541	(22,212)	(2,118,877)	(2,096,665)	(1.1)

TOWN OF SEVERANCE
BALANCE SHEET
OCTOBER 31, 2022

GENERAL FIXED ASSET GROUP

ASSETS

80-160000	CONSTRUCTION IN PROGRESS	8,627,468	
80-161000	LAND	1,974,417	
80-162000	BUILDINGS	1,485,416	
80-163000	IMPROVEMENTS OTHER THAN BUILDI	25,733,637	
80-164000	MACHINERY AND EQUIPMENT	899,455	
80-165000	VEHICLES	751,003	
80-169999	ACCUMULATED DEPRECIATION	(5,391,643)	
TOTAL ASSETS			34,079,753

LIABILITIES AND EQUITY

FUND EQUITY

80-280000	INVESTMENTS IN FIXED ASSETS	34,079,753	
TOTAL FUND EQUITY			34,079,753
TOTAL LIABILITIES AND EQUITY			34,079,753

TOWN OF SEVERANCE
BALANCE SHEET
OCTOBER 31, 2022

GENERAL LONG-TERM DEBT GROUP

ASSETS

90-170000	AMOUNT TO BE PROVIDED	110,126	
	TOTAL ASSETS		110,126

LIABILITIES AND EQUITY

LIABILITIES

90-250000	ACCRUED LEAVE	107,475	
90-252000	CAPITAL LEASE PAYABLE	2,651	
	TOTAL LIABILITIES		110,126
	TOTAL LIABILITIES AND EQUITY		110,126

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MARSHALL KEITH MARTIN

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Town Attorney's Office Report
October 2022

TO: Mayor and Town Council
COPY TO: Nicholas Wharton, Town Manager
Lindsay Radcliff-Coombes, Deputy Town Manager
FROM: Mary Lynn Macsalka and Keith Martin, Office of the Town Attorney
DATE: November 21, 2022

General Updates:

- North Weld County Water District
 - A meeting between the two of the District's Board members and the Mayor and Mayor Pro Tem to discuss various issues occurred on October 31, 2022. No further updates to provide.
- Cable Franchise Agreement
 - Continue to review draft renewal of cable franchise agreement with TDS Telecom. No new updates to provide.
- Chapter 7 Updates
 - Assisted Town Management in preparing a draft ordinance repealing and renaming Articles 1-3 of Chapter 7 to a new Article 1 pertaining to nuisances.
- Planning Commission
 - Assisted Town Management in preparing a draft ordinance expanding PC membership from 5 to 7 members.

Capital Projects:

- Elevated Water Tank
 - No new updates.

- NISP
 - No new updates.

Planning:

- Moody Project
 - Continue to assist Planning staff in reviewing comprehensive plan amendment/zoning/concept plan development applications.
- BHS Solar 2022 Annexation
 - Continue to assist Planning staff in revising annexation agreement and reviewing annexation/zoning development applications.
- Severance Storage
 - Continue to assist Planning staff in reviewing annexation/zoning/subdivision development applications and annexation agreement.

Please contact us if you have any questions. You may reach either of us at mlmacsalka@h-mlaw.net or kmartin@h-mlaw.net, or on our office line, 303-443-3100.

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Town Attorney's Office Report
November 2022

TO: Mayor and Town Council
COPY TO: Nicholas Wharton, Town Manager
Lindsay Radcliff-Coombes, Deputy Town Manager
FROM: Mary Lynn Macsalka and Keith Martin, Office of the Town Attorney
DATE: December 6, 2022

General Updates:

- Chapter 16 Updates
 - Assisted Town Management in preparing draft ordinances pertaining to parking and lighting requirements.

Capital Projects:

- Elevated Water Tank
 - No new updates.
- NISP
 - No new updates.

Planning:

- Moody Project
 - Continue to assist Planning staff in reviewing comprehensive plan amendment/zoning/concept plan development applications.
- BHS Solar 2021/2022 Annexation
 - Assisting Planning staff in reviewing use by additional review and site plan development applications and in preparing site plan development agreement.

- Severance Storage
 - Continue to assist Planning staff in reviewing annexation/zoning/subdivision development applications and annexation agreement.

Please contact us if you have any questions. You may reach either of us at mlmacsalka@h-mlaw.net or kmartin@h-mlaw.net, or on our office line, 303-443-3100.

Issued Permits by Permit Type

Severance

10/01/2022 - 10/31/2022

Commercial New	Permits Issued	Valuation	Fees Paid
Commercial Shell	1	\$25,000.00	\$1,813.73
Subtotals:	1	\$25,000.00	\$1,813.73

Commercial One Stop	Permits Issued	Valuation	Fees Paid
Commercial Roof - Asphalt	4	\$69,110.60	\$1,603.98
Subtotals:	4	\$69,110.60	\$1,603.98

Issued Permits by Permit Type

Severance

10/01/2022 - 10/31/2022

Residential New	Permits Issued	Valuation	Fees Paid
Detached Single Family	12	\$3,429,201.92	\$294,324.02
Temporary Construction Trailer (Residential New)	1	\$3,786.30	\$231.65
Subtotals:	13	\$3,432,988.22	\$294,555.67

Residential One Stop	Permits Issued	Valuation	Fees Paid
AC/Furnace Combination - Residential	1	\$12,890.00	\$402.02
Air Conditioner - Residential	2	\$7,891.90	\$342.05

Issued Permits by Permit Type

Severance

10/01/2022 - 10/31/2022

Misc. Mechanical, Plumbing or Electrical - Residential	1	\$2,000.00	\$181.00
Replacement Windows - Residential	2	\$23,905.00	\$630.29
Residential Exterior Flatwork	13	\$61,200.00	\$2,401.60
Residential Roof - Asphalt	189	\$2,496,626.26	\$62,024.28
Residential Roof - Other	3	\$37,004.45	\$936.08
Subtotals:	211	\$2,641,517.61	\$66,917.32

Totals:	229	\$6,168,616.43	\$364,890.70
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Issued Permits by Permit Type

Severance

11/01/2022 - 11/30/2022

Commercial New	Permits Issued	Valuation	Fees Paid
New Commercial	2	\$476,221.00	\$12,599.55
Subtotals:	2	\$476,221.00	\$12,599.55

Commercial One Stop	Permits Issued	Valuation	Fees Paid
Commercial Roof - Asphalt	1	\$18,375.00	\$420.75
Commercial Roof - Other	1	\$30,000.00	\$630.00
Subtotals:	2	\$48,375.00	\$1,050.75

Issued Permits by Permit Type

Severance

11/01/2022 - 11/30/2022

Residential New	Permits Issued	Valuation	Fees Paid
Detached Single Family	9	\$2,998,369.59	\$246,076.78
Subtotals:	9	\$2,998,369.59	\$246,076.78

Residential One Stop	Permits Issued	Valuation	Fees Paid
AC/Furnace Combination - Residential	1	\$14,017.00	\$422.31
Air Conditioner - Residential	2	\$9,762.40	\$375.72
Furnace Replacement - Residential	2	\$13,044.93	\$434.81

Issued Permits by Permit Type

Severance

11/01/2022 - 11/30/2022

Misc. Mechanical, Plumbing or Electrical - Residential	4	\$11,500.00	\$817.00
Replacement Windows - Residential	1	\$6,942.00	\$224.96
Residential Exterior Flatwork	8	\$38,470.00	\$1,492.46
Residential Roof - Asphalt	73	\$903,439.02	\$22,831.90
Siding	1	\$8,500.00	\$253.00
Water Heater - Residential	2	\$3,035.00	\$234.63
Subtotals:	94	\$1,008,710.35	\$27,086.79

Totals:	107	\$4,531,675.94	\$286,813.87
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Town of Severance

Monthly Activity Report

November 2022

Severance Building Department
3 Timber Ridge Pkwy
Severance CO 80550

Severance Building Department Update

New Single Family

Number of inspections	872
Passed inspections	542
Inspection passed %	62.16%

Residential Alterations

Number of inspections	198
Passed inspections	144
Inspection passed %	72.73%

Residential Plan Reviews

New Residential 13

Residential Alterations 22

New Residential valuations - \$3,822,712

7 New Single-Family permits have been issued from 10/19-11/20

606 new roof permits have been issued since June 1

Town of Severance's first EV application has been submitted for review



Town of Severance

Monthly Activity Report

December 2022



Severance Building Department
3 Timber Ridge Pkwy
Severance CO 80550

Severance Building Department Update 11/1/2022-12/5/2022

New Single Family permits - 11
Residential Alteration permits - 8
Solar Permits – 8
Roof permits – 78

While permit activity has slowed SAFEbuilt continues to provide continued education to our inspectors. Regina Olson passed her International Code Council Residential Plan Review certification to better her ability to review permit submittals for accuracy and help provide for a quicker turn-around time in the plan review process. Daniel Rich passed his International Code Council Residential plumbing certification and is working on his residential mechanical to complete his combination status as a residential inspector.

Russ Weber

Town of Severance Building Official

Severance Municipal Court

Karina Gomez, Court Clerk

November 2022



Court Outcome

- The court docket for November had fifty defendants set for court on November 2, 2022. Twenty-three of those defendants either turned in a class or paid before the court day and pleaded guilty to the original charge. On November 2, the docket had twenty-seven defendants; nineteen of those defendants were appearing for the first time. Seven of those cases continued to November from a previous court date. Five defendants failed to appear in court. After court, two cases were pending being submitted to collections, and zero dismissals.
- The November docket had twenty-four speeding tickets/unsafe vehicles; five stop sign violations. We had one parking violation, twelve juveniles in court for either disorderly conduct offenses or minors in possession, and one animal violation.
- Total collected amount for the month of October was \$5,126.00 and \$650 is pending in collections.

FTA	FAILURE TO APPEAR
MTC	MOTOR TRAFFIC CODE
P/G	PLEAD GUILTY
SMC	SEVERANCE MUNICIPAL COURT
MIP	MINOR IN POSSESSION

SPEEDING/ UNSAFE VEHICLE	24
STOP SIGNS	5
ANIMALS	1
JUVENILE	12

NEW/FIRST APPEARANCE	19
COLLECTIONS	2
FTA	5
CONTINUED FROM A PREVIOUS COURT	7
DISMISSED	0

CITATION NUMBER	ORIGINAL CHARGE	NEW CHARGE- DISMISSED
D1752	MTC 1101 SPEEDING 10-19 OVER (WAITING FOR PAYMENT \$200)	FTA AND COMPLY - \$200 SENT TO COLLECTIONS
D2053J	MTC 10-7-30 ILLEGAL POSSESSION OR CONSUMPTION OF ALCOHOLIC BEVERAGES, MARIJUANA, OR OTHER SUBSTANCES BY AN UNDERAGE PERSON 10-7-70 POSSESSION OF DRUG PARAPHERNALIA	P/G TO ORIGINAL CHARGE: DEFERRED SENTENCE FOR 12 MONTHS -24 HRS OF COMMUNITY SERVICE -ALCOHOL/DRUG CLASS DUE 1-4-2023 - \$75
D2510	42-4-1409(1) OWNER OPERATED UNINSURED MOTOR VEHICLE ON PUBLIC ROADWAY	CONTINUED TO 12/7 FOR PROOF OF INSURANCE LETTER
D1456	MTC 1402 CARELESS DRIVING	P/G TO A LESSER CHARGE: MTC 205 DEFECTIVE HEADLIGHT - 1 POINT - \$200
D1880J	FTA 9/7 AND 10/5 - MTC 1101(7) SPEEDING 25-39 OVER	CONTINUED TO 12/7/22
D1756	FTA 9/7 - 42-4-1101(1) SPEEDING 20-39 OVER - 42-4-1409(3) FAILED TO PRESENT EVIDENCE OF INSURANCE ON REQUEST	SENT DEFAULT TO DMV
D1957J	MTC 10-7-30 ILLEGAL POSSESSION OR CONSUMPTION OF ALCOHOLIC BEVERAGES, MARIJUANA, OR OTHER SUBSTANCES BY AN UNDERAGE PERSON	P/G TO ORIGINAL CHARGE: DEFERRED SENTENCE FOR 12 MONTHS -24 HRS OF COMMUNITY SERVICE -ALCOHOL/DRUG CLASS DUE 1-4-2023 - \$75
D2056J	10-5-10 DISORDERLY CONDUCT	P/G TO ORIGINAL CHARGE: DEFERRED SENTENCE FOR 12 MONTHS -24 HRS OF COMMUNITY SERVICE -CLASS DUE 1-4-2023 - \$75
D1455J	10-510 DISORDERLY CONDUCT	P/G TO ORIGINAL CHARGE: DEFERRED SENTENCE FOR 12 MONTHS -24 HRS OF COMMUNITY SERVICE -CLASS DUE 1-4-2023 - \$75
D1963	MTC 1101 SPEEDING 10-19 OVER	FTA - NEXT COURT DATE 12/7/22
D1958J	MTC 10-7-30 ILLEGAL POSSESSION OR CONSUMPTION OF ALCOHOLIC BEVERAGES, MARIJUANA, OR OTHER SUBSTANCES BY AN UNDERAGE PERSON	P/G TO ORIGINAL CHARGE: DEFERRED SENTENCE FOR 12 MONTHS -24 HRS OF COMMUNITY SERVICE -ALCOHOL/DRUG CLASS DUE 1-4-2023 - \$75
D1968J	MTC 10-7-30 ILLEGAL POSSESSION OR CONSUMPTION OF ALCOHOLIC BEVERAGES, MARIJUANA, OR OTHER SUBSTANCES BY AN UNDERAGE PERSON	CONTINUED TO 12/7/22
D2055J	10-5-10 DISORDERLY CONDUCT	FTA - NEXT COURT DATE 12/7/22
D1967J	10-4-10 CRIMINAL MISCHIEF	RESTITUTION HEARING 1/4/2023
D1454J	10-5-10 DISORDERLY CONDUCT	CONTINUED TO 12/7/22
D2523	7-2-120 INOPERANLE VEHICLE	FTA - NEXT COURT DATE 12/7/22
D1898	PAYMENT DUE \$450 - 1401(1) RECKLESS DRIVING	DEF. PAID THE \$450
D2524	MTC 1101 SPEEDING 10-19 OVER	P/G TO A LESSER CHARGE: MTC202(1) DEFECTIVE VEHICLE - 2 POINT - \$200 - ALIVE @ 25 CLASS DUE 1-4-22
D1714	NPOI LETTER DUE - 42-4-1409(3) FAILED TO PRESENT EVIDENCE OF INSURANCE ON REQUEST - MTC1402 CARELESS DRIVING	P/G TO A LESSER CHARGE: MTC202(1) DEFECTIVE VEHICLE - 2 POINT - \$200 - ALIVE @ 25 CLASS DUE 1-4-22
D2054J	MTC 10-7-30 ILLEGAL POSSESSION OR CONSUMPTION OF ALCOHOLIC BEVERAGES, MARIJUANA, OR OTHER SUBSTANCES BY AN UNDERAGE PERSON 10-7-70 POSSESSION OF DRUG PARAPHERNALIA	P/G TO ORIGINAL CHARGE: DEFERRED SENTENCE FOR 12 MONTHS -24 HRS OF COMMUNITY SERVICE -ALCOHOL/DRUG CLASS DUE 1-4-2023 - \$75
D2513	7-1-70 ABATEMENT OF NUISANCE	CONTINUED TO 12/7 PER ATTORNEY
D2512	7-4-10 UNDESIRABLE PLANT MANAGEMENT ADVISORY COMMISSION DESIGNATED - 7-4-30 DUTY OF PROPERT OWNER TO CUT	CONTINUED TO 12/7 PER ATTORNEY
D2528	42-4-1402 CARELESS DRIVING	P/G TO A LESSER CHARGE: MTC 205 DEFECTIVE HEADLIGHT - 1 POINT - ALIVE @ 25 CLASS DUE 1/4/22- \$200
D1771	PAYMENT DUE \$375 - MTC 1103(3) TOO FAST FOR CONDITIONS	FTA AND COMPLY - \$375 SENT TO COLLECTIONS
D1928	PAYMENT DUE \$350 - MTC 1103 TOO FAST FOR CONDITION	\$380 DUE 12/7/22
D2013	MTC 1101 SPEEDING 10-19 OVER	P/G TO A LESSER CHARGE: MTC 205 DEFECTIVE HEADLIGHT - 1 POINT - \$200
D1939J	NPOI LETTER DUE - MTC 1101 SPEEDING 10-19 OVER - MTC 1409 COMPULSORY INSURANCE	CONTINUED TO 12/7 FOR PROOF OF INSURANCE LETTER

CITATION NUMBER	CASES PAID PRIOR TO COURT:	PAID:
D2057	CARELESS DRIVING	\$170
D2010	MTC 1101 SPEEDING	\$170
D1961	MTC 703 (3) STOP SIGN VIOLATION	\$170
D1015	SMC 7-6-110 NOISY ANIMAL	\$120
D2011	MTC 1101 SPEEDING	\$170
D1461	STOP SIGN VIOLATION	\$170
D2005	MTC 1101 SPEEDING	\$170
D2519	MTC 1101 SPEEDING	\$170
D2526	MTC 1101 SPEEDING	\$170
D1959	STOP SIGN VIOLATION	\$170
D2515	STOP SIGN VIOLATION	\$170
D2006	MTC 1101 SPEEDING	\$170
D2007	STOP SIGN VIOLATION	\$170
D2012	MTC 1101 SPEEDING	\$170
D1883	ALIVE @ 25 CLASS	\$0
D1885	ALIVE @ 25 CLASS	\$0
D2525	MTC 1101 SPEEDING 10-19 OVER	\$170
D1718	MTC 1101 SPEEDING 20-24 OVER	\$200
D1915	42-3-121(1)(A) FAILED TO DISPLAY VALID REGISTRATION	\$132.50
D1408	202(1) DROVE A DEFECTIVE VEHICLE	\$66
D1719	MTC 205 HEAD LAMPS ON MOTOR VEHICLES	\$60
D2058	MTC 1402 CARELESS DRIVING	\$172.50
D2051	MTC 1101 SPEEDING	\$170

Police Chief Report

James R. Gerdeman, Chief of Police

October 2022



Projects Updates

- The Police Department has not been able to find qualified candidates for the three open Police Officer positions. Human Resources had to start the process over again with new applications. The Police Department started another testing process with five new candidates. The job announcement will remain open until all positions are filled.

Community Support and Relations

- The Police Department participated in National Faith & Blue in October. Faith & Blue is a program that helps law enforcement build strong community relationships through mutual respect and understanding. All of the Severance Police Department Officers attended a pancake breakfast and church services at the Calvary Church on October 9. All the Officers participated in a meet and greet with the Severance Community Church at the Police Department on October 19. Several Officers also attended church services at the Severance Community Church on October 23.

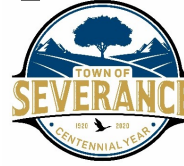
2022 October Report

The charts provide a monthly overview of the Severance Police Department's activities from October 1 to October 30, 2022.

1. Chart #1 represents the Severance Police Department's monthly incident activity report. The police department took 23 written reports.
2. Chart #2 represents the Severance Police Department's arrest report for the month. The police department made 8 arrests for criminal activity.
3. Chart #3 represents calls for service for the month. The chart displays the hours at the bottom with the graph's monthly total number of calls for service. The times with the highest number of calls for service are from 8:00 am until 5:00 pm.
4. Chart #4 represents traffic contacts by officers for the month. The chart displays the hours at the bottom with the graph's monthly total number of traffic contacts.
5. Chart #5 represents the activity of case reports and traffic violations for the month by the time of day. The top part of the chart shows military time and the classification on the left. The bottom of the chart gives the total written reports at 23 and traffic citations at 51. The Officers wrote a total of 116 traffic warnings for the month.
6. Chart #6 represents calls for service by officers from January to October 2022. The chart displays the hours at the bottom with the graph's yearly total number of calls for service.
7. Chart #7 represents traffic contacts by officers from January to October 2022. The chart displays the hours at the bottom with the graph's yearly total number of traffic contacts.

Department Incident Activity Report

Chart 1



SEVERANCE POLICE DEPARTMENT
3 SOUTH TIMBER RIDGE PKWY
SEVERANCE, CO 80550
970-685-9708

Date Reported: **10/01/2022 - 10/31/2022** |

Show Subclasses: **True** | Include Disposition Tags: **True**

Classification	Events Rptd	Unfounded	Actual	Clr Arrest	Clr Exception	Clr Juveniles	Total Clr	Percent Clr
ABANDONED	1	0	1	0	0	0	1	100.0
Abandon Vehicle	1	0	1	0	0	0	1	100.0
ARSON	1	0	1	1	0	0	1	100.0
Arson, Other	1	0	1	1	0	0	1	100.0
ASSAULT	2	0	2	2	0	0	2	100.0
Simple Assault	2	0	2	2	0	0	2	100.0
CIVIL PROBLEM	1	0	1	0	0	0	1	100.0
Civil Problem	1	0	1	0	0	0	1	100.0
CONTROLLED SUBSTANCE	1	0	1	0	0	1	1	100.0
Marijuana, Possession	1	0	1	0	0	1	1	100.0
HARASSMENT	1	0	1	1	0	0	1	100.0
Harassment, Other	1	0	1	1	0	0	1	100.0
JUVENILE PROBLEM	2	0	2	0	0	1	1	50.0
Juvenile Problem	1	0	1	0	0	1	1	100.0
Runaway Juvenile	1	0	1	0	0	0	0	0.0
PROPERTY	1	0	1	0	0	0	1	100.0
Found Property	1	0	1	0	0	0	1	100.0
PUBLIC ORDER CRIMES	2	0	2	0	0	1	2	100.0
Public Order Crimes	2	0	2	0	0	1	2	100.0
SEXUAL ASSAULT	1	0	1	0	0	0	1	100.0
Fondling	1	0	1	0	0	0	1	100.0
STOLEN PROPERTY	1	0	1	0	0	0	1	100.0
Stolen Property, Other	1	0	1	0	0	0	1	100.0
THEFT	2	0	2	1	0	0	2	100.0
Theft Other	2	0	2	1	0	0	2	100.0
TRAFFIC (CRIMINAL VIOLATION)	2	0	2	2	0	0	2	100.0
Criminal Traffic Violation	2	0	2	2	0	0	2	100.0
TRAFFIC ACCIDENT	5	0	5	2	0	1	5	100.0
Hit/Run, Vehicle Damg	2	0	2	0	0	0	2	100.0
Traffic Accident, Injury	2	0	2	1	0	1	2	100.0
Traffic Accident, Vehicle Damage	1	0	1	1	0	0	1	100.0
Event Totals	23	0	23	8	0	4	22	95.7

Arrest Report

Chart 2

Date Reported Range: 10/01/2022 - 10/31/2022



SEVERANCE POLICE DEPARTMENT
3 SOUTH TIMBER RIDGE PKWY
SEVERANCE, CO 80550
970-685-9708

Classification	Number of Arrests
ARSON	1
ASSAULT	2
THEFT	1
TRAFFIC (CRIMINAL VIOLATION)	2
TRAFFIC ACCIDENT	2
Total Arrests: 8	

Chart 3

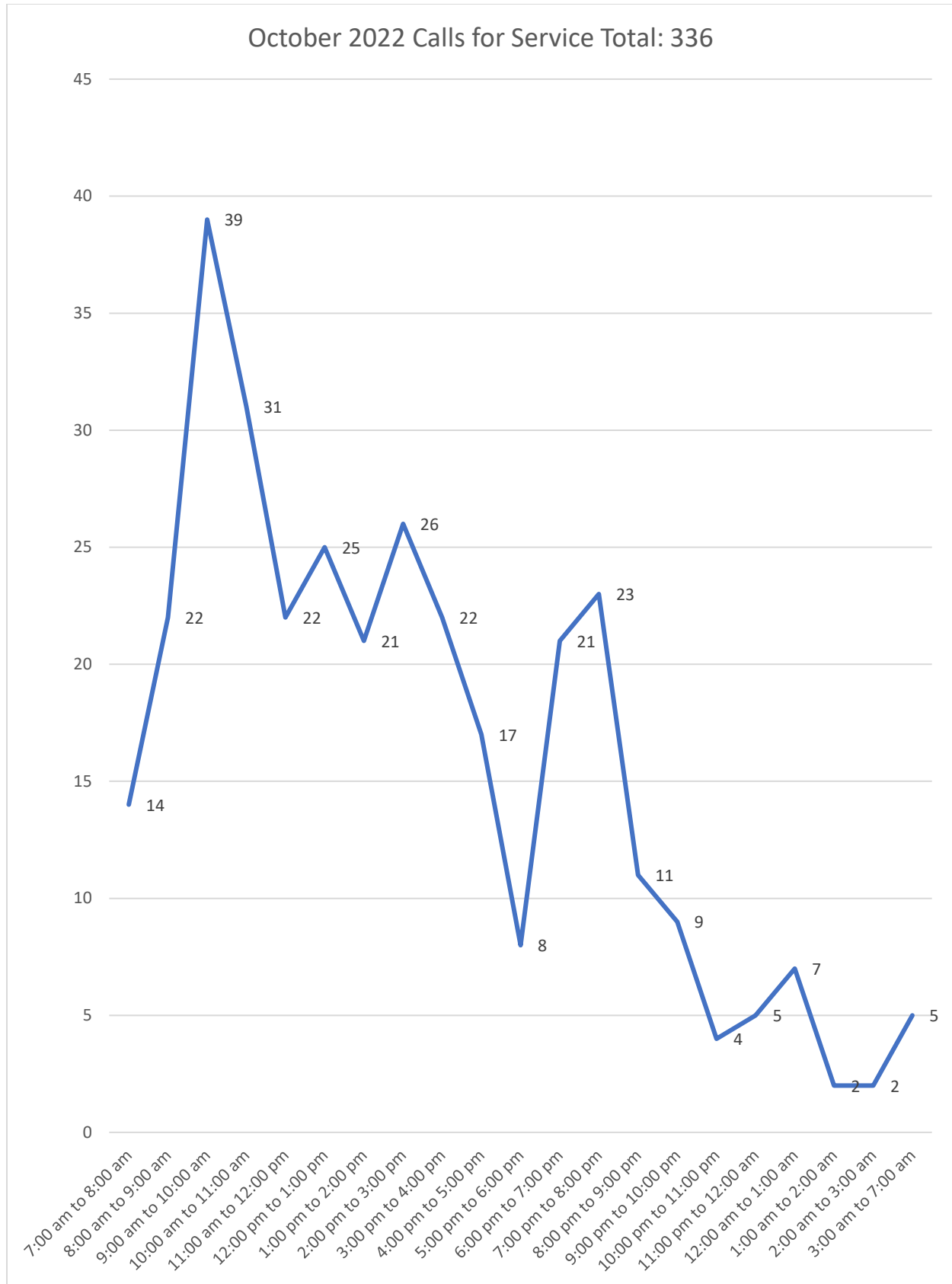


Chart 4

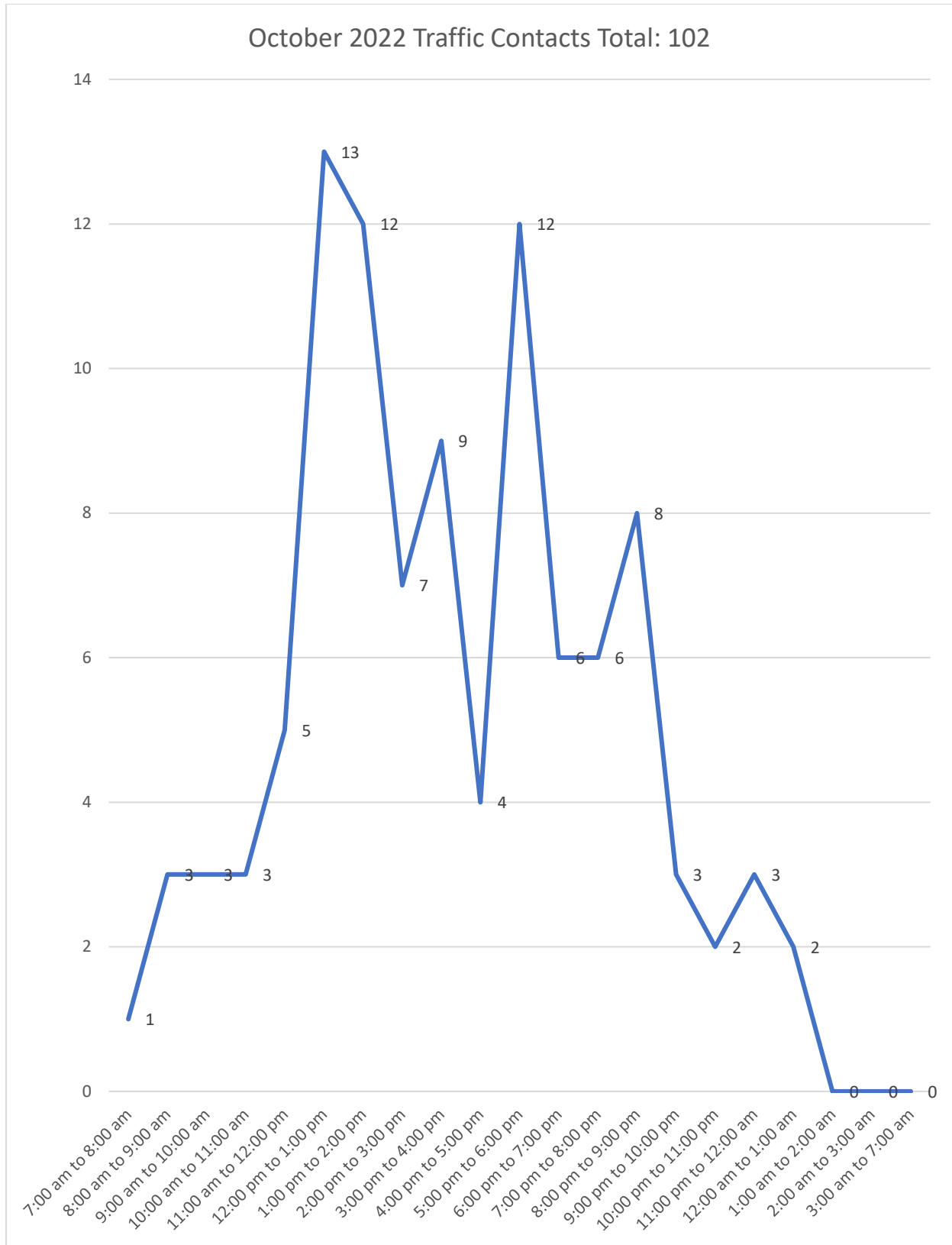


Chart 5

Event Activity Analysis by Time

Date Reported: 10/01/2022 - 10/31/2022



SEVERANCE POLICE DEPARTMENT
3 SOUTH TIMBER RIDGE PKWY
SEVERANCE, CO 80550
970-685-9708

Classification	HOUR																								Total
	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	
ABANDONED	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
Abandon Vehicle	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
ARSON	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
Arson, Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1
ASSAULT	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	2
Simple Assault	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	2
CIVIL PROBLEM	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Civil Problem	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
CONTROLLED SUBSTANCE	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
Marijuana, Possession	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
HARASSMENT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
Harassment, Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
JUVENILE PROBLEM	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	0	2
Juvenile Problem	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
Runaway Juvenile	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1
PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1
Found Property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1
PUBLIC ORDER CRIMES	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0	2
Public Order Crimes	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0	2
SEXUAL ASSAULT	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1
STOLEN PROPERTY	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
Stolen Property, Other	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
THEFT	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	2
Theft Other	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	2
TRAFFIC (CRIMINAL VIOLATION)	0	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	2
Criminal Traffic Violation	0	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	2
TRAFFIC ACCIDENT	0	0	0	0	0	0	1	1	1	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0	5
Hit/Run, Vehicle Damg	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	2
Traffic Accident, Injury	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	2
Traffic Accident, Vehicle Damage	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Total Events	0	1	0	0	0	0	1	1	1	2	1	2	3	1	1	1	2	1	1	2	2	0	0	0	23
Total Citation Violations:	1	1	0	0	0	0	1	0	3	4	1	2	8	5	6	9	2	3	3	0	0	0	1	1	51
Total Citations:	1	1	0	0	0	0	1	0	3	3	1	2	6	5	5	8	2	3	3	0	0	0	1	1	46

Chart 6

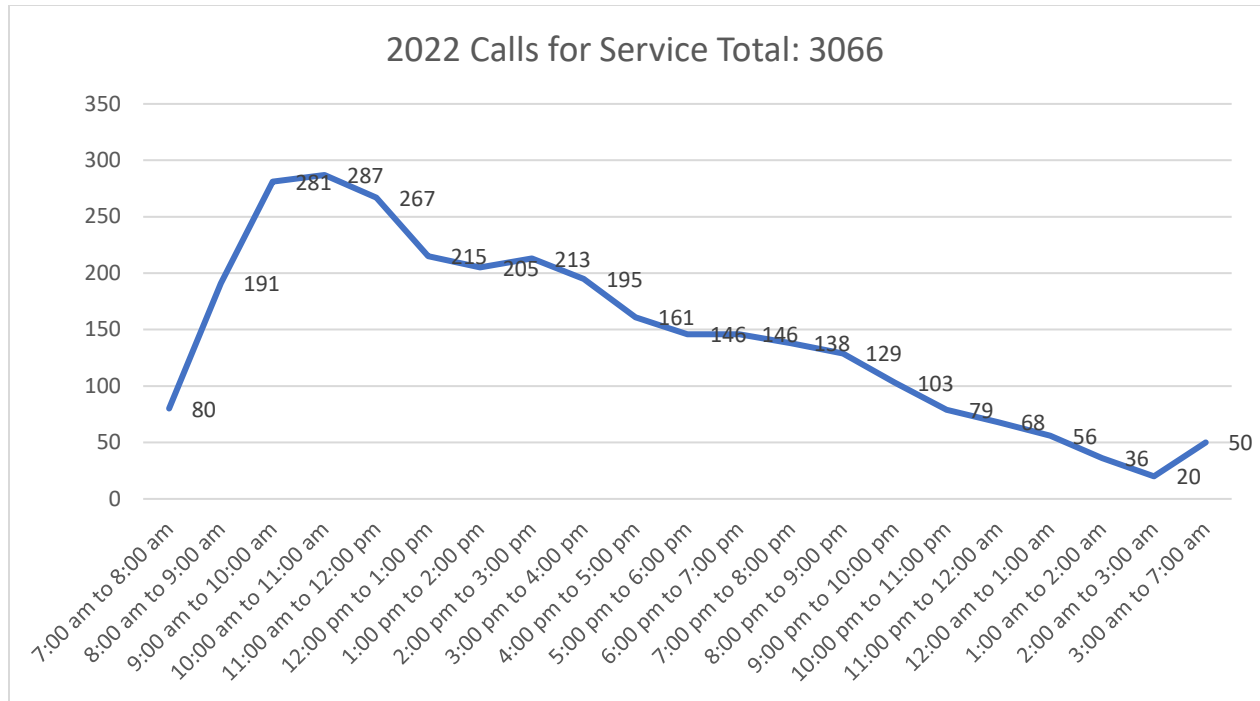
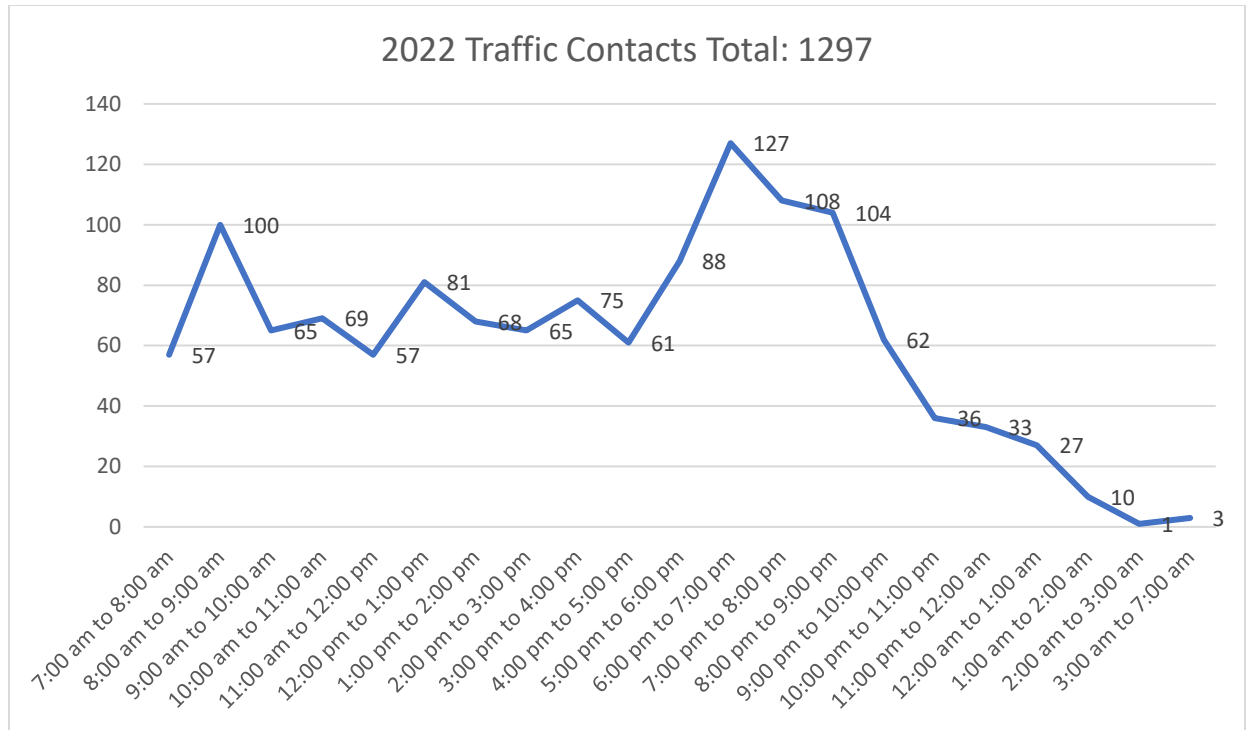


Chart 7



Time	Jan	Fed	March	April	May	June	July	August	Sept	Oct	Nov	Dec	Total
7:00 am to 8:00 am	5	3	3	5	6	7	15	11	1	1			57
8:00 am to 9:00 am	9	11	7	17	10	7	11	15	10	3			100
9:00 am to 10:00 am	8	8	7	4	2	15	9	7	2	3			65
10:00 am to 11:00 am	4	20	6	10	3	6	7	10	0	3			69
11:00 am to 12:00 pm	3	14	2	3	4	7	15	2	2	5			57
12:00 pm to 1:00 pm	8	10	7	9	12	6	7	6	3	13			81
1:00 pm to 2:00 pm	2	4	2	10	3	13	10	11	1	12			68
2:00 pm to 3:00 pm	4	14	3	3	2	7	17	2	6	7			65
3:00 pm to 4:00 pm	3	11	3	9	6	12	11	6	5	9			75
4:00 pm to 5:00 pm	0	9	1	10	8	10	13	2	4	4			61
5:00 pm to 6:00 pm	4	7	3	8	25	12	8	5	4	12			88
6:00 pm to 7:00 pm	4	11	14	11	35	20	14	3	9	6			127
7:00 pm to 8:00 pm	3	10	8	9	22	17	19	5	9	6			108
8:00 pm to 9:00 pm	5	9	7	13	15	22	15	6	4	8			104
9:00 pm to 10:00 pm	2	5	5	16	6	9	10	0	6	3			62
10:00 pm to 11:00 pm	1	5	4	8	7	6	2	0	1	2			36
11:00 pm to 12:00 am	1	4	8	8	1	4	2	2	0	3			33
12:00 am to 1:00 am	0	3	1	8	3	4	1	2	3	2			27
1:00 am to 2:00 am	0	0	2	4	0	2	2	0	0	0			10
2:00 am to 3:00 am	0	1	0	0	0	0	0	0	0	0			1
3:00 am to 7:00 am	2	1	0	0	0	0	0	0	0	0			3
	68	160	93	165	170	186	188	95	70	102			1297

Finance Director Report

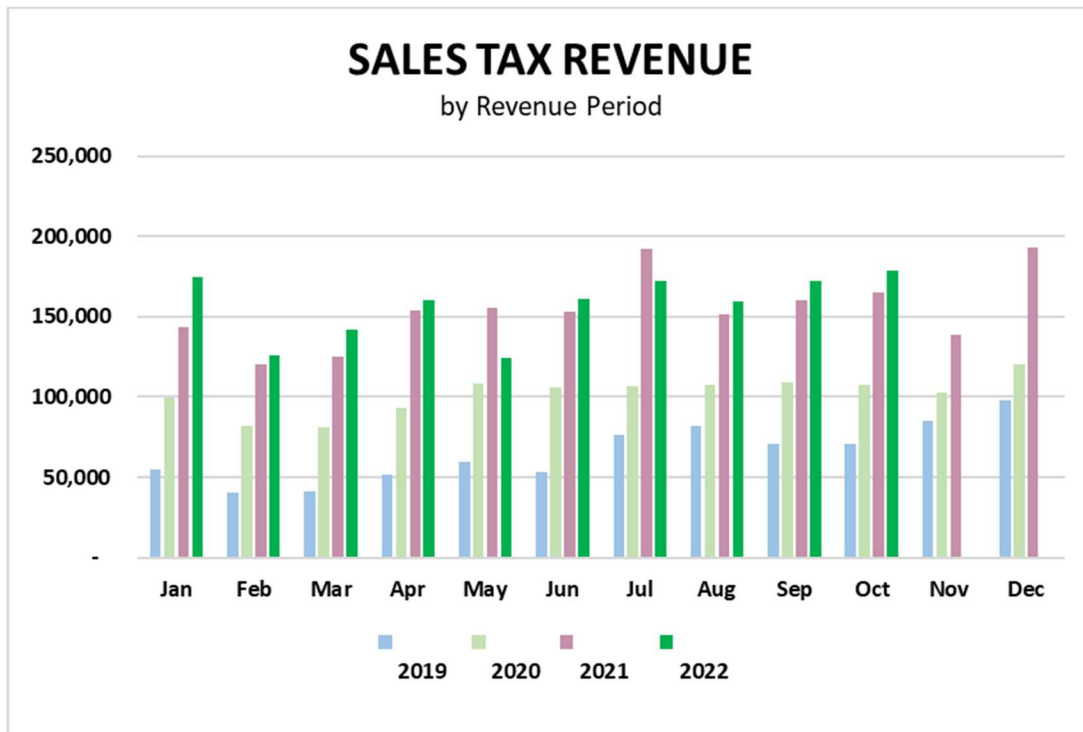
Nancy E. Mueller, CPA
November 2022



Sales Tax Revenues

Total sales tax revenues year to date for 2022 are slightly more than 2021. October sales tax revenue ("September Shopping") was 7.9% higher than September of 2021 and 66% higher than September of 2020.

October 2022 Revenue Period = \$178,490



PLEASE NOTE THIS IS BY REVENUE PERIOD
LATE OR AMENDED FILINGS ARE INCLUDED

Property Tax Revenues

Property taxes are collected throughout the year, but typically 95% are received in the first six months with February, April, and June having the highest collection amounts. Weld County allows homeowners to make full payment by April 30th or to pay ½ by February 28th and ½ by June 15th.

Property Tax Collections						
Month	PROPERTY TAX COLLECTIONS					
	2020		2021		2022	
	\$ YTD	% Budget	\$ YTD	% Budget	\$ YTD	% Budget
Oct	1,219,175	85%	1,316,717	101%	1,797,684	100%

*2020 includes correcting AJE; 2021 includes overdue amounts collected for 202

December Community Development & Engineering Report



Bill Cornelius, PE, Community Development Director

Abdul Barzak, Town Planner

Chris Messersmith, PE and Shar Shadowen, PE- Colorado Civil Group, Inc. (CCG)

December 13, 2022

Planning Projects/Documents

Land Use Code Updates

At the direction of Council, Town staff will be bringing all Land Use Code items through the Land Use Advisory Committee, Planning Commission and finally to Town Council for a comprehensive look at all items. Town Council has reviewed and approved Parking and Lighting requirements and will review Multi-Family Requirements in December.

MPO

- Technical Advisory Committee (TAC) – TAC will be discussing and taking action on the 2022 Public Involvement Plan (PIP) and Transportation Demand Management (TDM) Action Plan. TAC is also discussing potential additional allocations for the 2021 Call for Projects; the Town of Severance has two projects currently waitlisted under this call.
- NoCo Bike & Ped Collaborative – NoCo is continuing a discussion on Safe Routes to School regional planning and discussion micro mobility and multi-modal options on trails as well as looking at Asphalt Art projects and obtaining funding regionally.
- Weld County Mobility Committee (WCMC) – WCMC is continuing working on a Regional Mobility Action Plan (MAP) as well as coordinating with the 'Aging Well' transportation subcommittee.

Capital Improvement Projects

SH 392 – WCR 23 Intersection Improvements

Horrock's Engineers, Inc. (HEI) has completed the design for the construction drawings and is awaiting comments from CDOT and referral agencies. We are anticipating final CDOT approval in mid-December. Town staff is finalizing the IGA with CDOT, and procurement of the traffic signal equipment (poles, mast arms, signal cabinet and controller) will occur before the end of the year. We are anticipating going to AD mid to late January, with construction beginning in March.

E Harmony Road – WCR 19 Intersection Improvements

Drexel, Barrell & Co. (DBC) has completed the 60% construction drawing package and has been on hold waiting for a decision on the 800 square feet of additional right-of-way in the southeast quadrant of the intersection. DBC was informed (November 30, 2022) that this additional right-of-way will be conveyed to the Town of Severance and DBC will complete some minor design

updates. DBC will start back up on the final design and bid package. Town staff has been informed that the construction of this project may be fully paid for using STBG allocation funding. This project will not be advertised for bid until a decision on the STBG allocation funding is finalized.

CDOT TAP/MMOF Trail Project

Mountain Constructors, Inc. (MCI) has been working on the construction of the concrete trail. They have completed approximately 60% of the trail work and should be wrapping up the majority of the project in the month of December. Due to some weather days, final completion is anticipated in early January 2023.

Community Park Phases 2 & 3

A final walk-through was completed in November with minor punch list items to be completed by ECI. Record drawings have been provided to the Town. Water service for the CXT restroom is anticipated to be provided by a Severance water line capital improvement project through the Severance Community Park. Obtaining a water service from the NWCWD is not likely.

Secondary Water Connection/Supply

Town Staff and the City of Greeley staff have been coordinating on a possible water system secondary connection (i.e., emergency connection). CCG is working with Town Management and the Town Attorney on a draft IGA with the City of Greeley.

Water System Monitoring

CCG has been working with Town staff and the NWCWD staff to monitor the Town's water distribution system and performance (pressure and flowrates) continuously since June 5, 2022. The Town's Maximum Day Demand (MDD) of 1.20 MGD was observed on July 17, 2022. CCG has been working with the Public Works Department and the NWCWD to make seasonal adjustments to Master Meters No. 1 and No. 2 to meet water quality requirements.

NWCWD Amended and Restated Water Service Agreement/Potable Water System Master Plan

CCG has completed the potable water system hydraulic modeling for the full build out of the Town of Severance's water service area. Data has been requested of Stantec/NWCWD at the Master Meter No. 1 location. Future upgrades to Master Meter No. 1 will allow the Town of Severance to serve the full build out of the water service area. Once we hear back from Stantec/NWCWD, CCG will coordinate with Town Management on the final Potable Water System Master Plan since it is unknown, at this time, what additional capacity the NWCWD can provide to the Town of Severance.

Elevated Water Tank

CCG is working with the project sub-consultants to and potential tank contractor(s) to finalize the design and bid package. The bid package will be finalized the week of December 5th, 2022.

Wastewater Projections

Town Management and CCG have reached out to the Town of Windsor (TOW) regarding future wastewater treatment capacity with their planned Wastewater Treatment Facility (WWTF) expansion. Additional wastewater capacity is dependent on three items; (1) Additional capacity

at the TOW WWTF, (2) a new sanitary sewer interceptor from Severance South to the Town of Windsor WWTF, and (3) a Utility Plan Amendment that the Town will need to prepare and submit to the North Front Range Water Quality Planning Association for review and approval. CCG has completed the wastewater projections for the full buildout of the Town of Severance service area. CCG is working with Town Management on wastewater (building permit) projections over the next 10 – 20 years.

DEVELOPMENT REVIEW UPDATES

The list below is all of the currently active submitted projects to the Town Council. If you have questions on these please contact me for more information.

- **Moody Annexation/Zoning/Concept Plan** (Northeast corner of E. Harmony Road/Teller Street) – Annexation was approved in September, the applicant will be looking for approval on the Comprehensive Plan Amendment, Zoning, and Concept Plan from Town Council in December.
- **Severance South** (Entire section north of 392 between 21 and 23) – Applicant is working with North Weld County Water District (NWCWD) to finalize plans and will then be routing mylars for signatures.
- **Franklin's Place/Tailholt 3rd Filing Final Plat** (Southwest corner of E. Harmony Road and Tailholt Avenue) – In September of 2022 the Town Council approved the Preliminary Plat. The applicant is working with staff to submit a final plat in the coming months.
- **Saddler 9 & 10** (Northeast corner of HWY 14 WHY 257) – Approved plan nearing final staff approval (north of HWY14), applicant to request a one (1) year extension of Town Council - if approved, the applicant has communicated s(he) will look to print mylars and route for signatures.
- **The Reserve** (Southeast corner of WCR72 and WCR 19) – Final Plat submitted in March (resubmittal), the applicant has worked with staff to address comments; plat to be brought back for public hearings in the coming months.
- **Severance Storage** (Annexation/Zoning/Site Plan) – Applicant has submitted to annex, zone, and continue use on additional annexed property. Town staff is currently reviewing, and stakeholders have been notified. Staff will bring updates to Council as they become available.
- **Ziggi's Severance** (9843 E. Harmony Road) – Applicant has submitted a commercial project or site plan, Town staff is currently reviewing, stakeholders have been notified. Staff will bring updates to Council as they become available.
- **Clearview Library** (5 S. Timber Ridge Parkway) – Applicant has submitted Site Plan, Town Staff is currently reviewing, stakeholders have been notified. Staff will bring updates to Council as they become available.

MAJOR INCIDENT TYPE	# INCIDENTS														
	Jan	Feb	March	April	May	June	July	August	Sept	Oct	Nov	YTD 2022	YTD 2021	YTD 2020	
Fires	4	4	9	20	12	6	6	6	3	7	5	82	83	97	
Overpressure rupture, explosion, overhear - no fire	1	1	0	0	0	0	1	0	0	1	0	4	3	0	
Rescue & Emergency Medical Service	244	204	222	258	212	248	226	239	210	231	236	2530	2410	1881	
Hazardous Condition (No Fire)	6	1	6	10	9	8	11	7	7	10	11	86	97	73	
Service Call	28	17	30	36	25	38	34	37	34	31	24	334	350	179	
Good Intent Call	42	48	49	49	59	38	50	34	50	32	31	482	464	376	
False Alarm & False Call	29	27	24	26	28	40	36	40	27	35	43	355	230	201	
Severe Weather & Natural Disaster	0	0	0	0	0	0	0	0	0	0	0	0	3	7	
Special Incidents	0	0	0	1	0	1	0	0	0	0	0	2	1	0	
TOTAL	354	302	340	400	345	379	364	363	331	347	350	3875	3641	2814	
Mutual Aid/Auto Aid Given	8	17	21	26	19	6	9	8	10	12	5	141	139	116	
Mutual Aid/Auto Aid Received	12	6	3	1	5	4	6	3	4	2	6	52	33	43	

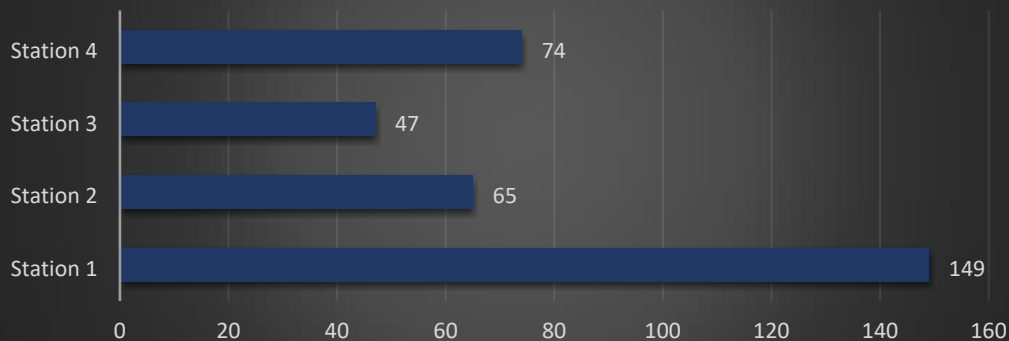
The National Fire Incident Response System (NFIRS) uses these 9 categories to track emergency response incidents nationally.

of Incidents by Month: 2022 vs 2021 & 2020



This chart illustrates the calls for service by month relative to the past years.

Incidents per Station - November 2022



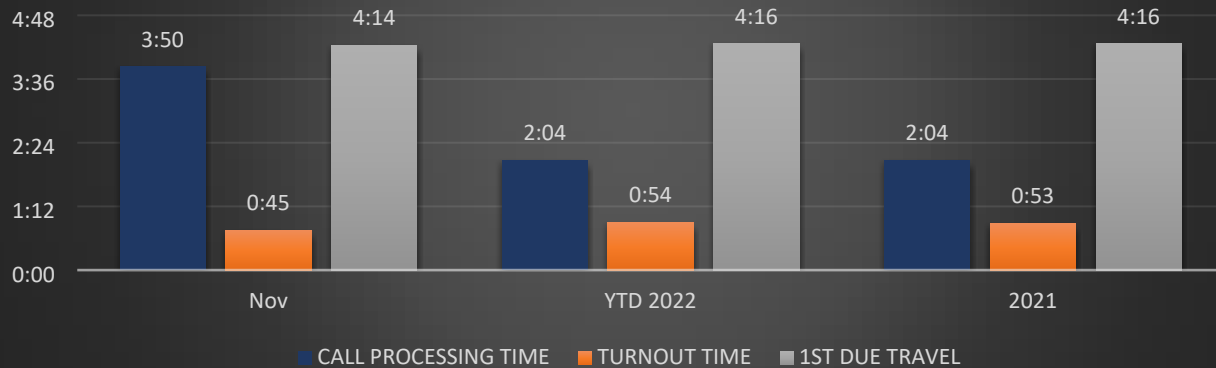
WSFR tracks incidents by the location of the incident based on which station is the closest.



WSFR Response Report: December 2022

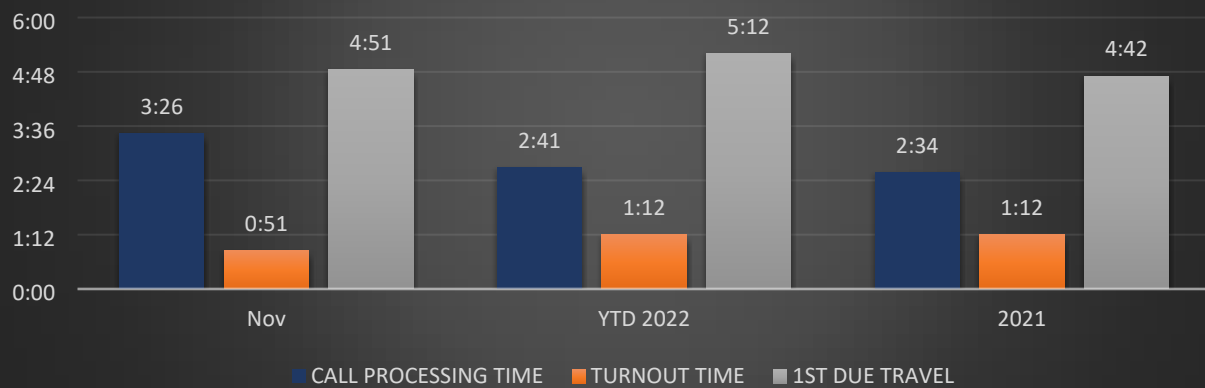


Average Response Times for Emergent EMS/MVA - November 2022



These graphs are looking at the average (50th percentile) for the following 3 segments: Call Processing times (911 answering), Turnout Times (time it takes WSFR/UCH units to begin to respond), and 1st Due Travel (time it takes for the first arriving unit to travel to the incident). When added together, that is the total time for responding to incidents. WSFR also looks at our response data at the 90th percentile as a measure of greater accuracy as part of our accreditation data analysis.

Average Response Times for Emergent OTHER - November 2022



WSFR Response Report: December 2022



Public Work Director Report

John Zacklene

Nov 21, 2022



WATER/WASTEWATER-

Reporting – A list of approved Lead/Copper sites have been submitted and approved by the state. Additionally, our team with the help of Direct Discharge, are working on submitting an updated wastewater Water Quality Management plan. Lead and Copper tests have changed and will now need 20 tests every 3 years instead of 20 tests yearly. All backflow testing was completed on 8-31-22.

Sampling – All testing for water and wastewater sampling has been transferred back to Weld County. Currently the Town complies for all testing and sampling requirements. We are doing 6 samples per month currently. All samplings have been going well with no town issues. The outlet pipe from the solids pond to the contact chamber was raised 3 feet to help with sampling results. All 9 aerators are operational currently and the plant is operating efficiently.

Water Tanks- The old metal overflow culvert has been replaced at the water tanks. We currently have a Emergency Response Plan with Dave Lewis from Direct Discharge for our town's water supply. Water tank roof repairs are scheduled to begin in late October 2022 during low demand times. Water tank will be painted at this time as well. Received the estimates to transfer the 5 water service lines over to the new water line on Cr21 and hope to get this done in 2023. Old ductile line to be abandoned once completed.

Jetting- Sewer main jetting of the entire town is complete. There was approximately 38 miles of main line cleaned. We have approximately 5 hot spots to watch for. The new isolation valves have been installed inside the Baldrige lift station. Manhole rehab is completed on 17 manholes. This is a huge benefit for the town. New pump installed on Vac Truck and operational. The pipe between ponds 1&2 was jetted due to poor performance and build up. Water valve exercise has begun throughout the town.

STORM WATER

- We have started ditch maintenance. All ditches, inlets and outlets and vaults will be cleared of debris and build up as weather permits.
- Culvert grates are being repaired and painted as needed. Safety grates are built and installed on the Baldridge inlet and the box culvert under Ponderosa at Sunset Ridge. All other safety grates have been approved to be built and installed in 2022 by a local welder but is now pending?

STREETS

- Striping of the town roads has been completed.
- Crack seal has been completed throughout town. 11,700 pounds used.
- Street sweeping as weather permits or when sweeper is operational.
- R.O.W. mowing is completed until spring.
- Fire system inspections have been completed for the year and operational.
- Snowplow prep is completed with 1 small sander is in the shop.
- New plow truck is in Denver but no word on a delivery date. Waiting on snow equipment.
- Turn lane extensions are scheduled to be completed this year, weather dependent due to temperatures must be at 50 degrees plus.

PARKS

- Playground equipment has been inspected and repaired for Cirs standards.
- Playground equipment for Community Park has been installed- Concrete walk is complete.
- Benches have been installed under the gazebo at Comm Park.
- A 15 ft evergreen has been planted in Community Park.
- Maintenance shed has been built and we are waiting on the electrical work to be completed.
- New trash cans to be installed this year, weather permitting. Need to pour concrete for them to set on.

Public Work Director Report

John Zacklene

Dec 5th, 2022



WATER/WASTEWATER-

Reporting – A list of approved Lead/Copper sites have been submitted and approved by the state. Additionally, our team with the help of Direct Discharge, are working on submitting an updated wastewater Water Quality Management plan. Lead and Copper tests have changed and will now need 20 tests every 3 years instead of 20 tests yearly. All backflow testing was completed on 8-31-22.

Sampling – All testing for water and wastewater sampling has been transferred back to Weld County. Currently the Town complies for all testing and sampling requirements. We are doing 6 samples per month currently. All samplings have been going well with no town issues. The outlet pipe from the solids pond to the contact chamber was raised 3 feet to help with sampling results. All 9 aerators are operational currently and the plant is operating efficiently.

Water Tanks- The old metal overflow culvert has been replaced at the water tanks. We currently have a Emergency Response Plan with Dave Lewis from Direct Discharge for our town's water supply. Water tank roof repairs have been pushed out until 2/2023. Water tank will be painted at this time as well. State inspection is scheduled for the water tanks and system on 12-15 & 12-16 of December 2022.

Jetting- Sewer main jetting of the entire town is complete. There was approximately 38 miles of main line cleaned. We have approximately 5 hot spots to watch for. The new isolation valves have been installed inside the Baldrige lift station. The pipe between ponds 1&2 has been jetted due to poor performance and build up. Water valve exercise has begun throughout the town.

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STREETS

- Street sweeping as weather permits or when sweeper is operational.
- Fire system inspections have been completed for the year and operational.
- New plow truck is in Denver but no word on a delivery date. Waiting on snow equipment.
- Turn lane extensions are scheduled to be completed this year, weather dependent due to temperatures must be at 50 degrees plus and rising.
- Potholes will be filled as needed throughout the winter.
- Street Sweeper is on hold and will be delivered in January.
- Demos have been complete on 3 different skid steers. Decide on 1 to purchase next year.

PARKS

- Playground equipment has been inspected and repaired for Cirs standards.
- Benches have been installed under the gazebo at Comm Park.
- Maintenance shed has been built and we are waiting on the electrical work to be completed.
- New trash cans to be installed this year, weather permitting. Need to pour concrete for them to set on.
- Christmas lights will be installed at Comm Park this week for the lighting ceremony on 12-10-22.

Town Management Report

Nicholas J. Wharton & Lindsay Radcliff-Coombes
November 2022



UPCOMING TOWN MEETINGS & EVENTS

- 12/7- Municipal Court
- 12/10- Town Christmas Community Event
- 12/13- Town Council Meeting
- 12/21- *CANCELLED* Planning Commission Meeting
- 12/23-11/26- Town Hall Closed for Christmas Eve & Christmas Day
- 12/26- *CANCELLED* Tree Board Meeting
- 12/27- *CANCELLED* Council Work Session/Council Meeting
- 01/02- Town Hall Closed for New Year's Day
- 01/04- Land Use Advisory Committee Meeting
- 01/10- Town Council Work Session/Council Meeting
- 01/18- Planning Commission Meeting
- 01/23- Town Tree Board Meeting
- 01/24- Town Council Work Session/Council Meeting

FISCAL RESPONSIBILITY

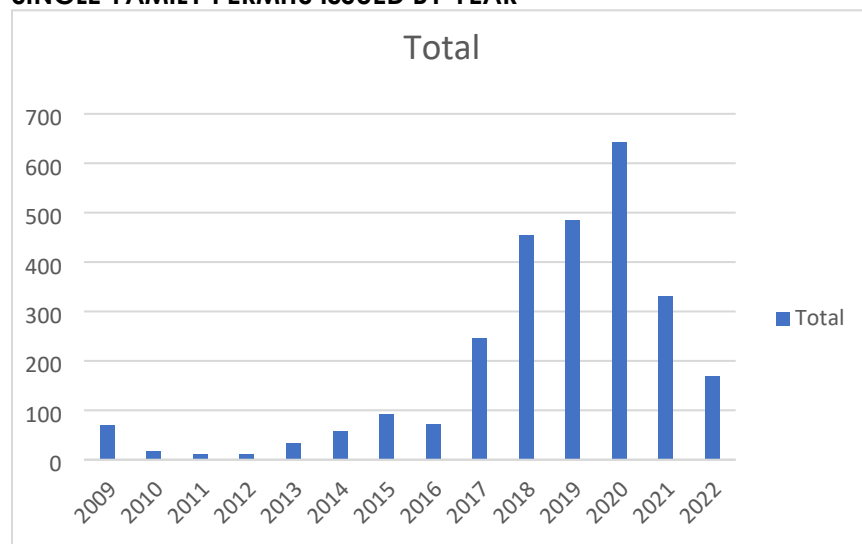
- Feasibility Study
 - Management has received a letter from NOCO Range Ops, LLP, expressing concern, and best practices from the NRA, and Department of Energy's Range Design Criteria that a gun range in the location identified a few years ago has been identified as cost prohibitive to construct and maintain and outdoor shooting range at the proposed site. This letter is attached to the report. This saves the \$85,000 to move forward with having to complete a feasibility study. Management will begin to research possible location in 2023.

TRANSPARENCY

- Zip Codes
 - Management is working with Representative Daniel Betts on a zip code boundary review process for the Town to potentially combine zip codes for Severance into 1 zip code. There are many factors that have to be considered, but management is actively in the process to submit into the official review process. Currently, the Town and our current GMA have 7 zip codes. (80546, 80550, 80524, 80610, 80615, 80650, 80631)
- Ayres Consulting Group
 - Ayers is actively looking for state and federal grants for the following:
 - Innovative Housing Planning Grant (\$50,250)
 - Housing Assessment and Strategies Development
 - Initial stakeholder virtual meeting occurred on Monday, October 31st. Ayres introduced the project and timeline to the stakeholders in attendance. A draft survey was shared that is now finalized by Ayres and sent out to property owners and residents within the community. We have great feedback from the community coming in on this as of 12.05.2022.
 - Code review and efforts currently underway.

- Energy/Mineral Impact Assistance Fund Grant (EIAF) (\$725,000)
- PD facility work
- The Town will be interviewed in early December 7th to discuss the grant request with the State and answer questions as part of the next step in the process.
- Rural Economic Development Initiative Grant (REDI) (\$20,000)
- Development strategies and vision for the Town Core commercial district – creating a sense of place and building opportunities for future economic development.
- Grant was submitted at the end of September. The State contacted the town about turning this grant into an Administrative grant with a 50/50 cost split between the State and town.
- Crime Prevention through Safer Streets Grant (\$299,000) Preliminary awarded.11.15.2022
- Economic Dev: Weld RE-4 Meeting with Management and COO of RE-4, Michael McCullar, regarding the Commercial Land South of Severance Highschool property on CR23. Waiting to hear back from RE-4 for economic meeting.
- Downtown Development Authority (DDA)/Urban Renewal Authority (URA)
- Management is currently in the process of analyzing these authorities to encompass the E. Harmony and WCR 23 Corridors. (No Update)

SINGLE-FAMILY PERMITS ISSUED BY YEAR



Row Labels	Count of Years
2009	70
2010	18
2011	11
2012	12
2013	33
2014	58
2015	92
2016	71
2017	245
2018	454
2019	484
2020	642
2021	331
2022	168
Grand Total	2689

ENGAGEMENT WITH RESIDENTS

- Multiple inquiries about the Gun Range from emails to phone calls with wanting to know more details about the Gun Range and feasibility study
- Overwater use and future limitations on unnecessary use of water.
- Several compliments and complaints on snowplowing.

WATER SECURITY

- Water Tower
 - Engineering is completed, and the RFP for this project is scheduled to be released in December.

TRANSPORTATION

- TAP/MMOF Pedestrian Walkway
 - CDOT has provided approval to move forward with this project. Construction is currently underway with all aspects tracking for completion in January with an unfortunate delay on the two crossing beacons.
- WCR 19/Harmony Rd
 - Under review with additional grant funding proposed to maybe cover entire cost of the light.
- Hwy. 392/WCR 23
 - Engineering plans are approximately 95% completed and our contract engineers are working waiting on confirmation from CDOT to proceed forward with an RFP early 2023. Due to delayed delivery times on materials, Management will be purchasing all materials for this intersection in the coming months to ensure minimal project delays.

PUBLIC SAFETY

- We currently have three openings for Patrol Officers within the Police Department.
- To promote school zone safety, Town Management has instructed Public Works to place "No Phone Zone" signage. We are hoping for these signs along with enforcement/education to promote safer driving in our school zones. These were installed in November.
- Emergency Management/Operations Plan (EOP)
 - Chief of Police is currently working on updating the existing EOP from 2014. This is anticipated to be completed by end of the year. Once completed local governmental agencies will meet to strengthen emergency response capabilities and to help protect our citizens when disasters strike by having a round table and identifying locations to be used for emergencies.

COMMUNICATION

- Farmstand Fridays
 - Management has met with local produce farmers to create "Farmstand Fridays" farmers' markets. The 2023 Inaugural year will be a start-up year to gain interest from area farmers and to serve the Severance community with produce. The goal in the inaugural year is to have the Farmstand Fridays at our Summer Concerts located at the community park. Staff will promote and the hours are TBD.
 - Public Works fencing was hit by a suspected drunk driver and now this has been replaced. We are seeking restitution to pay for the damage and replacement of fence.
 - Open positions: There are 3 openings for patrol officers, and two openings for Streets & Parks Technicians.
 - Mr. Bill Cornelius has joined our team as the Community Development Director as of Nov. 21st, please welcome Bill when you see him.

ADDITIONAL REPORTS INCLUDED IN THE PACKET

- Finance Report
- Court Report
- Public Works Report
- Public Safety Report
- Building Department (SAFEbuilt) Report
- Engineering Report
- WSFR Report



December 1, 2022

NOCO Range Ops, LLP
4516 Longmead Drive
Windsor CO 80550

The Honorable Mayor Matthew Fries
3 S. Timber Ridge Pkwy
Severance CO 80550

Dear Mayor Fries:

We are writing to express our concern with the proposed location for an outdoor shooting range near the corner of County Roads 19 and 84. In our opinion, the rapid urban growth surrounding the proposed site makes it inappropriate for an outdoor shooting range. Live-fire range design should promote safe, efficient operations; include provisions for ease of maintenance; and be affordable to construct and maintain. The guidelines and best practices contained in the NRA Range Source Book and the Department of Energy's Range Design Criteria lead us to believe that it would be cost prohibitive to construct and maintain an outdoor shooting range at the proposed site.

We are committed to helping the Town of Severance find a suitable location for an outdoor shooting range. Please let us know if we can be of further assistance.

Sincerely,

//Signed//

Bryon Fessler, Brian Holder & Gary Caldwell
NOCO Range Ops, LLP



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Pg 89 - PUBLIC HEARING - Resolution 2022-56R A Resolution of the Town Council of the Town of Severance, Colorado, ratifying and approving the Planning Commission's adoption of a Comprehensive Plan Amendment pertaining to real property located within section 35, township 7 north, range 67 west, County of Weld, State of Colorado	Abdul Barzak, Town Planner	Abdul Barzak, Town Planner
ACTION REQUESTED		
Community Development and Management ask that the Town Council review, discuss, and take action on Resolution 2022-56R on the proposed Comprehensive Plan Amendment. Actions that may be taken: 1. Approve 2022-56R ratifying and approving the Planning Commission's adoption of the Comprehensive Plan Amendment, subject to the conditions listed therein. 2. Take No Action.		<u>Resolution</u> <u>Attorney Approved</u> <u>Action Requested</u>
BRIEF SUMMARY		
Hidden Lake Investments, LLC and Eaton Law Reservoir Company jointly (owners) are petitioning the Town of Severance to annex approximately 310 acres north of and adjacent to E. Harmony Road (WCR 74) and east of and adjacent to Teller Street (WCR 21). The applicant is requesting to zone 48.26 acres to Town Core along E. Harmony Road to allow for potential commercial and multi-family. The applicant is requesting the remaining 261.26 acres to be zoned as Suburban Perimeter directly behind the proposed Town Core zoning. The Future Land Use Map which was adopted in the Severance Comprehensive Plan shows approximately the southern half of this property to be designated as Suburban Perimeter and approximately the northern half of this property to be designated as Rural Residential. A concept plan has been submitted with this Comprehensive Plan Amendment and will be viewed at this meeting. At the November 16th Planning Commission Meeting, the Planning Commission Approved Resolution PC-2022-02R for the proposed Comprehensive Plan Amendment and forwarded a recommendation for approval to the Town Council.		
PUBLIC SUPPORT/CONCERN		

None at this time.

ANALYSIS AND RECOMMENDATION

Town staff is asking for the Town Council to review, discuss, and take action on Resolution 2022-56R for the proposed Comprehensive Plan Amendment.

MATERIALS SUBMITTED

The following materials were submitted and included in this packet:

1. Resolution 2022-56R

**TOWN OF
SEVERANCE
RESOLUTION NO.
2022-56R**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SEVERANCE,
COLORADO, RATIFYING AND APPROVING THE PLANNING COMMISSION'S
ADOPTION OF A COMPREHENSIVE PLAN AMENDMENT PERTAINING TO
REAL PROPERTY LOCATED WITHIN SECTION 35, TOWNSHIP 7 NORTH,
RANGE 67 WEST, COUNTY OF WELD, STATE OF COLORADO**

WHEREAS, the Town of Severance ("Town"), acting through its Planning Commission, is empowered pursuant to C.R.S. §§ 31-23-201, *et seq.*, to adopt a master or comprehensive plan and amendments thereto to guide current and future growth and development of the municipality; and

WHEREAS, Hidden Lake Investments, LLC, for itself and on behalf of Journey Homes, LLC and Eaton-Law Reservoir Co., who are the owners of certain real property within Weld County, and generally located in Section 35, Township 7 North, Range 67 West, County of Weld, State of Colorado ("Property"), has submitted an application to amend the Town's Comprehensive Plan, by revising the future land use plan designation for the Property from Rural Residential Conservation and Suburban Perimeter to Suburban Perimeter and Town Core (the "Application"), which would result in a revised Land Use Plan map for the Comprehensive Plan ("Comprehensive Plan Amendment"), attached hereto as **Exhibit A** and incorporated herein by this reference; and

WHEREAS, in accordance with C.R.S. § 31-23-208, the Severance Planning Commission, at its meeting held on November 16, 2022, conducted a public hearing on the Application, following the publication of notice as required by law; and

WHEREAS, following the conclusion of the duly noticed public hearing conducted on November 16, 2022, the Planning Commission adopted the Comprehensive Plan Amendment; and

WHEREAS, pursuant to and in accordance with the authority set forth in C.R.S. § 31-23-206(1), the Town Council desires to ratify and approve the Planning Commission's adoption of the Comprehensive Plan Amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SEVERANCE COLORADO:

The Town Council hereby ratifies and approves the decision of the Planning Commission adopting the Comprehensive Plan Amendment, attached hereto as **Exhibit A**, as more particularly set forth in Resolution No. PC-2022- 02R.

RESOLVED AND APPROVED this 13th day of December, 2022.

TOWN OF SEVERANCE

BY: _____

Matthew Fries, Mayor

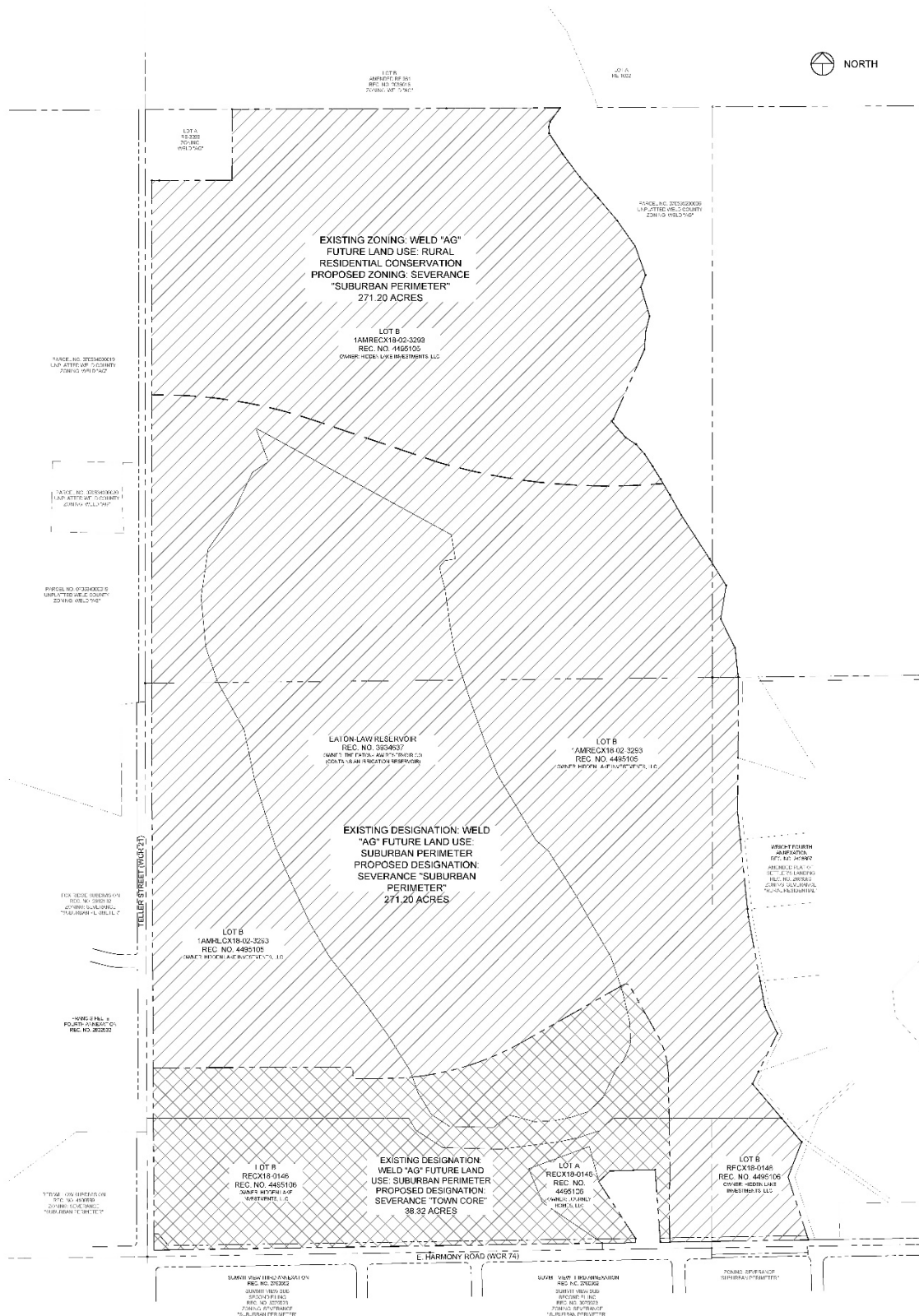
ATTEST:

Leah Vanarsdall, Town Clerk

APPROVED AS TO FORM:

Hayashi & Macsalka, LLC, Town Attorney

Exhibit A



MOODY PROPERTY
SEVERANCE, CO

COMPREHENSIVE PLAN

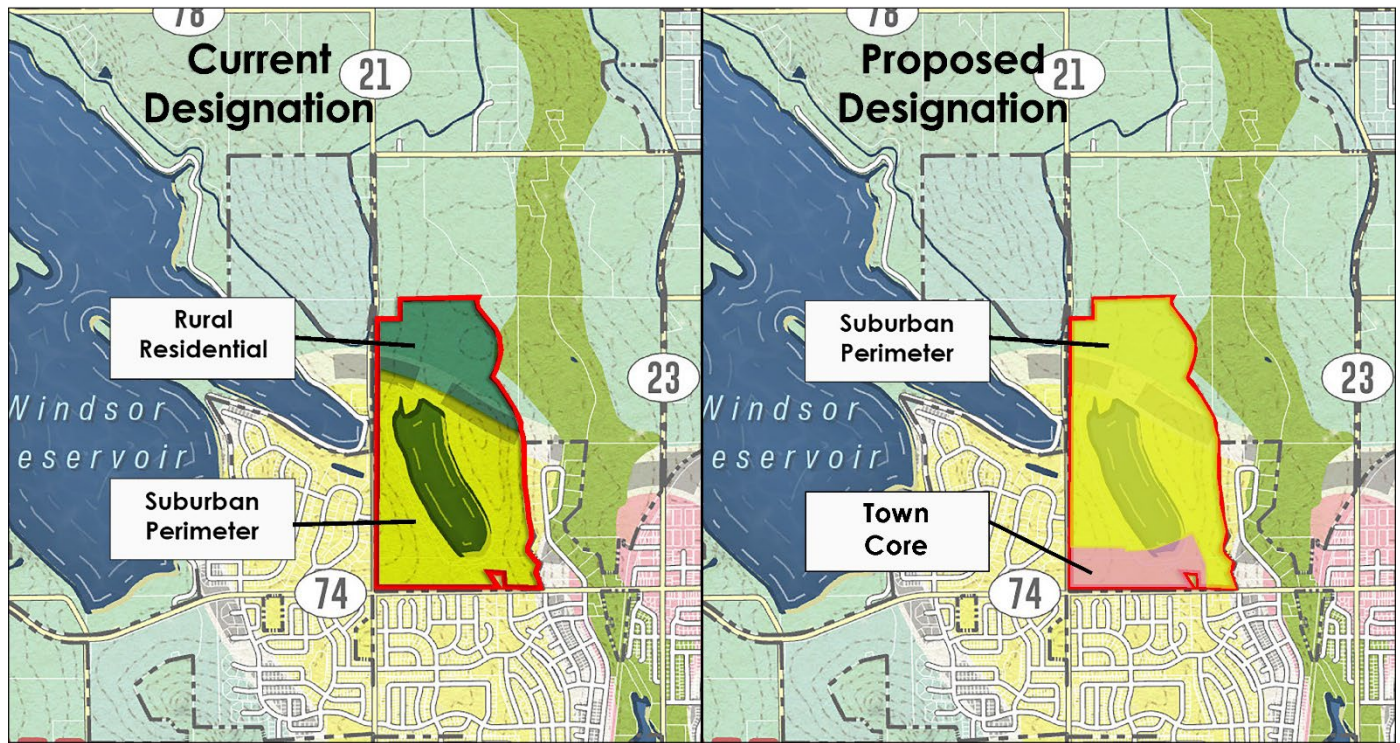
FIGURE 1

October 10, 2022



**NORTHERN
ENGINEERING**

P:\1155-003\DWG\EXHIBITS\MOODY PROPERTY_COMPREHENSIVE PLAN.DWG





AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Pg 95 - Ordinance 2022-20: An Ordinance of the Town Council of the Town of Severance, Colorado, ratifying and approving the Planning Commission's approval of an application zoning certain land, fully described herein, to Town of Severance Town Core and Suburban Perimeter zoning districts	Abdul Barzak, Town Planner	Abdul Barzak, Town Planner
ACTION REQUESTED		
Community Development asks that the Town Council review and discuss and take action on Ordinance 2022-20 for the proposed Moody Annexation Initial Zoning application. Actions that may be taken: 1. Approve Ordinance 2022-20, approving the proposed Moody Annexation Initial Zoning application. 2. Take No Action		<u>Ordinance</u> <u>Zoning</u> <u>Attorney Approved</u> <u>Action Requested</u>
BRIEF SUMMARY		
Hidden Lake Investments, LLC and Eaton Law Reservoir Company jointly (owners) are petitioning the Town of Severance to annex approximately 310 acres north of and adjacent to E. Harmony Road (WCR 74) and east of and adjacent to Teller Street (WCR 21). The applicant is requesting to zone 48.26 acres to Town Core along E. Harmony Road to allow for commercial and multi-family. The applicant is requesting the remaining 261.26 acres to be zoned as Suburban Perimeter directly behind the proposed Town Core zoning. A concept plan has been submitted with this zoning and will be viewed at this meeting. At the November 16th Planning Commission Meeting the Planning Commission Approved Resolution PC-2022-03R for the proposed Moody Project Zoning and forwarded a recommendation for approval to Town Council.		
PUBLIC SUPPORT/CONCERN		
Residents have reached out to Town Staff and requested that the Town Council to not zone this property as proposed. Please see concept plan agenda item for all received responses.		
ANALYSIS AND RECOMMENDATION		
The Community Development department asks the Town Council to review, discuss, and take action on Ordinance 2022-20 for the proposed Moody Project Zoning.		

MATERIALS SUBMITTED
The following materials were submitted and included in this packet: 1. Zoning Map (Submitted by Applicant, reviewed by Town Staff) 2. Ordinance 2022-20: Ratifying and Approving Planning commission Approval of Zoning

MOODY ZONING MAP
TOWN OF SEVERANCE
SITUATE WITHIN SECTION 35, TOWNSHIP 7 NORTH,
RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO
(±309.52 ACRES)

Zoning Descriptions

ENTIRE PARCEL

A parcel of land being the Eaton-Law Reservoir, a portion of Lot B, Amended Recorded Exemption No. 0705-35-2 1AMRECX18-02-3293 recorded June 6, 2019 as Reception No. 4495105 of the Records of Weld County, and a portion of Lot A and Lot B, Recorded Exemption No. 0705-35-3 RECX18-0146 recorded June 6, 2019 as Reception No. 4495106 of the Records of Weld County, all situate within Section Thirty-five (35), Township Seven North (T.7N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th/ P.M.), County of Weld, State of Colorado being more particularly described as follows;

COMMENCING at the Southwest Corner of said Section 35 and assuming the West line of the Southwest Quarter of Section 35 as bearing North 00° 15' 17" West a distance of 2675.16 feet, and being monumented on the South by a #6 Rebar with a 2.5" Aluminum Cap stamped LS 12374 and on the North by a #6 Rebar with a 2.5" Aluminum Cap stamped LS 287?? (last three numbers illegible) with all other bearings contained herein relative thereto:

THENCE North 00° 15' 17" West a distance of 30.00 feet to the North line of the Summit View Third Annexation to the Town of Severance recorded April 7, 2000 as Reception No. 2760552 of the Records of Weld County;
THENCE North 89° 06' 25" East along the North line of said Summit View Third Annexation a distance of 30.00 feet to the Easterly line of the Francis-Felte Fourth Annexation to the Town of Severance recorded January 31, 2001 as Reception No. 2822532 of the Records of Weld County and to the POINT OF BEGINNING.

THENCE North 00° 15' 17" West along said Easterly line of the Francis-Felte Fourth Annexation and along the Easterly line of the SchlageI II Annexation to the Town of Severance recorded February 28, 2003 as Reception No. 3036936 of the Records of Weld County a distance of 2644.75 feet;
THENCE North 00° 01' 47" East continuing along said Easterly line of the SchlageI II Annexation a distance of 2345.56 feet to the intersection of the Easterly line of SchlageI II Annexation and a Northerly line of said Lot B, Amended Recorded Exemption No. 0705-35-2 1AMRECX18-02-3293;
The following Forty (40) courses are along the Northerly, Westerly and Easterly lines of Lot B, Amended Recorded Exemption No. 0705-35-2 1AMRECX18-02-3293.
THENCE North 89° 43' 41" East a distance of 374.00 feet;
THENCE North 00° 01' 47" East a distance of 330.00 feet to the North line of the Northwest Quarter of said Section 35;
THENCE North 89° 42' 39" East along said North line of the Northwest Quarter of Section 35 a distance of 1531.28 feet;
THENCE South 36° 15' 22" West a distance of 81.53 feet;
THENCE South 14° 46' 49" West a distance of 22.77 feet;
THENCE South 02° 03' 26" East a distance of 30.76 feet;
THENCE South 33° 15' 31" East a distance of 115.46 feet;
THENCE South 36° 37' 49" East a distance of 132.58 feet;
THENCE South 41° 09' 32" East a distance of 130.51 feet;
THENCE South 40° 01' 53" East a distance of 139.86 feet;
THENCE South 35° 02' 09" East a distance of 145.64 feet;
THENCE South 19° 38' 05" East a distance of 143.14 feet;
THENCE South 21° 19' 29" West a distance of 59.29 feet;
THENCE South 16° 39' 59" East a distance of 142.09 feet;
THENCE South 14° 24' 46" West a distance of 71.95 feet;
THENCE South 04° 06' 29" West a distance of 86.34 feet;
THENCE South 24° 00' 55" West a distance of 356.21 feet;
THENCE South 40° 10' 05" West a distance of 12.24 feet;
THENCE South 40° 31' 16" East a distance of 100.34 feet;
THENCE South 56° 50' 15" East a distance of 57.98 feet;
THENCE South 40° 59' 20" East a distance of 59.88 feet;
THENCE South 33° 40' 24" East a distance of 67.70 feet;
THENCE South 31° 37' 54" East a distance of 70.95 feet;
THENCE South 30° 37' 57" East a distance of 85.04 feet;
THENCE South 29° 34' 41" East a distance of 107.35 feet;
THENCE South 32° 35' 12" East a distance of 115.72 feet;
THENCE South 33° 05' 56" East a distance of 128.81 feet;
THENCE South 31° 44' 30" East a distance of 146.49 feet;
THENCE South 09° 09' 37" West a distance of 158.11 feet;
THENCE South 26° 21' 47" East a distance of 150.21 feet;
THENCE South 06° 10' 17" East a distance of 136.36 feet to a Westerly line of the Wright Fourth Annexation to the Town of Severance recorded March 3, 1995 as Reception No. 2428807 of the Records of Weld County, said line also being coincident with the Westerly line of the Amended Plat of Settlers Landing recorded December 20, 1995 as Reception No. 2468390 of the Records of Weld County;
The following Nine (9) courses are along the Westerly lines of said Wright Fourth Annexation and the Amended Plat of Settlers Landing.
THENCE South 00° 13' 21" West a distance of 637.13 feet;
THENCE South 05° 51' 39" East a distance of 485.00 feet;
THENCE South 10° 26' 39" East a distance of 425.00 feet;
THENCE South 24° 41' 39" East a distance of 139.00 feet;
THENCE South 26° 13' 21" West a distance of 262.00 feet;
THENCE South 40° 16' 39" East a distance of 209.41 feet;
THENCE South 40° 16' 39" East a distance of 145.59 feet;
THENCE South 21° 18' 21" West a distance of 175.00 feet;
THENCE South 17° 56' 39" East continuing along a Northerly line of said Wright Fourth Annexation a distance of 308.63 feet to the Northerly Right of Way line of Weld County Road 74, said line being parallel with and 30.00 feet Northerly of the South line of the Southeast Quarter of said Section 35;
THENCE South 89° 03' 21" West along said Northerly Right of Way line a distance of 450.32 feet;
THENCE South 89° 06' 25" West continuing along said Northerly Right of Way line and along the Northerly line of said Summit View Third Annexation a distance of 240.17 feet to the Easterly line of Lot A, Recorded Exemption No. 0705-35-3-RE1022;
The following Five (5) courses are along the Easterly, Northerly and Westerly lines of said Lot A.
THENCE North 04° 06' 13" West a distance of 340.10 feet;
THENCE South 88° 07' 15" West a distance of 210.84 feet;
THENCE South 46° 38' 40" West a distance of 72.01 feet;
THENCE South 32° 58' 40" East a distance of 315.51 feet;
THENCE South 00° 53' 35" East a distance of 20.00 feet to the Northerly Right of Way line of Weld County Road 74 and to the Northerly line of said Summit View Third Annexation, said line being parallel with and 30.00 feet Northerly of the South line of the Southwest Quarter of said Section 35;
THENCE South 89° 06' 25" West along said Northerly Right of Way line and Annexation line a distance of 2246.09 feet to the POINT OF BEGINNING.

The above described tract of land contains 13,482,839 square feet or 309.52 acres, more or less (±).

SUBURBAN PERIMETER

A parcel of land being the Eaton-Law Reservoir, a portion of Lot B, Amended Recorded Exemption No. 0705-35-2 1AMRECX18-02-3293 recorded June 6, 2019 as Reception No. 4495105 of the Records of Weld County, and a portion of Lot B, Recorded Exemption No. 0705-35-3 RECX18-0146 recorded June 6, 2019 as Reception No. 4495106 of the Records of Weld County, all situate within Section Thirty-five (35), Township Seven North (T.7N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th/ P.M.), County of Weld, State of Colorado being more particularly described as follows;

COMMENCING at the Southwest Corner of said Section 35 and assuming the West line of the Southwest Quarter of Section 35 as bearing North 00° 15' 17" West a distance of 2675.16 feet, and being monumented on the South by a #6 Rebar with a 2.5" Aluminum Cap stamped LS 12374 and on the North by a #6 Rebar with a 2.5" Aluminum Cap stamped LS 287?? (last three numbers illegible) with all other bearings contained herein relative thereto:

THENCE North 00° 15' 17" West a distance of 30.00 feet to the North line of the Summit View Third Annexation to the Town of Severance recorded April 7, 2000 as Reception No. 2760552 of the Records of Weld County;
THENCE North 89° 06' 25" East along the North line of said Summit View Third Annexation a distance of 30.00 feet to the Easterly line of the Francis-Felte Fourth Annexation to the Town of Severance recorded January 31, 2001 as Reception No. 2822532 of the Records of Weld County;
THENCE North 00° 15' 17" West along said Easterly line of the Francis-Felte Fourth Annexation and along the Easterly line of the SchlageI II Annexation to the Town of Severance recorded February 28, 2003 as Reception No. 3036936 of the Records of Weld County a distance of 849.88 feet and to the POINT OF BEGINNING.

THENCE North 00° 15' 17" West continuing along said Easterly line of the Francis-Felte Fourth Annexation and along the Easterly line of the SchlageI II Annexation to the Town of Severance recorded February 28, 2003 as Reception No. 3036936 of the Records of Weld County a distance of 1794.87 feet;
THENCE North 00° 01' 47" East continuing along said Easterly line of the SchlageI II Annexation a distance of 2345.56 feet to the intersection of the Easterly line of SchlageI II Annexation and a Northerly line of said Lot B, Amended Recorded Exemption No. 0705-35-2 1AMRECX18-02-3293;
The following Thirty-seven (37) courses are along the Northerly, Westerly and Easterly lines of Lot B, Amended Recorded Exemption No. 0705-35-2 1AMRECX18-02-3293.
THENCE North 89° 43' 41" East a distance of 374.00 feet;
THENCE North 00° 01' 47" East a distance of 330.00 feet to the North line of the Northwest Quarter of said Section 35;
THENCE North 89° 42' 39" East along said North line of the Northwest Quarter of Section 35 a distance of 1531.28 feet;
THENCE South 36° 15' 22" West a distance of 81.53 feet;
THENCE South 14° 46' 49" West a distance of 22.77 feet;
THENCE South 02° 03' 26" East a distance of 30.76 feet;
THENCE South 33° 15' 31" East a distance of 115.46 feet;
THENCE South 36° 37' 49" East a distance of 132.58 feet;
THENCE South 41° 09' 32" East a distance of 130.51 feet;
THENCE South 40° 01' 53" East a distance of 139.86 feet;
THENCE South 35° 02' 09" East a distance of 145.64 feet;
THENCE South 19° 38' 05" East a distance of 143.14 feet;
THENCE South 21° 19' 29" West a distance of 59.29 feet;
THENCE South 16° 39' 59" East a distance of 142.09 feet;
THENCE South 14° 24' 46" West a distance of 71.95 feet;
THENCE South 04° 06' 29" West a distance of 86.34 feet;
THENCE South 24° 00' 55" West a distance of 356.21 feet;
THENCE South 40° 10' 05" West a distance of 12.24 feet;
THENCE South 40° 31' 16" East a distance of 100.34 feet;
THENCE South 56° 50' 15" East a distance of 57.98 feet;
THENCE South 40° 59' 20" East a distance of 59.88 feet;
THENCE South 33° 40' 24" East a distance of 67.70 feet;
THENCE South 31° 37' 54" East a distance of 70.95 feet;
THENCE South 30° 37' 57" East a distance of 85.04 feet;
THENCE South 29° 34' 41" East a distance of 107.35 feet;
THENCE South 32° 35' 12" East a distance of 115.72 feet;
THENCE South 33° 05' 56" East a distance of 128.81 feet;
THENCE South 31° 44' 30" East a distance of 146.49 feet;
THENCE South 09° 09' 37" West a distance of 158.11 feet;
THENCE South 26° 21' 47" East a distance of 150.21 feet;
THENCE South 06° 10' 17" East a distance of 136.36 feet to a Westerly line of the Wright Fourth Annexation to the Town of Severance recorded March 3, 1995 as Reception No. 2428807 of the Records of Weld County, said line also being coincident with the Westerly line of the Amended Plat of Settlers Landing recorded December 20, 1995 as Reception No. 2468390 of the Records of Weld County;
The following Nine (9) courses are along the Westerly lines of said Wright Fourth Annexation and the Amended Plat of Settlers Landing.
THENCE South 00° 13' 21" West a distance of 637.13 feet;
THENCE South 05° 51' 39" East a distance of 485.00 feet;
THENCE South 10° 26' 39" East a distance of 425.00 feet;
THENCE South 24° 41' 39" East a distance of 139.00 feet;
THENCE South 26° 13' 21" West a distance of 262.00 feet;
THENCE South 40° 16' 39" East a distance of 209.41 feet;
THENCE South 40° 16' 39" East a distance of 145.59 feet;
THENCE South 21° 18' 21" West a distance of 175.00 feet;
THENCE South 17° 56' 39" East a distance of 308.63 feet to the Northerly Right of Way line of Weld County Road 74, said line being parallel with and 30.00 feet Northerly of the South line of the Southeast Quarter of said Section 35;
THENCE South 89° 03' 21" West along said parallel line a distance of 450.32 feet;
THENCE South 89° 06' 25" West a distance of 196.44 feet;
THENCE North 00° 53' 35" West a distance of 190.00 feet;
THENCE North 01° 44' 58" East a distance of 130.14 feet;
THENCE North 00° 53' 35" West a distance of 453.34 feet to beginning of a curve, non-tangent to this course;
THENCE along the arc of a curve concave to the Southwest a distance of 189.04 feet, said curve has a Radius of 401.20 feet, a Delta of 26° 59' 50" and is subtended by a Chord bearing North 13° 54' 11" West a distance of 187.30 feet to the endpoint of said curve;
THENCE North 29° 30' 15" West along a line non-tangent to the aforesaid course a distance of 274.94 feet to the beginning of a curve non-tangent to this course;
THENCE along the arc of a curve concave to the Southwest a distance of 31.42 feet, said curve has a Radius of 20.00 feet, a Delta of 90° 00' 00" and is subtended by a Chord bearing North 74° 35' 58" West a distance of 28.28 feet to a Point of Tangency;
THENCE South 60° 24' 02" East a distance of 543.24 feet to a Point of Curvature;
THENCE along the arc of a curve concave to the Northwest a distance of 668.88 feet, said curve has a Radius of 1306.00 feet, a Delta of 29° 20' 41" and is subtended by a Chord bearing South 75° 04' 23" West a distance of 661.60 feet to a Point of Tangency;
THENCE South 89° 44' 43" West a distance of 930.55 feet to the POINT OF BEGINNING.

The above-described tract of land contains 11,380,374 square feet or 261.26 acres, more or less (±).

TOWN CORE

A parcel of land being a portion of Lot B, Amended Recorded Exemption No. 0705-35-2 1AMRECX18-02-3293 recorded June 6, 2019 as Reception No. 4495105 of the Records of Weld County, and a portion of Lot A and Lot B, Recorded Exemption No. 0705-35-3 RECX18-0146 recorded June 6, 2019 as Reception No. 4495106 of the Records of Weld County, all situate within Section Thirty-five (35), Township Seven North (T.7N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th/ P.M.), County of Weld, State of Colorado being more particularly described as follows;

COMMENCING at the Southwest Corner of said Section 35 and assuming the West line of the Southwest Quarter of Section 35 as bearing North 00° 15' 17" West a distance of 2675.16 feet, and being monumented on the South by a #6 Rebar with a 2.5" Aluminum Cap stamped LS 12374 and on the North by a #6 Rebar with a 2.5" Aluminum Cap stamped LS 287?? (last three numbers illegible) with all other bearings contained herein relative thereto:

THENCE North 00° 15' 17" West a distance of 30.00 feet to the North line of the Summit View Third Annexation to the Town of Severance recorded April 7, 2000 as Reception No. 2760552 of the Records of Weld County;
THENCE North 89° 06' 25" East along the North line of said Summit View Third Annexation a distance of 30.00 feet to the Easterly line of the Francis-Felte Fourth Annexation to the Town of Severance recorded January 31, 2001 as Reception No. 2822532 of the Records of Weld County and to the POINT OF BEGINNING.

THENCE North 00° 15' 17" West a distance of 849.88 feet;
THENCE North 89° 44' 43" East a distance of 930.55 feet;
THENCE South 00° 53' 35" East a distance of 54.00 feet;
THENCE North 89° 44' 43" East a distance of 151.96 feet to a Point of Curvature;
THENCE along the arc of a curve concave to the Northwest a distance of 668.88 feet, said curve has a Radius of 1306.00 feet, a Delta of 29° 20' 41" and is subtended by a Chord bearing North 75° 04' 23" East a distance of 661.60 feet to a Point of Tangency;
THENCE North 60° 24' 02" East a distance of 543.24 feet to a Point of Curvature;
THENCE along the arc of a curve concave to the Southwest a distance of 31.42 feet, said curve has a Radius of 20.00 feet, a Delta of 90° 00' 00" and is subtended by a Chord bearing South 74° 35' 58" East a distance of 28.28 feet to the endpoint of said curve;
THENCE South 29° 30' 15" East along a line non-tangent to the aforesaid course a distance of 274.94 feet to the beginning of a curve, non-tangent to this course;
THENCE along the arc of a curve concave to the Southwest a distance of 189.04 feet, said curve has a Radius of 401.20 a Delta of 26° 59' 50" and is subtended by a Chord bearing South 13° 54' 11" East a distance of 187.30 feet to the endpoint of said curve;
THENCE South 00° 53' 35" East along a line non-tangent to the aforesaid course a distance of 453.34 feet;
THENCE South 01° 44' 58" West a distance of 130.14 feet;
THENCE South 00° 53' 35" East a distance of 190.00 feet to the Northerly Right of Way line of Weld County Road 74, said line being parallel with and 30.00 feet Northerly of the South line of the Southeast Quarter of said Section 35;
THENCE South 89° 06' 25" West continuing along said Northerly Right of Way line and along the Northerly line of said Summit View Third Annexation a distance of 43.73 feet to the Easterly line of Lot A, Recorded Exemption No. 0705-35-3-RE1022;
The following Five (5) courses are along the Easterly, Northerly and Westerly lines of said Lot A.
THENCE North 04° 06' 13" West a distance of 340.10 feet;
THENCE South 88° 07' 15" West a distance of 210.84 feet;
THENCE South 46° 38' 40" West a distance of 72.01 feet;
THENCE South 32° 58' 40" East a distance of 315.51 feet;
THENCE South 00° 53' 35" East a distance of 20.00 feet to the Northerly Right of Way line of Weld County Road 74 and to the Northerly line of said Summit View Third Annexation, said line being parallel with and 30.00 feet Northerly of the South line of the Southwest Quarter of said Section 35;
THENCE South 89° 06' 25" West along said Northerly Right of Way line and Annexation line a distance of 2246.09 feet to the POINT OF BEGINNING.

The above-described tract of land contains 2,102,465 square feet or 48.27 acres, more or less (±).

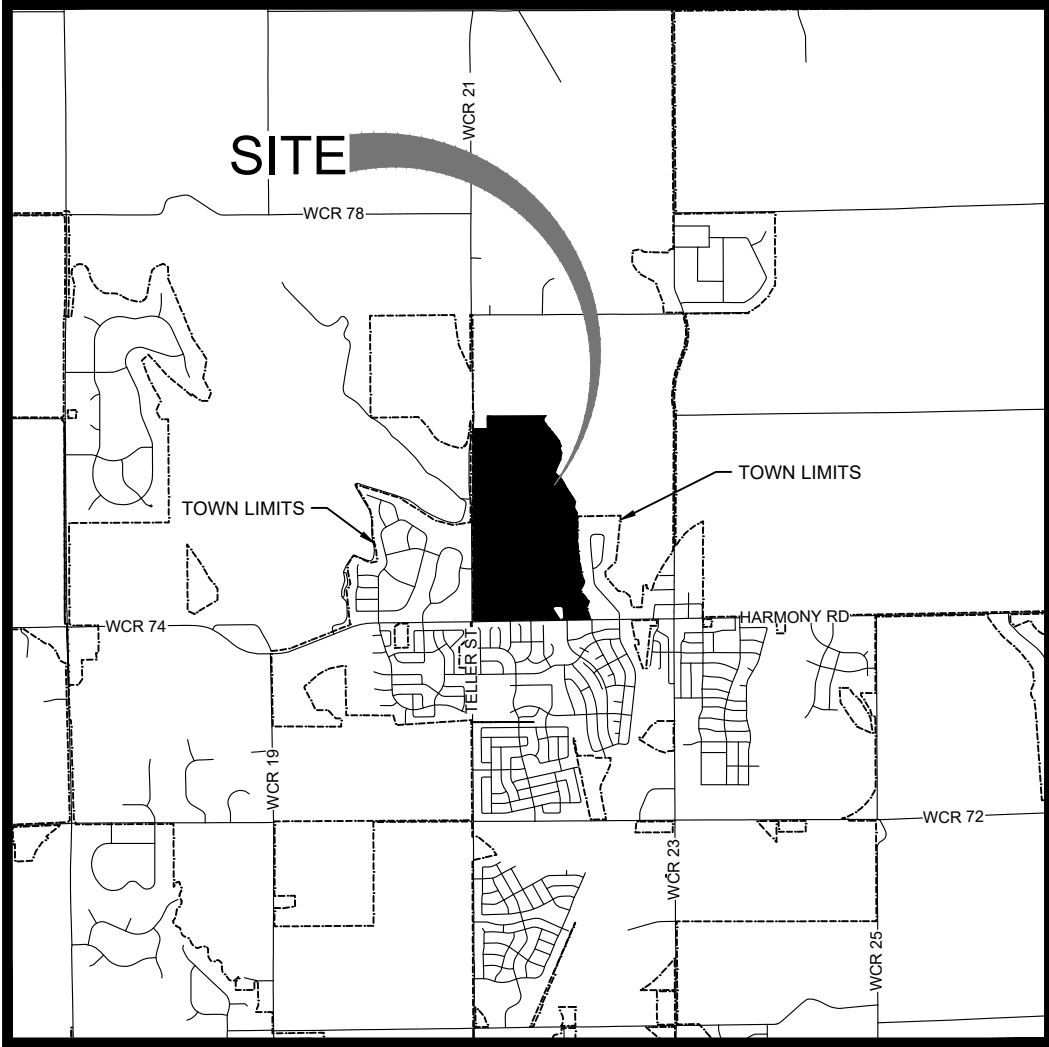
SURVEY NOTES:

1. Basis of Bearings: The West line of the Southwest Quarter of Section 35 as bearing North 00°15'17" West (assumed bearing) a distance of 2675.16 feet and Monumented as shown hereon.
2. Unit of measure is U.S. Survey Feet.
3. No rights-of-way or easements, except those shown hereon, were determined by this survey, nor was any research conducted to determine the existence of additional easements, per the request of the client.
4. This survey does not constitute a title search by the surveyor. For information regarding additional easements, Northern Engineering relied upon Policy Number: CO-FFAH-IMP-81306-1-21-H0641638 dated May 21, 2021, File Number: 459-H0646933-820-GRO, Amendment No. 1 dated July 2, 2021 and File Number: 459-H0587798-084-LL9, Amendment No. 1 dated July 2, 2021, all prepared by Heritage Title Company, Inc.
5. According to FEMA Map No. 08123C1213E and 08123C1211E, dated January 20, 2016, this parcel lies within Zone X "Area of Minimal Flood Hazard".

SURVEYOR'S STATEMENT

I, Aaron M. Lund, a Colorado Registered Professional Land Surveyor do hereby certify that this Property Description and Zoning Map for the Town of Severance, County of Weld, State of Colorado, was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge, information, belief and in my professional opinion.

Aaron M. Lund, a Registered Professional Land Surveyor
Colorado Registered Professional Land Surveyor #38670



VICINITY MAP
1" = 5000'

PLANNING COMMISSION APPROVAL:

Recommended for approval this _____ day of _____, 20____.

CHAIRMAN, SEVERANCE PLANNING COMMISSION

CLERK AND RECORDER'S CERTIFICATION:

I hereby certify that this zoning map was filed in my office on this _____ DAY OF _____, 20____ at _____ O'CLOCK ____m.

Fee:

CLERK AND RECORDER

TOWN COUNCIL CERTIFICATION:

This is to certify that the zone change as shown and described hereon was approved on the _____ day of _____, 20____, by Ordinance No. _____, passed and adopted at the regular meeting of the town council of the Town of Severance, held on this _____ day of _____, 20____.

Town Clerk

Mayor

OWNER/DEVELOPER

Hidden Lake Investments, LLC
Larry S. Buckendorf
7251 W 20th St, Suite 200
Greeley, CO 80634
(970) 539-0120
larry@journeyhomes.com

SITE ENGINEER

Northern Engineering Services, Inc.
Robbie Lauer
301 N. Howes St, Suite 100
Fort Collins, Colorado 80521
(970) 221-4158
robbie@northernengineering.com

SURVEYOR

Northern Engineering
Aaron Lund, PLS
820 8th Street
Greeley, Colorado 80631
(970) 488-1115
aaron@northernengineering.com

NOTICE:
According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years after the date of the certificate shown hereon.

SECTION:
35
TOWNSHIP:
7 N
RANGE:
67 W of the 6th PM

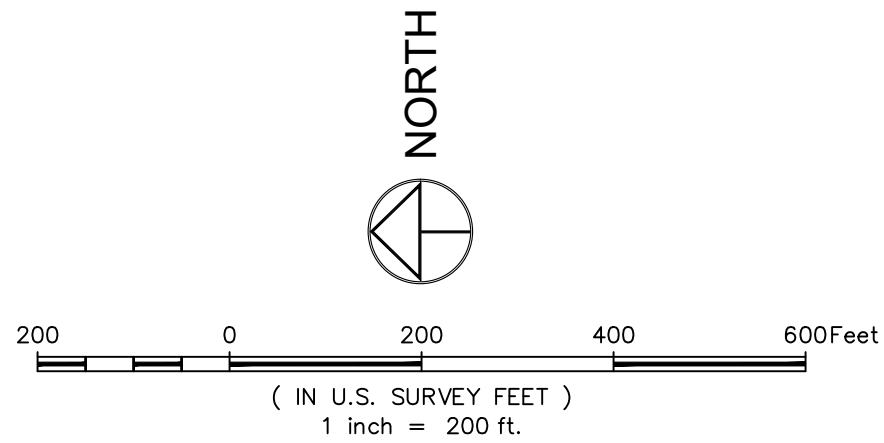
NORTHERN
ENGINEERING
970.221.4158
northernengineering.com
FORT COLLINS 301 North Howes Street, Suite 100, 80521
GREELEY 820 8th Street, 80631

DATE:
10/24/2022
PROJECT:
1159-003
CLIENT:
DRAWN BY:
A. Lund/A.F.

MOODY ZONING MAP
FOR
HIDDEN LAKE INVESTMENTS, LLC
10201 WCR 74, WELD COUNTY, CO

Sheet
1
Of 2 Sheets

MOODY ZONING MAP
TOWN OF SEVERANCE, COLORADO
SITUATE WITHIN SECTION 35, TOWNSHIP 7 NORTH,
RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO
(±309.52 ACRES)



LINE TABLE		
LINE	LENGTH	BEARING
L1	81.53'	S36° 15' 22"W
L2	22.77'	S14° 46' 49"W
L3	30.76'	S02° 03' 26"E
L4	115.46'	S33° 15' 31"E
L5	132.58'	S36° 37' 49"E
L6	130.51'	S41° 09' 32"E
L7	139.86'	S40° 01' 53"E
L8	145.64'	S35° 02' 09"E
L9	143.14'	S19° 38' 05"E
L10	59.29'	S21° 19' 29"W

LINE TABLE		
LINE	LENGTH	BEARING
L11	142.09'	S16° 39' 59"E
L12	71.95'	S14° 24' 46"W
L13	86.34'	S04° 06' 29"W
L14	12.24'	S40° 10' 05"W
L15	100.34'	S40° 31' 16"E
L16	57.98'	S56° 50' 15"E
L17	59.88'	S40° 59' 20"E
L18	67.70'	S33° 40' 24"E
L19	70.95'	S31° 37' 54"E
L20	85.04'	S30° 37' 57"E

LINE TABLE		
LINE	LENGTH	BEARING
L21	107.35'	S29° 34' 41"E
L22	115.72'	S32° 35' 12"E
L23	128.81'	S33° 05' 56"E
L24	146.49'	S31° 44' 30"E
L25	158.11'	S09° 09' 37"W
L26	150.21'	S26° 21' 47"E
L27	136.36'	S06° 10' 17"E
L28	139.00'	S24° 41' 39"E
L29	262.00'	S26° 13' 21"W
L30	209.41'	S40° 16' 39"E

LINE TABLE		
LINE	LENGTH	BEARING
L31	145.59'	S40° 16' 39"E
L32	175.00'	S21° 18' 21"W
L33	308.63'	S17° 56' 39"E
L34	340.10'	N04° 06' 13"W
L35	210.84'	S88° 07' 15"W
L36	72.01'	S46° 38' 40"W
L37	315.51'	S32° 58' 40"E
L38	20.00'	S00° 53' 35"E

SYMBOL LEGEND	
	FOUND PROPERTY MONUMENT
	FOUND SECTION CORNER
	FOUND #4 REBAR WITH BLUE PLASTIC CAP, LS 38209

LINE LEGEND	
	SECTION LINE
	RIGHT OF WAY LINE
	ANNEXATION BOUNDARY LINE
	LOT LINE
	EXISTING ANNEXATION LINE
	ZONING LINE

EXISTING ZONING: WELD "AG"
PROPOSED ZONING: SEVERANCE
"SUBURBAN PERIMETER"
261.26 ACRES

LOT B
1AMRECX18-02-3293
REC. NO. 4495105
OWNER: HIDDEN LAKE INVESTMENTS, LLC

EATON-LAW RESERVOIR
REC. NO. 3934637
OWNER: THE EATON-LAW RESERVOIR CO.
(CONTAINS AN IRRIGATION RESERVOIR)

EXISTING ZONING: WELD "AG"
PROPOSED ZONING: SEVERANCE
"SUBURBAN PERIMETER"
261.26 ACRES

LOT B
1AMRECX18-02-3293
REC. NO. 4495105
OWNER: HIDDEN LAKE INVESTMENTS, LLC

EXISTING ZONING: WELD "AG"
PROPOSED ZONING: SEVERANCE
"TOWN CORE"
48.27 ACRES

LOT B
RECX18-0146
REC. NO. 4495106
OWNER: HIDDEN LAKE INVESTMENTS, LLC

SUMMIT VIEW RD

W1/16 S35-T7N-R67W
FOUND #6 REBAR WITH
3.25" ALUMINUM CAP
LS 38209 "2016"
IN MONUMENT BOX

50.0' RIGHT OF WAY
REC. NO. 3075523

SUMMIT VIEW SUB
SECOND FILING
REC. NO. 3075523
ZONING: SEVERANCE
"SUBURBAN PERIMETER"

SUMMIT VIEW THIRD ANNEXATION
REC. NO. 2760552
THIRD FILING
REC. NO. 3224619
ZONING: SEVERANCE
"SUBURBAN PERIMETER"

S89°06'25"W 2246.09'

EVANS ST

50.0' RIGHT OF WAY
REC. NO. 3075523

SUMMIT VIEW SUB
SECOND FILING
REC. NO. 3075523
ZONING: SEVERANCE
"SUBURBAN PERIMETER"

SUMMIT VIEW THIRD ANNEXATION
REC. NO. 2760552
THIRD FILING
REC. NO. 3075523
ZONING: SEVERANCE
"SUBURBAN PERIMETER"

POINT OF BEGINNING
"TOWN CORE"
ZONING DESCRIPTION
N89°06'25"E
30.00'

POINT OF COMMENCEMENT
SW COR S35-T7N-R67W
FOUND #6 REBAR WITH
2.5" ALUMINUM CAP
LS 12374 "1999"
IN MONUMENT BOX

RED WILLOW SUBDIVISION
REC. NO. 4100559
ZONING: SEVERANCE
"SUBURBAN PERIMETER"

50.0' RIGHT OF WAY
REC. NO. 4100559

40.0' RIGHT OF WAY
REC. NO. 2982132

FRANCIS-FELTE FOURTH ANNEXATION
REC. NO. 2822532

FOX RIDGE SUBDIVISION
REC. NO. 2982132
ZONING: SEVERANCE
"SUBURBAN PERIMETER"

40.0' RIGHT OF WAY
REC. NO. 2982132

40.0' RIGHT OF WAY
REC. NO. 2982132

40.0' RIGHT OF WAY
REC. NO. 2982132

40.0' RIGHT OF WAY
REC. NO. 2982132

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40.0' RIGHT OF WAY
REC. NO. 2982132

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40.0' RIGHT OF WAY
REC. NO. 2982132

NOTICE:
According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years after the date of the certificate shown herein.

SECTION:
30
TOWNSHIP:
7 N
RANGE:
67 W of the 6th PM

NORTHERN
ENGINEERING
NE
FORT COLLINS, 301 North Hume Street, Suite 100, 80521
Greeley, 820 8th Street, Suite 303
970.223.4158
northernengineering.com

DATE:
10/24/2022
PROJECT:
1152-003
CLIENT:
HIDDEN LAKE INVESTMENTS, LLC
SCALE:
1" = 200'
REVIEWED BY:
A. Lund

MOODY ZONING MAP
FOR
HIDDEN LAKE INVESTMENTS, LLC
10201 WCR 74, WELD COUNTY, CO

Sheet
2
Of 2 Sheets

**TOWN OF SEVERANCE
ORDINANCE NO. 2022-20**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SEVERANCE,
COLORADO, RATIFYING AND APPROVING THE PLANNING COMMISSION'S
APPROVAL OF AN APPLICATION ZONING CERTAIN LAND, FULLY DESCRIBED
HEREIN, TO TOWN OF SEVERANCE TOWN CORE AND SUBURBAN PERIMETER
ZONING DISTRICTS**

WHEREAS, Hidden Lake Investments, LLC, for itself and on behalf of Journey Homes, LLC and Eaton-Law Reservoir Co., who are the owners of certain real property generally located in Section 35, Township 7 North, Range 67 West, County of Weld, State of Colorado and as legally described in **Exhibit A** ("Property"), attached hereto and incorporated herein, which is approximately 309.52 acres in size, has submitted an application proposing to zone the Property to Suburban Perimeter and Town Core zone districts (the "Application"); and; and

WHEREAS, on November 16, 2022, the Severance Planning Commission conducted a public hearing on the Application; and

WHEREAS, following the conclusion of the duly noticed public hearing conducted on November 16, 2022, the Planning Commission approved the Application; and

WHEREAS, after considering and reviewing the Planning Commission's decision, the testimony, evidence and argument presented at the Planning Commission public hearing, and the applicable requirements and standards set forth in Section 16.3.80(d) of the Severance Municipal Code, the Town Council desires to ratify and approve the Planning Commission's decision to approve the Application.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF SEVERANCE, COLORADO:**

Section 1. The Town Council hereby ratifies and approves the decision of the Planning Commission, as more particularly set forth in Resolution No. PC-2022-03R. Accordingly, the Property legally described in Exhibit A, which is attached hereto and incorporated herein, and which consists of approximately 309.52 acres, more or less, shall be zoned Town of Severance Suburban Perimeter and Town Core Zoning Districts.

Section 2. The Town Council certifies a change in the Zoning Map zoning the property described herein to Town of Severance Suburban Perimeter and Town Core Zoning Districts.

Section 3. The Town Council directs that a certified copy of this Ordinance be filed with the Town Clerk and further, that the Town Clerk index, file and make the Ordinance available to the public.

Section 4. If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Town Council hereby

declares it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 5. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portions hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL this ____ day of _____, 2022.

TOWN OF SEVERANCE, COLORADO

Matthew Fries, Mayor

ATTEST:

Leah Vanarsdall, MMC, Town Clerk

APPROVED AS TO FORM:

Hayashi & Macsalka, LLC, Town Attorney

EXHIBIT A

(Legal Description)

Exhibit A: PARCEL DESCRIPTION - Moody Annexation

A parcel of land being the Eaton-Law Reservoir, a portion of Lot B, Amended Recorded Exemption No. 0705-35-2 1AMRECX18-02-3293 recorded June 6, 2019 as Reception No. 4495105 of the Records of Weld County, and a portion of Lot A and Lot B, Recorded Exemption No. 0705-35-3 RECX18-0146 recorded June 6, 2019 as Reception No. 4495106 of the Records of Weld County, all situate within Section Thirty-five (35), Township Seven North (T.7N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado being more particularly described as follows;

COMMENCING at the Southwest Corner of said Section 35 and assuming the West line of the Southwest Quarter of Section 35 as bearing North 00° 15' 17" West a distance of 2675.16 feet, and being monumented on the South by a #6 Rebar with a 2.5" Aluminum Cap stamped LS 12374 and on the North by a #6 Rebar with a 2.5" Aluminum Cap stamped LS 28??? (last three numbers illegible) with all other bearings contained herein relative thereto:

THENCE North 00° 15' 17" West a distance of 30.00 feet to the North line of the Summit View Third Annexation to the Town of Severance recorded April 7, 2000 as Reception No. 2760552 of the Records of Weld County;

THENCE North 89° 06' 25" East along the North line of said Summit View Third Annexation a distance of 30.00 feet to the Easterly line of the Francis-Felte Fourth Annexation to the Town of Severance recorded January 31, 2001 as Reception No. 2822532 of the Records of Weld County and to the **POINT OF BEGINNING**.

THENCE North 00° 15' 17" West along said Easterly line of the Francis-Felte Fourth Annexation and along the Easterly line of the Schlagel II Annexation to the Town of Severance recorded February 28, 2003 as Reception No. 3036936 of the Records of Weld County a distance of 2644.75 feet;

THENCE North 00° 01' 47" East continuing along said Easterly line of the Schlagel II Annexation a distance of 2345.56 feet to the intersection of the Easterly line of Schlagel II Annexation and a Northerly line of said Lot B, Amended Recorded Exemption No. 0705-35-2 1AMRECX18-02-3293;

The following Forty (40) courses are along the Northerly, Westerly and Easterly lines of Lot B, Amended Recorded Exemption No. 0705-35-2 1AMRECX18-02-3293.

THENCE North 89° 43' 41" East a distance of 374.00 feet;

THENCE North 00° 01' 47" East a distance of 330.00 feet to the North line of the Northwest Quarter of said Section 35;

THENCE North 89° 42' 39" East along said North line of the Northwest Quarter of Section 35 a distance of 1531.28 feet;

THENCE South 36° 15' 22" West a distance of 81.53 feet;

THENCE South 14° 46' 49" West a distance of 22.77 feet;

THENCE South 02° 03' 26" East a distance of 30.76 feet;

THENCE South 33° 15' 31" East a distance of 115.46 feet;

THENCE South 36° 37' 49" East a distance of 132.58 feet;

THENCE South 41° 09' 32" East a distance of 130.51 feet;

THENCE South 40° 01' 53" East a distance of 139.86 feet;

THENCE South 35° 02' 09" East a distance of 145.64 feet;
 THENCE South 19° 38' 05" East a distance of 143.14 feet;
 THENCE South 21° 19' 29" West a distance of 59.29 feet;
 THENCE South 16° 39' 59" East a distance of 142.09 feet;
 THENCE South 14° 24' 46" West a distance of 71.95 feet;
 THENCE South 04° 06' 29" West a distance of 86.34 feet;
 THENCE South 24° 00' 55" West a distance of 356.21 feet;
 THENCE South 40° 10' 05" West a distance of 12.24 feet;
 THENCE South 40° 31' 16" East a distance of 100.34 feet;
 THENCE South 56° 50' 15" East a distance of 57.98 feet;
 THENCE South 40° 59' 20" East a distance of 59.88 feet;
 THENCE South 33° 40' 24" East a distance of 67.70 feet;
 THENCE South 31° 37' 54" East a distance of 70.95 feet;
 THENCE South 30° 37' 57" East a distance of 85.04 feet;
 THENCE South 29° 34' 41" East a distance of 107.35 feet;
 THENCE South 32° 35' 12" East a distance of 115.72 feet;
 THENCE South 33° 05' 56" East a distance of 128.81 feet;
 THENCE South 31° 44' 30" East a distance of 146.49 feet;
 THENCE South 09° 09' 37" West a distance of 158.11 feet;
 THENCE South 26° 21' 47" East a distance of 150.21 feet;
 THENCE South 06° 10' 17" East a distance of 136.36 feet to a Westerly line of the Wright Fourth Annexation to the Town of Severance recorded March 3, 1995 as Reception No. 2428807 of the Records of Weld County, said line also being coincident with the Westerly line of the Amended Plat of Settlers Landing recorded December 20, 1995 as Reception No. 2468390 of the Records of Weld County;

The following Nine (9) courses are along the Westerly lines of said Wright Fourth Annexation and the Amended Plat of Settlers Landing.

THENCE South 00° 13' 21" West a distance of 637.13 feet;
 THENCE South 05° 51' 39" East a distance of 485.00 feet;
 THENCE South 10° 26' 39" East a distance of 425.00 feet;
 THENCE South 24° 41' 39" East a distance of 139.00 feet;
 THENCE South 26° 13' 21" West a distance of 262.00 feet;
 THENCE South 40° 16' 39" East a distance of 209.41 feet;
 THENCE South 40° 16' 39" East a distance of 145.59 feet;
 THENCE South 21° 18' 21" West a distance of 175.00 feet;
 THENCE South 17° 56' 39" East continuing along a Northerly line of said Wright Fourth Annexation a distance of 308.63 feet to the Northerly Right of Way line of Weld County Road 74, said line being parallel with and 30.00 feet Northerly of the South line of the Southeast Quarter of said Section 35;
 THENCE South 89° 03' 21" West along said Northerly Right of Way line a distance of 450.32 feet;
 THENCE South 89° 06' 25" West continuing along said Northerly Right of Way line and along the Northerly line of said Summit View Third Annexation a distance of 240.17 feet to the Easterly line of Lot A, Recorded Exemption No. 0705-35-3-RE1022;

The following Five (5) courses are along the Easterly, Northerly and Westerly lines of said Lot A.
 THENCE North 04° 06' 13" West a distance of 340.10 feet;

THENCE South 88° 07' 15" West a distance of 210.84 feet;
THENCE South 46° 38' 40" West a distance of 72.01 feet;
THENCE South 32° 58' 40" East a distance of 315.51 feet;
THENCE South 00° 53' 35" East a distance of 20.00 feet to the Northerly Right of Way line of Weld County Road 74 and to the Northerly line of said Summit View Third Annexation, said line being parallel with and 30.00 feet Northerly of the South line of the Southwest Quarter of said Section 35;
THENCE South 89° 06' 25" West along said Northerly Right of Way line and Annexation line a distance of 2246.09 feet to the **POINT OF BEGINNING**.

The above described tract of land contains 13,482,839 square feet or 309.52 acres, more or less(±).

EXHIBIT B
(Annexation Agreement)

ANNEXATION AGREEMENT
(Moody Annexation)

This Agreement is made and entered into this ____ day of _____, 2022, by and between the individuals and entities listed in the signature page to this Agreement (each an “Annexor” and collectively, “Annexor”), and the **TOWN OF SEVERANCE**, a Colorado municipal corporation, with a legal address of 3 South Timber Ridge Pkwy, PO Box 339, Severance, CO 80546 (the “Town”). The Town and Annexor may be termed individually a “Party” or collectively the “Parties.”

WHEREAS, each Annexor holds fee title to one hundred percent of such Annexor’s portion of the property to be annexed to the Town pursuant to the “Moody Annexation” and as more particularly described in **Exhibit A**, attached hereto and incorporated herein by reference (hereinafter the “Annexation Property” or the “Property”); and

WHEREAS, the Annexor desires to have the Property annexed to and be subject to the jurisdiction of the Town, upon and subject to the terms and conditions set forth herein, all of which conditions are agreeable to the Annexor; and

WHEREAS, the Annexor has filed or intends to file a Petition to annex the Property to the Town; and

WHEREAS, the Parties desire to include in this Agreement certain provisions, understandings and agreements regarding the Property and its annexation; and

WHEREAS, the Town Council has determined that it is in the best interest of the Town to annex the Property, to provide certain municipal services thereto, and to receive revenues from the Property upon the terms and conditions contained herein.

THEREFORE, in consideration of the recitals, promises, mutual covenants and agreements herein contained, the parties agree as follows:

1. Warranties of Parties.

(a) Annexor.

(i) Each Annexor is the legal and equitable owner of each Annexor’s portion of the Annexation Property and has the legal capacity and the authority to enter into and perform its obligations under this Agreement.

(b) Town of Severance.

(i) The Town of Severance is a Colorado home-rule municipality and has the power to take all actions required to authorize this Agreement and to carry out the obligations hereunder.

2. Annexation. The annexation of the Annexation Property shall be in accordance with

the Colorado Municipal Annexation Act of 1965, as amended, the Severance Municipal Code and all applicable laws.

(a) Conditions Precedent. Annexation of the Property shall not become effective, and neither the Annexor nor the Town shall record or cause to be recorded the items described in C.R.S. § 31- 12- 113(2)(a)(II)(A) or this Agreement, until all of the following conditions have been satisfied (it being acknowledged that the Town shall record the requisite documents to effect annexation of the Property upon satisfaction of the conditions precedent):

- (i) The Annexor and the Town have mutually executed and delivered this Agreement;
- (ii) The ordinance approving the annexation of the Property has become effective in accordance with the provisions of the Severance Municipal Code; and
- (iii) The Town Council approves Sub-Urban Perimeter and Town Core zoning for the Property.

(b) Failure of Conditions. Until the conditions precedent set forth in subparagraph 2.a have been satisfied, this document shall constitute an offer by the Annexor and the Town to enter into this Agreement (notwithstanding the parties' mutual execution and delivery of this document), and the annexation of the Property to the Town shall not become effective. In such case, neither the Annexor nor the Town shall record or cause to be recorded this Agreement or the items described in C.R.S. § 31- 12- 113(2)(a)(II)(A).

3. Purpose. The purpose of this Agreement is to set forth the terms, conditions, and fees to be paid by the Annexor upon the initial development of the Property. Unless otherwise expressly provided to the contrary herein, all conditions contained herein are in addition to any and all requirements of the Severance Municipal Code, as amended.

4. Consent to Annexation. Annexor hereby consents to the annexation of the Property subject to the terms of any Petition for Annexation filed with the Town, pursuant to C.R.S. § 31-12-107(1), and this Agreement.

5. Zoning.

(a) Annexor hereby consents to the zoning of the Property as Sub-Urban Perimeter and Town Core, in accordance with the Town's established zoning designations and consistent with the Zoning Application submitted to the Town by Annexor. Initial zoning of the Property may be considered simultaneously with the Petition for Annexation by the Town as allowed by the Colorado Municipal Annexation Act of 1965.

(b) Annexor is entering into this Agreement and is undertaking the obligations imposed upon Annexor herein in reliance upon the Town's adoption of an ordinance

annexing the Property into the Town and an ordinance zoning the Property as provided in this Paragraph. Performance of Annexor's obligations hereunder is expressly conditioned upon the Town's adoption of the ordinances described in this Paragraph. If the Town fails to adopt the ordinances described in this Paragraph, then the petition for annexation shall be deemed withdrawn and the annexation process shall be terminated. (c) Because the zoning of property in Colorado constitutes legislative action by a municipality, nothing in this Agreement shall be construed to be an agreement, commitment, or contract binding the Town to approval of any specific zoning. Moreover, nothing in this Paragraph shall constitute or be interpreted as a waiver or abrogation of the Town's legislative, governmental, or police powers to later rezone the Property to promote and protect the health, safety and general welfare of the Town or its inhabitants.

6. Application of Town Laws. Except as expressly provided herein, all Town ordinances, regulations, policies, and procedures, and all requirements contained in the Severance Municipal Code, currently in effect and as the same may be amended from time to time, shall be applicable to the use and development of the Property, upon annexation.

7. Water Services. The Town will provide water services to the Annexation Property, if Annexor satisfies all requirements of the Severance Municipal Code including, but not limited to, the dedication of water rights and/ or the payment of fees in lieu thereof, and the construction of water lines and facilities necessary to service the land use proposed for the Property.

(a) No Vested Rights. IT IS EXPRESSLY UNDERSTOOD AND AGREED THAT ANNEXOR HAS NO CLAIM OR ENTITLEMENT TO RECEIVE WATER UTILITY SERVICES FROM THE TOWN OR RIGHT TO ANY PORTION OF THE SUPPLY OF WATER OR CAPACITY IN THE TOWN'S WATER SYSTEM TO SERVE THE POTENTIAL MAXIMUM DEVELOPMENT OF THE PROPERTY OR FUTURE SUBDIVISION PHASES UNDER THIS AGREEMENT. Annexor acknowledges and agrees that no vested property rights are granted by this Agreement. Further, Annexor hereby waives and releases any common law vested rights, whether known or unknown, suspected or unsuspected, contingent or fixed, relating to water treatment and conveyance capacity, which Annexor may or might hereafter have or acquire against the Town arising from or relating to the granting of any land-use approvals, building permits, certificates of occupancy, or the construction of public improvements.

(b) System Connection. Annexor acknowledges and agrees that capacity in the Town's water system may not be available or capable of serving the potential maximum development of the Property, and that the Town is not making and it expressly disclaims any express or implied warranty, representation, or commitment of any kind that the Property is capable of receiving water utility services from the Town, to sell or furnish utility services or extend utility infrastructure to the Property for future development, or to make available capacity from the existing Town water utility system sufficient to meet the projected water needs of the Property or any future development of the Property.

(c) No Guarantee of Water. Nothing in this Agreement shall be construed to provide or warrant, and the Town specifically disclaims, that it is obligated under this Agreement to supply any guaranteed minimum or maximum volume or quantity of potable water to the Property at any time, nor is the Town making any express or implied warranty, representation, or commitment of any kind regarding the available supply, flow rates or quantity of potable water.

(d) Existing North Weld Connections. Upon development of the Annexation Property, Annexor shall terminate any and all existing North Weld County Water District water service connections to the Annexation Property and shall take any and all other steps as necessary to effectuate a change of service provider for the Annexation Property to the Town.

8. Sewer Services. Town will provide sewer services to the Annexation Property, if Annexor satisfies all requirements of the Severance Municipal Code.

(a) No Vested Rights. IT IS EXPRESSLY UNDERSTOOD AND AGREED THAT ANNEXOR HAS NO CLAIM OR ENTITLEMENT TO RECEIVE WASTEWATER UTILITY SERVICES FROM THE TOWN OR RIGHT TO CAPACITY IN THE TOWN'S WASTEWATER SYSTEM TO SERVE THE POTENTIAL MAXIMUM DEVELOPMENT OF THE PROPERTY OR FUTURE SUBDIVISION PHASES UNDER THIS AGREEMENT. Annexor acknowledges and agrees that no vested property rights are granted by this Agreement. Further, Annexor hereby waives and releases any common law vested rights, whether known or unknown, suspected or unsuspected, contingent or fixed, relating to wastewater treatment and conveyance capacity, which Annexor may or might hereafter have or acquire against the Town arising from or relating to the granting of any land-use approvals or the construction of public improvements.

(b) System Connection. Annexor acknowledges and agrees that capacity in the Town's wastewater system may not be available or capable of serving the potential maximum development of the Property, and that the Town is not making and it expressly disclaims any express or implied warranty, representation, or commitment of any kind that the Property is capable of receiving wastewater utility services from the Town, to sell or furnish utility services or extend utility infrastructure to the Property for future development, or to make available capacity from the existing Town wastewater utility systems sufficient to provide the Property or any future development thereof with adequate wastewater treatment. Moreover, Annexor acknowledges and agrees that there may be many years in which wastewater utility services are not available to the Property or that there may not be any time when the Town may have surplus collection and conveyance capacity available under in its wastewater treatment plant sufficient to meet the sewage disposal needs of the Property or future development thereof.

9. Other Services. Upon annexation, the Town shall provide all customary public safety (but excluding fire protection) and public roadway and maintenance services to the Annexation

Property, to the same extent and upon the same terms and conditions as such services are provided to other properties throughout the Town.

10. Special District Formation. The Town will allow the formation of a special district on the Property to finance the construction of public improvements, subject to the applicable provisions of the Severance Municipal Code.

(a) Annexor shall submit a proposed service plan for the special district, and the Town shall review and timely act upon such service plan and the organization of the special district in accordance with C.R.S., § 32-1-204.5, and any other applicable state statutes.

(b) The Annexor/Developer intends to create and subject the Property to one or more metropolitan districts (collectively, the “Metropolitan District”) which may from time to time pay for and construct, own, operate and maintain certain public improvements needed for the Property. The creation and use of a Metropolitan District for financing some or all of the on-site and off-site public improvements is critical to the Annexor in developing the Property in the boundaries of the Town. Additionally, once a Metropolitan District is formed, it is the intent of the Annexor/Developer that certain obligations created under this Agreement or future subdivision improvement agreement with the Town may be assumed and transferred to the Metropolitan District. In the event the Metropolitan District is not formed, the Annexor/Developer shall maintain all of the obligations agreed to herein that are not otherwise dedicated to the Town, or another public entity as provided herein.

(c) Election to Disconnect. Annexor shall have the right to request disconnection of the Property pursuant to CRS 31-12-501, *et. seq*, and the Town Council shall grant the disconnection application, in the event that the following event has not occurred on or before December 31, 2024:

- (i) The Town Council has approved a District service plan, which proposed and approved service plan include the following terms:
 - (1) A total debt mill levy of a minimum of forty (40) mills; and
 - (2) The option to impose a maximum levy of ten (10) mills for operations and maintenance.
- (ii) Annexor’s option to disconnect pursuant to this paragraph shall be exercised by submitting an application for such disconnection no later than December 31, 2024. Failure of the Annexor to initiate disconnection proceedings by such date shall constitute a waiver of such right under this Agreement but does not waive their right to do so under C.R.S. 31-12-501, *et. seq* at any time.

11. Special District Inclusion. Upon annexation or upon thirty (30) days’ written notice of the Town to Annexor, as determined by the Town, Annexor shall initiate an action necessary to

assure inclusion of the Annexation Property into the Northern Colorado Water Conservancy District, the Municipal Subdistrict, Northern Colorado Water Conservancy District, the Windsor-Severance Fire Protection District, (if the Property is not yet within one or more of these district), and any other special districts as determined by the Town.

12. Special District Exclusion.

(a) Upon annexation, Annexor will initiate and diligently pursue actions necessary to assure exclusion of the Annexation Property from any and all special districts that provide municipal services to the Annexation Property of a type described in sections 7, 8 and 9; provided, however, that Annexor shall not be required to complete any such exclusion until such time that the Town is able to actually provide such services to the Annexation Property.

(b) Upon annexation, the Town may, at its option, initiate actions necessary to assure exclusion of the Property from any and all special districts that provide municipal services to the Annexation Property of a type described in sections 7, 8 and 9. The Annexor shall bear the related costs and legal fees for said exclusion, including any amounts as may be required to pay to any special district to effectuate exclusion, if the exclusion proceedings are initiated within 12 months of the effective date of the annexation.

13. Development.

(a) Commercial and Multifamily Uses. Annexor agrees that any future use and development of the Annexation Property located along the southern boundary of the Annexation Property, abutting East Harmony Road, shall be devoted to and reserved exclusively for commercial and retail uses or services on a minimum of 30 acres of land, as generally shown on Exhibit B attached hereto and incorporated herein (the “Commercial Development Zone”) and multifamily uses developed on the Annexation Property shall occur on a minimum of 13 acres of land as shown on Exhibit B (“Multi-Family Development Zone”). Annexor shall apply for and obtain all zoning entitlements required under the Severance Municipal Code as may be necessary to develop the Commercial and Multi-Family Development Zones in accordance with this Agreement.

14. Water Dedication. Annexor agrees that the dedication, conveyance, and delivery to the Town of title or the ownership interest in and to any and all water rights, free and clear of all liens and encumbrances, shall be required as a condition precedent to the approval of the subdivision or replatting of all or a portion of the Property to be served by the Town’s Water Utilities Enterprise. The water rights to be dedicated to the Town shall be in such amounts as determined by the Severance Municipal Code, or as may be necessary to fully supply the potable water demands and needs of all the ends uses within the proposed development of the Property, whichever is greater (“Water Dedication”). Furthermore, the water rights to be dedicated to the Town shall be Colorado-Big Thompson (“CBT”) units, or direct flow or storage water rights of a sufficient legal priority that the Town, in its sole discretion, can use within its Water Utilities Enterprise system to provide for the Water Dedication.

(a) Water Dedication Credit. At the time of the first final plat for that portion of the Property zoned Sub-Urban Perimeter, Annexor shall be entitled to a credit towards the Water Dedication for such plat equal to 2 CBT units equivalent or \$125,000 based on the Town's current cash in lieu fee of \$62,500/CBT unit.

15. Non-Potable Water. Upon development of the Property, Annexor shall design, construct, and install, and the Town may require Annexor to design, construct, and install, an on-site non-potable water system that is adequate to fully meet all of the irrigation demands and requirements for all end uses of the proposed development. It is intended and contemplated herein that the non-potable system shall be adequate to irrigate all irrigable areas within the Property with non-potable water. The non-potable water system will either i) become an extension of the Town's Non-potable Water Enterprise and will be owned, operated, and maintained by the Town after acceptance by the Town; or ii) be owned, operated, and maintained by the Metropolitan District, if one is approved, after acceptance by the Town.

(a) Non-Potable Water Dedication.

i. Annexor represents that there are appurtenant to the Property certain surface and/or groundwater "water rights" owned by Annexor, as more particularly described on **Exhibit C**, attached hereto and made a part of this Agreement (the "Water Rights").

ii. Annexor shall lease to either the Town (if the Metropolitan District is not created and the Annexor does not elect to disconnect the Property from the Town as set forth above) or to a "water enterprise" of the Metropolitan District, if one is approved, all Water Rights required for irrigating all areas within the Property with non-potable water to be furnished through the non-potable water system.

iii. The lease agreement shall contain, at a minimum, the following provisions:

(1) All Water Rights to be leased shall be non-transferable (that is, the lessee may not sublet, sell, donate, loan, assign, or otherwise dispose of any of its rights to the lease or the leased Water Rights), and cannot be encumbered by any creditor other than the Town without the express written approval of the Town;

(2) The term of the lease shall be for a period of forty (40) years from the date of execution with the right to renew upon expiration of the 40-year term for the full amount of leased Water Rights for a secondary term of thirty-five (35) years, upon the same terms and conditions as the original lease;

(3) The lessor may not terminate the lease except for lessee's non-

payment or if lessor's legal ability to deliver the full amount of leased Water Rights is materially impaired or eliminated because of the termination or adverse modification of permits, decrees or other authorizations which are needed to deliver the leased Water Rights.

iv. Any lease agreement or renewal between Annexor and the Metropolitan District shall be subject to review and approval by the Town.

v. If the non-potable system as contemplated does not irrigate all of the areas of the Property, the Town reserves the right to require Annexor to dedicate additional amounts of water, based on the Town's then-current water dedication requirements if such areas will be served by the Town.

(b) If, for any reason, the Metropolitan District (whether directly or through a water enterprise) should fail to own or operate the non-potable water system, or fail to provide irrigation for all areas of the Property with non-potable water, the Town shall have the right:

i. to require transfer of the on-site potable water system owned by the Metropolitan District to the Town and to require transfer or assignment of the Metropolitan District's rights to the lease or the leased Water Rights to the Town; or

ii. to require Annexor to acquire and dedicate additional water rights in a form solely determined by the Town and in an amount sufficient to fully supply the irrigation with non-potable water requirements for all end uses of the proposed development, including drought years, based on the Town's then-current water dedication requirements, if such areas will be served by the Town.

15. Special Provisions.

(a) School Site. Upon development of the Annexation Property, Annexor shall provide a minimum of 9.77 acres of land for a future school site, which shall be conveyed to the Weld County RE-4 School District. Annexor shall dedicate and convey the school site property to the Weld County RE-4 School District at the time of the first final plat for that portion of the Property zoned Sub-Urban Perimeter.

(b) Open Space. Annexor shall provide a minimum of 25% of open space on the Property, including the reservoir on the Property. All open space, except the reservoir, shall be conveyed to the Metropolitan District. Annexor shall dedicate the open space property to the Metropolitan District at the time of the first final plat for that portion of the Property zoned Sub-Urban Perimeter.

16. Assignment. The rights, duties, and obligations of the Annexor hereunder may be

assigned to another person or entity only with the prior written consent of the Town. In such event, the assignee shall assume all of the rights, duties, and obligations of the Annexor hereunder and the Annexor shall be correspondingly relieved from all such liabilities, duties and obligations.

17. Notices. All notices, demands or other documents required or desired to be given to either party under this Agreement shall be made in writing and shall be deemed effective upon receipt and shall be personally delivered or mailed by certified mail as follows:

Town:	Town Manager Town of Severance 3 S. Timber Ridge Pkwy, PO Box 339 Severance, CO 80546
Annexor:	Hidden Lake Investments, LLC Journey Homes, LLC Eaton-Law Reservoir Company Attn: Larry S. Buckendorf, Authorized Agent 7251 W. 20 th Street, L-200 Greeley, CO 80634

18. Remedies. The sole and exclusive remedies of Annexor against the Town for any breach of this Agreement shall be limited to breach of contract claims. The Town's remedies under this Agreement include, but are not limited to, the following:

- (a) The refusal to issue any building permit or certificate of occupancy;
- (b) The revocation of any building permit previously issued under which construction directly related to such building permit has not commenced, except a building permit previously issued to a third party;
- (c) A demand that the security given for the completion of any public improvements be paid or honored; and
- (d) Any other remedy available at law.

19. Cooperation. This Agreement is the product of the voluntary and cooperative effort of the Parties and shall not be construed or interpreted against either Party solely on the basis of that Party having drafted any portion of this Agreement

20. Binding Effect of Agreement. This Agreement shall inure to the benefit of and be binding upon the successors and the assigns of the respective parties. The parties' respective rights and obligations set forth in this Agreement shall constitute covenants that shall run with the land.

21. Recordation. Upon annexation of the Property, this Agreement shall be recorded in the records of the Clerk and Recorder of Weld County, State of Colorado.

22. Future Acts. Following execution of this Agreement, the parties covenant and agree that they will cooperate with each other in accomplishing the terms, conditions and provisions of the Agreement, and will execute such additional documents as necessary to effectuate the Agreement

23. Third Parties. The covenants, stipulations and agreements contained in this Agreement are and shall be for the sole and exclusive benefit of the parties hereto and their respective successors and assigns, and nothing in this Agreement, express or implied, is intended nor shall be construed or confer upon or give any other person any rights, remedy or claim under or by reason of the Agreement. The Town shall not be obligated or liable under the terms of this Agreement to any person or entity not a party hereto. Further, the Town shall not be bound by any contracts or conditions that Annexor may negotiate with third parties related to matters set forth in this Agreement.

24. Police Power. Nothing contained in the Agreement shall constitute or be interpreted as a repeal of existing Codes or ordinances or as a waiver or release of the Town's legislative, governmental or police powers to promote and protect, the health, safety, morals or general welfare of the municipality or its inhabitants. This Agreement shall not prohibit the enactment by the Town of any tax, fee, ordinance, resolution, rule, or regulation which is of uniform and general application.

25. No Partnership or Agency. Notwithstanding any language in this Agreement, neither party shall be deemed a member, partner or joint venture of each other and neither party shall be responsible for the debts or liabilities of the other nor the other's contractor or agent.

26. Venue. This Agreement is being executed and delivered and is intended to be performed in the State of Colorado, and the laws of Colorado shall govern the validity, construction, enforcement, and interpretation of this Agreement. Exclusive jurisdiction and venue for resolution of any dispute arising hereunder shall be in the District Court for Weld County, Colorado.

27. Attorney's Fees. In the event that it is necessary to initiate legal proceedings to enforce the provisions of this Agreement, the non-prevailing party shall be responsible for all reasonable legal expenses and costs incurred by the prevailing party, including reasonable attorney's fees.

28. Effective Date. This Agreement shall be effective and binding upon the parties immediately upon the effective date of an ordinance annexing the Property, regardless of whether the Agreement is executed prior to the effective date of said ordinance annexing the Property.

29. Entire Agreement. This Agreement including the Exhibits and Recitals, which are incorporated herein, set forth the entire agreement of the parties concerning the Moody Annexation. There are no promises, terms, conditions, or obligations other than those contained herein that exist

with respect to the annexation. This Agreement shall supersede all other provisions, communications, representations, or agreements, either verbal or written, between the parties with respect to the annexation and the economic incentives.

30. Waiver Limitations. A written waiver by either party to this Agreement of the breach of any term or provision of this Agreement shall not operate or be construed as a waiver or any subsequent breach by another party.

31. Headings. The headings of the sections or subsections of this Agreement are only for the convenience and reference of the parties and are not intended to define, limit, or describe the scope or intent of this Agreement.

32. Severability. If any part, term or provision of this Agreement is held by any court of competent jurisdiction to be illegal, invalid or unenforceable, the validity of the remaining provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid, and the parties shall cooperate to cure any such defect.

33. No Vested Property Rights. It is understood and agreed by the parties that no vested property rights are granted by this Agreement. The Annexor represents to the Town that there are no vested rights to the Annexation Property from the County of Weld or any other governmental entity. Annexor hereby waives and releases any prior vested rights which may have been so granted or acquired in Weld County so long as the Property remains annexed into the Town.

34. Disconnection. Except as provided in Section 10, no right or remedy of disconnection of the Annexation Property from the Town shall accrue from this Agreement, other than that provided by C.R.S. § 31-12-119. In the event the Annexation Property or any portion thereof is disconnected from the Town at the Annexor's request, the Town shall have no obligation to serve the disconnected Annexation Property.

33. Referendum. If the annexation of the Annexation Property or any portion thereof is challenged by a referendum, all provisions of the Agreement, together with the duties and obligations of each party, shall be suspended pending the outcome of the referendum election. If the referendum challenge to the annexation results in disconnection of the Annexation Property from the Town, then this Annexation Agreement shall be null and void and of no further effect. If the referendum challenge fails, then the Annexor and the Town shall continue to be bound by this Annexation Agreement.

34. Court Order. In the event that the annexation of the Property or any portion thereof is voided by Final Action ("Final Action" means that no appeal can be made or the time to appeal has expired) of a court of proper jurisdiction (such Final Action not being associated with referendum or initiative matters), the Town and the Annexor shall cooperate to cure any legal defects cited by the

court or that resulted in disconnection of the Annexation Property, and immediately upon such cure this Annexation Agreement shall be deemed to be an agreement to annex the Property to the Town pursuant to the Colorado Municipal Annexation Act of 1965. The Annexor shall reapply for annexation when the Initial Annexation Property becomes eligible for annexation as determined by the Town.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first set forth above.

[Remainder of page left intentionally blank—Signature Pages to follow]

ANNEXOR:

Hidden Lake Investments, LLC

By: _____
Larry S. Buckendorf, Authorized Agent

STATE OF COLORADO)
)ss.
COUNTY OF WELD _____)

The foregoing Annexation Agreement was signed and sworn to before me by Larry S. Buckendorf, as Authorized Agent, of Hidden Lake Investments, LLC, a Colorado limited liability company, this ____ day of _____, 20____.

Witness my hand and official seal.

(Notary Public Official Signature)

(Title of office)

(Commission Expiration)

[Remainder of page left intentionally blank—Signature Pages to follow]

Journey Homes, LLC

By: _____
Larry S. Buckendorf, Authorized Agent

STATE OF COLORADO)
)ss.
COUNTY OF WELD _____)

The foregoing Annexation Agreement was signed and sworn to before me by Larry S. Buckendorf, as Authorized Agent, of Journey Homes, LLC, a Colorado limited liability company, this ____ day of _____, 20____.

Witness my hand and official seal.

(Notary Public Official Signature)

(Title of office)

(Commission Expiration)

[Remainder of page left intentionally blank—Signature Pages to follow]

Eaton-Law Reservoir Company

By: _____
Larry S. Buckendorf, Authorized Agent

STATE OF COLORADO)
)ss.
COUNTY OF WELD _____)

The foregoing Annexation Agreement was signed and sworn to before me by Larry S. Buckendorf, as Authorized Agent, of Eaton-Law Reservoir Company, a Colorado Non-profit company, this ____ day of _____, 20__.

Witness my hand and official seal.

(Notary Public Official Signature)

(Title of office)

(Commission Expiration)

[Remainder of page left intentionally blank—Signature Pages to follow]

**TOWN OF SEVERANCE, a Colorado municipal
corporation**

By: _____
Matthew Fries, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

Exhibit A
Legal Description of Property to be Annexed

Exhibit A: PARCEL DESCRIPTION – Moody Annexation

A parcel of land being the Eaton-Law Reservoir, a portion of Lot B, Amended Recorded Exemption No. 0705-35-2 1AMRECX18-02-3293 recorded June 6, 2019 as Reception No. 4495105 of the Records of Weld County, and a portion of Lot A and Lot B, Recorded Exemption No. 0705-35-3 RECX18-0146 recorded June 6, 2019 as Reception No. 4495106 of the Records of Weld County, all situate within Section Thirty-five (35), Township Seven North (T.7N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado being more particularly described as follows;

COMMENCING at the Southwest Corner of said Section 35 and assuming the West line of the Southwest Quarter of Section 35 as bearing North 00° 15' 17" West a distance of 2675.16 feet, and being monumented on the South by a #6 Rebar with a 2.5" Aluminum Cap stamped LS 12374 and on the North by a #6 Rebar with a 2.5" Aluminum Cap stamped LS 28??? (last three numbers illegible) with all other bearings contained herein relative thereto:

THENCE North 00° 15' 17" West a distance of 30.00 feet to the North line of the Summit View Third Annexation to the Town of Severance recorded April 7, 2000 as Reception No. 2760552 of the Records of Weld County;

THENCE North 89° 06' 25" East along the North line of said Summit View Third Annexation a distance of 30.00 feet to the Easterly line of the Francis-Felte Fourth Annexation to the Town of Severance recorded January 31, 2001 as Reception No. 2822532 of the Records of Weld County and to the **POINT OF BEGINNING**.

THENCE North 00° 15' 17" West along said Easterly line of the Francis-Felte Fourth Annexation and along the Easterly line of the Schlagel II Annexation to the Town of Severance recorded February 28, 2003 as Reception No. 3036936 of the Records of Weld County a distance of 2644.75 feet;

THENCE North 00° 01' 47" East continuing along said Easterly line of the Schlagel II Annexation a distance of 2345.56 feet to the intersection of the Easterly line of Schlagel II Annexation and a Northerly line of said Lot B, Amended Recorded Exemption No. 0705-35-2 1AMRECX18-02-3293;

The following Forty (40) courses are along the Northerly, Westerly and Easterly lines of Lot B, Amended Recorded Exemption No. 0705-35-2 1AMRECX18-02-3293.

THENCE North 89° 43' 41" East a distance of 374.00 feet;

THENCE North 00° 01' 47" East a distance of 330.00 feet to the North line of the Northwest Quarter of said Section 35;

THENCE North 89° 42' 39" East along said North line of the Northwest Quarter of Section 35 a distance of 1531.28 feet;

THENCE South 36° 15' 22" West a distance of 81.53 feet;

THENCE South 14° 46' 49" West a distance of 22.77 feet;

THENCE South 02° 03' 26" East a distance of 30.76 feet;

THENCE South 33° 15' 31" East a distance of 115.46 feet;

THENCE South 36° 37' 49" East a distance of 132.58 feet;

THENCE South 41° 09' 32" East a distance of 130.51 feet;

THENCE South 40° 01' 53" East a distance of 139.86 feet;

THENCE South 35° 02' 09" East a distance of 145.64 feet;
 THENCE South 19° 38' 05" East a distance of 143.14 feet;
 THENCE South 21° 19' 29" West a distance of 59.29 feet;
 THENCE South 16° 39' 59" East a distance of 142.09 feet;
 THENCE South 14° 24' 46" West a distance of 71.95 feet;
 THENCE South 04° 06' 29" West a distance of 86.34 feet;
 THENCE South 24° 00' 55" West a distance of 356.21 feet;
 THENCE South 40° 10' 05" West a distance of 12.24 feet;
 THENCE South 40° 31' 16" East a distance of 100.34 feet;
 THENCE South 56° 50' 15" East a distance of 57.98 feet;
 THENCE South 40° 59' 20" East a distance of 59.88 feet;
 THENCE South 33° 40' 24" East a distance of 67.70 feet;
 THENCE South 31° 37' 54" East a distance of 70.95 feet;
 THENCE South 30° 37' 57" East a distance of 85.04 feet;
 THENCE South 29° 34' 41" East a distance of 107.35 feet;
 THENCE South 32° 35' 12" East a distance of 115.72 feet;
 THENCE South 33° 05' 56" East a distance of 128.81 feet;
 THENCE South 31° 44' 30" East a distance of 146.49 feet;
 THENCE South 09° 09' 37" West a distance of 158.11 feet;
 THENCE South 26° 21' 47" East a distance of 150.21 feet;
 THENCE South 06° 10' 17" East a distance of 136.36 feet to a Westerly line of the Wright Fourth Annexation to the Town of Severance recorded March 3, 1995 as Reception No. 2428807 of the Records of Weld County, said line also being coincident with the Westerly line of the Amended Plat of Settlers Landing recorded December 20, 1995 as Reception No. 2468390 of the Records of Weld County;

The following Nine (9) courses are along the Westerly lines of said Wright Fourth Annexation and the Amended Plat of Settlers Landing.

THENCE South 00° 13' 21" West a distance of 637.13 feet;
 THENCE South 05° 51' 39" East a distance of 485.00 feet;
 THENCE South 10° 26' 39" East a distance of 425.00 feet;
 THENCE South 24° 41' 39" East a distance of 139.00 feet;
 THENCE South 26° 13' 21" West a distance of 262.00 feet;
 THENCE South 40° 16' 39" East a distance of 209.41 feet;
 THENCE South 40° 16' 39" East a distance of 145.59 feet;
 THENCE South 21° 18' 21" West a distance of 175.00 feet;
 THENCE South 17° 56' 39" East continuing along a Northerly line of said Wright Fourth Annexation a distance of 308.63 feet to the Northerly Right of Way line of Weld County Road 74, said line being parallel with and 30.00 feet Northerly of the South line of the Southeast Quarter of said Section 35;
 THENCE South 89° 03' 21" West along said Northerly Right of Way line a distance of 450.32 feet;

THENCE South 89° 06' 25" West continuing along said Northerly Right of Way line and along the Northerly line of said Summit View Third Annexation a distance of 240.17 feet to the Easterly line of Lot A, Recorded Exemption No. 0705-35-3-RE1022;

The following Five (5) courses are along the Easterly, Northerly and Westerly lines of said Lot A.
THENCE North 04° 06' 13" West a distance of 340.10 feet;
THENCE South 88° 07' 15" West a distance of 210.84 feet;
THENCE South 46° 38' 40" West a distance of 72.01 feet;
THENCE South 32° 58' 40" East a distance of 315.51 feet;
THENCE South 00° 53' 35" East a distance of 20.00 feet to the Northerly Right of Way line of Weld County Road 74 and to the Northerly line of said Summit View Third Annexation, said line being parallel with and 30.00 feet Northerly of the South line of the Southwest Quarter of said Section 35;
THENCE South 89° 06' 25" West along said Northerly Right of Way line and Annexation line a distance of 2246.09 feet to the **POINT OF BEGINNING**.

The above described tract of land contains 13,482,839 square feet or 309.52 acres, more or less (±).

SURVEYOR'S CERTIFICATE

I, Aaron M. Lund, a Colorado Registered Professional Land Surveyor do hereby state that this Property Description was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief. Furthermore, this description was completed for the purpose of describing an annexation boundary and should not be used for the conveyance of real property or any rights therein. This is not intended to represent a Land Survey Plat, Improvement Survey Plat or Improvement Location Certificate and is based upon my knowledge, information, and belief. It was completed by me or under my direct supervision using applicable standards of care and is not a guaranty or warranty, either expressed or implied.

Aaron M. Lund – on Behalf of Northern Engineering
Colorado Registered Professional
Land Surveyor #38670



NORTHERN ENGINEERING
820 8th Street
Greeley, Colorado 80631
(970) 488-1115

EXHIBIT B



OCTOBER 21, 2022



NORTHERN
ENGINEERING

P:\1155-003\DWG\EXHIBITS\MOODY PROPERTY_CONCEPT PLAN.DWG

MOODY PROPERTY
SEVERANCE, CO

CONCEPT PLAN
FIGURE 1



OCTOBER 21, 2022



NORTHERN
ENGINEERING

P:\1155-003\DWG\EXHIBITS\MOODY PROPERTY_CONCEPT PLAN.DWG

MOODY PROPERTY
SEVERANCE, CO
CONCEPT PLAN FEATURES
FIGURE 2



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Pg 125 - Resolution 2022-57R: A Resolution of the Town Council of the Town of Severance, Colorado, approving a concept plan for a mixed-use development on certain real property located within section 35, township 7 north, range 67 west, County of Weld, State of Colorado	Abdul Barzak, Town Planner	Abdul Barzak, Town Planner
ACTION REQUESTED		
Community Development asks that the Severance Town Council review and discuss Moody Project Concept Plan and take action. Actions that may be taken: 1. Approve Resolution 2022-57R 2. Take No Action		<u>Resolution</u> <u>Concept Plan</u> <u>Action Requested</u> <u>Attorney Approved</u>
BRIEF SUMMARY		
Hidden Lake Investments, LLC and Eaton Law Reservoir Company jointly (owners) are petitioning the Town of Severance to annex approximately 310 acres north of and adjacent to E. Harmony Road (WCR 74) and east of and adjacent to Teller Street (WCR 21). The applicant has submitted a concept plan requesting 123.40 acres of single family residential lots (670 lots). 30.66 acres of commercial, 13.79 acres of multi-family, a 10.69 acre school site, 72.65 acres of open space, and 55.75 acres of right-of-way. The Severance Planning Commission, after conducting a public hearing on the proposed Concept Plan at its meeting held on November 16, 2022, failed to reach consensus on a recommendation with respect to the Concept Plan.		
PUBLIC SUPPORT/CONCERN		
Residents have reached out to Town Staff and expressed concern with the concept plan, please see packet for all received comments.		
ANALYSIS AND RECOMMENDATION		
Town staff is asking for the Town Council to review, discuss, and take action on Resolution 2022-57R for the Moody Project Concept Plan.		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet:		

1. Town Review Form - Moody Project (Staff Generated)
2. Engineering Memo (Staff Generated)
3. Concept Plan (Applicant Submitted)
4. Draft Management Plan (Applicant Submitted)
5. Combined Neighborhood Responses
6. Combined Referral Responses
7. Resolution 2022-57R: Concept Plan for Mixed-Use Development



Town of Severance Review Comments (Comp Plan Amendment, Zoning, Concept Plan)

Date: 10.12.2022 – Received, Resubmitted 10.25.2022

Project Name/Contact: Moody Annex/Zoning/Concept Plan/Morgan Kidder

Project Address: Northeast Corner of Teller Street & E. Harmony Road

Customer: 233- Journey Homes Moody Property

Review Number: 8th Submittal

Project Coordinator: Abdul Barzak, Town Planner

Recipients:

- ☒ MANAGEMENT
- ☒ PLANNING
- ☒ ENGINEERING
- ☒ TRAFFIC
- ☒ TOWN ATTORNEY
- ☒ PUBLIC WORKS
- ☒ POLICE
- ☒ BUILDING
- ☐ OTHER

The following comments must be addressed in order to proceed with the development process. All subsequent submittals should be submitted electronically.

Please submit a revised document addressing all comments along with a comment response letter to the project coordinator. Large plan sets should be submitted through Dropbox and a link provided.

With the project resubmittal, please indicate whether or not the change was made and provide a response as applicable. Please contact me if you have any questions.

Project Coordinator – Abdul Barzak, Town Planner, Town of Severance

Item 1	Redlines	Resolved?
Notes	Applicant to address all Redlines from Civil. Public Hearings will not be scheduled until finalized and approved by staff. - Zoning Map - Legal Descriptions - Comp Plan Amendment	☒ YES ☐ NO ☐ SEE ATTACHED
Applicant Response	Redlines have been addressed with resubmittal.	
Notes	Civil has reviewed the revised Zoning Map, Zoning Legal Descriptions, and Comp Plan Amendment Figure. The previous comments have been resolved.	

Town Management – Nick Wharton & Lindsay Radcliff-Coombes, Town Management , Town of Severance

Item 1		Resolved? ☐ YES ☒ NO ☐ SEE ATTACHED
Water Service		
Notes	Currently the Town does not have the storage capacity nor the volume delivery capacity to serve this subdivision. Applicant will need to examine the storage capacity with the Town and the volume delivery capacity will need to be discussed with the Town and their delivery provider, North Weld County Water District. This comment should be addressed during the preliminary plat process.	
Applicant Response	Agreed. This comment will be addressed during the preliminary plat process.	
Notes	Further coordination will be required at Preliminary Plat stage	Resolved? ☐ YES ☒ NO ☐ SEE ATTACHED
Item 2		
Sewer Connection		
Notes	Current capacity at the Severance treatment Plant will not allow this proposed subdivision to be treated. In turn, Applicant will need to build a bypass line to connect to the Town's trunkline which will then be treated by the Town of Windsor per the Town's IGA. This comment should be addressed during the preliminary plat process.	
Applicant Response	Agreed. This comment will be addressed during the preliminary plat process.	
Notes	Further coordination will be required at Preliminary Plat stage	

Planning – Josh Olhava & Logan Graves, Community Planner , Ayres Associates

Item 1	Concept Plan – Markups for pedestrian corridors and amenities	Resolved? ☒ YES ☐ NO ☐ SEE ATTACHED
Notes	The attached markups show opportunities to incorporate pedestrian corridors and trail systems on the concept plans. A concept should show pedestrian systems as well as the vehicular ones currently shown. We suggest including photo examples to illustrate what the pocket parks might look like or what is being considered for these areas. The same can be done with the buffer areas on all sides. A second concept plan sheet could include callouts with images that show what you are thinking in terms of amenities and treatments in all of these areas. Currently this is a big unknown with the concept.	
Applicant Response	A second sheet has been added with potential amenities and treatments for the site.	
Notes	Staff is comfortable with the concept plan at this stage. If approved further coordination will be required at Preliminary Plat stage.	
Item 2	Concept Plan – Markup	

Notes	There is an additional question/comment on the markups trying to better understand what happens with the roadway along the western edge of the future school site. It currently dead-ends into the commercial area. Notes or callouts should be added to note whether this connects to an access drive or results in a turnaround. Understanding the circulation is important.	Resolved? ☒ YES ☐ NO ☐ SEE ATTACHED
Applicant Response	A temporary turnaround will be designed during the preliminary plat stage. The ultimate connection in this area will not be determined until such time the commercial area is developed.	
Notes	Staff is comfortable with the concept plan at this stage. If approved further coordination will be required at Preliminary Plat stage.	

Civil Engineering – Chris Messersmith & Amber Messersmith , P.E , Colorado Civil Group, Inc.

Item 1	Please see attached Memo and Redlines	Resolved? ☒ YES ☐ NO ☒ SEE ATTACHED
Notes	Engineering Comment Memo and all Redlines are included in the dropbox link: https://www.dropbox.com/sh/1w9ss27orh32q7k/AAC3EwQ-EK4U8T0T8y5DX1K4a?dl=0	
Applicant Response	Responses to engineering comments provided on CCG comment letter.	
Notes	From CCG: the remaining comments & redlines on the Concept Plan can be addressed with the Preliminary Plat process.	
Item 2	Concept Plan - Potable Water	Resolved? ☐ YES ☒ NO ☐ SEE ATTACHED
Notes	The water service for this project will be provided by the Town of Severance. To provide service to this development, the Town needs to purchase Additional Standard Plant Investment Taps (ASPITs) from the North Weld County Water District (NWCWD). Additional ASPITs are not available for purchase at this time. The Town is working with the NWCWD on a new Water Service Agreement to resolve this issue. There is no estimate on when this Agreement will be executed. This is consistent with the referral comments from the NWCWD. The Town of Severance Elevated Water Tank will need to be placed into service prior to any building permits being issued for this project. Red	
Applicant Response	Noted.	
Notes	Further coordination will be required at Preliminary Plat stage	
Item 3	Concept Plan - Sanitary Sewer	Resolved?

Notes	Sanitary Sewer – The sanitary sewer service for this project will be provided by the Town of Severance, however the Town does not have infrastructure in place to serve this development. The project will need to install a sanitary sewer main from the project to the existing 18" interceptor pipe south of the existing Severance Wastewater Treatment Facility. <i>The developer has stated that they will work with the Town to complete the additional offsite sanitary sewer connection required to serve this development.</i>	☐ YES ☒ NO ☐ SEE ATTACHED
Applicant Response	Agreed. This comment will be addressed during the preliminary plat process.	
Notes	Further coordination will be required at Preliminary Plat stage	

Traffic Engineering – Eli Farney, P.E, PTOE, JR Engineering, LLC

Item 1	No Comment	Resolved? ☒ YES ☐ NO ☐ SEE ATTACHED
Notes	No Comments at this time	
Applicant Response	Noted.	
Notes	Further coordination will be required at Preliminary Plat stage	

Town Attorney – Keith Martin, Attorney, Hayashi & Macsalka, LLC

Item 1	No Comment	Resolved? ☒ YES ☐ NO ☐ SEE ATTACHED
Notes	No Comments at this time	
Applicant Response	Noted.	
Notes	Further coordination will be required at Preliminary Plat stage	

Public Works – John Zacklene, Public Works Director, Town of Severance

Item 1	No Comment	Resolved? ☒ YES ☐ NO ☐ SEE ATTACHED
Notes	No Comments at this time	
Applicant Response	Noted.	
Notes		

Police – Chief Gerdeman, Chief of Police, Severance Police

Item 1	No Comments	Resolved? ☒ YES ☐ NO
Notes	Nothing from the PD at this point.	

Applicant Response	Noted.	☐ SEE ATTACHED
Notes		

Building Department– Russ Weber, Chief Building Official, SAFEbuilt

Item 1	No Comments	Resolved?
Notes	No Comment at this time	☒ YES
Applicant Response	Noted.	☐ NO
Notes		☐ SEE ATTACHED

Neighborhood Meeting Notes – August 8th, 2022

Item 1	Traffic Concerns
Notes	- Regarding traffic residents showed concerns with traffic flow patterns, and the overall increase in traffic numbers and potential stacking issues when a school is built. - Residents asked for medians to be placed along both Teller Street and E. Harmony Road along the project extents. - Residents to the west of the proposed project discussed concerns with potential cut through traffic through adjacent neighborhoods and increased pedestrian traffic and reiterated that the Fox Run neighborhood does not have sidewalks. - Residents confirmed that the Traffic Impact Study will include previous traffic studies that have been done in the immediate area as well as background traffic.
Staff Comments	A Traffic Impact Study (TIS) will be required at the Preliminary Plat Stage if approved. Applicant will be required to install all required mitigations and conclusions of the TIS.
Item 2	Buffering
Notes	- Residents voiced concerns with buffering between existing residences and the proposed project, asking for larger landscape buffers with berms and screening. - Residents asked for larger lots to match the existing residential neighborhoods
Staff Comments	Staff has asked the applicant to adjust the Concept Plan to allow for more intense and thoughtful buffering/screening and to increase lots size near existing large lot residences.
Item 3	Multi-Family
Notes	- Residents voice concerns about the proposed Multi-family including - o Location - o Parking - o Number of units

	○ Height ○ Buffering
Staff Comments	Applicant will be required to show more detail at Preliminary Plat stage and adhere to all Code requirements at time of submittal.
Item 4	Open Space
Notes	Residents discussed the lack of open space and voiced that the reservoir should not count towards open space percentages and at the very least be useable open space with trails, boating, and fishing
Staff Comments	More details will be required at Preliminary Plat stage applicant will be required to adhere to all code requirements at time of submittal.
Item 5	Weld County Properties
Notes	- A county resident that is on the northwest corner of the property asked that the applicant look at the lots that would border their property and asked for larger lots to better transition from the Weld County Agricultural Zoning. This resident also voiced concerns if the Future WCR 76 were to ever be built. - Winter Farms, discussed items included in their letter to the applicant and Town Council (please see packet for all items)
Staff Comments	Staff has asked the applicant to adjust the Concept Plan to allow for more intense and thoughtful buffering/screening and to increase lots size near existing large lot residences. Staff has also asked the applicant to respond directly to letter from Winter Farms.

Planning Commission Notes – November 16th, 2022

Item 1	Sanitary Sewer
Notes	Commissioners asked about existing capacities for the sanitary sewer trunk line that goes to Windsor as part of an existing IGA.
Staff Comments	Town Management confirmed that the Trunk Line allows for 1 million gallons a day and stated that currently the Town used 20%-30% of that daily.
Item 2	WCR 76 Future ROW
Notes	Commissioners asked for clarification on WCR 76.
Staff Comments	Staff clarified that Town staff will be asking the applicant to reserve 70' of ROW on the plat. Reserving this ROW gives the Town of Severance the option to extend WCR 76 to Teller Street in the future, providing alternate east-west routes and relief for E Harmony Road when detours are warranted. As WCR 76 approaches Teller Street from the east, the alignment could be shifted to

	the north to avoid the existing residence. The extension of WCR 76 will be dependent on future development and the needs to the Town of Severance.
Item 3	Neighborhood Comments
Notes	Commissioners discussed neighborhood comments received during this process and asked if the applicant felt that adequately "answered" or responded to these comments.
Staff Comments	The applicant stated that they felt that they had, they have worked with the school district, increased lot sizes and buffers between existing adjacent residential, and will be providing needed commercial space.
Item 4	Utilities
Notes	Commissioners discussed water, gas, and electric utilities and there current status.
Staff Comments	Potable Water: The water service for this project will be provided by the Town of Severance. To provide service to this development, the Town needs to purchase Additional Standard Plant Investment Taps (ASPITs) from the North Weld County Water District (NWCWD). Additional ASPITs are not available for purchase at this time. The Town is working with the NWCWD on a new Water Service Agreement to resolve this issue. There is no estimate on when this Agreement will be executed. This is consistent with the referral comments from the NWCWD. Potable Water #2: The Town of Severance Elevated Water Tank will need to be placed into service prior to any building permits being issued for this project. The Elevated Water Tank is required regardless of this project and is estimated to be in service during the third or fourth quarter of 2024. Sanitary Sewer: The sanitary sewer service for this project will be provided by the Town of Severance, however the Town does not have infrastructure in place to serve this development. The project will need to install a sanitary sewer main from the project to the existing 18" interceptor pipe south of the existing Severance Wastewater Treatment Facility. The developer has stated that they will work with the Town to complete the additional offsite sanitary sewer connection required to serve this development. Gas/Electric: Generally, the western half of this property is in PVREA's service boundary while the eastern half of the property is in Xcel's service area. The applicant stated that they are currently working with both, and this would not be a problem. A number of other subdivisions here in Town are also served by both providers. (Timber Ridge, Baldridge, Golden Eagle) The applicant confirmed that they will not build any houses until all utilities were figured out. With recently approved Ordinance 2022-13 and the SMC the applicant cannot build until these items are finalized and approved by Council.
Item 5	Lot Sizes

Notes	Commissioners clarified average lot size. Commissioners also expressed the desire to lower the density closer to 2 du/acre.
Staff Comments	The applicant stated that the average lot size as proposed is 8,1000 sf. The largest lots are up to 21,000 sf. They will have 63' wide, 73' wide, and 1/3-acre estate lots as proposed. The applicant has proposed 670 lots on 123.40 acres (single family residential) 670 lots/123.40 acres = 5.43 du/acre. SMC Sec. 16.6.20.2 states that for Suburban Perimeter; (1) Gross minimum density: two (2) dwelling units per acre. (2) Maximum density: determined by market.
Item 6	Open Space
Notes	Commissioners asked how much of the proposed 72.65 acres of the open space is taken up by the reservoir in the center of the development, and where the park is located.
Staff Comments	The applicant stated that the reservoir would be approximately 30%-40% of the total open space but clarified that a buffer of green space exists around the reservoir and the concept plan shows a trail as part of the open space that goes around and throughout the development. The applicant stated that the park location would be determined at the Preliminary Plat stage.
Item 7	Reservoir
Notes	Commissioners asked if the reservoir receives any "run-off."
Staff Comments	Applicant clarified that this reservoir has a unique water right, and this reservoir is a direct flow from the Poudre River and guaranteed and there are no downstream users or rights. The state will regulate, permit, and inspect the dam in the reservoir.
Item 8	Water Dedication Credit within the Annexation Agreement
Notes	Commissioners asked why a Water Dedication Credit exists within the Annexation Agreement.
Staff Comments	Town Management confirmed that this had to do with a separate project, when the applicant developed the Severance Reserve subdivision, the applicant was able to remove the Town Homes they built off of potable water and put them on their owned and operated non-potable system.
Item 9	Timeline
Notes	Commissioners asked what the applicant's intention was if the concept plan is approved and it takes more than 2 (two) years for the preliminary plat to be approved.
Staff Comments	Town Legal clarified that the decision maker can deny a Preliminary Plat outright or it could conditionally approve the Preliminary Plat. Denial would essentially take the applicant back to the "drawing board."

Item 10	Development
Notes	Commissioners asked the applicant if approved, could the applicant develop the commercial area first before residential?
Staff Comments	Applicant stated that they would develop the whole site but clarified that commercial will develop based on market demand.
Item 11	Recommendation
Notes	The Severance Planning Commission, after conducting a public hearing on the proposed Concept Plan held on November 16, 2022, failed to reach consensus on a recommendation with respect to the Concept Plan. The Planning Commission made two motions. 1. Forward a recommendation of denial to the Town Council (2 votes yes, 2 votes no) 2. Forward a recommendation of approval to the Town Council (2 votes yes, 2 votes no)

Please revise the plans accordingly and respond to all of the above action items in the **Applicant Response** boxes provided at your earliest convenience.

Once the project is resubmitted it will be referred out as necessary and any outstanding issues will be addressed with a comment response.

If you should have any questions, please contact me at 970-692-1556, or email.

Thank you,



Abdul Barzak

Town Planner

abarzak@townofseverance.org

Town of Severance

3 South Timber Ridge Parkway

PO BOX 339

Severance, CO 80546

970-692-1556

TO: Mr. Nick Wharton, Severance Town Manager
Ms. Lindsay Radcliff-Coombes, Severance Deputy Town Manager
Mr. Abdul Barzak, Severance Town Planner

FROM: Chris Messersmith, Colorado Civil Group, Inc.
Amber Messersmith, Colorado Civil Group, Inc.

DATE: October 27, 2022

SUBJECT: Moody Annexation, Zoning, and Concept Plan

CCG PROJECT NO: 0042.0014.02

TOWN CUSTOMER ID: 233

We have completed our engineering review of the Moody Annexation, Zoning, and Concept Plan 8th submittal package received on October 25, 2022 and the revised Comprehensive Plan received on October 26, 2022. The following items were included with the submittal package:

- Zoning Map
- Concept Plan
- Comprehensive Plan Figure 1
- Response Letter
- Legal Description (Zoning – Suburban Perimeter)
- Legal Description (Zoning - Town Core)

We offer the following comments:

General:

1. Potable Water – The water service for this project will be provided by the Town of Severance. To provide service to this development, the Town needs to purchase Additional Standard Plant Investment Taps (ASPITs) from the North Weld County Water District (NWCWD). Additional ASPITs are not available for purchase at this time. The Town is working with the NWCWD on a new Water Service Agreement to resolve this issue. There is no estimate on when this Agreement will be executed. This is consistent with the referral comments from the NWCWD. The Town of Severance Elevated Water Tank will need to be placed into service prior to any building permits being issued for this project.
2. Larimer & Weld Irrigation Company demands that the Town of Severance require Hidden Lake Investments to obtain an agreement with Larimer & Weld Irrigation Company to address its concerns as a condition of zoning/annexation approval. *The Applicant has responded that they will work with LWIC on any modifications to the ditch system during the development process.*



3. The Winter Farms protest letter dated May 5, 2022 was reviewed. Bullet Item #1 is the only engineering related item. We believe their request to have their water supply line relocated prior to construction is reasonable. *The proposed re-alignment will not be designed until the preliminary plat process.*
4. Sanitary Sewer – The sanitary sewer service for this project will be provided by the Town of Severance, however the Town does not have infrastructure in place to serve this development. The project will need to install a sanitary sewer main from the project to the existing 18" interceptor pipe south of the existing Severance Wastewater Treatment Facility. *The developer has stated that they will work with the Town to complete the additional offsite sanitary sewer connection required to serve this development.*
5. The Applicant will need to schedule a scoping meeting with the Town prior to preparing the Traffic Impact Study for this project which is required for the Preliminary Plat process.

Annexation Substantial Compliance:

- ~~6. The project was previously checked for substantial compliance, refer to Comment Memo dated October 28, 2021.~~

Annexation Petition:

- ~~7. The revised Annexation Petition has been signed by Hidden Lake Investments, LLC, Journey Homes, LLC and the Eaton Law Reservoir Company.~~
- ~~8. The Annexation Petition Legal Description has been corrected and matches the Annexation Map.~~

Annexation Legal Description:

- ~~9. The Annexation Legal Description was previously reviewed, and no problems were found.~~

Title Commitment:

10. The Title Commitment prepared by Heritage Title Company, Issuing Office File Number 459-H0646933-820-GRO, Amendment No. 1 with Commitment Date of July 2, 2021 lists the vested owner as:

Hidden Lake Investments, LLC, a Colorado limited liability company

The aliquot legal descriptions are for Lot B, Recorded Exemption No. 0705-35-3 RECS18-0146 (Parcel #070535300004) and for Lot B, Amended Recorded Exemption No. 0705-35-2 1AMRECX18-02-3293 (Parcel #070535200008). The Title Commitment is missing Rec. No. 4717678 Special Warranty Deed. Town of Severance criteria requires that the Title commitment be dated within 30 days of application submittal (SMC 16.2.40.6.).

11. The Title Commitment prepared by Heritage Title Company, Issuing Office File Number 459-H0587798-084-LL9, Amendment No. 1 with Commitment Date of July 2, 2021 lists the vested owner as:

The Eaton-Law Reservoir Company (incorporated March 17, 1980)

The legal description appears to be for Parcel #070535300003 per Sale Deed Rec. No. 3934637. Town of Severance criteria requires that the Title commitment be dated within 30 days of application submittal (SMC 16.2.40.6.).

12. The Title Commitment prepared by Heritage Title Company, Issuing Office File Number 459-H0664301-820-GRO with Commitment Date of November 22, 2021 lists the vested owner as:

Journey Homes, LLC, a Colorado limited liability company

The aliquot legal description is for Lot A, Recorded Exemption No. 0705-35-3 RECX18-0146 (Parcel #70535300003). Town of Severance criteria requires that the Title Commitment be dated within 30 days of application submittal (SMC 16.2.40.6.).

Annexation Map:

13. According to the applicant, the Annexation Map has been executed by the Developer and submitted to the Town for signatures.
14. Our only previous minor redline comment dated July 5, 2022 was to correct who was signing the Clerk and Recorder's Certification block. Engineering will check that this has been addressed prior to signing the Annexation Map.

Zoning Map:

15. The previous comments have been addressed; we have no further comments.
16. Sheet 1 (SMC 16.3.80.c.2.e.3) – Separate written metes and bounds legal descriptions (WORD) were submitted for each proposed zoning category. These legal descriptions were checked against the calls on the Zoning Map and the Zoning Lot Closures.
- The Town Core Zoning legal description is approved.
 - The Suburban Perimeter Zoning legal description is approved.

Comprehensive Plan Figure 1:

17. The zoning statements and areas have been checked and match the Zoning Map and the Zoning legal descriptions.
18. We have no further comments.

Concept Plan:

19. The access and intersection spacing comments below are general and all arterial access and intersection spacing will be evaluated in detail at the Preliminary Plat level with the TIS.
20. E Harmony Rd (WCR 74 Road) ROW – The Severance Transportation Master Plan identifies E Harmony Rd (WCR 74) as a Major Arterial with a 140' road ROW. There is 50' of existing ROW north of the section line. This project will be required to dedicate 20' of ROW along E Harmony Rd (WCR 74) for a total of 70' of ROW north of the section line. *The ROW appears to be provided. ROW dedication will be done with the Plat process.*
21. Teller St (WCR 21) Road ROW – The Severance Transportation Master Plan identifies Teller St (WCR 21) as a Minor Arterial with a 120' road ROW. When right turn lanes are warranted on Minor Arterial roads an additional 10' of road ROW is required. There is 30' of existing ROW east of the section line. This project will be required to dedicate 30' of ROW along Teller St (WCR 21) and 40' of ROW where right turn lanes are warranted for a total of 60' of ROW or

70' of ROW east of the section line, accordingly. It appears that 60' of ROW is provided. *ROW dedication will be done with the Plat process.*

22. WCR 76 Road ROW - WCR 76 does not currently exist as a road. This project should reserve road ROW along WCR 76 for future dedication. This section of WCR 76 would be considered as a Minor Arterial with a 120' road ROW. When right turn lanes are warranted on Minor Arterial roads an additional 10' of road ROW is required. This project should reserve 60' of ROW for WCR 76 south of the section line and 70' of ROW for WCR 76 where right turn lanes are warranted south of the section line. It appears that 60' of ROW is reserved with the Concept Plan layout. *ROW dedication will be done with the Plat process.*
23. Arterial Access & Intersection Spacing (E Harmony Rd.) – The Concept Plan shows 2 proposed accesses via E Harmony Rd.
- The Evans St./E Harmony Rd Intersection does not meet the required ¼ mile spacing; however, it does align with the existing Evan St. access for the Summit View Subdivision to the south. This access is acceptable as shown but may be restricted to Right-In/Right-Out or ¾ movement in the future. Similar restrictions may be required of the existing roads to the south (Evans St. and Summit View Rd.) in the future.
 - Timber Ridge Pkwy. will likely be a full movement intersection and potentially be signalized in the future.
24. Arterial Access & Intersection Spacing (Teller St.) – The Concept Plan shows 3 proposed accesses via Teller St.
- The 1st access (southernmost) is located more than a ¼ mile from E Harmony Rd. However, this access no longer aligns with the existing Fox Run intersection to the west, as requested by the Town. The 1st access and the existing Fox Run intersections are approximately 250' apart and do not meet the Town's intersection spacing criteria. This off-set intersection will need to be evaluated by the Town's Traffic Engineer and will require a variance.
 - The 2nd access is less than a ¼ of a mile north from the 1st access and will require a variance. *In response the Applicant's comment response: we recommend this access remain as is for now and be further evaluated at time of Plat process when we have a TIS.*
 - The 3rd access is acceptable and is located a ¼ mile north from the 2nd access and ¼ mile south of WCR 72.
25. Collector Roadways, Timber Ridge Pkwy – It appears that Timber Ridge Pkwy. has been designed as a Collector roadway extending north/south through the development from E Harmony Rd to WCR 76 and driveway access has been eliminated per our previous comments.
26. Collector Roadways - The applicant's traffic engineer will need to evaluate the Average Daily Trips (ADT) on all of the internal street network. Any street that exceeds 1500 ADT will be required to be a Collector roadway. (repeat) *This can be addressed with the Preliminary Plat process.*
27. Arterial/Internal Streets Intersections - All roads that intersect the arterials roads of E Harmony Rd and Teller St will be required to have a Collector section at the intersection (80' ROW) for dedicated turn lanes, see Severance TMP Figure 19. *The length of the widened intersections will be checked during the Preliminary Plat process.*

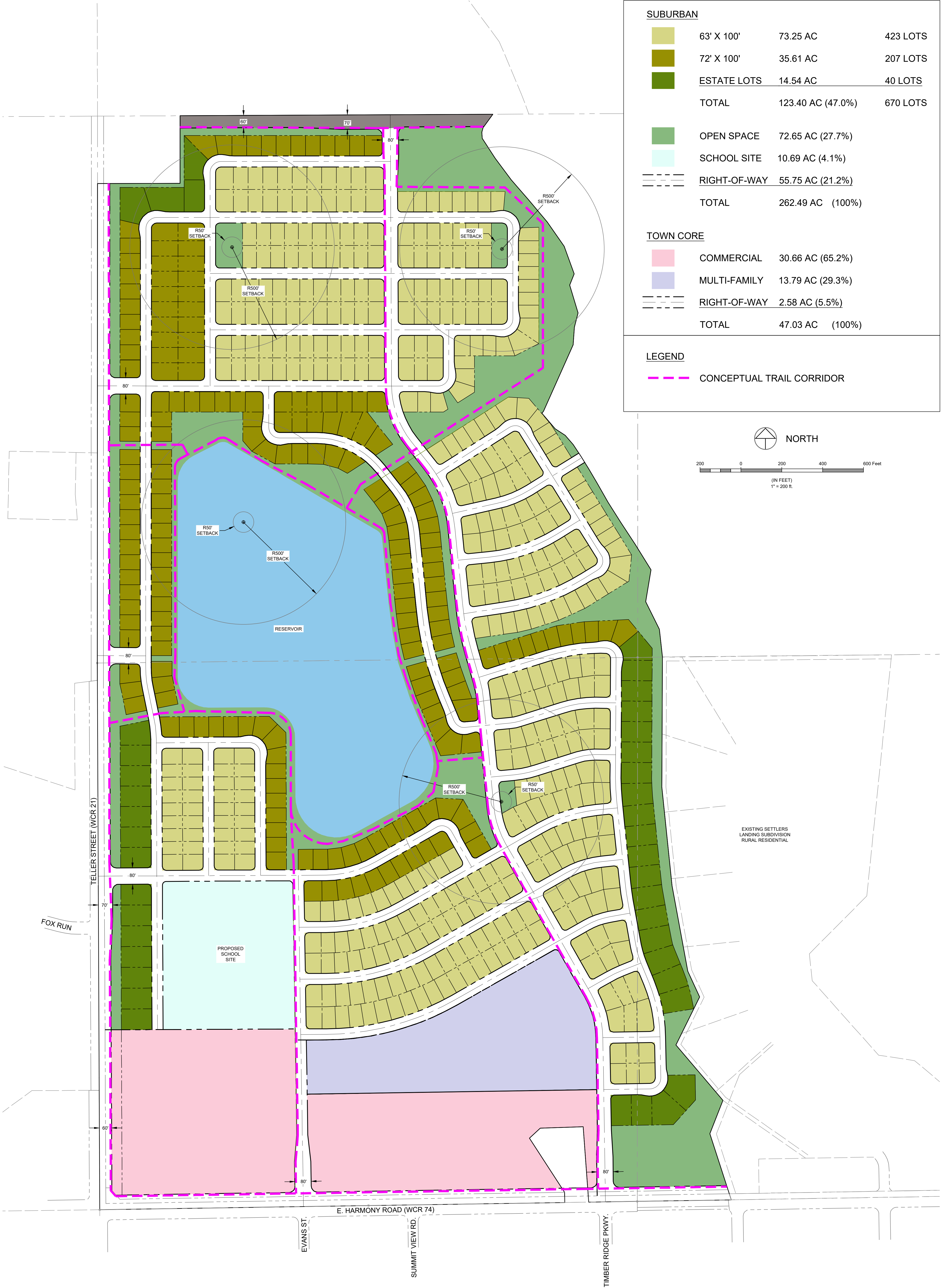
28. Internal Street and Lot layout - Local roads must be spaced a minimum of 330' along a Collector roadway (repeat). *Per Applicant's response to comments, this will be addressed with Preliminary Plat. Engineering has no objection. It should be noted that lot layout may be impacted.*
29. Oil/Gas – According to the COGCC website, there are 4 existing Plugged and Abandoned (PA'ed) Wells on the property. The layout of the proposed lots and roadways appears to comply with Severance's Municipal Code Section 16.11.80.b.4. Engineering will review the PA'ed well setbacks with Town Management. All existing oil and gas pipelines should be shown on preliminary plat & construction plans.
30. Potable Water – Potable Water service for this project will be provided by the Town of Severance. This project will need to connect to the existing 12" water main in Teller St. and the 12" water main in E Harmony Rd. A 12" or 16" water main will be required in Timber Ridge Parkway and in WCR 76 (or another location) to loop the system. *Water system will be designed with Preliminary Plat process.*
31. Irrigation Ditch - There appears to be existing irrigation ditches throughout the property. These ditches need to be accommodated as required by the ditch company(s), see referral comments.
32. Drainage – Detention ponds are not specifically identified on the Concept Plan. *The detention facilities will be reviewed at the time of Preliminary Plat.*

Additional comments can be found on the document redlines, which are listed below and included in the dropbox link below:

<https://www.dropbox.com/sh/1w9ss27orh32q7k/AAC3EwQ-EK4U8T0T8y5DX1K4a?dl=0>

- 0042.0014.02 CP Redlines_(2022.10.27).pdf

Please let us know if you have any questions regarding this memo.



OCTOBER 21, 2022



NORTHERN
ENGINEERING

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MOODY PROPERTY
SEVERANCE, CO
CONCEPT PLAN
FIGURE 1



OCTOBER 21, 2022



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ENGINEERING

P:\1155-003\DWG\EXHIBITS\MOODY PROPERTY_CONCEPT PLAN.DWG

MOODY PROPERTY
SEVERANCE, CO
CONCEPT PLAN FEATURES
FIGURE 2

Moody Property

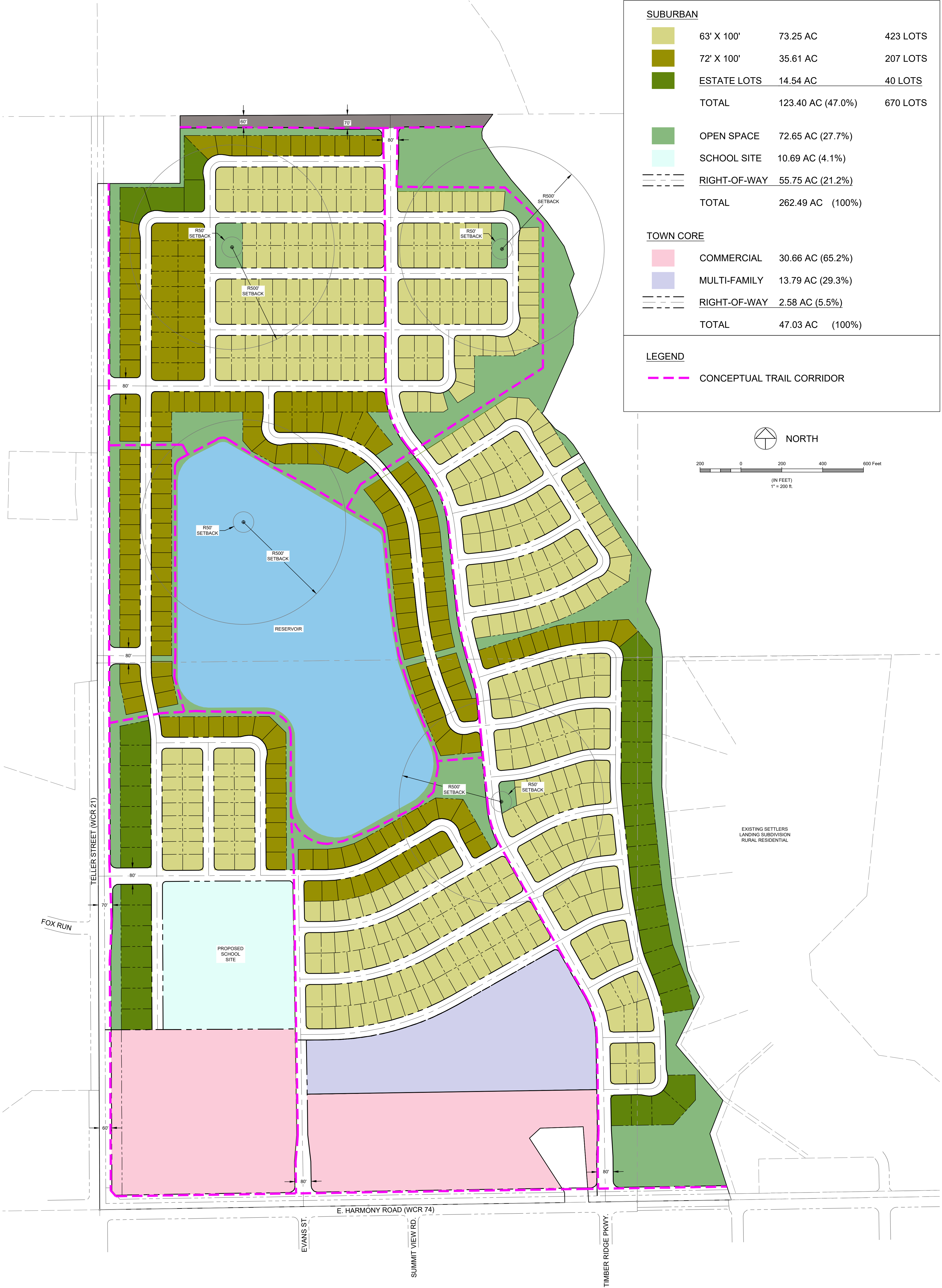
Severance, CO



DRAFT MANAGEMENT PLAN

August 23, 2021





OCTOBER 21, 2022



NORTHERN
ENGINEERING

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MOODY PROPERTY
SEVERANCE, CO
CONCEPT PLAN
FIGURE 1



OCTOBER 21, 2022



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MOODY PROPERTY
SEVERANCE, CO
CONCEPT PLAN FEATURES
FIGURE 2

TOWN QUESTIONS

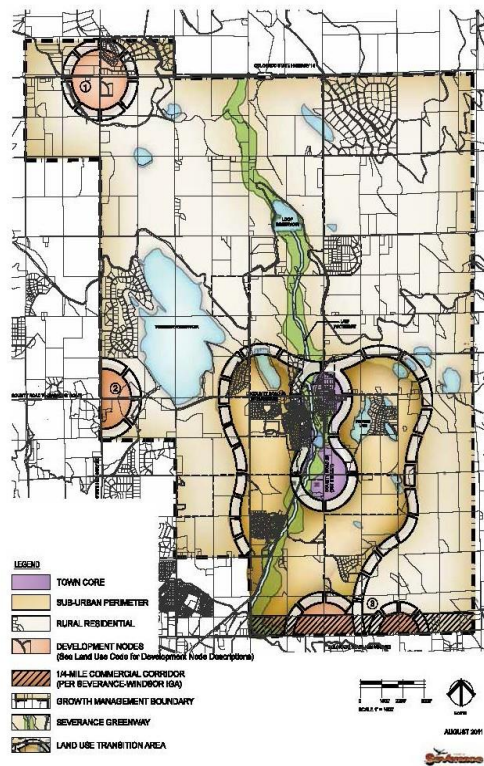
WHAT IS THE THEME OF THE DEVELOPMENT?

Moody Property is a single family detached residential neighborhood with commercial and multi-family developable parcels located just east WCR 21 and just north of WCR 74. The development will provide additional housing and commerce within the Town of Severance, and provide easy, convenient access to most of the cities and towns across Northern Colorado. Moody Property will provide a welcoming, residential neighborhood that takes advantage of fantastic views and a family friendly walk and trail system. The development will be an asset to the Town of Severance and will attract new residents and businesses.

HOW DOES THE DEVELOPMENT THEME AND PATTERN SUPPORT THE COMPREHENSIVE PLAN AND ZONE DISTRICT?

The Moody Property is aligning with the Town’s Comprehensive Plan Physical Vision Statement of being a strong commercial and residential core surrounded by sub-urban residential neighborhoods. The site lies within the Sub-Urban perimeter shown on the Comprehensive Plan’s Future Land Use Map, advancing, and enhancing the vision for the Town to continue to develop into a diverse, economically sustainable community. There are a number of subdivision layout standards that have been incorporated into the site plan:

- 1. Three-way intersections represent the majority of street intersections within the neighborhood.
- 2. The layout incorporates a modified grid that introduces gentle curves to the street alignments.
- 3. Views toward the distant mountain views are accommodated along trail corridors and connector roads.
- 4. Direct driveway access onto connector streets has been eliminated.
- 5. Commercial and multi-family pads are located along WCR 74.



HOW DOES THE DEVELOPMENT THEME AND PATTERN SUPPORT DIVERSITY, LAND USE, AND OPEN SPACE?

The development theme and pattern support Diversity, Land Use, and Open Space by providing quality homes at an affordable price- point in a visually appealing and user-friendly setting. The community plan outlines attractive home designs which honor the existing environment while incorporating buffers, easy access to existing parks, and walkways.

HOW DOES THE DEVELOPMENT THEME AND PATTERN SUPPORT THE ZONING DISTRICT AND DENSITY?

The Moody Property community currently is being Re-Zoned and will support the Zoning District and Density by providing a sub-urban residential development within the sub-urban perimeter (while not encroaching on the town-core perimeter) as shown on the Future Land Use Map. The community fits perfectly between the town core and rural zones, allowing for patronage within the town core, involvement within the sub-urban community itself, and easy access to other municipalities or travel on Intersate-25 to the west. Minimum density required is 2.0 dwelling units per acre. The Moody Property site plan incorporates 2.9 dwelling units per acre and exceeds the minimum lot size by providing lots with a minimum size of 6,300 square feet and an average size of 6,700 square feet.

WHAT IS THE ROADWAY NETWORK ASSOCIATED WITH THIS DEVELOPMENT?

Moody Property is bordered to the west by WCR 21, south by WCR 74 and by private property on all other sides. Evans Street, Summit View Road and Timber Ridge Parkway will be continued to the north through the Moody Property Development. This will provide increased access for the surrounding property owners to WCR 74. The internal streets of the neighborhood will be classified as sub-urban local residential. Street sections and locations are shown in further details on page 4 of this Management Plan.

WHAT TREATMENTS ARE APPLIED TO THE PERIMETER AND INTERIOR ROADWAYS IN THE DEVELOPMENT?

The perimeter treatment along WCR 21 and WCR 74 will consist of a landscaped buffer zone between the lots and the roadway with some intermittent trees. The entrance to the neighborhood will be lined with trees, entry signage, and pedestrian walkways. The interior roadways will include detached sidewalks and trails promoting convenient and safe pedestrian movement.

WHAT IS THE LOT LAYOUT ASSOCIATED WITH THIS DEVELOPMENT AND HOW DOES IT INTERFACE WITH THE ROADWAY NETWORK?

The mid-ranged single-family homes slated for this neighborhood, allow for a medium-density layout while preserving individual lots’ uniqueness. The interior roadways will be placed to effectively serve one row of houses on either side, allowing for smooth movement from the neighborhood streets to the main roadways. The simple roadway design will make it easy to navigate into and within the development.

HOW IS THE LOT SIZE AND DIVERSITY ACCOMPLISHED?

The lot sizes vary slightly, but all are a minimum of 63-feet wide and are for single-family homes. The lots do not have a lot of diversity in this area, but the lots in the surrounding subdivisions do.

WHAT ARE THE PROPOSED SETBACKS FOR EACH LOT?

The proposed setbacks are shown in the Site Data table on page 2 of this Management Plan and meet or exceed the Town’s standards.

TOWN QUESTIONS

HOW DO THE STREET DESIGNS, LOT SIZES AND SETBACK ENHANCE THE STREETScape?

The street layout was planned to provide for easy access, facilitate pedestrian movement, and aesthetic appeal of an existing irrigation reservoir on the property. Once these roads are built, the surrounding subdivisions will have increased access to WCR 21 and WCR 74. The streetscape is enhanced through the local and connector cross sections that incorporate detached sidewalks. The short blocks allow for a variety of ways to reach connector roads, parks, and mail kiosk areas.

WHERE ARE THE COMMON AREAS IN THE SUBDIVISION AND WHAT IS THE PURPOSE OF THE COMMON AREAS?

The common areas in the subdivision include entries, buffers along roads and at the rear of lots, and the existing detention area. There are also many parks close-by in the surrounding neighborhoods including the existing The Overlook Subdivision and Hunters Crossing Subdivision.

HOW ARE COMMON AREAS FINISHED?

Common area finishing will be based on the usage of the individual areas. Entries will be finished with trees and other formal planting. Buffer zones will be finished with native plant species that are drought resistant and which require minimal maintenance. Also, in compliance with the Sub-Urban Perimeter land use zone, open space areas will have landscape irrigation.

HOW ARE THE COMMON AREAS MANAGED?

Common areas will be maintained and managed by a new Metro District.

WHAT IS THE FENCING PLAN FOR THE DEVELOPMENT?

The fencing plan will include solid, cedar, privacy fencing throughout the neighborhood and between homes. Additionally, stone pillars will be incorporated at set distances along the outer perimeter of the development. Fencing will match existing Town of Severance communities.



WHAT AMENITIES ARE INCLUDED IN THE DEVELOPMENT AND WHAT AMENITIES WILL BE MANAGED?

Amenities provided through the community include entry features and signage, and buffer zones. These amenities will be managed by a new Metro District.

HOW ARE THE ENTRIES TO THE DEVELOPMENT ENHANCED?

The entries off WCR 21 will be enhanced by signage depicting the name of the neighborhood and formal planting along the sides of the main roads. There will be pedestrian walkways along the entries that connect with neighborhood walkways. The entries will feature adequate lighting for visibility at night.

HOW IS CONNECTIVITY WITHIN AND OUTSIDE OF THE DEVELOPMENT ACHIEVED?

There are four entrances from WCR 21 and three entrances from WCR 74 provided for the development. The entrances from WCR 74 and one of the entrances from WCR 21 are continuing existing town streets (Evans Street, Summit View Street Road, Timber Ridge Parkway, and Fox Run). Most of the interior roadways lead to Evans Street and a proposed collector from WCR 21 for easy ingress and egress. Pedestrian walkways also follow this design, connecting internal streets with the main road and the parks in other subdivisions. Detached walks along the county roads will facilitate connections to regional trail systems.

HOW ARE THE ARCHITECTURAL AND LANDSCAPE DESIGNS ON INDIVIDUAL LOTS MANAGED?

A new Metro District will establish and control design guidelines for exterior architectural and landscape design elements. Conceptual representations of architectural styles of the neighborhood are included in this management plan and can be seen below.



WHAT IS THE IRRIGATION SYSTEM, INCLUDING SOURCES OF WATER?

Irrigation systems for both individual lots and the common areas will be provided by a new Metro District.

HOW IS POTABLE WATER SUPPLIES TO THE PROJECT AND IS THERE ADEQUATE POTABLE WATER AVAILABLE TO SERVE THE PROJECT?

The potable water system will be designed based on the lot layout and existing connection points to the Town’s water system outside of the development. The system will be looped internally to provide redundancy and fire flows. Standard engineering practices will be utilized in the design of the potable water system. Utility plans will be completed for the Town to review and approve.

TOWN QUESTIONS

HOW IS STORM WATER BEING MANAGED?

Stormwater design will follow standard engineering practices, identifying grading and drainage patterns and conveying flows to the adjacent existing site detention pond by means of the internal street system and subterranean sewer. The detention pond was designed to contain the site runoff and release at the required historic rate. Drainage design will be submitted to the Town for review and approval.

HOW WILL COMMON AREA LANDSCAPE BE MAINTAINED?

Common area landscaping will be maintained and managed by a new Metro District.

HOW WILL THE DEVELOPMENT HANDLE SANITARY SEWER?

The internal sanitary sewer system will drain via gravity to low points to the south. Connection of the Town of Severance wastewater system is possible along WCR 74 at the intersections with Evans Street and Timber Ridge Parkway. The existing sanitary was designed to convey flows from the Moody Property Subdivision. All sanitary sewers will be designed following standard engineering practice and will be submitted to the Town for review and approval.

HOW IS EXTERIOR LIGHTING BEING ADDRESSED?

Each residence will have adequate, non-polluting exterior lighting that complements the neighborhood architecture. Street lighting will be spaced to minimize light pollution and maintain the sub-urban nature of the neighborhood while still providing adequate lighting of the interior streets.

WHAT IS THE POTENTIAL IMPACT ON ADJACENT NEIGHBORHOODS?

The Moody Property will provide commercial opportunity along WCR 74 near the Severance town core while maintaining the sub-urban perimeter. Local access for the residential areas of the Moody Property will be located on WCR 21. Pedestrian trails within the Subdivision and walks along the county and local roads will facilitate connections to regional trail systems.

IF NOISE OR SMELLS ARE ASSOCIATED WITH THE DEVELOPMENT, WHAT ARE THE PLANS FOR MITIGATION?

Construction will take place only during normal working hours. All standard best management practices, including noise, dust, and erosion control, will be followed during development. Individual issues will be mitigated on a case-by-case basis.

OIL AND GAS DEVELOPMENT?

Although oil and gas activities exist within the rural areas near Moody Property, no operations are expected to take place within the boundaries of the development.

HOW IS OFF-STREET PARKING BEING ADDRESSED?

Each residence will have an attached 2- car garage as well as a driveway adequate for parking while avoiding blocking pedestrian traffic on the detached walkways.

From: [hollycoope](#) [REDACTED]
To: [Abdul Barzak](#)
Subject: New build at Teller/74
Date: Saturday, January 29, 2022 10:11:11 AM



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender hollycooper955@yahoo.com

To whom it may concern

As a resident at 103 flat iron street I disagree with any new residential building until a new school is built to accommodate the children. I also disagree with the amount of multi family housing. I feel that our little farm community is going to loose its safety, charm, and personality. We do not approve of this at all.

Christian and Holly Cooper.

[Sent from Yahoo Mail for iPhone](#)

From: [Chris Kelley](#)
To: [Abdul Barzak](#)
Cc: [Chris Kelley](#)
Subject: Any new builds
Date: Saturday, January 29, 2022 10:38:13 AM



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender chris_k69@hotmail.com

To whom it may concern,

I am writing to let you and the town planning committee know that I am opposed to any new builds, single family or multi family, until at least three new elementary schools, two new middle schools, and one new high school have been constructed and finished in our school district to accommodate the exploding population that has been more than encouraged by the past actions of your committee and the town council. These actions have been short sighted and planned for selfish financial gain.

Furthermore, the town nor North Weld water district has adequate water to accommodate any more housing builds. It is preposterous to continue to rubber stamp every housing development that comes before you because the developer takes you and the committee out for lunch. Enough is enough.

I urge you and the committee to strongly consider my stance. Trust me, thousands more Severance citizens agree with my view and dismay of the unchecked growth that the town had seen in the past five years.

Regards,

Christopher Kelley

Sent from my iPhone

From: [Jacqueline Hayes](#)
To: [Abdul Barzak](#)
Subject: Moody Annexation/new development concerns
Date: Monday, January 31, 2022 12:18:07 PM



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender jacqueline.hayes9685@yahoo.com

Hello Abdul,

I am a newer Severance resident. I have lived here just over two years. I have seen how many homes have been built and continue to be built in such a short amount of time and I have a real concern. Aside from being a resident in severance, I am a mother of two school age children. Since living here, our schools have been overcrowded to the point that my children don't even get to go to school in the town that we live in! We were originally zoned to be part of Severance schools and were quickly moved to a Windsor school based on the continued building. The town is allowing homes to be built without thinking about the responsibilities that come with that. There isn't a clear plan in place that allows the district to grow with the amount of families moving into our area. This is a true concern not only as a parent, but as a taxpayer.

Along with the school issues, what is being done to keep our roads safe? The amount of traffic that has come from the ongoing building is ridiculous. I live in severance shores and there are times I'm sitting at my intersection for over 5 mins just trying to turn right because of the amount of cars and there isn't a plan for a light from what I've been told. I have witnessed so many near miss accidents on a regular basis. That's a joke in itself! Harmony/74 is already a busy road and when you add another 800 homes, well it's just crazy to even think about. The planning was not done prior to Hunters Crossing and Severance shores going in, let alone the other neighborhoods that have been added or being added, so my confidence that it will be done prior to this new development is nonexistent.

I would hope that before any further building was permitted, the town will take these concerns into consideration. I can't emphasize enough how important a resolution truly is.

Thank you,
Jacqueline Hayes

From: [Tessie Heeter](#)
To: [Abdul Barzak](#)
Subject: Severance town plans
Date: Monday, January 31, 2022 12:41:42 PM



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender tessie.heeter@gmail.com

Hello! I'm a resident of Severance, living in Hunters Crossing. I was reaching out to express my concern regarding the amount of homes being built compared to the plan (or lack thereof) of schooling for our kids. My kids already are slotted for Windsor (Grandview) because Rangeview is overcrowded. I don't know how a council could approve building more homes when kids of their community currently don't fit in their neighborhood school.

We moved here because of the close community and amazing schools. It feels as though that's being taken away from us in our first year living here. Overcrowded schools cannot be successful schools. I would love to chat more if you have questions.

Thanks,
Tessie Heeter



From: [Kaela Hopkins](#)
To: [Abdul Barzak](#)
Subject: Moody property plan
Date: Monday, January 31, 2022 9:30:54 PM



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender ktnova31@yahoo.com

Hello,

As a Severance resident I have great concerns with the potential Moody property plans. There are already too many new developments and too large of a population that our small town can not support. Our schools are already overcrowded with no current plans to build more, traffic is becoming a problem, and the current water moratorium are all valid reasons that adding another 800 homes is just not possible.

Thank you for hearing my concern,

Kaela Terranova

[Sent from Yahoo Mail for iPhone](#)

From: [Melo -](#)
To: [Abdul Barzak](#)
Subject: Re: moody annexation
Date: Tuesday, February 1, 2022 2:24:23 PM



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender melissa.outman@gmail.com

Hello,

I am writing in regards to the proposal for the moody property. My family and I own a home in Summit View just sout of the proposed development. As we will be directly affected by this plan I hope my families opinion will be considered. We would appreciate some commercial/retail property in the area. However we are very concerned about the large number of additional residential properties being approved. Especially without appropriate infrastructure for the addition of future residents. Our schools are already over capacity. We have very limited commercial/retail spaces to support this growth. Our town is in need of more businesses/schools first. We sincerely hope someone in town hall might actually be bothered to say no to one of these home builders from time to time.

Sincerely
M Outman-Colabello

From: [Contact form at Severance, CO](#)
To: [Abdul Barzak](#)
Subject: [Severance, CO] Moody Annexation/zoning/Concept Plan (Sent by Rachel Richards, rach.richards2113@gmail.com)
Date: Tuesday, February 1, 2022 3:06:07 PM

Hello abarzak,

Rachel Richards ([rach.richards](#) [REDACTED]) has sent you a message via your contact form (<https://www.townofseverance.org/user/101/contact>) at Severance, CO.

If you don't want to receive such e-mails, you can change your settings at <https://www.townofseverance.org/user/101/edit>.

Message:

Hello,

I am writing in response to the proposed development.

The current infrastructure within the town of severance cannot support the amount of growth that this new development would bring.

1. There is not enough capacity in the already overcrowded schools.
2. The closest grocery stores are already under-stocked, under-staffed, and supply residents in multiple cities.
3. The availability of decent internet and cell phone reception out here is extremely limited and already pushing capacity - Internet is not sufficient to work from home, most cell phone carriers have absolutely terrible coverage out here.
4. There are already concerns about the availability of clean water supply as there are not enough facilities to treat our water and the water to residents of our surrounding cities. Demand for the clean water is going to rise with the development of new homes - how is this going to be supported without the necessary facilities?

City income considerations - Sales tax is being given to other cities not kept in our own hometown due to a lack of amenities.

Please consider the daily life of an individual/family currently living in the town of Severance and how all of these issues mentioned above would make living here even harder with any more residential development.

Regards,

Rachel

From: [Wendy L West](#)
To: [Abdul Barzak](#)
Subject: Hidden Lake Investments LLC Development
Date: Tuesday, February 1, 2022 5:34:14 PM

Good afternoon,

My name is Wendy West and I live at 277 Audubon Blvd and I want to express my concern and disapproval of the above development.

First, I unfortunately will not be at the Public Hearing in person. I have been to these public hearings and the last one I went to, I felt like this was just a formality. I was told that the developer followed Severance's Comprehensive Plan and therefore the project was a go. I am assuming this will be the same for this development. I just don't understand why things can't change after public comment when the project has not even started yet. Otherwise, why have the Public Hearing? I remember when Mike Lind came into town with an idea for a project and the town people flooded town hall and were able to shut the project down. Why this can't happen again, I don't understand. I believe the town should have the final say in what is best for the community.

I am deeply saddened with this development because it is more Journey Homes, and truly, just more homes on top of homes. This will make the main corridor into Severance wall-to-wall Journey Homes. The only reason people come to Severance is for the location of affordable housing. We service all the other major towns in our surrounding areas. There is truly nothing unique about Severance. The money generated is from new house construction which in turn goes to provide for town administration, policing, and schools. Where is our town identity?

On that note, and knowing the project will go through as planned, I would like to offer a suggestion. Is there any way that the homes can be different from all the other subdivisions? I understand it is convenient for the builder to have the same patterns because of the quick build. However, in the section of Summit View I live in, the builder made adjustments to the gables and front of the house to make it appear like a different style home. Also, the external paint could not match the neighbors on either side. Can there be some kind of stipulation similar to this example given to the builder in order to make several of the houses seem different so it's not a development of all the same design?

Thank you,

Wendy L West

From: [Amberly Fredrickson](#)
To: [Abdul Barzak](#)
Subject: Fwd: Moody proposal
Date: Tuesday, February 1, 2022 9:53:07 AM
Attachments: [zoning_map_2.2.21.pdf](#)

Good morning

I am writing to STRONGLY oppose the annex, rezoning, and development of the Moody property. I am directly impacted by the suggested proposal and while I understand the landowner has rights, the Town of Severance has the choice to keep the land they purchased at the time zones as rural and annexed. I STRONGLY encourage everyone to oppose the annex and rezoning.

When considering, I'd like you to ask yourself the following.

- ***Is this Moody plan in the requested zone change consistent with the Town of Severance? Does the community really want more houses?*** I do not believe that the current residents of Severance want this town to continue to grow at the rate it has been growing. Weld RE 4 is asking for the growth to slow down. The schools are asking Severance and Windsor to STOP building and that they can NOT serve the current or upcoming populations. My concern is we allow the growth but the community and services come after the fact. A case in point is the school and the current community is negatively impacted. Northern Weld County Water District has put the moratorium in place because they recognize the growth is out of control. There is a reason Weld County kept this property annexed and zoned as rural.
- The attached map shows that Moody proposal is NOT supposed to be developed. IT is not coded as "development node" and therefore the Town previously had NO intentions on developing this area and AGAIN is not prepared to do so.
- **IS there a need to rezone?** No, there are several communities already approved where people (taxpayers) can move into Severance. There are additional commercial properties next to Dollar General that can be used. This property does not need to be rezoned, the Franklin development which is already approved is similar. NO, the Town is projecting "development nodes" and the Moody project is NOT one of them.
- **Is the zone change consistent with the orderly development of public services?** NO, this again is the reason the Northern Weld County Water District put a stop to building in Severance. NO, Weld RE4 is at capacity and consistently in letters to the town stating they can not serve the community. NO, the roads will be destroyed and there will be more dangerous intersections. NO, this development will drive down property values in surrounding communities. This will not serve the community and will continue to decrease the quality of life for current residents. The Town can use other communities for commercial properties and taxes. The town can put commercial properties next to the Public Works, the Franklin development, and coming into town.
- **Is this consistent with other community development?** NO, the Moody is suggesting commercial and the surrounding community is Rural Residents (see attached map, again). NO, other community developments support nature and green belts between housing developments. The multi-family house directly backs an established Settler's Landing Neighborhood. There needs to be a least a green belt. Given that Settler's Landing backs that development the park could be moved towards the east to also be considerate of the established neighbors and provide a buffer. The multi-family needs

to be elsewhere on the land so it doesn't make the existing Settler's Landing properties go down. They purchased their home expecting that zone to remain rural. In surrounding communities, there are individual larger lots and fewer homes. In other communities, the school is able to serve the children. In other communities, the infrastructure.

I will once again ask you to oppose the annex and zoning of the Moody proposal. The attached zone mapping should remain. It was updated by, you, the town on 2.2.22 and needs to remain. The Town of Severance should not annex or change the zone. It is NOT in the plans. It NEGATIVELY impacts students and families. It NEGATIVELY impacts Settler's Landing.

I plan to remain actively involved in this proposal. I am extremely concerned about this proposal.

From: [Dan Russell](#)
To: [Abdul Barzak](#)
Subject: Moody Annexation Plan
Date: Monday, February 7, 2022 3:23:25 PM

Abdul,

As I may not be able to attend the neighborhood meeting on this subdivision plan, please accept these written comments and distribute where applicable.

As an adjacent homeowner, I have several areas of concern:

1. Traffic (vehicular). Adding 795 new homes (plus multi-family units and commercial ventures) within a few hundred yards of my home will increase vehicular traffic in this general area considerably. Are the planned improvements to the current roads and traffic signs/signals sufficient to support that increase in traffic? What is the timeline to make sufficient improvements if the Moody subdivision is approved?
2. Traffic (foot). This is a significant concern as my subdivision (Fox Ridge) does not have sidewalks. Residents and their children and animals walk on the streets themselves. This has never been an issue because there has been very little vehicular traffic. Historically, only residents and service providers (and a very few "looky-loos") drive our streets. Putting several hundred houses mere yards from Fox Ridge will increase the vehicular traffic in Fox Ridge significantly. Does the town of Severance plan to put sidewalks in Fox Ridge to ensure the safety of foot traffic in and around Fox Ridge? People from Severance Shores often walk across the open area behind my home. They often chose to walk right next to my back fence and some even stop and attempt to interact with my pets. This is happening with some frequency from the 265 houses in Severance Shores. One can only assume that 795 houses on the other side may produce a 300% (or more) increase in the number of people walking along my back fence. Is there a plan to put in a walkway further away from our property or some other plan to keep this additional foot traffic further away in the open space to be less intrusive to homeowners in Fox Ridge?
3. Infrastructure. Will the water needs of these 800+ buildings cause any issues to the Town of Severance infrastructure capacities and capabilities? What of law enforcement, sewage, electricity and internet service? Are all those systems readily capable of handling a 100%+ increase in demand in this immediate vicinity?
4. Lot size. The average lot size in Colorado is roughly 7500 square feet. Every single lot in this planned subdivision is under that average. While roughly 30% are just 2% less at 7200 sq ft, fully 70% of the planned lots are 6200 sq ft (or 15% smaller than average). It seems to me the only entity to benefit from these lot sizes is the builder. Not the residents, not the neighbors and not the town. By putting more and more houses on smaller and smaller lots, there can be additional challenges to infrastructure (see #3) and fire risk management (see #5) to say nothing of negative overall impact to nearby home values. Where is the Town going with this trend? Will it be accepted if the next subdivision has a 5000 sq ft lot size? How about 4000 sq ft? Does the Town of Severance have any standard for minimum lot size in new subdivisions? I respectfully submit there should be a minimum lot size around 7000 sq ft, which would help to mitigate several concerns.

5. Fire risk/management. Especially in light of current events near Denver, are there discussions underway regarding the increased fire hazard of having so many houses built so closely together? As an adjacent homeowner, I am very concerned about the increased chances of fire associated with this planned subdivision and the potentially increased size and scope of a fire should one occur. I do not believe there is sufficient firefighting manpower and machinery available at this time in Severance to alleviate that concern on behalf of current residents.

Sincerely,

Dan Russell

President – Fox Ridge HOA

[REDACTED]
[REDACTED]

From: [Jacqueline Hayes](#)
To: [Abdul Barzak](#)
Subject: Moody project/annexation
Date: Wednesday, February 9, 2022 8:17:28 AM

Hello Abdul,

I have written in regards to the Moody project/annexation prior to today, but it was brought to my attention the builder's response to Weld Re-4's request that would allow school expansion for the projected incoming families. This is absolutely absurd! They stated that schools would be located within a specific radius, which is true, but also this is pure ignorance. This shows just how money hungry and egotistical Journey Homes truly is! They do not care about our community, nor the future of our children. Majority of the new subdivisions are already bussing our children to Windsor to go to school, as Range View elementary is over capacity! Grandview elementary (Windsor) cannot house the amount of students projected for the next year without adding mobiles to the small property they have. I can assure you that this project would be devastating to our already strained school district! Please, PLEASE continue to halt the annexation of this land and approval for this project until they are ready and willing to come up with a solution to this major issue!

Thank you again for your time,
Jacqueline Hayes
Concerned mother and Severance resident

From: [Carrie Vicente](#)
Subject: Moody Project - Severance
Date: Tuesday, February 8, 2022 8:09:23 PM



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender vicente.carrie@gmail.com

Good evening,

I am writing as a concerned resident of Severance. While I support town growth, the Moody Project does not have our town's best interest in mind.

1. Our current water treatment agreement cannot keep up with the growth. This is a classic case of putting the cart before the horse. Why should we add 800+ more homes to this issue?
2. Our current schools are bursting at the seams. Employees of the schools are getting burnt out and truly not able to perform at their best with the current one school per elementary, middle and high. I am a prior teacher and experienced mental and physical health detriments due to similar conditions. Currently, we live not even half a mile from Range View Elementary School yet we cannot attend there because it is too full. My son will be school age in 2 years, yet our zoned school Grandview is already full too. Why toss your families around (who are the heart of Severance)? We are the ones supporting growth of our town, so please support us back with a second elementary school.
3. Journey Homes have taken over Severance with a vengeance. They will find land anywhere they can grab and continue to build. Their lack of compassion in the Moody Project (quote: "The request for a 10 acre school site is an overreach"). Journey does not care about our town—they care about the potential money they can sweep in.

Please, please continue to oppose the Moody Project. It does not align with the needs of our town, nor the wants. We need schools to house these children who are our future. For a town that is so hungry for growth, they should be hungry for the growth of the children living in it.

Thank you,
Carrie Vicente

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Carrie Vicente

From: [Valerie Simons](#)
To: [Abdul Barzak](#)
Subject: Moody Project
Date: Tuesday, February 8, 2022 8:10:29 PM



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender valerie.koester@gmail.com

To whom it may concern,

I am writing this letter as a concerned resident of Severance. We must stop the building of more residential homes in the Windsor/Severance area. We are already experiencing a moratorium on water taps due to the shortage of water, the bonds for building new schools was voted down which means our children's education will be diluted and dumbbed down and our infrastructure is far from where it needs to be to support new residential buildings. I applauded the town's requirements to Journey Homes for more open spaces, more monetary donations for school and infrastructure. Please continue this fight, the builders are profiting from the declining status of this once great city. Windsor used to be the desired location for families because of it's renowned school curriculum, now all I hear from residents is how they are removing their students due to overcrowding and a diluted education. If the non-stop building of residential homes continues there will be horrendous consequences to the city, it's residents and it's reputation.

Please fight for the future of this town and stop adding homes for families we cannot sustain. There is nothing wrong with halting all residential building for 2 or 3 years so the rest of the town can catch up to the rapid inflow of families. As the leaders of this town you would be doing all current and future residents a major disservice by not controlling the growth now.

Thank you,

Valerie Simons

From: [Melo -](#)
To: [Abdul Barzak](#)
Subject: Re: moody annexation
Date: Wednesday, February 9, 2022 1:17:21 PM

Thanks for the feedback. So disgusted after I just saw Journey homes response to Weldre4 request for school space and funding. How is Weldre4's request possibly an over- reach considering how many added homes and developments Journey has built in this community with zero investment in educational infrastructure. Severance Shores, Severance Reserve, Hunters Crossing, Overlook, and now Moody. Exactly how do they expect our already over fire safe capacity schools to accommodate this new build. Please Please Please Severance planning commission, WeldRe4, and Severance council, stick to your guns and say no, without Journey making concessions. We need schools and businesses before more houses.

Thank you for your time and consideration.

On Tue, Feb 1, 2022, 3:03 PM Abdul Barzak <abarzak@townofseverance.org> wrote:

Hello,

Thank you for providing comment. Town staff takes these comments seriously and will present your comments to both the Planning Commission and Town Council. Please feel free to call my direct line at 970-692-1556.

Thank you,



From: Melo - <[melissa.outman](#)>

Sent: Tuesday, February 1, 2022 2:24 PM
To: Abdul Barzak <abarzak@townofseverance.org>
Subject: Re: moody annexation



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender melissa.outman@gmail.com

Hello,

I am writing in regards to the proposal for the moody property. My family and I own a home in Summit View just south of the proposed development. As we will be directly affected by this plan I hope my family's opinion will be considered. We would appreciate some commercial/retail property in the area. However we are very concerned about the large number of additional residential properties being approved. Especially without appropriate infrastructure for the addition of future residents. Our schools are already over capacity. We have very limited commercial/retail spaces to support this growth. Our town is in need of more businesses/schools first. We sincerely hope someone in town hall might actually be bothered to say no to one of these home builders from time to time.

Sincerely

M Outman-Colabello

From: [Paige Morris](#)
To: [Abdul Barzak](#)
Subject: Objections and Concerns about Moody Annexation
Date: Wednesday, February 9, 2022 5:27:49 PM



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender morr2254@gmail.com

Hi!

I'm writing as a concerned citizen of Severance! I live in Severance Shores. I am asking you to please continue to oppose the building of 800 new homes in Severance without commitment from Journey Homes to include a way to fund/build a new school! Our children and teachers are already suffering from over capacity at the schools and I do not wish to continue to add strain to our education! Stand your ground for the good of the community! Please!

Thank you so much!

Paige Sprecker

From: [Amberly Fredrickson](#)
To: [Abdul Barzak](#)
Subject: Moody; Land Code next steps
Date: Wednesday, February 9, 2022 1:52:02 PM

Hi Abdul

First off, thank you so much for showing up to work. I do believe the people who are sitting on the council want what is best but are unable to do so due to codes/laws, etc. I think we all share a common goal in wanting Severance to be the best community possible. Somewhere along the line, big national builders came in and destroyed the reason many of us moved out here. Anyway, can you help me understand some next steps?

I went to the Council Meeting yesterday and spoke during Public Comments. I stayed as long as I could but with young kids at home, I had to leave. I finished the meeting via Zoom. At the end of session, there was a "petition" to have a "work session" to review the land use codes and discuss the possibility of putting together an advisory board that consists of board members and residents to make any changes to the land use codes.

Procedurally, I don't understand what's next. Where can I find this information? Do myself and others continue to show up to public comments? Different meetings? Do we do some sort of petition? How can I keep the conversation of the land codes and advisory board going? I feel very strongly about this and have found some additional community members who are as concerned and want to be involved.

Procedurally, if you can't answer please direct me to someone who can help me understand the process.

Thank you and have a good day.

Amberly

From: [Anne M](#)
To: [Abdul Barzak](#)
Subject: Moody Property Concept Plan
Date: Friday, February 11, 2022 8:04:49 AM



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender mcdowell3938@gmail.com

This email is in response to the presentation of the Moody Property Concept Plan sent to us in the mail and presented at a town meeting on February 7, 2022 at the Severance town hall. My husband, Jack, and I own the small 2.5 acre parcel in the upper left hand corner of the plan (36990 County Road 21). We have several concerns regarding this plan that will likely affect us and the surrounding community in a negative way.

First, the plan indicates that a county road (Future WCR 76) could be completed at the north boundary of the subdivision ending at our east property line. You indicated at the meeting that easement for that road has existed for some time. I have attached 3 photos of maps provided to our builder in 2003 as we were planning the building of our home, and when the Schlager Annexation was approved by the town of Severance. There is a clear indication of the right of way for County Road 21 but there is no indication of the right of way for County Road 76 on any of these maps. At the time we built our home in 2003, there was no indication on any of our documents that this road was being considered for future construction. We built our home with no knowledge of the existence of this easement. If we had been aware of it, we would have built the house further away from it. We are very concerned that this road could end up being in our backyard. We would like to see the documents available that indicate this easement legally and why our building plans were approved by Weld County knowing this easement existed but not informing us of it. If this documentation does not exist, we would like to see this completely removed from further subdivision plans for this property.

We also have concerns about placing nearly 800 homes in this subdivision with very small lots. We do not feel that the town of Severance has the amenities, commerce, or school space available to accommodate this kind of growth, especially considering all the current subdivisions which have already been built and are in process. We have noticed a significant increase in the amount of traffic on County Road 21 already and are concerned that the traffic will have a significant impact on local residents. Also, the irrigation canal that is located on the west side of County Road 21 is a big concern for traffic and safety as more people move into the area. We have seen more and more joggers, bicyclists and people walking dogs along the road and we, personally, have had to assist several people out of the canal when the road is slick. This canal and open headgates will also be a draw and hazard for any inquisitive children in the area. Will there be any mitigation to keep the new residents of this community safe there?

When I attended a town meeting at the time County Road 21 was annexed to allow access for the town of Severance to its water tanks, the town representatives at that time indicated that future growth in the Moody property area would be low density in keeping with the rural nature of the town. This subdivision is certainly not low density and would increase the traffic and noise in the area considerably.

Our last concern is regarding water. We have just experienced a 28% increase in our water

rates and the town is currently under a moratorium for issuing water taps as North Weld County Water is unable to treat the water for the current growth. I cannot speak of others, but as retirees, we cannot withstand an increase in our water bills, taxes, or sales tax at this rate to accommodate this level of growth.

I appreciate your willingness to consider our concerns and hope that you will continue to include and inform the current residents in all projects that will affect us in the future. Please feel free to contact us if we can provide additional information or if you any questions.

Sincerely,
Anne and Jack McDowell

A black rectangular redaction box covering the signature area.

From: [dottie lovato](#)
To: [Abdul Barzak](#)
Subject: This is my post on FB please take mine and many many others opinions seriously.
Date: Monday, February 14, 2022 5:21:12 PM



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender dottielovato@gmail.com

We need to tell the town that we need more schools, small businesses and grocery stores. We need to grow our town with amenities to keep the money circulating here and not have to spend our money in other towns because we have nothing here in Severance. Stop the sea of new poorly built homes with nothing to base this town off of!! People go to the meetings to help our town make responsible decisions!

Thank you

Dottie Lovato

From: [Greg](#)
To: [Abdul Barzak](#)
Subject: New Development
Date: Monday, February 21, 2022 9:59:43 AM



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender gfreeber@gmail.com

To whom it may concern.

I am writing to you with my concerns about the new approximately 800 home development. By · Journey Homes (operating under Hidden Lake Investments, LLC--owned by Larry Bukendorf, who also owns Journey Homes with Jeff Demaske), is proposing a development on the corner of Teller Road (CR21) and Harmony Road (CR74)

I have lived in Severance since 2004 and when I first moved here it was a great small town feel along with living in a rural community. I realize all towns need to grow but we are growing at a pace that is way too fast and the existing severance taxpayers are paying for it.

I was always wondering how we can maintain this growth with the water and school demands and not letting it affect the taxpayers. Well, here we are and when we received the 18% increase in water rates it proved my point, we were giving away the bank to the developers and they were not paying their fair share. If the developers want to build in Severance they need to pay for infrastructure, appropriate tap fees and the future school's needs. The existing tax base should not pay for this!

I have watched the elementary school be built and from day one we started hauling modular units in to support the school. We have built a middle school along with a high school and we need to make sure the developers are paying their fair share. Asking for 10 Acres and the school impact fees is not too much to ask. In fact it should be required, If they don't like it, they should go to another town and build. We need to be responsible for what we are doing and not put the burden on the taxpayers. The Severance planning commission, town board along with the school district need to support the existing taxpayers. These developers are making millions at our expense. We need to bring the land use code up to date.

Thank you for your time

Greg and Jodie Freeberg

[REDACTED]

[REDACTED]

From: [Michael Ozog](#)
To: [Abdul Barzak](#)
Subject: Moody Annexation
Date: Thursday, February 24, 2022 9:16:48 AM



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender michael.ozog@IntegralAnalytics.com

Hello Mr. Barzak,

I am a resident of Fox Ridge ([REDACTED]), and I have a few questions about the Moody Annexation. I attended via zoom the neighborhood meeting, but had difficulty in hearing the questions, and was not able to attend the planning nor town meetings that addressed this issue, so please forgive me if these questions have already been addressed.

1. What is the timeline for the Moody annexation/development?
2. My impression is that if the plan meets all the requirements of Severance Land Use plan, it will probably be implemented. Is there any current aspect of the plan that does not meet the land use requirements?
3. I am an amateur astrophotographer so I am quite worried about light pollution from this development. Does the land use plan address potential light pollution issues?
4. At this point in time, has there been any economic impact evaluation of this project, which particular emphasis on property value, taxes, infrastructure, and transportation? If so, is it possible to get a copy of the analysis?
5. The plans currently have commercial development spaces, is there any idea what is likely to be placed at those locations. As I am sure you know, Severance really needs a local full-service grocery store.
6. Is there anyway I as an individual be involved in the decision making process for this and other development plans?

Thank you for your time,

Michael Ozog

From: [Jacqueline Hayes](#)
To: [Abdul Barzak](#)
Subject: Land Use Code
Date: Wednesday, May 11, 2022 2:41:41 PM

Hello Abdul,

I just wanted to reach out and share concerns I have with current projects being considered. One of the hardest things for me to wrap my head around is how the town and board are even considering a project that has the potential of an 800 home development and we don't even have the infrastructure in place for current residents. I live in Severance Shores and can't even walk into town on 74 because there aren't sidewalks or crosswalks to get to designated sidewalks safely. One of the reasons we chose to live in Severance was because we love the small town feel and being part of a small community. Without a change in the current land use code, we are very quickly turning into a town we did not want to live in.

In a nut shell here are my biggest concerns...Our children are bussed to Windsor because the elementary school here is over capacity. We can't walk safely into town or the Dollar General. We do not have the police force that will need to be present as we continue to grow. More people ultimately leads to more crime whether we want to believe that or not.

Please consider my concerns and share with whomever is responsible for making these decisions, especially when considering these bigger developments. Growth is inevitable and I am all for it when done responsibly. As a current resident, I hope to see more development that targets us and continues to build the community we so desire (rec center, community pool, grocery store etc.)

Thank you for your time
Jacqueline Hayes

From: [Greg](#)
To: [Nicholas Wharton](#); [Abdul Barzak](#)
Subject: Moody project
Date: Friday, May 13, 2022 2:54:33 PM

To whom it may concern.

I am writing in reference to the Moody project that has been [resumited.to](#) the town.

You need to consider the impact on the existing taxpayers, Journey home needs to pay for anything that will affect the current taxpayers. Journey homes is making millions on this project.

The need to pay all costs associated with water and wastewater and road upgrades, we already are paying 18 % more in water because Journey Homes have been given favors in the past. This included any upgrades to the existing system. They also need to pay fees to improve the schools because it is obvious our school system will not handle another 800 homes along with Windsor's growth.

The economy is slowing and people are paying for past mistakes. Let's not keep making them.

Sincerely

Greg Freeberg

From: [Michael Young](#)
To: [Abdul Barzak](#)
Subject: Fwd: Moody project
Date: Sunday, May 15, 2022 8:12:11 PM



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender michaelyoungw@aol.com

Sent from my iPhone

Begin forwarded

Hello Abdul,

> Choosing to develop multi family next to rural residential would seem to favor the developer and devalue your current Severance home owners property. Please do not allow annexation and approval of this project.

>

> Thank you,

>

> Mike and Laura Young

>

> Sent from my iPhone

From: [Melo -](#)
To: [Nicholas Wharton](#); [Abdul Barzak](#)
Subject: Moody Annex
Date: Saturday, May 21, 2022 4:46:09 PM

I am writing to express my concerns regarding the possible approval of this development. My children are students in RE4 and with all schools over capacity already, I really hope the board of education refuses to an agreement with the developer for anything less yhan what was originally requested. We have an immediate need for added schools as well as funding for infrastructure projects agreeing to less from Journey Homes. Personally I feel that they should provide more than WeldRe4 requested previously.

From: [Amberly Fredrickson](#)
To: [Matthew Fries](#); [Frank Baszler](#); [Stephen Gagliardi](#); [Michelle Duda](#); [Dan Meyers](#); [Abdul Barzak](#); [Nicholas Wharton](#)
Subject: Moody Annexation concerns
Date: Friday, July 8, 2022 1:30:44 PM

Dear Council,

I am writing to express my strong opposition to the Moody project, the proposed annexation at CR 21 and CR74. While the local community may be unable to prevent development, that in itself will be detrimental to the area. I am completely opposed to the addition of multi-family housing and the number of homes that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, and potentially lower the property values of the existing community. This is a terrible idea for Severance.

Water, traffic, public safety and school capacity are and major areas of concern. The traffic surge during rush hours will also negatively impact safety for our loved ones. In general, the area traffic is continuing to increase, and heavy traffic is already common and has caused tragedies.

Schools in the area are already reported at overcapacity, 120%+. Many of Severance students are already shipped off to Grandview. The purposed school will not address the capacity issues. It minimizes the fact that there will be an additional 900 houses with multiple school age children. Journey exacerbates the capacity issues for their profit. Journey is not interested in partnering and supporting the community. In a previous letter between Weld RE4 and Journey a request for school site or money was an "overreach."

Property values are likely to go down in the area if multi-family apartments are added and if 900 poorly built houses are added to our area.

I urge you to disapprove the proposed annex. I know my opinions are shared by many.

Thank you for your time.
Amberly Fredrickson

Sent from my iPhone

From: [Contact form at Severance, CO](#)
To: [Abdul Barzak](#)
Subject: [Severance, CO] Moody project (Sent by Jeff Johnson, 26ratrod@gmail.com)
Date: Sunday, August 7, 2022 12:13:08 PM

Hello abarzak,

Jeff Johnson ([26ratrod](#) [REDACTED]) has sent you a message via your contact form (<https://www.townofseverance.org/user/101/contact>) at Severance, CO.

If you don't want to receive such e-mails, you can change your settings at <https://www.townofseverance.org/user/101/edit>.

Message:

I am frustrated that this project has actually made any progress with the lack of provision for it in the Severance comprehensive plan. The project is in the Growth management area and should be handled with caution. According to the Severance comprehensive plan under the current land use code I found the following statement. “ The purpose of the Severance comprehensive plan to to provide a road map for the future of the community and preserve our towns quality of life, rural atmosphere and small town feel”. I don’t see how the Moody project fits in with this statement or current land use plan. 900 homes stacked on top of each other does not fit this statement or the current land use code. The added traffic load placed on road 74 doesn’t follow the current traffic plan either. I have been to the meetings and heard the mayor say his hands are tied but that clearly isn’t the case. If the Moody project doesn’t fit with this statement and the land use code than it should be rejected until it does. The town of Severance should not allow predatory developers. The town council has the right to stand up against this and demand conformance to our towns quality of life, rural atmosphere and small town feel. Please forward this on to the town council and mayor and anyone you feel should see this. Thank you!

From: [Contact form at Severance, CO](#)
To: [Abdul Barzak](#)
Subject: [Severance, CO] Moody Annexation/Zoning/Concept plan (Sent by Shelly Crider, dssprucefarm@lpbroadband.com)
Date: Sunday, August 7, 2022 12:13:08 PM

Hello abarzak,

Shelly Crider ([dssprucefarm](#) [REDACTED]) has sent you a message via your contact form (<https://www.townofseverance.org/user/101/contact>) at Severance, CO.

If you don't want to receive such e-mails, you can change your settings at <https://www.townofseverance.org/user/101/edit>.

Message:

Hello Abdul, I am writing because I have a few concerns about the proposed development west of where I live. My first concern is the availability of water and sewer for a development of that size. Will this increase fees or water availability for current residents of Severance? I am also concerned about a possible increase in crime in Severance with the addition of so many homes being added. Do we have the police and fire security necessary for the increased population? My last concern is about my own residential privacy. Our development, Settlers Landing, has always enjoyed a private bridle path for walking and riding. I am concerned that these new homes will cause an increase of people, including kids and teenagers using our bridle path. Would there be some kind of fencing erected between the new development and Settlers Landing?

I appreciate your time in reviewing my concerns.

From: [Melo -](#)
To: [Abdul Barzak](#); [Nicholas Wharton](#); [Engage Weld RE-4](#)
Subject: Moody Annexation
Date: Wednesday, August 10, 2022 11:44:10 AM

Severance Town council, Planning commission, Mayor Fries, Weldre4;

I am writing to express my and my families extreme opposition to the proposed Moody Development. We feel adding another huge housing development to our town would be exceedingly detrimental to our community.

As it is our communities services are over-taxed by the current rapid growth we've seen in the past couple years in Severance. While not opposed to development in general, we are adamately opposed to irresponsible and unchecked growth.

Our schools are over-capacity, with little hope for improvement in the near future. We are already suffering from an overburdened water system. Our current traffic issues will only increase.

Residents are already required to use businesses in neighboring communities for necessary purchases and services due to the very limited commercial/retail options within Severance. Which means the residents of our town don't spend their money in our town.

Adding another 700+ homes will only compound the existing issues with schools over-capacity, lack of water, loss of open space, the lack of social services and increasing traffic congestion.

We ask that you please refuse this and other developments like it until real solutions can be found to the problems already facing our town.

Sincerely,

The Colabellos

From: [Jennifer](#) 
To: [Abdul Barzak](#)
Subject: Comment on Moody Expansion
Date: Wednesday, August 10, 2022 10:57:29 AM

Dear Council, Mayor Fries and Town of Severance Staff,

I am writing you today to express my vehement opposition to the annexation and further development of the proposed Moody Project, Resolution 2022-30R, on the corners of WCR 74 and WCR 21.

Our community is currently struggling with adequate access to water, schools that are already at 120% capacity—or even higher—as well as increasing traffic and infrastructure woes. To approve a plan that would increase the number of households by approximately 50%—current US Census data suggests we have around 1,800 homes in Severance—would be foolhardy and short sighted.

While development is inevitable, it is our responsibility to go about it in a smart, controlled manner. Many residents of Severance moved here to escape large cities and towns in favor of a small town, slower paced lifestyle. We moved here for access to nature, community-based schools and a slower paced lifestyle for ourselves and our families. Massive developments, like Moody, would undermine the very characteristics that make Severance the special little town we all love.

Severance, like most of Weld County, was originally an agriculturally based town. Residents of the town enjoy the open fields, farmland, and nature of the community. Wildlife is abundant in the area—from native creatures such as pronghorn, red-tailed hawk, golden eagles, great blue heron, white pelicans, ground squirrel, mule deer, even bald eagle—the list goes on and on. Development on such a massive scale will drastically impact their numbers and well-being.

Schools in Weld County are already over-crowded. This is a fact that no one can argue. The influx of families that such a development would bring would add further unnecessary stress to our staff, facilities and students that is completely detrimental. We need to have plans in place, years before the fact, to have adequate seats, instructors, buildings, and budget to educate additional children. We cannot play the catch-up game with education any longer. It is not a viable plan and will only cause harm and upheaval to the community.

Additionally, current residents of Severance and surrounding communities are likely to point out that our infrastructure: water, energy, access to transportation routes, adequate road structures, as well as access to affordable food and retail outlets are already stretched paper thin. Our two closest grocery outlets, Safeway and King Soopers in Windsor, are struggling to keep shelves stocked and employees on the payroll. This is partially due to the continued strain on supply chains and employment pool as we first encountered during the pandemic but is further exacerbated by the fact that there are simply not enough retail and space to adequately supply an unchecked population growth.

With such a large increase in proposed households, have we even addressed the added strain that would be placed upon our fire department, police and sheriff units, emergency responders such as EMTs...not to mention social services, health care, etc. These heroes already carry a heavy burden on a daily basis and unchecked growth, with potential for increased crime and social needs will no doubt cause a drain on these vital resources.

In closing, I urge you to disapprove the annexation of Moody, and other massive

developments like it, for our town until we can solve some of the very real problems we are already grappling with. I know my opinions and thoughts are shared by many of my neighbors and I have urged them to contact you with their concerns as well. Growth will come, this is undoubtedly true. However, we can choose to plan for our community's future in a smart, responsible manner without losing sight of what originally drew so many of us to our little town.

Thank you for your continued service and I hope to see you make efforts to support our community for long-term smart growth and development.

Thank You,

Jennifer 

From: [Amberly](#) [REDACTED]
To: [Abdul Barzak](#); [Abdul Barzak](#)
Subject: Moody letters for 8/17 and 8/23
Date: Thursday, August 11, 2022 1:03:21 PM

Hello

Please share this letter with all the members for the meetings held 8/17 and 8/23.

This letter is to strongly oppose the Moody development and encourage the Town of Severance to zone the property as rural residential. This letter is to encourage the Town to read, enforce, and deny the application of the Moody development based on State Law 29-20-303.

The Town of Severance FB page states "The Town of Severance is located in Northern Colorado and features some of the richest farmland in the State. It lies in close proximity to Windsor, Fort Collins, Greeley, Eaton and Loveland. While still a small town with the feel of an agricultural community, the Town of Severance held the distinction of being the fastest growing community in Northern Colorado for several years."

The members of this community are tired of being the fastest growing community. They are tired of playing catch-up and developing before the infrastructure is in place. The members of this community want to be a small town and want farmland.

Unfortunately, there is a large developer proposing a major development (Moody) that will negatively impact the town. While the proposed development itself will negatively impact current residents, it is also the attitude of these developers that is unacceptable. Our schools are devastated by these developers. Our land is devastated by the developers. Our water, our streets, and our sense of a small community are devastated by these developers.

According to the Greeley Tribune published on August 11, 2022, "North Weld eliminates Severance's 25% Discount On Water Rates." The Town of Severance is facing fines. The Town of Severance can not handle another large dense housing development at this time.

I believe there are three choices.

1) Journey builds and the current quality of life for residents is impacted

- 2) The Town list the land as rural and Journey builds fewer houses
- 3) The Town reads and enforces state law: 29-20-303

29-20-303. Adequate water supply for development. (1) A LOCAL GOVERNMENT SHALL NOT APPROVE AN APPLICATION FOR A DEVELOPMENT PERMIT UNLESS IT DETERMINES IN ITS SOLE DISCRETION, AFTER CONSIDERING THE APPLICATION AND ALL OF THE INFORMATION PROVIDED, THAT THE APPLICANT HAS SATISFACTORILY DEMONSTRATED THAT THE PROPOSED WATER SUPPLY WILL BE ADEQUATE. A LOCAL GOVERNMENT SHALL MAKE SUCH DETERMINATION ONLY ONCE DURING THE DEVELOPMENT PERMIT APPROVAL PROCESS UNLESS THE WATER DEMANDS OR SUPPLY OF THE SPECIFIC PROJECT FOR WHICH THE DEVELOPMENT PERMIT IS SOUGHT ARE MATERIALLY CHANGED. A LOCAL GOVERNMENT SHALL HAVE THE DISCRETION TO DETERMINE THE STAGE IN THE DEVELOPMENT PERMIT APPROVAL PROCESS AT WHICH SUCH DETERMINATION IS MADE.

Please consider how moving forward will impact this community. Thank you for volunteering your time to the community. Please listen to the community. List the land as rural and deny the ability to move this Moody project forward.

A very concerned citizen,
Amberly

From: Caitlin [REDACTED]
To: Abdul Barzak
Subject: Oppose Moody Development
Date: Wednesday, August 17, 2022 6:12:00 PM



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender caitlin.mccrory75@gmail.com

Dear Council, Mayor Fries and Town of Severance Staff,

I am writing you today to express my vehement opposition to the annexation and further development of the proposed Moody Project, Resolution 2022-30R, on the corners of WCR 74 and WCR 21.

Our community is currently struggling with adequate access to water, schools that are already at 120% capacity—or even higher—as well as increasing traffic and infrastructure woes. To approve a plan that would increase the number of households by approximately 50%—current US Census data suggests we have around 1,800 homes in Severance—would be foolhardy and short sighted. As an educator, I can't even begin to share the harm that overcrowding and underfunding creates. While you may not see consequences immediately, you will see years add up of decreasing quality and performance for student academic achievements; it will become even harder to hire and retain teachers who want to work in overfilled classrooms and who are already over extended. Graduation rates will decrease and the cusp of success that Weld RE4 is on, and has worked so hard to achieve, through expanded access to quality education as well as concurrent enrollment and dual enrollment will be crushed.

While development is inevitable, it is our responsibility to go about it in a smart, controlled manner. Many residents of Severance moved here to escape large cities and towns in favor of a small town, slower paced lifestyle. I grew up in this area and moved back to Severance a year ago, after working out of state for a number of years, for access to nature, community-based schools and a slower paced lifestyle for ourselves and our families. Massive developments, like Moody, would undermine the very characteristics that make Severance the special little town we all love.

Severance, like most of Weld County, was originally an agriculturally based town. Residents of the town enjoy the open fields, farmland, and nature of the community. Wildlife is abundant in the area—from native creatures such as pronghorn, red-tailed hawk, golden eagles, great blue heron, white pelicans, ground squirrel, mule deer, even bald eagle—the list goes on and on. Development on such a massive scale will drastically impact their numbers and well-being.

Schools in Weld County are already over-crowded. This is a fact that no one can argue. The influx of families that such a development would bring would add further unnecessary stress to our staff, facilities and students that is completely detrimental. We need to have plans in place, years before the fact, to have adequate seats, instructors, buildings, and budget to educate additional children. We cannot play the catch-up game with education any longer. It is not a viable plan and will only cause harm and upheaval to the community.

Additionally, current residents of Severance and surrounding communities are likely to point out that our infrastructure: water, energy, access to transportation routes, adequate road

structures, as well as access to affordable food and retail outlets are already stretched paper thin. Our two closest grocery outlets, Safeway and King Soopers in Windsor, are struggling to keep shelves stocked and employees on the payroll. This is partially due to the continued strain on supply chains and employment pool as we first encountered during the pandemic but is further exacerbated by the fact that there are simply not enough retail and space to adequately supply a unchecked population growth.

With such a large increase in proposed households, have we even addressed the added strain that would be placed upon our fire department, police and sheriff units, emergency responders such as EMTs...not to mention social services, health care, etc. These heroes already carry a heavy burden on a daily basis and unchecked growth, with potential for increased crime and social needs will no doubt cause a drain on these vital resources.

In closing, I urge you to disapprove the annexation of Moody, and other massive developments like it, for our town until we can solve some of the very real problems we are already grappling with. I know my opinions and thoughts are shared by many of my neighbors and I have urged them to contact you with their concerns as well. Growth will come, this is undoubtedly true. However, we can choose to plan for our community's future in a smart, responsible manner without losing sight of what originally drew so many of us to our little town.

Thank you for your continued service and I hope to see you make efforts to support our community for long-term smart growth and development.

Thank You,

Caitlin Evans

Subject: Moody Property Annexation Proposal

here are many items to consider on the Moody Annexation Proposal

to my understanding, as the property sits now, it falls under Weld County control and can only be subdivided into 40 acre sections. The current owner of the property wants the town of Severance to Annex this property so that they can add 795 roof tops, multi-family units and commercial along Harmony.

The housing growth in our area has been impressive and we need to prepare for the future. Our growth has simply surpassed our ability to treat and process our wastewater. This has been 'temporarily' resolved by the installation of an interceptor line running our waste to Windsor where excess capacity is available (now). How long will this 'excess capacity' be available is unknown as Windsor is experiencing a high rate of growth as well. I believe our agreement with Windsor expires in 2038. Should Windsor deny an extension, we simply would be stuck, out of State compliance and who knows the ramifications of noncompliance. This was a bandaid when implemented and not meant to be the fix. We simply can not keep kicking this can down the road.

These developers are making enormous amounts of money and leaving communities to cover the cost of major infrastructure. I am not blind and I know that there are fees that developers pay but is it fair for a community to pay for an impact that the for-profit housing business creates? I say not.

Let's look at some rough numbers back calculated using the correspondence between Weld RE4 and the Developer:

- Weld RE4 Sep 2021 Evaluated the proposal and the impact on the education system. Eval showed 14.7 acre need for the 795 single family homes but Weld RE4 offered to 'work with' budget and proposed 10 acre @ \$2916/single family unit (~\$2.192M) @? On the multi-family units

Recommendations

The School District remains very concerned about residential activity and the ensuing enrollment that will follow as well as the District's physical and financial abilities to serve that growth. The District would like to work with the developer on a combination of the creation of a 10 acre school site and have the owner agree to pay cash in lieu of land at the value of \$2,916 for each single family, plus an additional amount based on the number of multi-family units..

- Weld RE4 modified request Jan 2022 Same concept as above with the elimination of the \$2916/single family unit for the 10 acre give segment (10 acres meets site requirements for 544 single family homes). This made the new offer from Weld RE4 to be 10 acre @ \$2916/single family unit (~\$731,916) @? On the multi-family units

The calculations call for a 14.7 acre site based on a buildout of 795 single family homes. By requesting 10 acres this meets the site dedication requirements for 544 of the single family homes. For the remaining 251 single family homes a cash-in-lieu of \$2,916 per unit is requested for a total of \$731,916. None of these calculations include any future multi-family housing in the development.

- Hidden Lake Investments Response Jan 2022 they were “not willing to dedicate a school site.” The reply went on to explain that the 10 acre request had a value of \$6.6 million to the project.

We are not willing to dedicate a school site.

Elementary School is 1/2 mile from the proposed site, Severance Middle School is 2 miles from the proposed site, and Severance High School is 1 1/2 miles from the proposed site. 10 acres of land is equivalent to approximately \$6,600,000 in value for this project.

The project has a total buildable space of 139.43 acres. Therefore, if 10 acres = \$6.6M in project value the developer is looking to gain a value of **\$85.4 Million** after they give the 10 acres to We d RE4.

I do not think having the developers pay for the impacts of their greed is a bad thing. Please stop pushing all these infrastructure improvement costs on all of the folks that live in the town of Severance.

Please do not annex this property and add to our problem with our wastewater and no way to pay for the improvement. We simply can not keep adding plates to an overcrowded table until we build a bigger table. Not against growth at all but we need to do this in a smart, thought out, logical fashion and not let someone's greed for cash run our town!

From: [Amberly \[REDACTED\]](#)
To: [Abdul Barzak](#)
Cc: [Nicholas Wharton](#); [Matthew Fries](#)
Subject: Re: Town Council Meeting 9/13
Date: Wednesday, August 31, 2022 2:47:38 PM

Wait, please forgive me and use the following information below! I changed the request from **1 acre to 1000 feet**. I accidentally sent you the wrong draft.

Please put the following comments in the packet for the meeting scheduled for Sept. 13, 2022.

To Whom it May Concern:

I am writing to you as a concerned citizen. I am asking you to think about the negative impacts the Moody project will have on this town should the current land be annexed into our community. I believe many of my neighbors would report concerns about the density, schools, water, sewer, traffic, and loss of the small community. Many want a community that is prepared to meet the future growth. Given the recent news headlines (Greeley Tribune. Northern Weld Eliminates Severance 25% Discount, 8/11/22) regarding Severance this is not the time. Our resources are strained. We want our representative to represent us and put a stop to the unchecked development. You have actively taken steps to evaluate the Land Codes and it's appreciated, however, we need prevention now.

I'd also like you to reflect on the Future Map. The future map has been presented to this community with future growth in mind. I have attached a copy and ask that you have access to this map. It is extremely disheartening that one developer can come in and completely change the future plans of our town. Members of the community had a vision for our town and our community expects the future map to be followed. Members of this town want to make sure the big concerns regarding schools, water, sewer, and traffic are resolved first. While growth will happen it does not have to be at the cost of the current residents. It does not have to happen right now. The developer is free to pursue other ways through Weld County.

The Moody Project is in a suburban corridor for the Future Map. I believe it's identified as a single-family residence with an identified transition zone. It is not in the Town Core where multi-family housing would occur. It takes away from the small family businesses on Main street. It does not identify commercial property or multi-family housing. I believe current Land Codes which are also concurrently under review do not represent our current community. I am concerned that Journey is attempting to move this project forward without the current revised codes and underestimating the impact on the town. Our town and students already feel the negative impact of other dense developments that were approved with past codes. I believe Weld County's rules are too strict which is why Journey is pushing this project through the town now. Please consider this statement as you make a decision that represents the town.

I'd like to highlight the gray and white areas in the Future Map identified as the transition zone. For example, there is one between the Moody project and Settler's Landing. The Town has clearly laid out transition zones that need to be followed. Using a transition zone serves as a physical barrier between these conflicting zoning arrangements. I would ask

the council to consider a barrier of at least **1,000 feet** with our natural agricultural view being saved. Preservation of this small rural community is a must. I am asking for the council to adhere to the future plan and leave defined amounts for the transition zones. If the council chooses to annex, please consider identifying 1 acre as a transition with open space, trees, shrubs, and beauty to represent this rural community.

Thank you for your time and commitment to the community.
Amberly

On Wed, Aug 31, 2022 at 2:26 PM Abdul Barzak <abarzak@townofseverance.org> wrote:

Amberly,

Thank you for providing comment. Town staff will review and reach out with any questions. I will ensure that your comments as well as the Future Land Use Map are included in the Town Council packet. Please feel free to reach out with any questions.

Thank you,



Abdul Barzak

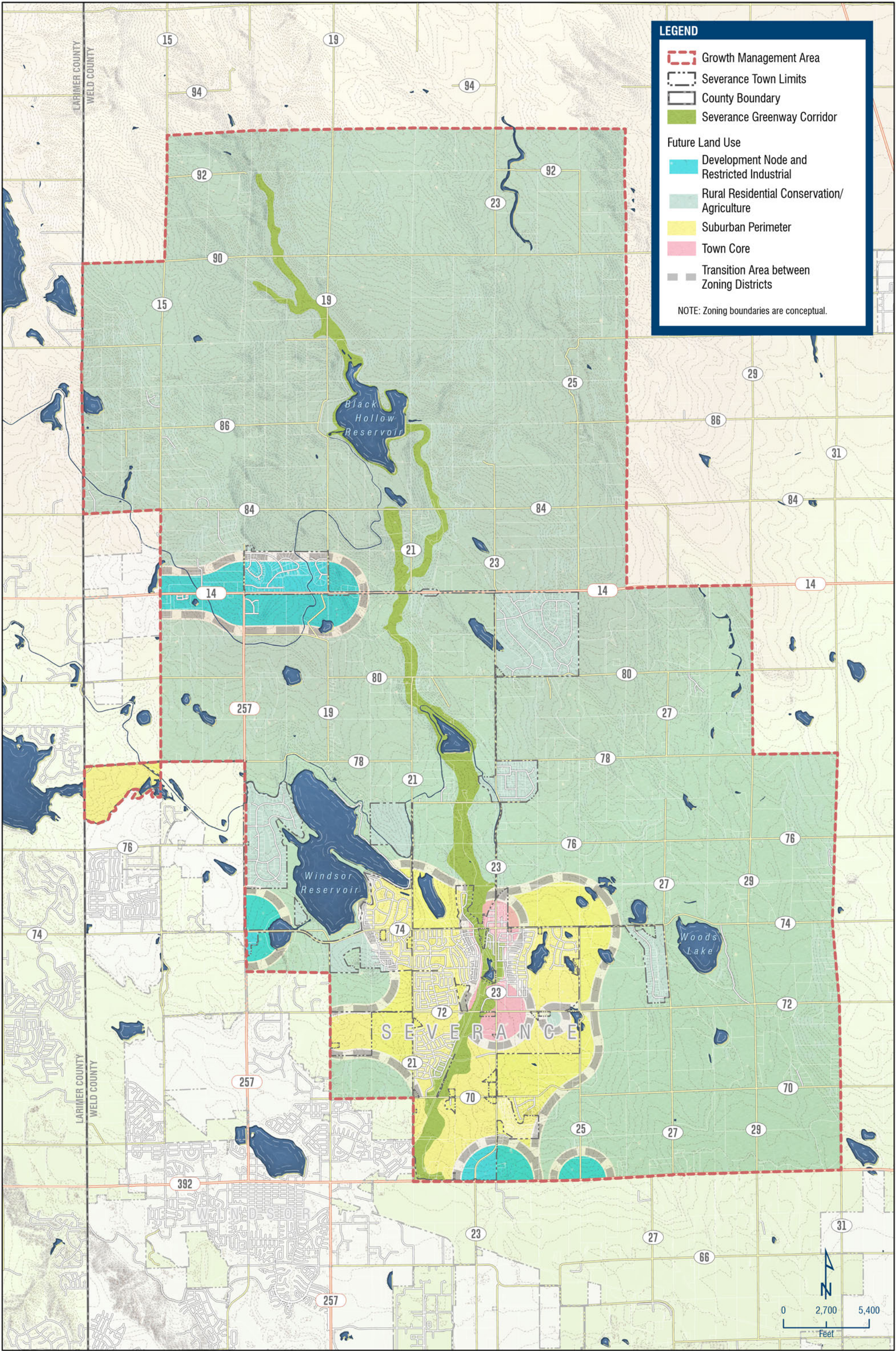
Town Planner
Direct Line: 970-692-1556
Office: 970-686-1218

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From: Amberly [REDACTED]
Sent: Wednesday, August 31, 2022 2:09 PM
To: Nicholas Wharton <nwharton@townofseverance.org>; Abdul Barzak <abarzak@townofseverance.org>; Matthew Fries <matthew.fries@townofseverance.org>
Subject: Town Council Meeting 9/13

Hello



From: [Michael Young](#)
To: [Abdul Barzak](#)
Subject: Moody Annexation Meeting 9/27/22
Date: Tuesday, September 20, 2022 8:38:03 PM

Severance Town Board Members,

In the Towns 2020 Comprehensive Plan - adopted by the Town Board the future Land Use Map shows a transition area between zoning districts. There is no significant transition area between rural residential agriculture and the new Moody proposal.

The transition area on the Land Use Map is evidence the town intends a transition area between Town Core and Rural Residential. The proposed annexation does not represent the boards intent for a transition area.

The Planning Commission denied the annexation, they represent the towns people. I urge you to also to vote NO. It is not in the best interest of Severance's residents to approve this annexation when there is no potential for it to be developed for many years.

It is the Town Board excessively gifting Developers our vital resources that has gotten Severance into the desperate situation we are in now.

Regards,

Laura Young
403 Immigrant Trail
Severance

24 Year Severance Resident

Sent from my iPhone

From: [Caitlin](#)
To: [Abdul Barzak](#); leah.vanarsdall@townofseverance.org; nicholas.wharton@townofseverance.org; abdul.barzak@townofseverance.org; [Dan Meyers](#); [Michelle Duda](#); [Frank Baszler](#); [Dennis Kane](#); [Stephen Gagliardi](#); [Matthew Fries](#); [Front Desk](#)
Subject: Kick Moody Project Development Plan Back to the Planning Commission
Date: Tuesday, September 27, 2022 11:02:58 AM

Hello,

I'm writing to express my desire that the Moody Project Proposal be sent back to the Planning Commission to be reviewed PRIOR to any annexation vote.

I'm also sharing my opposition letter to the Moody Project again:

I am writing to express my strong opposition to the Moody project and the proposed annexation at CR 21 and CR74. While the local community may be unable to prevent development, I need you to hear many of us are against it. It will be detrimental to the area. I am completely opposed to the addition of multi-family housing and the number of homes that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitats, and potentially lower the property values of the existing community. This is a terrible idea for Severance.

Water, traffic, public safety, and school capacity are major areas of concern. The traffic surge during rush hours will also negatively impact the safety of our loved ones. In general, the area traffic is continuing to increase, and heavy traffic is already common and has caused tragedies.

Schools in the area are already reported at overcapacity, 120%+. Many Severance students are already shipped off to Grandview. The purposed school will not address the capacity issues. It minimizes the fact that there will be an additional 900 houses with multiple school-aged children. Journey exacerbates the capacity issues for their profit. Journey is not interested in partnering and supporting the community. In a previous letter between Weld RE4 and Journey, a request for a school site or money was an "overreach."

Property values are likely to go down in the area if multi-family apartments are added, and if 900 poorly built houses are added to our area.

As a community member who has spent her life in the area and who works in education, I can't stress enough how much out-of-control development, like the Moody Project, has negatively impacted the quality of life, as well as education in CO. Severance, actually has a chance to stop this negative growth now & I can only hope the council and board will consider that their decisions impact generations—do we really want to be another version of California with water issues, educator shortage crises, and overpopulated areas that the local economies cannot support? If it's about money, then we all know the decision the board and council will make, but if there is considerable thought and review of plans put into the discussion, then the board and council will disapprove of such a detrimental development.

I urge you to disapprove of the proposed annex. I know my opinions are shared by many.

Thank you for your time.

Caitlin McCrory Evans

From: [Jennifer Roe](#)
To: [Michelle Duda](#); [Dan Meyers](#); [Stephen Gagliardi](#); [Matthew Fries](#); [Dennis Kane](#); [Frank Baszler](#); [David Bruen](#)
Cc: [Nicholas Wharton](#); [Abdul Barzak](#)
Subject: Moody Annexation Vote--27 September
Date: Tuesday, September 27, 2022 12:55:46 PM

Good Afternoon,

I see that the annexation of Moody is up for vote tonight at the Town Council meeting this evening.

I recommend that the Town Council send the Moody annexation proposal back to the Planning Commission for more detailed review prior to a vote.

The concept plan for this proposed development has substantially changed from the plan presented to the Planning Commission on 16 August. The Planning Commission is uniquely equipped--and in fact charged--to review development plans prior to vote by the Town Council.

I believe that thorough review of this new plan, given the size and scope of the development, is fully warranted.

I hope to be at the meeting tonight but wanted my concerns noted should I not be able to attend.

Thank You,

Jennifer Roe

From: [Paul](#) [REDACTED]
To: [Abdul Barzak](#)
Subject: new proposed subdivision Moody zoning and concept
Date: Saturday, October 29, 2022 11:30:04 AM



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender paul.helgeson@gmail.com

Dear Town Planner:

While i think it is wonderful of the town to consider further expansion for residential real estate and subdivisions to accommodate the tremendous influx of people to our area. I do however need to point out that the town had a moratorium on building due to the lack of water for the area because of the lack of treatment facilities because we are reliant on North Weld County Water District. I don't believe moving ahead with this residential expansion or any other is in the best interest of the residence of Severance or of the entire area. Just today i received a post card with the either up the property tax or up the water rates (which have doubled in the past 2 years) to pay for facilities because we are at capacity now. I don't think putting further burden on stretched facilities is the answer to any of the problems facing this region. Water has always been a concern for Colorado and the western US, but to continue to build and stretch already tapped resources is not the answer, the answer is NO emphatically NO. STOP building, STOP wasting our resources, STOP just STOP. Just this past week we lost a valuable business because of the tremendous expense placed on them and I suspect building more houses will only lead to higher crime and loss of more precious resources.

Sincerely

Paul Helgeson

Concerned Citizen, High taxes payer, huge water bill payer, and resident of Severance

From: Jackie [REDACTED]
To: Abdul Barzak
Subject: Moody Zoning & Concept Plan
Date: Saturday, October 29, 2022 1:13:44 PM

Dear Abdul Barzak,

With reference to your letter dated 10.24.2022 regarding the proposed new subdivision to the east of the Fox Ridge subdivision, I would like the following information to be taken into consideration.

As you are aware, the streets in the Fox Ridge subdivision are very narrow, two cars have to slow down in order to safely pass in opposite directions. There are no sidewalks on these roads making them quite dangerous for pedestrian traffic. However, since most owners here are aware of the problem of kids walking to and from the school drop off points, often in the dark, there have been no serious accidents to this point.

I think that if a School is built in the proposed sub division, many vehicles from other neighborhoods will try and use Fox Ridge as a short cut to the school, causing a volume of traffic that our roads are not equipped to handle, with potential danger to our own school children and pedestrians.

I hope the Town has some sort of plan to stop this happening but if not and if the volume of traffic becomes dangerous, I suggest making the Fox Ridge circle into a one-way clockwise system which might dissuade non residents from cutting through our neighborhood.

Thank you for your consideration.

Yours sincerely,

Jackie Middleton
[REDACTED] Red Fox Circle

From: [Sandi Friedrichsen](#)
To: [Abdul Barzak](#)
Subject: RE: Moody Annex/Zoning/Concept Plan -REVISED (Town of Severance Planning Referral)
Date: Monday, June 13, 2022 12:32:20 PM
Attachments: [image001.png](#)
[image002.png](#)

1. Please look at our Development and Construction Manual at the following link for further information on this development: <https://www.wsfr.us/wp-content/uploads/2020-Construction-Procedures-Guide.pdf>
2. All street names will need to be approved by the fire district.
3. All commercial lots will need further review and have different hydrant requirements than the residential lots
4. If there is going to be phasing, a phasing plan will have to be approved to make sure that access points and hydrants are present and working.
5. If you have items that you want to check before submitting or have any questions, please feel free to reach out to me at firemarshal@wsfr.us

Sandra Friedrichsen
Fire Marshal
Windsor Severance Fire Rescue
100 7th Street - Windsor, CO 80550
Office Hours Monday - Thursday 0700-1700



www.wsfr.us



****See our [Construction & Development Procedures Guide](#) for information on our construction and development requirements. ****

From: Abdul Barzak <abarzak@townofseverance.org>

Sent: Friday, May 27, 2022 10:41 AM

To: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Hidden Lake Investments, LLC
7251 W. 20th Street, L-200
Greeley, CO 80634
(970) 352-7072

July 27, 2022

Via Email: abarzak@townofseverance.org

Town of Severance
Attn: Abdul Barzak
3 S. Timber Ridge Parkway
P.O. Box 339
Severance, CO 80546

RE: Moody Annexation Windsor
Severance Fire Rescue

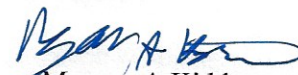
Dear Abdul:

We are in receipt of the referral comments from Windsor Severance Fire Rescue ("WSFR").

1. Our engineer will adhere to the Development and Construction Manual when moving forward with design of the subdivision.
2. All proposed street names will be provided to WSFR for review once determined.
3. All commercial lots will be reviewed as individual site plans. WSFR will be included in the referral process during their independent reviews.
4. Phasing plan will be provided to WSFR for review and approval.
5. We will reach out to Sandra Friedrichsen with any questions and clarifications during the development process.

Should you have any questions about the foregoing do not hesitate to contact me.

Sincerely,


Morgan A Kidder

cc: Nicholas Wharton

Winter Farms



Date: May 5, 2022

Subject: Journey Homes Proposed Development – W/2, Sec 35, T7N, R67W

Dear Mr. Barzak.

I am writing to you on behalf of the Winter Family, that has been landowners, farmers, and residents of Severance since 1919; regarding Journey Homes' proposed development that abuts our property to the west and north, as shown in the image below.



We have concerns about Journey Homes' proposed development and the negative impacts that it will inflict, which we wanted to bring to the attention of the Planning Department and the Town Council.

Winter Farms



As shown in the image above, our property listed as the Winter Severance Family Partnership L.P., has the largest common perimeter with Journey Homes' proposed development. As such, we will suffer the greatest impact from the proposed development unless improvements and restrictions are imposed by the Town of Severance, and changes are made by Journey Homes.

We are not "anti-development" or "anti-progress", but over 100-years of occupying our property has taught us the only sustainable method of advancement is "controlled, reasonable and responsible development".

Specifically, we have serious concerns about the negative environmental, safety, health, security, operational and financial impacts that the Journey Home's proposed development will impose on our property, but also that of all adjacent parcels and landowners. I will briefly elaborate on each topic to highlight our concerns.

Environment – We are concerned about solid and liquid wastes and debris from the proposed development being carried onto our property and contaminating the soil from which we raise produce for human consumption. Whether said encroachment is caused by wind, gravity, poor housekeeping or inattention, the result is the same and our property, our crops and our livelihood will be negatively affected.

Safety – We are concerned about the safety of workers and residents of the proposed development both during and after such a development is completed. Our property is an active, working farm operation that utilizes large machinery to conduct activities such as plowing, planting, cultivating, spraying, and harvesting various agricultural products. Our uneven ground and large equipment pose a significant safety risk to anyone venturing onto our property without proper knowledge and authorization.

Health – We are concerned about the health risk to individuals through exposure to chemical products used in farming operations, both during and after construction of the proposed development. Specifically, our farm operations involve the application of specialty chemicals that we are licensed and approved to use. These include but not are not limited to fertilizers and pesticides in solid, liquid, aerosol and gaseous forms that may be applied by any number of methods including but not limited to aerial spraying, ground spraying, water dosing, soil enrichment, and direct application.

Security – We are concerned about the security of our farming operations and the risks our activities pose to individuals and vehicles entering our property without authorization and proper awareness of the risks. Specifically, individuals and vehicles that encroach on our property during construction and individuals that encroach onto our property after construction, whether intentionally or accidentally place not only themselves but also our personnel and our operations at risk.

Operations – We have concerns about the impacts of the proposed development on our continued operations. Specifically, a primary water supply pipeline transverses the proposed development from the Eaton Ditch to our property and provides legal access to our water rights. Impacts to, or outages on this critical water supply caused by construction or post construction activities would seriously impact or even destroy our



ability to maintain operations, depending on the timing, extent, and duration of the damage. Also of specific concern, is infringement by the developer or the residents of the development on our right-to-farm (C.R.S. Sec. 35-3.5-101). In the 100-years we have been farming our property we have observed on countless occasions where similar developments have encroached on existing operations, whether agricultural, industrial, or other and then demanded those existing operations limit or even cease activities.

Financial – We have concerns about the proposed development’s direct and negative impact on our operational costs, liabilities, and revenues. Specifically, all the concerns we have briefly expressed above, namely, environmental, safety, health, security, and operational, if not properly and adequately addressed and resolved will negatively impact our operations and financial stability, through no fault of our own.

As stated above, we are pro-development when that development is controlled, reasonable and responsible and does not injure or negatively impact adjacent property owners. We do not believe the Journey Homes’ proposed development adjacent to our property meets this definition. As the landowners and residents with the largest common border to the development, request the Town of Severance Town Council and Planning Department take immediate action to safeguard its current property owners and residents from the list of threats this development as initially put forward for approval, or any subsequent variation thereof, will inflict.

Properly and effectively addressing the wide range of negative impacts and issues noted above will require restrictive measures and security provisions that include but are not limited to the following:

- relocation of our water supply pipeline by the developer before construction begins;
- perimeter 8ft-high containment fencing during construction;
- permanent 8ft-high barrier fencing after construction, with no through access, along our property
- increased setback for all homes that border our property, so no homes or yards abut the perimeter fencing;
- aggressive housekeeping and proactive waste management requirements on the developer
- neighborhood covenants acknowledging our right-to-farm and preventing residents from nuisance protests;
- neighborhood covenants acknowledging that our adjacent property is private, an active agricultural operation, poses a potential risk to anyone trespassing, and is off-limits to all residents;
- education of Journey Homes’ contractors and staff as to the requirements above; and
- enforcement by the Town of Severance of the above

We understand the challenges in addressing such a wide range of negative consequences and impacts. As such, we kindly request a meeting with the Planning Department to further explain our concerns, and

Winter Farms



to work together to draft acceptable and appropriate safeguards for the proposed development, or any future development requests that abut our property.

We also kindly request to be directly notified at jadowinter@q.com of any changes, modifications, revisions, or new submissions in regards to the above subject Journey Homes Proposed Development, and to be notified of any the new activity, filings, proposals, or new development requests that abut our property.

Thank you for this opportunity to share our concerns about the impacts to our property and agricultural operations, but also our concerns for the health, safety, and well-being of future Severance residents.

Please feel free to contact me for additional information and to schedule a meeting.

Best regards,

A handwritten signature in blue ink that reads "Jack E. Winter". The signature is fluid and cursive.

Jack E. Winter
General Partner
Winter Severance Family Partnership L.P.

Hidden Lake Investments, LLC
7251 W. 20th Street, L-200
Greeley, CO 80634
(970) 352-7072

July 27, 2022

Via Email: abarzak@townofseverance.org

Town of Severance
Attn: Abdul Barzak
3 S. Timber Ridge Parkway
P.O. Box 339
Severance, CO 80546

RE: Moody Annexation Winter
Farms Referral

Dear Abdul:

We are in receipt of the referral letter from Winter Farms ("WF"). Our response is as follows:

1. Environment: Per Colorado Department of Public Health and Environment ("CDPHE") standards, construction debris and soil erosion are regulated by the state and the developer/builder is required to clean any offsite discharges within 24 hours of release. The developer/builder will make every reasonable effort to insure any and all releases are monitored and cleaned up accordingly.
2. Safety: Workers and/or residents would have no lawful reason to enter the WF property.
3. Health: Potential buyers will have full knowledge of existing farm operations. There are many existing residencies directly south of the WF property in Settlers Landing with buildings as close as 53'. The current nearest home is 115' from the WF property. This is not an issue.
4. Security: Again, workers and/or residents would have no lawful reason to enter the WF property.
5. Operations: The concern about impacts to their water rights is unfounded. The pipeline outlined in the letter is within a recorded easement. The developer understands the pipeline shall remain in place. However, should relocation of the pipeline be required the developer will work with the WF partnership to complete relocation of this pipeline with no impact to water deliveries. We 100% agree Weld County is a Right to Farm County. Such language shall be included within the Annexation Agreement.

The developer and their consultant engineers will work with WF to design a relocation of the non-potable water supply line.

An 8' tall perimeter fence during construction and a permanent 8' barrier fence between the properties is unreasonable. The developer will work with the Town on reasonable border fencing.

No homes are proposed to abut the WF property line. Increased setbacks are not necessary. Outlots are proposed between the WF property and proposed lots.

“Housekeeping” operations will be met per the requirements of CDPHE and the Town.

Weld County Right to Farm language will be included in the Annexation Agreement.

Should you have any questions about the foregoing do not hesitate to contact me.

Sincerely,


Morgan A Kidder

From: [Mike Harris](#)
To: [Abdul Barzak](#)
Cc: [REDACTED]
Subject: Moody Project - Additional Concerns by Winter Farms
Date: Monday, August 22, 2022 1:13:00 PM

Hello Abdul.

Thank you and the Planning Commission for all your efforts to review the Moody Project and ensure development is in the best interests of the city and residents.

Based on last week's meeting held on August 17 where we learned the developer plans to expand the Eaton-Law reservoir to hold 584 acre-feet, we would like to raise some additional concerns with the proposed Moody Project, specifically:

1. proposed size of the reservoir and the security of the dam
2. overflow or drainage onto our property (i.e., Winter Farm)
3. underground seepage raising the local ground water table level
4. catastrophic events (e.g., 100-yr and 500-year storms)
5. public personal safety

We understand the developer will follow applicable regulations under the oversight of the Colorado Division Water Resources, however please allow me to briefly explain our concerns:

Reservoir Size and Dam Security - The current reservoir capacity is significantly less than the 584 acre-feet, proposed. We have a long and direct experience with the Eaton-Law reservoir due to its proximity to and periodic integration to our operations. As the aerial extent of the reservoir cannot be enlarged due to planned housing the depth will have to be significantly increased. This creates issues of sealing, increased dam height/size and hold-back pressure, emergency release mechanisms and overflows; risk of erosion, breach or failure, etc. As we are immediately downstream of this dam we want to be involved in any planning, redesign, permit application, and approval processes whether local, state or federal.

Overflow or Drainage onto our Property - If for any reason water needs to be released or overflow the dam, it must flow through an existing ditch that runs to and traverses our property (west to east) that has a current maximum capacity when totally "clean and clear" of 1,350 gals per minute (GPM). This capacity cannot be easily increased without significant modifications. Any attempt to push more water through the ditch, such as in the case of release of overflow from a heavy rain storm will cause flooding and damage to our property.

Underground Seepage Raising the Ground Water Level - The reservoir will have to be significantly deepened to 30ft to 50ft, depending on bottom contour and emergency reserve free-board space. This excavation will expose underground strata that is more porous, difficult to seal, and will allow increased seepage into the ground water, raising the local water table and causing farming operational difficulties, crop impacts, and basement flooding of an occupied home located on the property.

Catastrophic Events - We are concerned the reservoir should to be designed to have a reserved free-board space of minimally 100 acre-feet to accommodate a catastrophic event such as a 100-year or 500-year rain storm. The property is approximately 300 acres and a severe event could easily drop 2 inches or more of rain in 30-minutes, which if it all drains

into the reservoir is an increase of 50 acre-feet in 30 minutes or 100 acre-feet-per-hour, depending on how long the storm intensity prevails. Direct-drainage is not an option as an increase of 50 acre-feet in 30 minutes is equivalent to a rate of 11,000 GPM that is greatly in excess of the existing outlet ditch capacity of 1,350 GPM.

Public Personal Safety - We have concerns about the safety risks (specifically drowning) this reservoir may present to the high density population of the development and the open access to the public. All too frequently we hear of a local loss of an animal and or person due to drowning, such as in the case of a dog falling through winter ice with attempted retrieval by the owner. While the reservoir usage rule can be "use at your own risk" we are concerned more proactive measures are warranted (e.g., possibly a decorative perimeter barrier, or restricted access into the water, life saving equipment located around the reservoir), especially given the reservoir's close proximity to an elementary school and the expected large population of children that will live in the Moody Project.

Mr. Buckendorf of Journey Homes indicated at the August 17 meeting that they plan to meet with the Winter Family to discuss our concerns. We welcome and look forward to such an engagement. However, as of this date we have not any any contact from Journey Homes regarding the Moody Project.

Thank you for the opportunity to share these concerns.

Best regards,

Mike Harris on behalf of the Winter Family

[REDACTED]

From: [Mike and Janet Harris](#)
To: [Abdul Barzak](#)
Subject: Moody Project - Journey Homes - Recommendation
Date: Tuesday, September 6, 2022 4:22:38 PM

Hello Mr. Barzak.

On behalf of the Winter Farm that abuts the eastern and northern sides of the proposed Moody Project, we would like to offer the following recommendation in regard to any Annexation Agreement between Journey Homes and the Town of Severance. Specifically:

- *We recommend that any annexation agreement for the Moody Project should contain an expiration date of three (3) years from the date of execution that would terminate and nullify the agreement in case the applicant has been unable or unwilling to proceed with the project, where "proceed" is defined as actively constructing a Town of Severance approved development plan.*

The annexation agreement is a contract between the Town of Severance and the applicant that specifies the responsibilities of each party. Unless an expiration date to this agreement is specifically and explicitly prohibited by law then such a provision is allowed and should be a mandatory part of this, and any future annexation agreements. An expiration provision would serve to ensure timely execution of projects by applicants and preserve the Town's options when such advancement does not occur for whatever reason.

At the August 23rd meeting, the Town Council intimated they planned to approve the applicant's request for annexation. However, no approval was issued during the meeting as the applicant postponed their petition via a continuation request because a mutually agreed annexation agreement had not been reached between the Town of Severance and the applicant. Consequently, the annexation is still an open and undecided issue.

We do not believe that granting an annexation in which development cannot proceed within a few years (e.g., a reasonable period) is in the best interests of the residents of Severance, nor supportive of the Town of Severance growth and expansion plan. Currently, as Council is aware, there are a number of issues that would prevent the Moody Project annexation applicant from being able to develop the project in a reasonable period. Among these issues, and most notably is delivery of the required potable water volume to the proposed project for which no solution currently exists and resolution is estimated at 5 to 10 years.

We believe any annexation of the Moody property should result in a timely development of the property that commences within three (3) years of the agreement and is based on a Town of Severance approved development plan. We do not believe, and we sincerely doubt that any Severance resident would believe that a multi-year delay is appropriate or a reasonable period.

We are also concerned that annexing property into the Town that cannot be:

- developed as proposed, or
- developed in a reasonable period of time, or
- approved with an appropriate expiration date,

may be considered a violation of the Town Council's fiduciary responsibility.

We appreciate your consideration of this recommendation and look forward to seeing you and the Town Council at the meeting on September 13.

Best regards,

Mike Harris, on behalf of Mr. Jack E. Winter and the Winter Family

From: [Jerome Rouser](#)
To: [Abdul Barzak](#)
Subject: RE: Moody Annex/Zoning/Concept Plan -REVISED (Town of Severance Planning Referral)
Date: Monday, May 16, 2022 4:48:43 PM
Attachments: [image003.png](#)
[image004.png](#)

Good afternoon,

The development in question is nearby the Great Western Trail which is a Regional Active Transportation Corridor (RATC). The property concept plan does not seem to show any trail connections to the nearby trail. I would suggest amending the plan to either add bike paths and/or pedestrian paths or delegate space for future bike paths and/or pedestrian paths to connect to the nearby trail.

Thank you,

Jerome Rouser

Transportation Planner I

Pronouns: he/him



419 Canyon Ave, Suite 300 | Fort Collins, CO 80521



From: Becky Karasko [REDACTED]
Sent: Friday, April 1, 2022 3:37 PM
To: Jerome Rouser <jrouser@nfrmpo.org>
Subject: FW: Moody Annex/Zoning/Concept Plan -REVISED (Town of Severance Planning Referral)

Please see the development review request below.

Becky Karasko, AICP

Transportation Planning Director



From: Abdul Barzak <abarzak@townofseverance.org>
Sent: Friday, April 1, 2022 2:39 PM

Hidden Lake Investments, LLC
7251 W. 20th Street, L-200
Greeley, CO 80634
(970) 352-7072

July 27, 2022

Via Email: abarzak@townofseverance.org

Town of Severance
Attn: Abdul Barzak
3 S. Timber Ridge Parkway
P.O. Box 339
Severance, CO 80546

RE: Moody Annexation North
Front Range MPO Referral

Dear Abdul:

We are in receipt of the referral comments from North Front Range Metropolitan Planning Organization. The developer intends to build an internal trail network that will connect to existing sidewalks and trails within the Town's greater network that provides connection to the Great Western Trail.

Should you have any questions about the foregoing do not hesitate to contact me.

Sincerely,



Morgan Kidder



Weld RE-4 School District

**1020 Main Street
Windsor, Colorado 80550
970-686-8000
weldre4.org**

Sep 26, 2022

Town of Severance Planning Department
3 South Timber Ridge Parkway
Severance, CO 80546

RE: Moody Development

Dear Planning Department Staff:

The above referenced major subdivision application is now proposed for a total of 670 single family homes and an undisclosed number of multi-family units. This letter summarizes the implications for school sites and facilities, solely based on the planned single family units.

The Town of Severance and Weld County School District RE-4 entered into an initial Intergovernmental Agreement Concerning Fair Contribution For Public School Sites on April 11, 2001. Since that time the exhibits of the agreement have been updated with both parties to include current land values, and will once again be updated very shortly.

Weld RE-4 School District has three schools within the Town of Severance, RangeView Elementary School, Severance Middle School, and Severance High School. All three of these schools have exceeded their capacity. There are subdivisions within the Town of Severance that are within 1.5 miles of the elementary school, however, due to space and capacity limitations students are bussed approximately 6 miles to Windsor to attend school and unable to attend their local school within the Town of Severance.

The proposed Moody Development is estimated to bring approximately 221 elementary students to the boundaries of RangeView Elementary, with a core capacity of 600 students and enrollment currently at 710. The proposed development will also bring an estimated 148 secondary students to Severance Middle (107) and Severance High Schools (141) respectively. All three schools are already beyond their capacity limits due to accelerated residential growth within the Town of Severance.

With the proposed development numbers and estimated growth and calculations, Weld RE-4 School District is requesting a 10 acre parcel dedicated to the district for a future elementary school to meet the needs of the Town of Severance. The developer and the District have agreed upon a location for a future school which is 10.69 acres.

The calculations call for a 12.5 acre site based on a buildout of 670 single family homes. By providing this 10.69 acres, this meets the site dedication requirements for 572 of the single family homes. For the remaining 98 single family homes, a cash-in-lieu in the amount that is



Weld RE-4 School District

**1020 Main Street
Windsor, Colorado 80550
970-686-8000
weldre4.org**

agreed upon with the Town of Severance at time of permitting is provided. In regards to the cash in lieu portion of fees, the District is willing to explore/negotiate site development costs not already included in the agreement as payment towards the fee. None of these calculations include any future multi-family housing in the development.

Recommendations

The District requests that the developer continue to work with the District to address the student growth caused by additional homes within this development through site dedication, cash in lieu as well as continued support of local schools.

Your continuing cooperation is sincerely appreciated, as is the opportunity to comment upon issues of interest to the County, the School District and our mutual constituents. The School District requests to be notified of any proposed land use changes. Should you have questions or desire further information, please contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael McCullar", is written over a horizontal line.

Michael McCullar
Chief Operating Officer

Loup Reservoir Company

c/o Weld RE-4 School District
180 North 8th Street
Windsor, CO 80550
Email: LoupReservoirCompany@gmail.com
Phone: 970-302-2668

October 14, 2021

Abdul Barzak
Assistant Town Planner
Town of Severance
PO Box 339
Severance, CO 80546

Re: Moody Annexation/Zoning/Concept Plan

The Loup Reservoir Company ("Ditch Company") has received a referral from the Town of Severance ("Town") for the above-referenced application for annexation.

The Ditch Company owns and operates a ditch and reservoir system with decreed water rights for drainage flows captured by the system. The proposed project appears to be located on property from which, at least in part, water historically drains into the Ditch Company's system.

As such, the Company received notice of the proposed project and, at this time and upon its review, the Company has not identified an issue upon which to comment.

We request the Town of Severance keep us on the referral list for the proposed project in case it evolves in such a way as to change the Company's assessment. The Town or developer may contact me with any questions or concerns.

Sincerely,



Julie Rothe, General Manager
Executive Board Member
Loup Reservoir Company

LAWRENCE CUSTER GRASMICK JONES & DONOVAN LLP
ATTORNEYS AT LAW

5245 RONALD REAGAN BLVD., SUITE 1
JOHNSTOWN, COLORADO 80534
TELEPHONE: 970-622-8181

WWW.LCWATERLAW.COM
rebecca@lcwaterlaw.com

Bradley C. Grasmick • David P. Jones • Ryan M. Donovan
Wesley S. Knoll • Rebecca E. Spence • David L. Strait

May 18, 2022

Mr. Abdul Barzak
Town Planner
3 South Timber Ridge Parkway
P.O. Box 339
Severance, CO 80546
via Email: abarzak@townofseverance.org

RE: Moody Annexation/Zoning (REVISED) - Larimer & Weld Irrigation Company's Third Comment Letter

Dear Mr. Barzak:

Thank you for forwarding the revised Moody Annexation & Zoning & Concept Plan. Previously, in the letter from our firm on October 12, 2021 and the letter from our client on February 15, 2022, Larimer & Weld Irrigation Company expressed its concerns regarding the improvements and relocation of the Finley Lateral as Larimer & Weld owns the headworks (water delivery structure) that connect the Finley Lateral to the Larimer & Weld Canal. In the aforementioned comment letters, Larimer & Weld Irrigation Company has requested that the Town of Severance require Hidden Lake Investments to obtain an agreement with Larimer & Weld addressing items of concern as a condition of zoning/annexation approval. The purpose of this comment letter is to reiterate, for the third time, that the Town of Severance should require Applicants to obtain an agreement with Larimer & Weld Irrigation Company.

According to *Roaring Fork Club, L.P. v. St. Jude's Co.*, the owner of property burdened by a ditch easement may not move or alter that easement unless that owner (1) has the consent of the owner of the easement or (2) obtains a declaratory determination from a court that the alteration would not damage the benefited owners. *City of Boulder v Farmer's Reservoir and Irrigation Co.*, 214 P.3d 563, 566 (Co. Ct. App. 2009); *Roaring Fork Club, L.P. v. St. Jude's Co.*, 36 P.3d 1229, 1231, 1237-38 (Colo. 2001). Applicants have not filed and have not indicated that they are planning to file, a case to unilaterally alter the ditch easement, so they must be required to obtain consent, by way of agreement, from Larimer & Weld Irrigation Company. At this time, because Larimer & Weld Irrigation Company's comments have been unaddressed, they are unable to evaluate what

impact, if any, the zoning or annexation has on the Finley Lateral, Larimer & Weld Canal, and their associated easements.

In the revised petition, the Town of Severance has directed Applicants to address Larimer & Weld Irrigation Company's comments, to which Applicants have replied "Noted". There has not been contact from Applicants in an attempt to enter into an agreement with Larimer & Weld Irrigation Company or address its concerns displayed in previous comment letters. Additionally, Applicants have stated that the existing ditches will be "accommodated during the preliminary and final plat development." This response is vague and does not certify that Applicants will enter into an agreement with Larimer & Weld Irrigation Company regarding the potential impact of the proposed annexation to the Larimer & Weld Canal and its easements as required by *St. Jude's Co.* The above-described responses and the inaction of Applicants to address Larimer & Weld Irrigation Company's comments are unacceptable, and Larimer & Weld Irrigation Company does not give consent to the potential alteration of the Larimer & Weld Canal or its associated easements. Additionally, any future extension of CR 76, as described in the original version of the application, requires an additional agreement to address Larimer & Weld Irrigation Company's separate concerns regarding such extension and their easements.

Larimer & Weld Irrigation Company hereby demands that the Town of Severance require Hidden Lake Investments to obtain an agreement with Larimer & Weld Irrigation Company to address its concerns as a condition of zoning/annexation approval. Please reach out to either Ryan Donovan or I by phone at 970-622-8181 or by email at ryan@lcwaterlaw.com and rebecca@lcwaterlaw.com.

Sincerely,

LAWRENCE CUSTER GRASMICK JONES &
DONOVAN LLP



Rebecca E. Spence
Attorney for Larimer & Weld Irrigation Company

From: [Jared Rauch](#)
To: [Abdul Barzak](#)
Cc: [Eric Reckentine](#)
Subject: Moody Annexation/Zoning/Concept Plan
Date: Tuesday, August 2, 2022 10:20:16 AM

Hi Abdul,

Hope you are doing well. We received the Moody Annexation/Zoning/Concept Plan packet in the mail recently. I responded to a referral for this development a couple of months ago, but wanted to reiterate our response to ensure that it is included in the Town's records:

We understand that the Town of Severance will be providing water service to the proposed Moody development. However, the District is currently under a moratorium on new development and therefore we are unable to commit any additional Plant Investments to the Town at this time, nor can we guarantee the availability of Plant Investments in the future.

Let me know if you have any questions.

Thanks,

Jared Rauch

Development Review Engineer

North Weld County Water District

PO Box 56 ~ 32825 WCR 39

Lucerne, CO 80646



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From: [Russ Weber](#)
To: [Abdul Barzak](#)
Subject: RE: Moody Annexation/Zoning/Concept Plan (Town of Severance Planning Referral)
Date: Thursday, September 16, 2021 4:28:24 PM
Attachments: [image001.png](#)
[image009.emz](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)

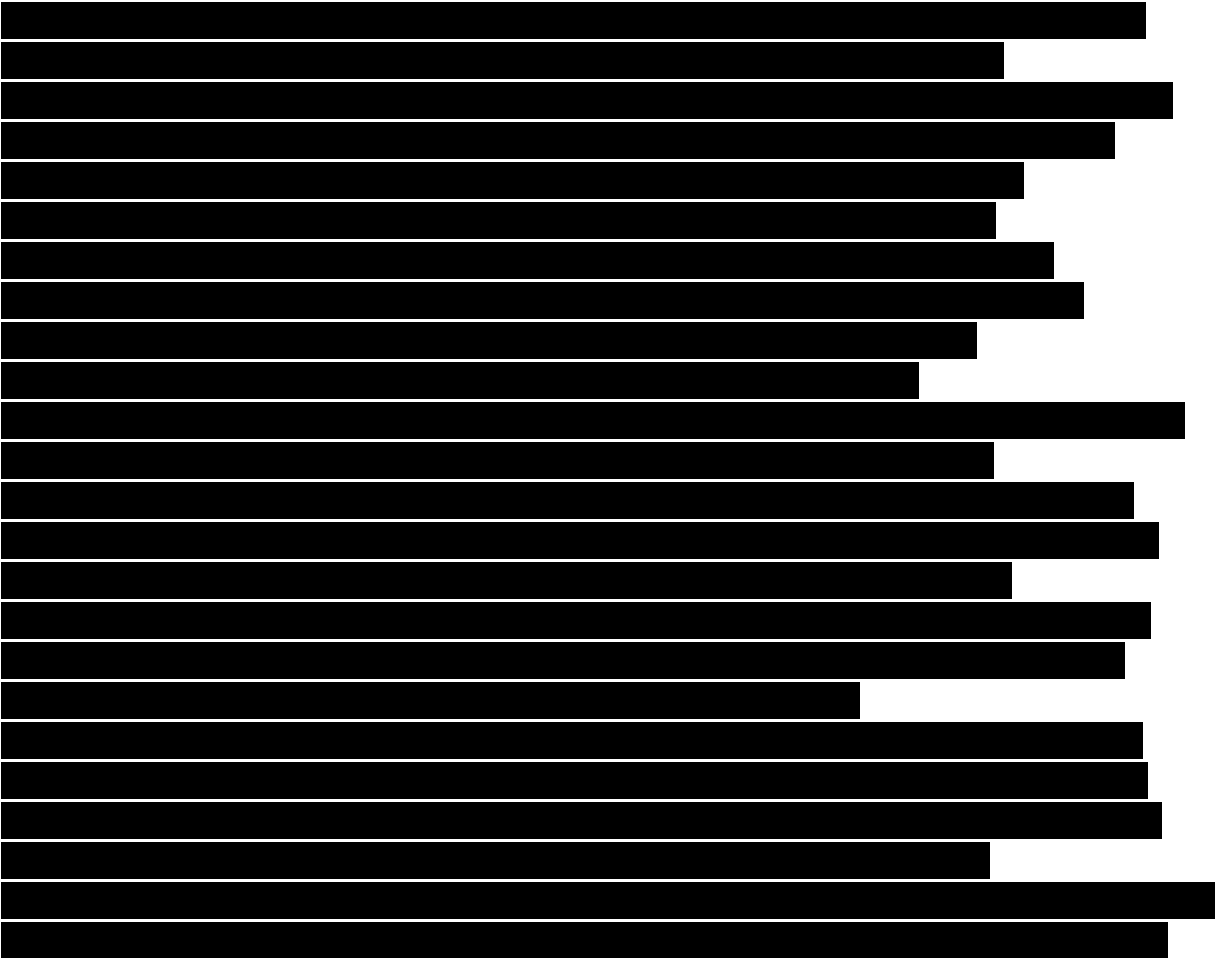
No comments on this one

Russ Weber
Regional Operations Manager
3755 Precision Dr, STE 140
Loveland, CO 80538
SAFEbuilt.com


From: Abdul Barzak <abarzak@townofseverance.org>

Sent: Thursday, September 16, 2021 4:05 PM

To: 





DEPARTMENT OF PLANNING SERVICES

1555 N. 17th Ave

Greeley, CO 80631

Website: www.weldgov.com

Via email to abarzak@townofseverance.org

May 13, 2022

Abdul Barzak, Town Planner
PO Box 339
Severance, CO 80546

Subject: Moody Annexation resubmittal

Dear Abdul:

The Weld County Department of Planning Services has reviewed this proposal and submits the following comments for your consideration.

Weld County discourages annexations that create unincorporated enclaves and recommends including Lot A of RE-1022 if at all possible.

The Town may wish to ensure the enclave lot has access to the extension of Timber Ridge Parkway in order to potentially move its access from Harmony Road in the future.

Thank you for the opportunity to comment on this proposal. This response addresses general requirements, concerns, or issues and is intended to assist in your community's decision-making process regarding this land use proposal. Weld County respectfully reserves the right to make further comment on information or issues as they are discovered.

Sincerely,

Jim Flesher, AICP
Long-Range Planner
Weld County

From: [Kimberly Lambrecht](#)
To: [Abdul Barzak](#)
Cc: [Christine Lutz](#); [Carlin Malone](#)
Subject: RE: Moody Annex/Zoning/Concept Plan -REVISED (Town of Severance Planning Referral)
Date: Friday, May 27, 2022 3:59:53 PM
Attachments: [image001.png](#)

Hello, Abdul.... Happy Holiday Weekend!!!

Thank you for the opportunity to review the Moody Property Concept Plan. The project is outside of the Town's Growth Management and Community Influence Areas – as such, we have no comment.

Have a wonderful weekend!

Kim

Kimberly Lambrecht, Assoc. AIA
Planner II


www.windsorgov.com

From: Abdul Barzak <abarzak@townofseverance.org>

Sent: Friday, May 27, 2022 10:41 AM

To: 


























From: [Keith Martin](#)
To: [Abdul Barzak](#); [Nicholas Wharton](#)
Subject: FW: NWC/Town of Severance - Moody Development
Date: Tuesday, November 15, 2022 12:47:03 PM
Attachments: [image001.png](#)

Caution: This is an external email and may have a suspicious subject or content. Please take care when clicking links or opening attachments. When in doubt, contact your OnixIT at support@onixit.com or (970) 223-0300.

Abdul and Nick,

Please see below.

Thanks,

Keith

From: Zachary P. White <[REDACTED]>
Sent: Tuesday, November 15, 2022 12:45 PM
To: Keith Martin <kmartin@h-mlaw.net>
Subject: NWC/Town of Severance - Moody Development

Mr. Martin,

North Weld County Water District (NWC) is aware of a request on the Town of Severance Planning Commission September 16, 2022 meeting agenda to approve and compressive plan amendment, annexation and zoning, and concept plan related to the Moody development in the Town of Severance (Town).

NWC acknowledges that the Moody development is not within the NWC service area and would not be subject to NWC water service agreement and water dedication policies. However, NWC wants to remind and bring to the Town's attention that NWC has informed the Town on several occasions that it does not know when or if it will be able to sell additional plant investments and water taps to serve new developments in the Town, including the Moody development. Should the Town approve the development, NWC cannot guarantee water service will be available to serve any portion of the Moody development.

We request that you provide this email also to the planning director and planning commission.

Should you have any questions, please feel free to contact me.

Thank you,



ZACHARY P. WHITE, Esq.

OF COUNSEL

WHITE BEAR ANKELE TANAKA & WALDRON
2154 East Commons Avenue, Suite 2000
Centennial, Colorado 80122

Northern Colorado Office:
748 Whalers Way, Suite D1
Fort Collins, Colorado 80525

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

This law firm may be acting as a debt collector. Any information obtained may be used for that purpose.

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**TOWN OF
SEVERANCE
RESOLUTION NO.
2022-57R**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
SEVERANCE, COLORADO, APPROVING A CONCEPT PLAN FOR A
MIXED-USE DEVELOPMENT ON CERTAIN REAL PROPERTY
LOCATED WITHIN SECTION 35, TOWNSHIP 7 NORTH, RANGE 67
WEST, COUNTY OF WELD, STATE OF COLORADO**

WHEREAS, Hidden Lake Investments, LLC, for itself and on behalf of Journey Homes, LLC and Eaton-Law Reservoir Co., who are the owners of certain real property generally located in Section 35, Township 7 North, Range 67 West, County of Weld, State of Colorado (“Property”), which is approximately 309.52 acres in size, has submitted a Concept Plan showing a proposed mixed-use development on the Property, to include single-family residences, multi-family structures, and commercial/retail uses (the “Application”); and

WHEREAS, the Severance Planning Commission, after conducting a public hearing on the proposed Concept Plan at its meeting held on November 16, 2022, failed to reach consensus on a recommendation with respect to the Concept Plan; and

WHEREAS, after considering all the testimony, evidence and argument presented at the Town Council public hearing, together with the relevant standards and criteria for Concept Plans as set out in Section 16.4.40(c) of the Severance Municipal Code, the Town Council finds and determines that the proposed Concept Plan meets the applicable requirements and standards set forth in the Severance Municipal Code.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SEVERANCE COLORADO:

Section 1. The Town Council hereby approves the Moody Concept Plan, as shown on **Exhibit A**, attached hereto and incorporated herein by this reference.

Section 2. Unless otherwise extended by the Town Council, the approval of the Moody Concept Plan shall be null and void if a preliminary plat for all or a portion of the property is not submitted within two years of the date of this Resolution.

RESOLVED AND APPROVED this 13th day of December, 2022.

TOWN OF SEVERANCE

BY: _____

Matthew Fries, Mayor

ATTEST:

Leah Vanarsdall, Town Clerk

APPROVED AS TO FORM:

Hayashi & Macsalka, LLC, Town Attorn

EXHIBIT A



OCTOBER 21, 2022



NORTHERN
ENGINEERING

P:\1155-003\DWG\EXHIBITS\MOODY PROPERTY_CONCEPT PLAN.DWG

MOODY PROPERTY
SEVERANCE, CO

CONCEPT PLAN
FIGURE 1



OCTOBER 21, 2022



NORTHERN
ENGINEERING

P:\1155-003\DWG\EXHIBITS\MOODY PROPERTY_CONCEPT PLAN.DWG

MOODY PROPERTY
SEVERANCE, CO
CONCEPT PLAN FEATURES
FIGURE 2



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Pg 229 - Saddler Ridge PUD Filing 4 (9 & 10) Extension	Abdul Barzak, Town Planner	Abdul Barzak, Town Planner
ACTION REQUESTED		
Community Development and Town Management asks that the Severance Town Council to review, discuss, and take action on the applicants request to extend the Final Plat approval of the Saddler Ridge PUD Filing 4 (9 &10) Subdivision by one (1) year to November 5th, 2023. Actions that may be taken. 1. Move to approve the Saddler Ridge PUD Filing 4 Final Plat by one (1) year to November 5th, 2023. 2. Take no action.		<u>Discussion</u> <u>Action Requested</u>
BRIEF SUMMARY		
Saddler Ridge PUD Filing 4 Final Plat commonly known as Saddler Ridge 9&10 was approved on November 5th, 2019. The final plat expired November 5, 2022. Per section 16.4.60 (d) of the Severance Municipal Code, " A final plat is in full force and effect for a period of three (3) years from the date of recordation." That code section goes on to state that, " Applicants may formally request a single extension of one (1) year from the Town prior to termination of final plat approval. Prior to the expiration of the original time frame of three (3) years or the extension (four years total) time frame, an applicant may formally request an additional extension if substantial progress has been made on installation of public improvements." The applicant did request an extension prior to November 5th, 2022 however due to the cancelation of the November 22nd Town Council meeting the request is coming before the Council tonight. Tonight the applicant is formally requesting a one (1) year extension of the Saddler Ridge PUD Filing 4 Final Plat. The applicant is in attendance tonight to address the Council.		
PUBLIC SUPPORT/CONCERN		
None at this time.		
ANALYSIS AND RECOMMENDATION		
Town staff asks the Severance Town Council to review, discuss, and take action on the applicants request to extend the Final Plat approval of the Saddler Ridge PUD Filing 4 by one (1) year to November 5th, 2023.		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet: 1. Saddler Ridge PUD Filing 4 History and Applicant Request		

2. Saddler Ridge PUD Filing 4 Final Plat
3. Resolution 2019-15R



December 1, 2022

Abdul Barzak, Town Planner
Town of Severance – Community Development Department
3 South Timber Ridge Parkway
Severance, CO 80550

Re: Final Plat Approval Extension Request
Saddler Ridge Planned Unit Development Filing 4 (aka “Saddler Ridge Tracts 9 & 10”)

Crestone Project No.: 12040

Dear Mr. Barzak:

Thank you for the meeting on November 9, 2022, which was a follow up on our Final Plat Approval Extension inquiry/request email dated October 28, 2022, for the *Saddler Ridge Planned Unit Development Filing 4* (aka “Saddler Ridge Tracts 9 & 10”) Subdivision Plat.

On behalf of the applicant, Liberty Savings Bank F.S.B. (aka “LSB”), our firm, Crestone Consultants, LLC is submitting this letter and attachments as a formal request to the Town of Severance to extend the three (3) year approval period for the Saddler Ridge Tracts 9 & 10 Final Plat. Instead of requesting a one (1) year extension, we propose that the approval timeline begin when the Final Plat is recorded (as stated in the Town Code) which could be defined in the Development Agreement to create clarity for all parties. Upon recordation, the Town’s standard Final Plat approval timeframe of three (3) years with the option of extending the approval an additional one (1) year as outlined in the Town Code are believed at this point to be adequate for the Saddler Ridge Tracts 9 & 10 development. The timing for getting to the point of recordation is not currently known as various issues largely controlled by outside entities (North Weld County Water District and North Poudre Irrigation Company) have delayed the approval/recordation process of the Final Plat. The background circumstances and specific approval delays are outlined below.

Town Code Reference & Related Questions

As discussed in the November 9, 2022 meeting, the Town Code section that is pertinent to the Final Plat approval extension request is as follows:

Sec. 16.4.60.(d) – Final Plat:

“Time frame related to approval of final plat. ***A final plat is in full force and effect for a period of three (3) years from the date of recordation unless a longer time frame is specifically allowed by the Town in an approved development agreement*** or unless public improvements are completed and accepted on all or a portion of the final plat. Applicants may formally request a single extension of one (1) year from the Town prior to termination of final plat approval. Prior to the expiration of the original time frame of three (3) years or the extension (four [4] years total) time frame, an applicant may formally request an additional extension if substantial progress has been made on installation of public improvements.”

Based on our understanding of the aforementioned Town Code language, we respectfully question why an extension request is required for the Saddler Ridge Tracts 9 & 10 Final Plat. The Town Code indicates the Final Plat approval time frame starts after recordation. Due to several factors, which some of the more prominent are identified below, the Saddler Ridge Tracts 9 & 10 Final Plat has not been recorded as of the date of this request.

Saddler Ridge Development Background Summary

With the exception of just a few residential lots and commercial tracts, LSB acquired, through the foreclosure process, the majority of the commercial and residential lots/tracts defined in the 305 acre *Saddler Planned Unit Development* subdivision (aka “Saddler Ridge Development”) in May 2013.

Following the acquisition, LSB has been fully vested financially and has worked diligently with the Town, multiple builders, developers, districts and utility providers to complete the development which had essentially sat dormant since the original Final Plat recording in 2006 and construction of initial infrastructure which concluded in approximately 2011. This includes providing significant funding to the Saddler Ridge Metropolitan District (aka “SRMD”) for sanitary sewer improvements for the development’s Wastewater Reclamation Facility, construction of multiple amenities (including park improvements, playground, basketball court, community garden, community trail installations and upgrades) as well as street improvements and maintenance to support the District’s ongoing operations.

While actively marketing and developing 40 existing ½ acre residential lots, LSB also re-platted *Saddler Planned Unit Development* Lots 42 through 59 (18 residential estate lots) to 37 residential estate lots and has constructed, through the SRMD, the necessary grading, drainage, utility and roadway infrastructure to complete these lots for home construction, of which several homes have been or are in the process of being constructed.

Saddler Ridge Tracts 9 & 10 Summary

Preparation and processing of development plans specific to Saddler Ridge Tracts 9 & 10 began in August 2015 with the Concept Plan process, as part of the broader Saddler Ridge Development land use/zoning revisions. The Concept Plan was approved by the Board of Trustees in December 2015. In October 2018, LSB submitted the Preliminary Plat to subdivide Tracts 9 & 10, which was approved with conditions by the Board of Trustees in December 2018. Subsequently, the Final Plat process was initiated in May 2019. The Final Plat was approved with conditions by the Board of Trustees on November 5, 2019 (Resolution 2019-15R, please see attached).

Subsequent to the Board of Trustees approval with conditions, LSB has faced multiple challenges and an environment of changing policies/regulations from multiple entities which have delayed the recordation of the Final Plat and the development of Tracts 9 & 10. A few of the more prominent challenges include:

1. North Poudre Irrigation Company (NPIC). NPIC was not included in the Final Plat referral process until after the Town Board had approved the Final Plat with Conditions. The Town provided NPIC a referral package in May 2021. Upon review of the referral package, NPIC required encroachment and crossing agreements with various entities (Town of Severance, SRMD, NWCWD, Xcel Energy, PVREA, etc.) be drafted and executed prior to their signing of the Final Plat. In turn, time consuming coordination and significant design revisions were necessary to address the NPIC requirements. One of the NPIC related design revisions impacted the landscape and irrigation design which has been subsequently reviewed and accepted by the Town.

2. The Town's change in legal counsel at the end of 2021 resulted in the Town requiring additional revisions to the Final Plat document and Development Agreement. Although the Town had previously approved the Final Plat cover sheet and the majority of the entities had already signed the plat, the requested revisions require a re-plot of the cover sheet mylar and further means the approval signatures will have to be obtained again.
3. Staffing changes, multiple policy changes and a tap sales moratorium from NWCWD have impacted the timing of NWCWD signing the Final Plat. Additional detail includes:
 - a. NWCWD policy changes in 2020 and 2021 regarding raw water dedications in how Tracts 9 & 10 can be served.
 - b. NWCWD notified the Saddler Ridge Development and SRMD they changed their policy with how the overall Saddler Ridge Development would be served through offsite infrastructure in June of 2021. Although the Saddler Ridge Development paid NWCWD nearly \$500,000 for offsite infrastructure improvements which were constructed in 2006 (approximate) to ensure proper infrastructure existed to adequately serve the overall development, NWCWD is now requiring that the Saddler Ridge Development participate in the design and construction of additional offsite improvements to effectively create a new water service zone (Zone 7a) to serve the Saddler Ridge Development, including Tracts 9 & 10. NWCWD's proposal estimated a significant capital contribution by LSB and the SRMD (\$3.8 million to be cost shared) to construct these offsite improvements. Subsequently, the Saddler Ridge Development's largest property owners (LSB, TKD Land & Cattle, LLC – owner of Tracts 7 & 8 and applicant for the Saddler Ridge Southern Subdivision and SRMD) have been negotiating the new offsite improvement requirements for several months to develop an alternative solution for offsite improvements.
 - c. NWCWD's moratorium on water tap sales and plant investments in September 2021 due to 1041 regulations in the City of Fort Collins and Larimer County related to the District's NEWT III Pipeline. Upon initiating the moratorium, NWCWD effectively stopped reviewing and coordinating design reviews for the Saddler Ridge Development, including the proposed additional offsite improvements. Prior to NWCWD's moratorium, design plans for Tracts 9 & 10 had resolved the comments from NWCWD staff. Subsequently, NWCWD has held up design review/approval and signing related Final Plats and Water Service Agreements for the Saddler Ridge Development, including Tracts 9 & 10.

The outstanding entities which require resolution to sign the Final Plat cover sheet include NPIC, NWCWD and the Town. At this point, we believe the Town's post approval requirement updates and comments related to the final engineering design plans/reports, landscape/irrigation design, Final Plat and Development Agreement have been addressed.

LSB and Crestone have been actively working with NPIC and all affected entities, including the Town, to finalize all encroachment and crossing agreements and are confident NPIC will sign off on the Final Plat and Construction Plans after the agreements have been executed.

Along with the SRMD and their civil engineer, LSB is actively engaging NWCWD to obtain a solution to their offsite infrastructure improvement requirements. After many months of waiting, SRMD's civil engineer received the necessary design information from NWCWD and will be submitting design plans for a proposed design alternative in the near future. SRMD legal counsel is working with NWCWD on a revised Water Service Agreement for the overall Saddler Ridge Development and an updated Will Serve Letter for Tracts 9 & 10.

As the Town is aware, municipalities and developers alike have faced multiple challenges with NWCWD over the past 18 months and identifying a time frame for rectifying agreements to move the development process forward is, at best, difficult to determine. Based on this, LSB and Crestone recognize that a one (1) year Final Plat approval extension likely will not be adequate to finalize the Final Plat for cover sheet signatures and recordation, much less building the substantial improvements to the public infrastructure.

Therefore, we feel it is appropriate to request the Town's consideration to allow LSB adequate time to obtain the proper approvals from the outstanding jurisdictions so that the Final Plat can be completed and recorded. To ensure clarity for all parties, we propose that language be added to the Development Agreement which accomplishes this request for extension for the period of time between formal Final Plat approval through Town Council (formerly Board of Trustees) and recordation. Subsequent to recordation, LSB agrees to abide by the Final Plat approval timeframes identified in Sec. 16.4.60.(d) – Final Plat of the Town Code, including the ability to request a one (1) year extension.

Both LSB and Crestone would like to thank you, Town management and Town staff for all your continued support of the Saddler Ridge Development, including the Tracts 9 & 10 Final Plat. We are also very appreciative of Town Council's review of this Final Plat Extension Request, considering the unique circumstances outlined herein.

Should you have any questions in your review of this letter and attachments, please give me a call at your convenience to discuss (303.997.6113).

Sincerely,

CRESTONE CONSULTANTS, LLC



For and on behalf of Liberty Savings Bank, F.S.B.
Joseph M. Erjavec, P.E.
Principal

Attachment(s)

Cc: Jack Powell (Liberty Savings Bank, F.S.B.)
Beth Kelsey (Liberty Savings Bank, F.S.B.)
Joe Hoskins (Liberty Savings Bank, F.S.B.)
Jake Pault (Board President, Saddler Ridge Metropolitan District)

From: joe@crestonellc.com
Sent: Friday, October 28, 2022 2:51 PM
To: 'Abdul Barzak'; Nicholas Wharton (nwharton@townofseverance.org)
Cc: 'Jack Powell'; 'Beth Kelsey'; 'Gene'; 'Ivanarsdall@townofseverance.org'
Subject: Saddler Ridge - Tracts 9 & 10 Final Plat

Categories: 12040 - Saddler Ridge

Good afternoon Abdul & Nick

I hope this email finds you both doing great.

We were recently made aware there may be a Final Plat approval term for Saddler PUD-Tracts 9 & 10 (Saddler Ridge Planned Unit Development Filing 4) which could be fast approaching. The Town Board of Trustees approved the Tracts 9 & 10 Final Plat with conditions on 11/04/2019, and understanding that Liberty Savings Bank has been working with North Weld County Water District and others to finalize agreements, obtain approvals, etc. to get the Final Plat submitted for signatures and recording, can you please confirm if the Town has an approval term limit which applies for this Final Plat.

Should there be a term limit for the Saddler Ridge Tracts 9 & 10 Final Plat, on behalf of the landowner/applicant, Liberty Savings Bank, we'd like to request an extension to the approval of this Final Plat.

Your confirmation and acknowledgement of the extension request (if required) are appreciated.

Thank you,

Joseph M. Erjavec, P.E.
Crestone Consultants, LLC
(o) 303.997.6113
(m) 303.919.0317
joe@crestonellc.com

FINAL PLAT SADDLER RIDGE PLANNED UNIT DEVELOPMENT FILING 4

BEING A REPLAT OF TRACTS 9 AND 10, SADDLER RIDGE P.U.D, LOCATED IN THE SOUTH HALF OF SECTION 9, TOWNSHIP 7 NORTH, RANGE 67 WEST OF THE 6TH P.M., TOWN OF SEVERANCE, COUNTY OF WELD, STATE OF COLORADO
Sheet 1 OF 2

LEGAL DESCRIPTION:

A plot of a parcel of land being a part of SADDLER PLANNED UNIT DEVELOPMENT, recorded August 3rd, 2006 at Reception No. 3409109, located in the South Half of Section 9, Township 7 North, Range 67 West of the 6th Principal Meridian, Town of Severance, County of Weld, State of Colorado being more particularly described as follows:

Tract 9 and Tract 10, Saddler Planned Unit Development, recorded August 3rd, 2006 at Reception No. 3409109 (Records of Weld County).

Containing 11.44 acres, more or less.

VACATION STATEMENT:

Known by all men by these presents, that we the undersigned, having interest in the land described hereon, and as shown on the attached map, do hereby vacate all previous platting of the above described parcels of land and the previously dedicated easements, and have re-platted the same as shown on the attached map.

OWNERS APPROVAL AND DEDICATION

The undersigned, being the owners and lienholders of the land described hereon, except any existing public streets, roads or highways, do hereby vacate the platting of the above described parcels and have laid out, subdivided and platted the same into lots, outlots, streets and easements as shown hereon under the name of FINAL PLAT SADDLER PLANNED UNIT DEVELOPMENT FILING 4. The undersigned hereby grant and dedicate to the Town of Severance all drainage and utility easements as indicated herein. The undersigned further grant and dedicate to the Saddler Ridge Metropolitan District for public use and roadway purposes all such rights-of-way platted and shown hereon as streets under the name and style of Bareback Court, English Saddle Lane & Riding Crop Street in fee simple. The undersigned also grant and dedicate to the Saddler Ridge Metropolitan District for public use all Outlots platted and shown hereon under the name and style of Outlots 1-5 in fee simple.

In witness whereof, we have hereunto set our hands and seals this _____ day of _____, 20____.

Liberty Savings Bank, F.S.B. By: Beth Kelsey As: Assistant Vice President

STATE OF _____)
) SS
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 20____.

My commission expires _____.

Notary Public _____

SADDLER RIDGE METROPOLITAN DISTRICT'S APPROVAL AND DEDICATION ACCEPTANCE

The foregoing plat is approved for filing, and the dedication of the rights-of-way for public use and roadway purposes and the dedication of all Outlots for public use as shown hereon is accepted by the Saddler Ridge Metropolitan District.

Approved and accepted this _____ day of _____, 20____.

Saddler Ridge Metropolitan District

NORTH POUDRE IRRIGATION COMPANY'S APPROVAL

Approved this _____ day of _____, 20____.

North Poudre Irrigation Company

NORTH WELD COUNTY WATER DISTRICT'S APPROVAL

Reviewed this _____ day of _____, 20____.

North Weld County Water District

WINDSOR – SEVERANCE FIRE PROTECTION DISTRICT'S APPROVAL

Reviewed this _____ day of _____, 20____.

Windsor-Severance Fire Protection District

POUDRE VALLEY RURAL ELECTRIC ASSOCIATION'S APPROVAL

Reviewed this _____ day of _____, 20____.

Poudre Valley REA

XCEL ENERGY'S APPROVAL

Reviewed this _____ day of _____, 20____.

Xcel Energy

MAYOR'S CERTIFICATE

This is to certify that the within this plat was approved by Resolution No. _____ of the Town of Severance, County of Weld, State of Colorado adopted on the _____ day of _____, 20____, and the territory therein designated made a part of said Town of Severance and included within the limits and jurisdiction thereof Severance.

ATTEST: _____
Town Clerk Mayor

CONTROL POINT DESCRIPTIONS

N 10000.000
Southwest Corner of Section 9-7-67: E 10000.000
3-1/4" dia. Aluminum Cap in Monument Box.
PLS # 26288, Elevation = 5159.55 (NAVD 1988).

N 9979.524
Southeast Corner of Section 9-7-67: E 15292.463
3-1/4" dia. Aluminum Cap in Range Box.
PLS # 13155, Elevation = 5052.70 (NAVD 1988).

PLANNING COMMISSION'S APPROVAL:

Recommended for Approval this _____ day of _____, 20____.

Chairman, Severance Planning Commission

TOWN ENGINEER'S REVIEW:

Reviewed this _____ day of _____, 20____.

Town Engineer

COMMUNITY DEVELOPMENT DIRECTOR'S APPROVAL:

Reviewed this _____ day of _____, 20____.

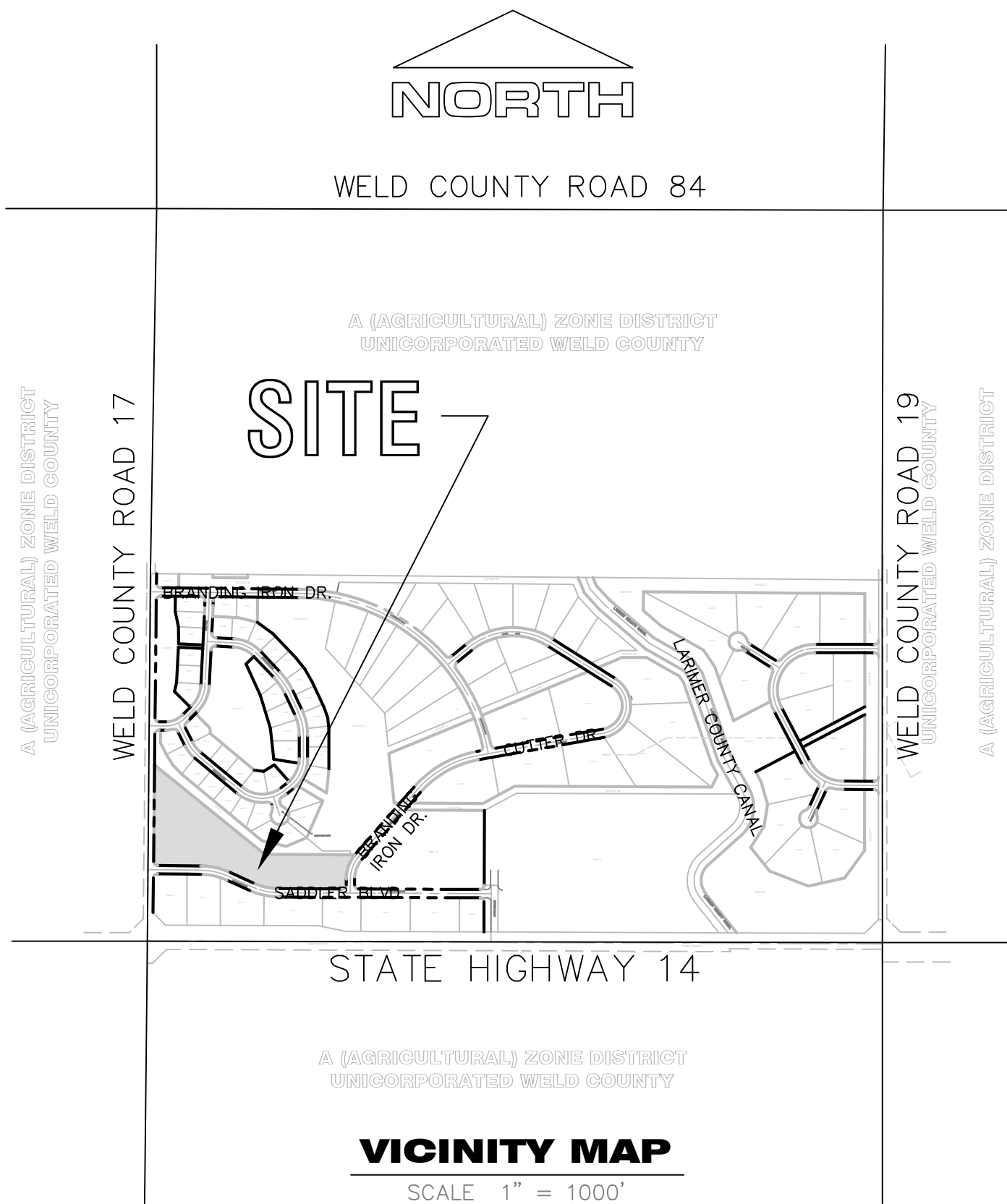
Community Development Director

GENERAL NOTES

Basis of Bearings: Considering the South line of Section 9, monumented with a 3/4" rebar, length unknown and 3 1/4" aluminum cap in a range box stamped LS 26288 at the SW corner, and a 3/4" rebar, length unknown and 3 1/4" aluminum cap in a range box stamped LS 13155 at the SE corner, as bearing N89°46'42"W.

⊙ = Set 5/8" rebar with 1" dia. yellow plastic cap, PLS 36563.
⊙ = Did not find or set, per clients request.
U & D = Denotes a Utility and Drainage Easement.
P, U & D = Denotes a Pedestrian, Utility and Drainage Easement.
(NR) = Denotes a Non Radial Bearing (if bearing is not labeled, said bearing is radial)

Title Commitments – the Title Commitment was compiled by Commonwealth Land Title Insurance Company, under commitment number H0543732-023-CN4-CN, effective April 11, 2019 at 8:00 am.



SETBACK TABLE

*Front Lot: Front Lot setback is 20 ft (min.) to Main Dwelling, 25 ft (min.) to Garage

*Side Lot: Side Lot setback is 7.5 ft (min.) except for the following lots:

Lot 25 north side yard setback is 10' (min.)

Lot 33 side lot setback is 22.0 ft (min.), Lot 34 side lot setback is 20.0 ft (min.),

Lot 38 side lot setback is 10 ft (min.), Lot 39 side lot setback is 12 ft (min.).

Note: Side lot setbacks for Lot 33 may be reduced via setback variance request with retaining wall construction on individual lot.

*Rear Lot: Rear lot setbacks are 10 ft (min.) except for the following lots:

Lots 1-11, 26-32 & 37-46 rear lot setbacks are 15 ft (min.), Lots 47 & 48 rear lot setbacks are 30 ft (min.), Lots 49-58 rear lot setbacks are 36 ft (min.). Note:

Rear lot setbacks for Lots 37 & 38 and 47-58 may be reduced via setback variance request with retaining wall construction on paired lots.

*Architctural elements (eaves, overhangs, foundations, window wells, etc.) may encroach into the setbacks. Decks & patios may also encroach into the setbacks.

LAND USE TABLE

58 Residential Lots – 7.65± acres

Outlots (open space) – 2.28 ± acres

Total Land Use Acreage – 9.93± acres

Roads – 1.51± acres

Total Site acreage – 11.44± acres

Paired units: 1-10, 14-23, 27-58

Single family detached units: 11-13, 24-26

Paired units 1-8 & 51-58 can be 2-story units (Above ground)

All other lots/units shall be limited to 1-story (Above ground)

PLAT NOTES:

1. STREETS AS DEPICTED ON THIS PLAT ARE HEREBY ESTABLISHED AND DEDICATED PER THIS PLAT AND ARE SUBJECT TO ALL TERMS AND CONDITIONS OF THE SUBDIVISION IMPROVEMENTS AGREEMENT BETWEEN THE TOWN OF SEVERANCE AND LIBERTY SAVINGS BANK, FSB AND INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN AND THE SADDLER RIDGE METROPOLITAN DISTRICT FOR OWNERSHIP AND MAINTENANCE FOR USE BY THE GENERAL PUBLIC.

2. AT THE DISCRETION OF THE TOWN, IMPROVEMENTS OWNED AND MAINTAINED BY THE SADDLER RIDGE METROPOLITAN DISTRICT SHALL BE CONVEYED TO THE TOWN OF SEVERANCE FOR OWNERSHIP AND MAINTENANCE UPON PASSAGE OF A RESOLUTION BY THE TOWN BOARD OF TRUSTEES REQUESTING SUCH CONVEYANCE, WHICH CONVEYANCE SHALL OCCUR NOT LESS THAN 20 YEARS FROM THE DATE OF RECORDING OF THIS PLAT, UNLESS THE SADDLER RIDGE METROPOLITAN DISTRICT CONSENTS TO SUCH EARLIER CONVEYANCE.

3. ACCESS SHALL BE GRANTED TO UTILITY PROVIDERS ON AND ACROSS EVERY TRACT, LOT OR OUTLOT WITHIN DESIGNATED EASEMENTS FOR MAINTENANCE, REPAIR, INSTALLATION OR OTHER ACTIVITY ASSOCIATED WITH UTILITIES WITHIN SAID EASEMENTS.

4. ACCESS, WHETHER FOR EMERGENCY OR NON-EMERGENCY PURPOSES, IS GRANTED OVER AND ACROSS ALL ACCESS WAYS FOR POLICE, FIRE AND EMERGENCY VEHICLES, AND ANY MUNICIPAL PURPOSES. SAID ACCESS WAYS SHALL BE KEPT CLEAR OF OBSTRUCTIONS AND MAINTAINED BY OWNER AND OR THE SADDLER RIDGE METROPOLITAN DISTRICT.

5. A. SUBJECT TO ALL TERMS AND CONDITIONS OF THE SUBDIVISION IMPROVEMENTS AGREEMENT BETWEEN THE TOWN OF SEVERANCE AND LIBERTY SAVINGS BANK, F.S.B. AND INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN AND THE SADDLER RIDGE METROPOLITAN DISTRICT, THE SADDLER RIDGE METROPOLITAN DISTRICT SHALL BE RESPONSIBLE FOR OPERATION AND MAINTENANCE OF THE OUTLOTS INCLUDING BUT NOT LIMITED TO RECREATION, DRAINAGE, PASSIVE OPEN SPACE AND IRRIGATION FACILITIES.

B. SUBJECT TO ALL TERMS AND CONDITIONS OF THE SUBDIVISION IMPROVEMENTS AGREEMENT BETWEEN THE TOWN OF SEVERANCE AND LIBERTY SAVINGS BANK, F.S.B. AND INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN AND THE SADDLER RIDGE METROPOLITAN DISTRICT, THE SADDLER RIDGE METROPOLITAN DISTRICT SHALL BE RESPONSIBLE FOR ADOPTING, MONITORING AND ENFORCING POLICIES AND RULES CONCERNING USE OF OUTLOTS, WHICH POLICIES AND RULES SHALL BE CONSISTENT WITH THE POLICIES AND RULES OF THE TOWN.

6. ALL OUTLOTS AS SHOWN HEREON AND AS PREVIOUSLY DEDICATED BY THE FINAL PLAT OF SADDLER PLANNED UNIT DEVELOPMENT ARE SUBJECT TO DRAINAGE, PEDESTRIAN ACCESS, UTILITY AND IRRIGATION EASEMENTS UNLESS OTHERWISE INDICATED ON THIS PLAT.

7. OWNERS OF THE PROPERTY WITHIN THIS PLAT ARE ADVISED THAT RANCHING, FARMING, AND ALL MANNERS OF AGRICULTURAL ACTIVITIES AND OPERATIONS WITHIN THE TOWN AND WELD COUNTY ARE INTEGRAL ELEMENTS OF AND NECESSARY FOR THE CONTINUED VITALITY OF THE TOWN'S HISTORY, ECONOMY, LANDSCAPE, OPEN SPACE, LIFESTYLE, AND CULTURE. STATE LAW AND COUNTY POLICY PROVIDE THAT RANCHING, FARMING, OR OTHER AGRICULTURAL ACTIVITIES AND OPERATIONS SHALL NOT BE CONSIDERED TO BE NUISANCES SO LONG AS OPERATED IN CONFORMANCE WITH THE LAW AND IN A NON-NEGULIGENT MANNER. PROPERTY OWNERS ARE SUBJECT TO ALL PROVISIONS OF STATE LAW WITH RESPECT TO FARMING AND AGRICULTURAL ACTIVITIES INCLUDING BUT NOT LIMITED TO THOSE APPLICABLE TO FENCING, OPEN RANGE, IRRIGATION, WEED CONTROL, AND PET CONTROL.

8. THE GEOTECHNICAL REPORT PREPARED FOR THIS SUBDIVISION INDICATES THAT SPECIFIC SUBSURFACE CONDITIONS MAY EXIST AND INDIVIDUAL PROPERTIES MAY REQUIRE MITIGATION MEASURES.

9. THERE SHALL BE NO ERECTION OR CONSTRUCTION OF ANY BUILDING OR OTHER STRUCTURE, OR ANY PERMANENT OBSTRUCTION, OR DECREASE OR SUBSTANTIAL INCREASE IN GROUND LEVEL, IN A MANNER THAT WILL INTERFERE WITH USE OF THE UTILITY EASEMENT OR IMPEDE ACCESS OVER AND ACROSS THE EASEMENT. LANDSCAPING IN THE AREA OF THE EASEMENT SHALL NOT CREATE IMPEDIMENTS TO INGRESS AND EGRESS, NOR SHALL LANDSCAPING MATERIAL BE INSTALLED/PLANTED IN THE EASEMENT AREA THAT MAY IMPINGE ON THE OVERALL OPERATION AND MAINTENANCE OF THE INFRASTRUCTURE PLACED IN THE EASEMENT. FURTHERMORE, THE UTILITY WHICH OWNS INFRASTRUCTURE INSTALLED IN THE UTILITY EASEMENT HAS THE RIGHT FROM TIME TO TIME TO ENLARGE, IMPROVE, RECONSTRUCT, RELOCATE AND REPLACE ANY UNDERGROUND UTILITY LINES, IMPROVEMENTS OR OTHER APPURTENANCES CONSTRUCTED HEREUNDER WITH ANY OTHER NUMBER OR TYPE OF UNDERGROUND UTILITIES AND PIPELINES, OR OTHER STRUCTURES EITHER IN THE ORIGINAL LOCATION OR AT ANY ALTERNATE LOCATION OR LOCATIONS WITHIN SAID UTILITY EASEMENT. THE UTILITY SHALL ALSO HAVE THE RIGHT TO MARK THE LOCATION OF ITS INFRASTRUCTURE BY SUITABLE MARKERS SET IN OR ON THE GROUND, PROVIDED THAT PERMANENT MARKERS SHALL BE PLACED IN LOCATIONS WHICH WILL NOT INTERFERE WITH ANY REASONABLE USE OF SAID UTILITY EASEMENT."

10. OIL AND GAS OPERATIONS AREAS AND ALL ACCESS AND PIPELINE EASEMENTS ARE IDENTIFIED ON THE PLAT AND SHALL BE INCLUDED IN ALL APPLICATIONS FOR DEVELOPMENT. NO PROPERTY LINES, OR TEMPORARY OR PERMANENT BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS SHALL BE LOCATED, CONSTRUCTED OR INSTALLED WITHIN THE OIL AND GAS OPERATIONS AREAS PER THE SURFACE USE AGREEMENT BETWEEN ANADARKO EXP COMPANY LP AND ANADARKO LAND CORP. AND SADDLER ARENA, LLC, RECORDED WITH WELD COUNTY AS RECEPTION NO. 3197195.

11. THE FOLLOWING LOTS, TRACTS AND OUTLOTS ARE WITHIN THE 350' NOTIFICATION AREA FOR POTENTIAL FUTURE OIL/GAS OPERATIONS PER SURFACE USE AGREEMENT: LOTS 1 THROUGH 7 AND OUTLOT 1.

ADDITIONAL NOTES PER THE NORTH POUDRE IRRIGATION COMPANY COMMENTS TO SADDLER RIDGE DEVELOPMENT FILING 4 OF JUNE 18, 2021

1. THIS PLAT IS SUBJECT TO THAT CERTAIN AGREEMENT BETWEEN THE NORTH POUDRE IRRIGATION COMPANY AND THE BRIDLE HILL DEVELOPMENT COMPANY, LLC DATED AUGUST 14, 2007 AND RECORDED IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDER ON AUGUST 31, 2007 AS RECEPTION #3501292, WHICH AGREEMENT SETS FORTH THAT CERTAIN DITCH COMMONLY KNOWN AS THE CACTUS HILL DITCH ("DITCH"), PORTIONS OF WHICH ARE IDENTIFIED ON THE PLAT AS "30' Irrigation Easement, 15' On Both Sides of Centerline (As Per Rec. No. 3501292 8/14/2007)".

2. NORTH POUDRE IRRIGATION COMPANY'S SIGNATURE ON THIS PLAT SHALL NOT BE DEEMED APPROVAL OF ANY CROSSING OF AND/OR ENCROACHMENT AND/OR ENCUMBRANCE UPON THE DITCH ("DITCH"). EACH AND EVERY CROSSING OR AND/OR ENCROACHMENT AND/OR ENCUMBRANCE UPON THE DITCH TO BE INSTALLED IN CONNECTION WITH THIS DEVELOPMENT, INCLUDING SUCH AS MAY BE INSTALLED OUTSIDE THE BOUNDARIES OF THIS DEVELOPMENT, SHALL REQUIRE THE EXECUTION OF AN AGREEMENT WITH NORTH POUDRE IRRIGATION COMPANY, ITS SUCCESSORS AND/OR ASSIGNS AND THE DITCH OPERATOR, CACTUS HILL RANCH COMPANY, (COLLECTIVELY, "DITCH COMPANY") PRIOR TO CONSTRUCTION OF ANY TYPE AND TO INSTALLATION AND/OR MODIFICATION OF SUCH CROSSING, ENCROACHMENT OR ENCUMBRANCE. THE DEVELOPMENT PROPERTY OWNER, ITS SUCCESSORS AND ASSIGNS ("OWNER") SHALL PROVIDE DITCH COMPANY WITH PRIOR WRITTEN NOTIFICATION OF ALL PROPOSED CROSSINGS NOT LESS THAN SIXTY (60) DAYS PRIOR TO COMMENCEMENT OF INSTALLATION, WHICH CONSTRUCTION SHALL NOT OCCUR BETWEEN APRIL 1 THROUGH SEPTEMBER 30 OF ANY YEAR. OWNER SHALL INDEMNIFY AND HOLD DITCH COMPANY HARMLESS FOR ALL COSTS, DAMAGES AND INJURY FOR FAILURE TO ENSURE COMPLIANCE WITH THE REQUIREMENTS OF THIS PARAGRAPH.

3. APPROVAL OF THE FINAL LANDSCAPE PLANS AND STORMWATER DRAINAGE PLANS FOR THE DEVELOPMENT SHALL BE SUBJECT TO DITCH COMPANY'S PRIOR WRITTEN APPROVAL.

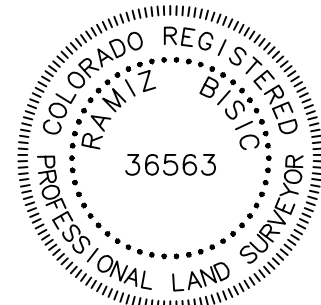
4. THERE SHALL BE NO PERMITTED, AUTHORIZED OR ALLOWED PUBLIC OR PRIVATE ACCESS OR USE OF ANY TYPE TO OR UPON THE DITCH EASEMENT WHICH INTERFERES WITH DITCH USE, OPERATION AND/OR MAINTENANCE, EXCEPT AS OTHERWISE AGREED TO BY DITCH COMPANY IN WRITING. DITCH COMPANY SHALL HAVE THE RIGHT TO REMOVE SUCH OBSTRUCTIONS WITHOUT LIABILITY FOR DAMAGES, INJURY, REPAIR, OR REPLACEMENT THEREOF.

5. ALL FUTURE DEVELOPMENT WITHIN THE SADDLER RIDGE PLANNED UNIT DEVELOPMENT (ALL FILINGS) DIRECTLY INVOLVING OR ADJACENT TO THE DITCH SHALL BE SUBJECT TO PRIOR WRITTEN APPROVAL OF DITCH COMPANY.

6. IT IS UNDERSTOOD THAT BREAKS, LEAKS, SEEPAGE AN/OR OVERFLOW FROM THE DITCH MAY OCCUR. OWNER AND ALL OF OWNER'S SUCCESSORS AND ASSIGNS OF THE LANDS WITHIN THE DEVELOPMENT ASSUME ALL RISKS ASSOCIATED WITH SUCH BREAKS, LEAKS, SEEPAGE AND/OR OVERFLOW AND WAIVE AND DISCLAIM ANY AND ALL CLAIMS, WHETHER EXISTING OR POTENTIAL, AGAINST DITCH COMPANY, ITS AGENTS, SHAREHOLDERS, EMPLOYEES, REPRESENTATIVES, SUCCESSORS AND ASSIGNS, FOR ANY AND ALL LOSS, DAMAGE OR INJURY (INCLUDING DEATH), RESULTING FROM BREAKS, LEAKAGE, SEEPAGE AND/OR OVERFLOW FROM THE DITCH.

SURVEYOR'S CERTIFICATE

I, Ramiz Bisic, a duly Registered Professional Land Surveyor in the State of Colorado do hereby certify that this plat accurately represents the results of a survey made by me or under my direct supervision. I further certify that the survey and this plat complies with all applicable rules, regulations and laws of the State of Colorado, State Board of Registration for Professional Engineers and Professional Land Surveyors, Town of Severance and Weld County.



Prepared by and on behalf of:
Colorado Land Surveying

Ramiz Bisic, PLS 36563

Date: 5/26/2022

OWNERS OF RECORD:

LIBERTY SAVINGS BANK, F.S.B.
Beth Kelsey, Vice President
2251 Rombach Avenue
Wilmington, OH 45177
Tel. (937) 655-7144
beth.kelsey@libertysavingsbank.com

ENGINEER

Crestone Consultants, LLC
14145 W. Warren Cir
Lakewood, CO 80228
Tel: (303) 997-6113
joe@crestonellc.com

COLORADO LAND SURVEYING

5343 W. 116TH CIR

WESTMINSTER, COLORADO 80020

BUS. (303)-882-1429 / FAX (303)-464-1039

BY: _____

DATE: _____

DATE: 6/25/2021

DRAWN BY: RB

SCALE: 1"=50'

CHECKED BY: _____

APPROVED BY: _____

CLIENT: _____

LIBERTY SAVINGS BANK

PROJECT TITLE:

RE-PLAT OF TRACTS 9 AND 10

PART OF SADDLER RIDGE PUD, SEC. 9, T7N, R67W OF THE 6TH P.M.

SHEET NO.

1

NO. OF SHEETS

2

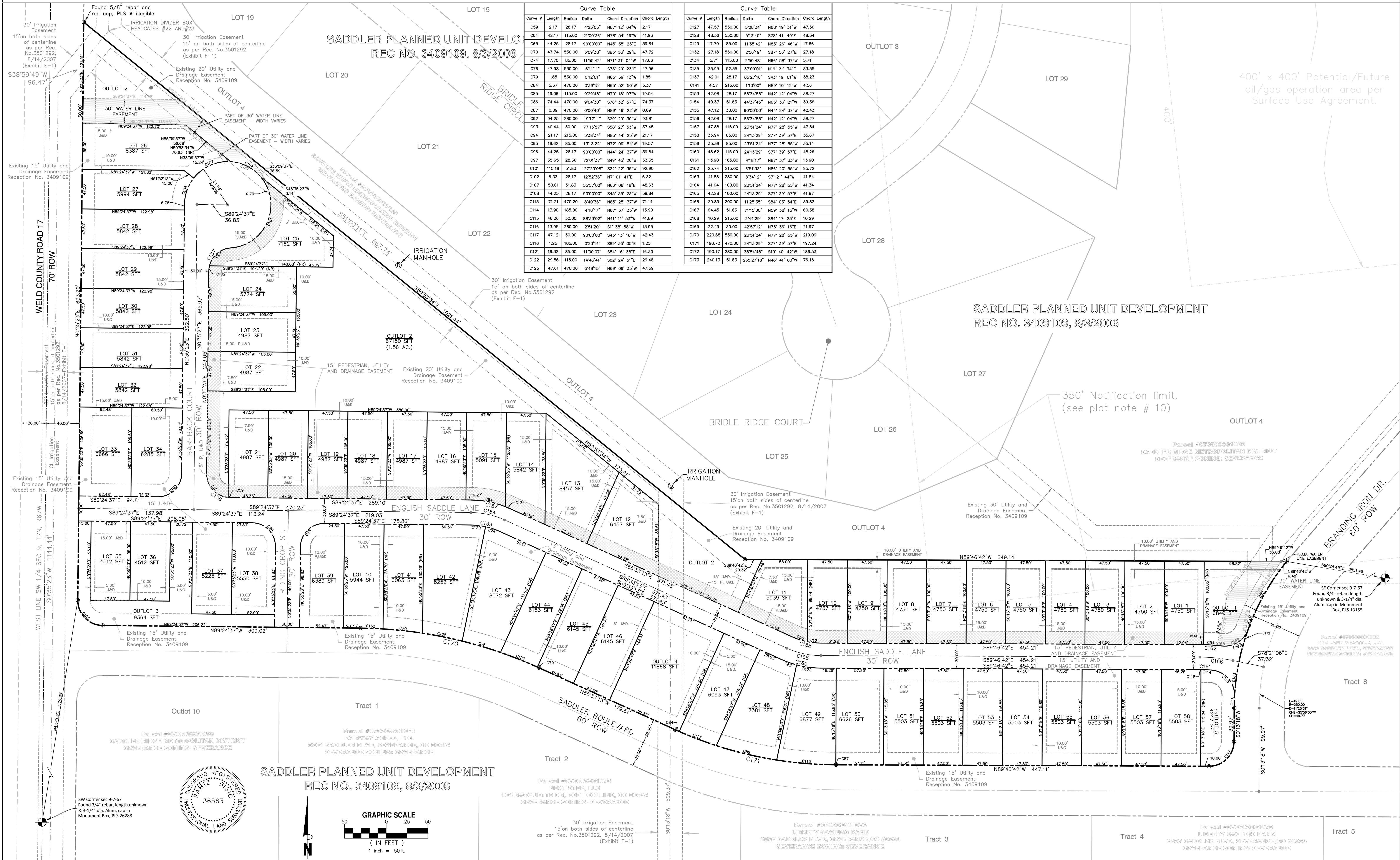
PROJECT NO.

12040

FINAL PLAT SADDLER RIDGE PLANNED UNIT DEVELOPMENT FILING 4

BEING A REPLAT OF TRACTS 9 AND 10, SADDLER RIDGE P.U.D, LOCATED IN THE SOUTH HALF OF SECTION 9, TOWNSHIP 7 NORTH, RANGE 67 WEST OF THE 6TH P.M., TOWN OF SEVERANCE, COUNTY OF WELD, STATE OF COLORADO

Sheet 2 OF 2



COLORADO LAND SURVEYING

5343 W. 116TH CIR

WESTMINSTER, COLORADO 80020

BUS. (303)-882-1429 / FAX (303)-464-1039

BY:

DATE:

DATE: 4/16/2019

DRAWN BY: RB

SCALE: 1"=50'

CHECKED BY:

APPROVED BY:

CLIENT:

LIBERTY SAVINGS BANK

PROJECT TITLE:

RE-PLAT OF TRACTS 9 AND 10

PART OF SADDLER RIDGE PUD, SEC. 9, T7N, R67W OF THE 6TH P.M.

SHEET NO.

2

NO. OF SHEETS

2

PROJECT NO.

12040

**TOWN OF SEVERANCE
RESOLUTION NO. 2019-15R**

**A RESOLUTION APPROVING A
SUBDIVISION PLAT FOR SADDLER RIDGE TRACTS 9 AND 10**

WHEREAS, Liberty Savings Bank, has submitted to the Town of Severance (the “Town”), a request for approval of a final subdivision plat for a residential development on approximately 11.44 acres in the Town of Severance, County of Weld, State of Colorado, commonly known as Saddler Ridge Tract 9 and 10 Subdivision (the “Property”); and,

WHEREAS, all required documents and materials related to the final plat and development plans have been reviewed by Town staff and the Town’s Planning Commission found, with conditions, to be in compliance with the Town’s Municipal Land Use Code and related policies, and compatible and consistent with the goals of the Town, as set forth in the Town’s Comprehensive Plan; and,

WHEREAS, following review and consideration of the final plat and development plans before the Town’s Planning Commission at its regular meeting on August 21, 2019 where evidence and discussion were entered into the public record, the Planning Commission found the final plat and development plans to be in substantial compliance, and recommended forwarding, subject to the comments of the Planning Commission and Town Staff, Saddler Ridge Tracts 9 and 10, final plat and development plans to the Town’s Board of Trustees for approval;

WHEREAS, the Board of Trustees has reviewed the application and finds the Planning Commission’s and Town Staff’s comments have been addressed and that the final plat is ready for action by the Board of Trustees and further finds that said final subdivision plat and development plans should be approved with the following waivers and exceptions, and subject to the following condition(s):

1. Execution of a Subdivision Improvements Agreement for the Saddler Ridge Tracts 9 and 10 development between the Town and Liberty Savings Bank is in a form satisfactory to the Town.
2. A written statement from the Town’s Engineer that the outstanding technical and conformance issues identified in the plat, plans, and documents have been satisfied.
3. A written statement from the Town’s Planner that the outstanding technical and conformance issues identified in the plat, plans, and documents have been satisfied including any conditions discussed at the Board of Trustees Meeting
4. All impact fees and dedication requirements in effect at the time of each requested permit shall apply, and this Plat does not freeze or vest any such exactions at their current level.

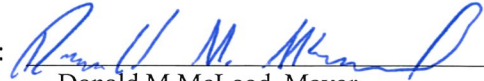
NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF SEVERANCE, COLORADO AS FOLLOWS:

The Saddler Ridge Tracts 9 and 10 final subdivision plat and plans are hereby approved, subject to the above condition(s), Agreements, and compliance with all applicable rules, regulations, and policies of the Town.

PASSED, ADOPTED AND APPROVED THIS 5th day of November 2019.

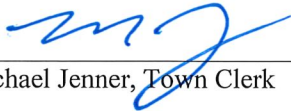
TOWN OF SEVERANCE

BY:



Donald M McLeod, Mayor

ATTEST:



Michael Jenner, Town Clerk





AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Pg 240 - Severance South (WinDance) Easement Request	Abdul Barzak, Town Planner	Abdul Barzak, Town Planner
ACTION REQUESTED		
Community Development and Town Management asks that the Severance Town Council to review, discuss, and take action on the applicants request for the Town to grant an easement to North Weld County Water District (NWCWD) for the purpose of installing at 12" water main. Actions that may be taken. 1. Move to approve the applicants request granting an easement to NWCWD for the purpose of installing a water line per the Easement Agreement and subject to the conditions listed therein. 2. Take no action.		<u>Discussion</u> <u>Action Requested</u> <u>Attorney Approved</u>
BRIEF SUMMARY		
As part of the Severance South project, Olsson, on behalf of Windsor LV and Windsor LVII (the applicant), has actively been pursuing the approval of a proposed potable water distribution system for the subdivision from North Weld County Water District (NWCWD). NWCWD has indicated that all required off-site water easements, needed to construct off-site waterlines, for this project must be acquired and recorded to gain final approval of the Construction Drawings, Hydraulic Report and Final Plat. A 12-inch water main is proposed through the Town of Severance owned parcel # 080711302257 within the proposed water easement as shown in the attached exhibit. Olsson is requesting approval from the Town of Severance to grant this easement to NWCWD at no cost. The applicant will be in attendance to answer questions.		
PUBLIC SUPPORT/CONCERN		
None at this time.		
ANALYSIS AND RECOMMENDATION		
Town staff asks the Severance Town Council to review, discuss, and take action on the applicants request to grant an easement to NWCWD for the purpose of installing a water line per the Easement Agreement and subject to the conditions listed therein.		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet: 1. Letter of Request (Applicant Submitted) 2. NWCWD Easement Agreement (Attorney Approved) 3. Vicinity Map		

4. Zoomed in Vicinity Map



September 23, 2022

Nicholas Wharton
Town of Severance
3 South Timber Ridge Parkway
Severance, CO 80550

RE: Severance South Subdivision – Off-site Easement Acquisition

Mr. Wharton:

As part of the above referenced project, Olsson, on behalf of Windsor LV and Windsor LVII, has actively been pursuing the approval of a proposed potable water distribution system for the subdivision from North Weld County Water District (NWCWD). The review and approval process with NWCWD has been ongoing for at least four (4) years. As part of their most recent review, NWCWD has indicated that all required off-site water easements, needed to construct off-site waterlines, for this project must be acquired and recorded to gain final approval of the Construction Drawings, Hydraulic Report and Final Plat. A 12-inch water main is proposed through the Town of Severance owned parcel # 080711302257 within the proposed water easement as shown in the attached exhibit. Olsson is requesting approval from the Town of Severance to grant this easement to NWCWD at no cost. With the Town Councils approval, we would like to record the attached document with the Weld County Clerk and Recorder.

It is my understanding that this item has been scheduled and is included in the Town Council meeting agenda for October 25, 2022 at 6:00 PM. Olsson and/or a representative of the projects ownership group will be present to respond to any additional questions members of the Council may have at that time. I appreciate the Towns willingness to move this matter forward.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Dadey". The signature is fluid and cursive, written over a light blue horizontal line.

Mark Dadey, PE, CPESC
Olsson

CC: Jack Holler (Windsor LV)
Kris Pickett (JKP Consulting)

Attachments

Exhibit "A" – Description and Exhibit

1880 Fall River Drive / Suite 200 / Loveland, CO 80538

☎ 970.461.7733 / olsson.com

PERMANENT WATER EASEMENT AGREEMENT
(North Weld County Water District)

THIS PERMANENT WATER EASEMENT AGREEMENT (“Agreement”) is made this _____ day of _____, 2022, by and between the TOWN OF SEVERANCE, a home rule municipality and political subdivision of the State of Colorado, whose address is 3 S. Timber Ridge Pkwy, Severance, Colorado 80550 (“Grantor”), and NORTH WELD COUNTY WATER DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado, whose address is 32825 County Road 39, Lucerne, Colorado 80646 (the “District”).

1. Grantor’s Property. Grantor is the owner of that certain parcel of real property located in Weld County, Colorado, which is legally described on Exhibit A attached hereto and made a part hereof (the “Property”).

2. Grant of Easement. For and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration paid by Grantee to Grantor, the receipt and sufficiency of which are hereby acknowledged, Grantor has granted, bargained, sold and conveyed, and by this Agreement does grant, bargain, sell, convey and confirm unto Grantee, its successors and assigns, a perpetual, non-exclusive easement (the “Easement”) in, on, under, over, across and upon the real property legally described on Exhibit B-1 and depicted upon Exhibit B-2 attached hereto and incorporated herein by reference (the “Easement Area”).

3. Purpose and Uses of Easement. The Easement herein granted may be used by the District for the purposes of:

- (a) Surveying, locating, installing, constructing, reconstructing, using, operating, maintaining, inspecting, repairing, altering, removing, and replacing one (1) or more buried water pipelines, in whole or in part, and all necessary subsurface and surface appurtenances for the transportation of water and the operation and control of water facilities (the “Improvements”) including; supporting pipelines located within the Easement Area across ravines and water courses with such structures as the District shall reasonably determine to be necessary or advisable;
- (b) Marking the location of the Easement Area and Improvements therein by suitable markers set and maintained in the ground at locations which shall not unreasonably interfere with Grantor’s use of the Easement Area under the terms of this Agreement; and
- (c) Cutting and clearing trees, brush, debris and other obstructions on the Easement Area that might interfere with the operation and maintenance of the District’s activities and facilities related to the Improvements on the Easement Area.

4. Additional Rights of the District. Grantor further grants to the District, its successors and permitted assigns:

- (a) The right of ingress to and egress from the Easement Area over, across and upon the Property by means of any roads and lanes now or hereafter located thereon;
- (b) The right to install, maintain and use gates or other livestock barriers in all fences which now cross or shall hereafter cross the Easement Area; and
- (c) The District shall have and exercise the right of subjacent and lateral support to whatever extent is necessary for the operation and maintenance of the Improvements. It is specifically agreed to between and among the parties that, except as provided in this Easement, the Grantor, its successors and assigns, shall not take any action which would impair the lateral or subjacent support for the Improvements. The Grantor, its successors and assigns, shall have and exercise the right of subjacent and lateral support to whatever extent is necessary for the operation and maintenance of any improvements on the property adjoining the Property. It is specifically agreed by and between the Grantor and the District that, except as provided in this Agreement, the District shall not take any action which would impair the lateral or subjacent support for such improvements. This paragraph is not intended to prohibit the development of the private property located adjacent to the Property.
- (d) The District shall have the right to use 20 feet of temporary easement beyond the permanent easement area of the Grantor, its successors or assigns, during surveying, construction, reconstruction, use, maintenance, repair, replacement and/or removal of the Improvements as may be reasonably required; provided, however that such activities shall not interfere unreasonably with Grantor's, its successors' or assigns' use and enjoyment of such adjoining premises. The District and its permitted assignees and licensees shall repair any damage caused to any adjoining premises and the improvements thereon, and shall be liable for any injury to any person or damage to property, to the extent arising out of the District's, its permitted assignee's or licensee's use of the Easement.

5. The District's Obligations. In connection with the District's use of the Easement Area, at its sole cost and expense the District shall:

- (a) Bury Improvements a minimum depth of five (5) feet (as measured from the surface of the ground to top of pipe) below the surface of the ground.
- (b) Restore the Easement Area to a condition comparable to its condition prior to installation, construction, maintenance, alteration, or replacement of the Improvements and appurtenances thereto; including but not limited to the reseeded and replanting of any disturbed areas in a manner reasonably

satisfactory to Grantor, correction of any subsidence, and restoration of any other improvements or conditions impacted by the District's activities;

- (c) Restore existing fences, drain tile, irrigation systems, landscaping, private roads and other improvements, to the conditions existing prior to the District's activities related to the Improvements within the Easement Area;
- (d) Pay Grantor the fair market value for any growing crops, livestock and other items which are damaged by the District's activities related to the Improvements within the Easement Area; and
- (e) Restore or replace improvements made by Grantor on the Easement Area that were made with the written consent of the District, as provided in Section 6 below in the event those improvements are disturbed by the District, on the condition that Grantor pays the costs for such restoration or replacement; and
- (f) The District Agrees not to suffer or permit any lien or mechanics or materialmen or others to be placed against the Easement Area with respects to work or services claimed to have been performed for, or materials claimed to have been furnished to, the District or its agents pursuant to this Easement.

6. Grantor's Rights in Easement Area. Grantor reserves the right to use and occupy the Easement Area for any purposes consistent with the rights and privileges granted herein which will not interfere with or endanger any of the District's facilities on or under the Easement Area or the District's use thereof, provided that Grantor, its successors and assigns shall not:

- (a) Construct or allow the construction of any buildings or other structures on or under the Easement Area without the prior written consent of Grantee, which shall not be unreasonably withheld;
- (b) Impound water or other substances on or over the Easement Area;
- (c) Store or dispose of any dangerous, toxic, or hazardous substance on or under the Easement Area;
- (d) Alter or replace any fence on the Easement Area without the prior written consent of Grantee, which shall not be unreasonably withheld;
- (e) Plant or allow any trees, shrubs or other landscaping to exceed three (3) feet at mature growth to grow on the Easement Area, or alter ground level, without the prior written consent of Grantee, which shall not be unreasonably withheld; and
- (f) Add or remove soil or alter the grade of the land within the Easement Area.

7. Maintenance of Easement Area.

- (a) Within a reasonable time after completion of construction work in the Easement Area, Grantor will maintain the surface of the Easement Area (except for any of the District's improvements permitted thereon) in a sanitary condition in compliance with any applicable weed, nuisance or other legal requirements.
- (b) Grantor will not deposit, or permit or allow to be deposited, earth, rubbish, debris, or any other substance or material, whether combustible or noncombustible, on the Easement Area, other than vegetation not prohibited under Section 7 above.

9. Representations of Grantor. Grantor represents and warrants that it is the lawful owner in fee simple of the Easement Area; that it has good and lawful right and authority to grant, sell and convey the Easement Area or any part thereof; and that it will warrant and defend title to the Easement and Easement Area.

10. Additional Terms and Conditions.

- (a) Insurance. Grantee agrees that it will maintain, at Grantee's own cost, general liability insurance sufficient to provide coverage in an amount not less than the limits of governmental liability provided by the Colorado Governmental Immunity Act, Sections 24-10-101, *et seq.*, C.R.S, as amended ("CGIA"). Grantee further agrees that it will cause its contractors performing any work with the Easement Area, at their sole cost and expense, commercial general liability insurance (including premises operations, bodily injury, personal injury, death, products and completed operations, "insured contract," and property damage coverages) in a combined single limit amount of not less than One Million and 00/100 Dollars (\$1,000,000.00) per occurrence and Two Million and 00/100 Dollars (\$2,000,000.00) in the aggregate. Grantor shall be named as an additional insured under such commercial general liability. Grantee shall obtain and provide to Grantor a certificate of insurance of Grantee and any of its contractors, agents, employees and representatives accessing the Easement Area evidencing the foregoing insurance.
- (b) Validity. If any term of this Agreement is determined by any court to be unenforceable, the other terms of this Agreement shall nonetheless remain in full force and effect; provided, however, that if the severance of any such provision materially alters the rights or obligations of the parties, the parties shall engage in good faith negotiations in order to adopt mutually agreeable amendments to this Agreement as may be necessary to restore the parties as closely as possible to the initially agreed upon relative rights and obligations.

- (c) Binding Effect. All of the covenants herein contained are binding upon and inure to the benefit of the parties hereto and their respective heirs, administrators, personal representatives, successors and assigns.
- (d) Counterparts. This Agreement may be executed in several counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same agreement.
- (e) Recordation. This Agreement shall be recorded in the real property records of Weld County.
- (f) Runs with the Land. The rights and responsibilities set forth in this Agreement are intended to be covenants on the Property and are to run with the land.
- (g) Benefits and Burdens. Each and every one of the benefits and burdens of this Agreement shall inure to and be binding upon the respective legal representatives, administrators, successors and permitted assigns of the Grantor and the District.
- (h) Abandonment. The District agrees that at such time and in the event that the Improvements or Easement described herein are abandoned by the District and any successor or permitted assignee, the Easement will terminate automatically and the real property interest represented by the Easement will revert to the Grantor, its heirs, successors and/or assigns.
- (i) Assignability. It is expressly acknowledged and agreed that the District shall have the right and authority to assign the Easement to any appropriative local governmental entity or to any public utility provider, including but not limited to all rights to use, and all obligations associated with, the Easement as are granted to and assumed by the District herein, subject to such assignee assuming the obligations set forth in this Agreement. Any other assignment of the Easement, in whole or in part, by Grantee, shall require the prior written consent of Grantor.
- (j) Governmental Immunity. The Grantor and its officers, attorneys and employees and the Grantee and its officers, attorneys, and employees are relying on, and do not waive or intend to waive by any provision in this Agreement, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as amended, or otherwise available to the Grantor and its respective officers, attorneys, or employees.

- (k) Grantee acknowledges and agrees that this Easement shall be subject to any and all easements of record, liens or other encumbrances existing prior to the grant of this Easement. It shall be Grantee's sole responsibility to determine the existence of any rights, uses or installations conflicting with Grantee's use of the Easement Area and to ensure that Grantee's use of the Easement Area will not unreasonably interfere with any use in the Easement Area by any other party under a previous grant.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties have set their hands and seals the day and year first written above.

GRANTOR:

TOWN OF SEVERANCE, a home rule municipality
and political subdivision of the State of Colorado.

By: _____

STATE OF COLORADO)
) ss.
COUNTY OF WELD)

The foregoing instrument was acknowledged before me this _____ day of _____, 2022, by _____, as _____ for the TOWN OF SEVERANCE, a home rule municipality and political subdivision in the State of Colorado.

WITNESS my hand and official seal.

My commission expires: _____

Notary Public

THE DISTRICT:

NORTH WELD COUNTY WATER
DISTRICT, a quasi-municipal corporation and
political subdivision of the
State of Colorado.

By: _____
Tad Stout, President

STATE OF COLORADO)
) ss.
COUNTY OF WELD)

The foregoing instrument was acknowledged before me this _____ day of _____, 2022, by Tad Stout, as President, of NORTH WELD COUNTY WATER DISTRICT, a quasi-municipal and political subdivision of the State of Colorado.

WITNESS my hand and official seal.

My commission expires: _____

Notary Public

EXHIBIT A

Legal Description of Grantor's Property

Hidden Valley Farm Subdivision Filing No. 1, Outlot R.

EXHIBIT B-1

PROPERTY DESCRIPTION – WATER EASEMENT

A strip of land being a portion of Outlot R, Hidden Valley Farm Subdivision First Filing recorded October 24, 2007, at Reception No. 3513226 within the records of Weld County Clerk and Recorder, situate in the Southwest Quarter (SW1/4) of Section Eleven (11), Township Six North (T.6N.), Range Sixty-seven West (R.67W.), of the Sixth Principal Meridian (6th P.M.), Town of Severance, County of Weld, State of Colorado being more particularly described as follows:

COMMENCING at the Southwest Corner of said Section 11 and assuming the South line of said SW1/4 as monumented by a #6 rebar with a 3.25" aluminum cap stamped LS 22098 at both ends, as bearing North 89°15'04" East being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983 (2011), a distance of 2630.50 feet with all other bearings contained herein relative thereto;

The lineal dimensions as contained herein are based upon the U. S. Survey Foot.

THENCE North 87°02'49" East a distance of 1300.11 feet to the North right-of-way line of County Road 70 and to the **POINT OF BEGINNING**;

THENCE North 23°36'43" East a distance of 838.72 feet;

THENCE North 16°24'50" East a distance of 87.17 feet;

THENCE North 24°21'19" East a distance of 219.15 feet;

THENCE North 00°32'17" East a distance of 46.75 feet;

THENCE North 44°27'43" West a distance of 12.56 feet;

THENCE North 89°27'43" West a distance of 39.61 feet;

THENCE North 66°57'43" West a distance of 40.98 feet to the East line of Lot 217 of said Hidden Valley Farms Subdivision First Filing;

THENCE North 17°29'40" West along said East line a distance of 105.75 feet to the South right-of-way line of Timber Ridge Parkway and to a Point on a Curve (POC);

THENCE along said South right-of-way line and along the arc of a non-tangent curve concave to the North a distance of 24.26 feet, said curve has a radius of 275.90 feet, a delta angle of 05°02'17" and is subtended by a chord bearing North 69°59'23" East a distance of 24.25 feet to the Northwest corner of Lot 216 of said Hidden Valley Farms Subdivision First Filing;

Thence along the Westerly line of said Lot 216 the following Two (2) courses and distances:

THENCE South 22°06'04" East a distance of 94.88 feet;

THENCE South 68°58'43" East a distance of 20.51 feet;

THENCE South 89°27'43" East a distance of 44.18 feet;

THENCE South 44°27'43" East a distance of 37.41 feet;

THENCE South 00°32'17" West a distance of 65.50 feet;

THENCE South 24°21'19" West a distance of 223.40 feet;

THENCE South 16°24'50" West a distance of 86.98 feet;

THENCE South 23°36'43" West a distance of 827.02 feet to the North right-of-way line of County Road 70;

THENCE South 89°15'04" West along said North right-of-way line a distance of 32.93 feet to the **POINT OF BEGINNING**, from which the South Quarter corner of said Section 11 bears South 88°35'53" East a distance of 1332.29 feet.

Said strip of land contains 0.96 Acres (+/-41,687 sq.ft.), more or less (+/-), and is subject to any rights-of-way or other easements of record as now existing on said described strip of land.

SURVEYORS CERTIFICATE

I, Jason S. Allee, a Colorado Licensed Professional Land Surveyor do hereby state that this Property Description was prepared by me or under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.



Sheet 1 of 3

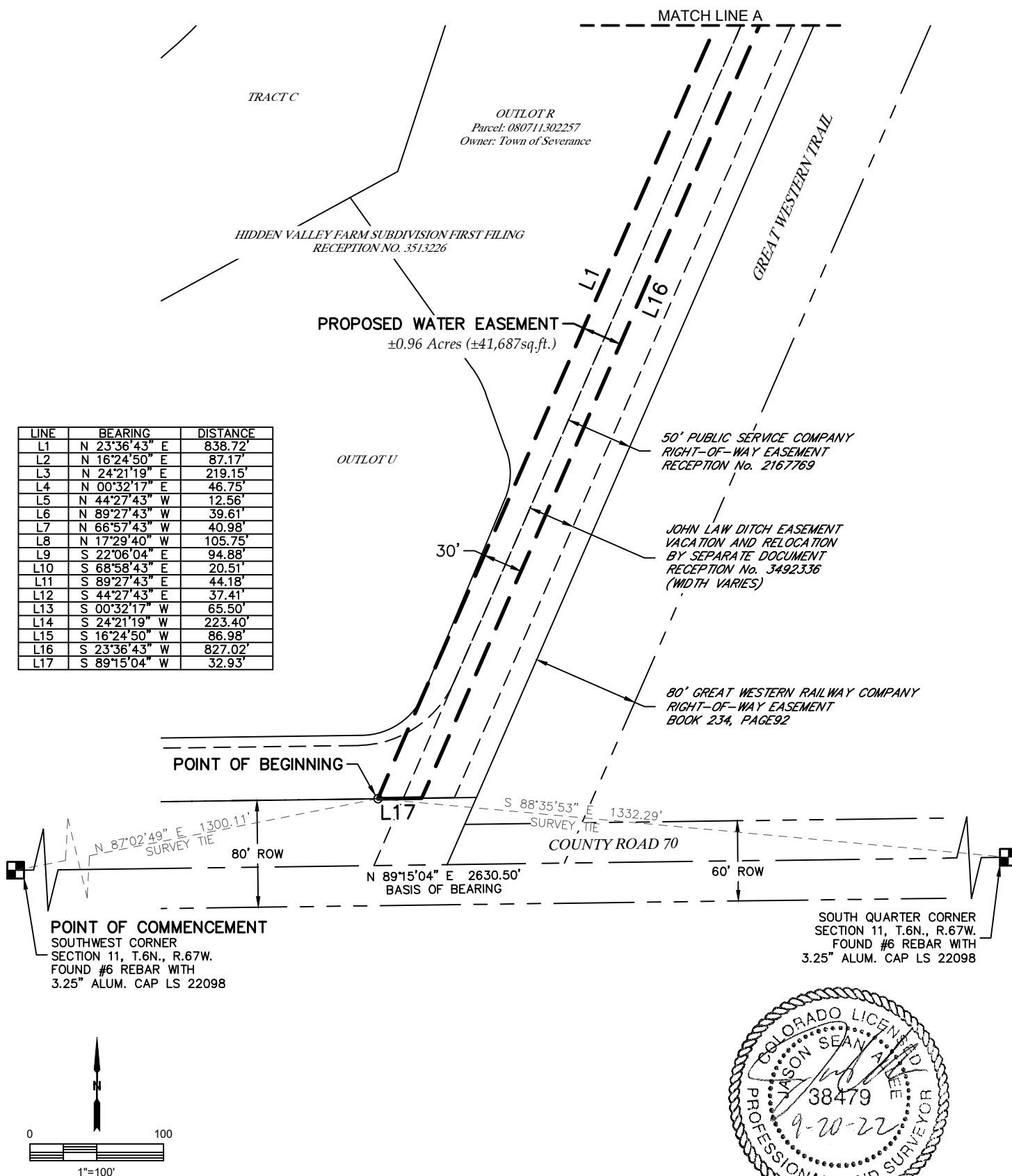
Jason S. Allee – on behalf of Lat40°, Inc.
Colorado Licensed Professional
Land Surveyor #38479

Lat40°, Inc.
Professional Land Surveyors
6250 W. 10th St. Unit 2
Greeley, CO 80634
(970) 515-5294

EXHIBIT B-2

THIS MAP DOES NOT REPRESENT A BOUNDARY SURVEY

SECTION: 11
TOWNSHIP: 6N
RANGE: 67W
6TH. P.M.
WELD COUNTY, CO



NOTE: This exhibit drawing is not intended to be a monumented land survey. It's sole purpose is as a graphic representation to aid in the visualization of the written property description which it accompanies. The written property description supersedes the exhibit drawing.

Sheet 2 of 3

Jason S. Allee—On behalf of Lat40, Inc.
Colorado Licensed Professional
Land Surveyor No. 38479

DATE: 9/20/2022
PROJECT#: 2018030.2

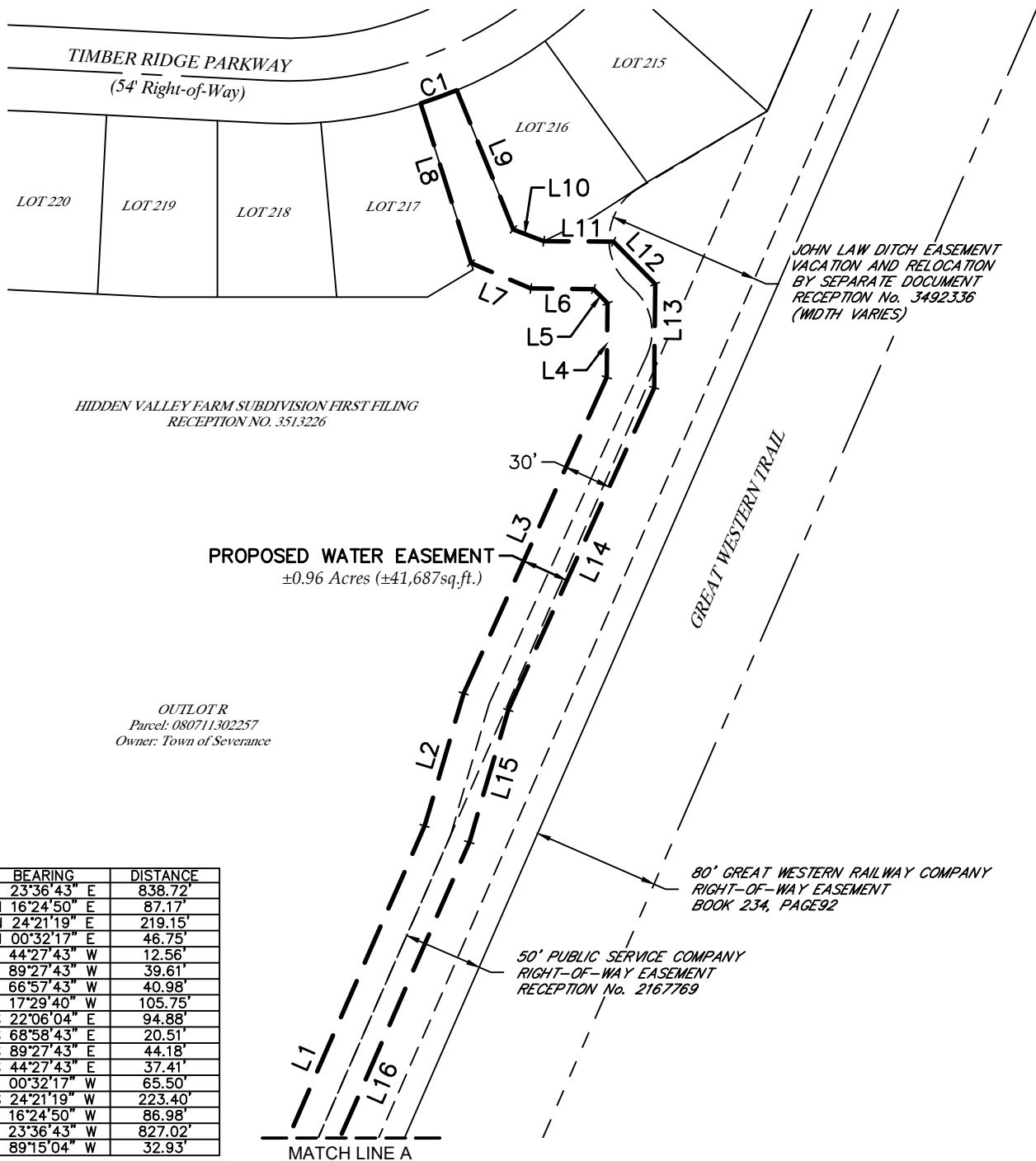


Lat40°, Inc. 6250 W. 10th Street, Unit 2, Greeley, CO 970-515-5294

EXHIBIT B-2

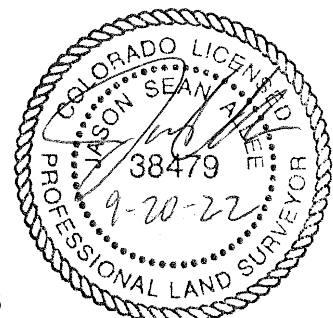
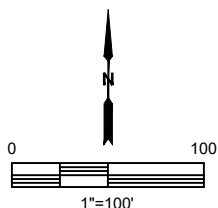
THIS MAP DOES NOT REPRESENT A BOUNDARY SURVEY

SECTION: 11
TOWNSHIP: 6N
RANGE: 67W
6TH. P.M.
WELD COUNTY, CO



LINE	BEARING	DISTANCE
L1	N 23°36'43" E	838.72'
L2	N 16°24'50" E	87.17'
L3	N 24°21'19" E	219.15'
L4	N 00°32'17" E	46.75'
L5	N 44°27'43" W	12.56'
L6	N 89°27'43" W	39.61'
L7	N 66°57'43" W	40.98'
L8	N 17°29'40" W	105.75'
L9	S 22°06'04" E	94.88'
L10	S 68°58'43" E	20.51'
L11	S 89°27'43" E	44.18'
L12	S 44°27'43" E	37.41'
L13	S 00°32'17" W	65.50'
L14	S 24°21'19" W	223.40'
L15	S 16°24'50" W	86.98'
L16	S 23°36'43" W	827.02'
L17	S 89°15'04" W	32.93'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	24.26'	275.90'	05°02'17"	N 69°59'23" E	24.25'

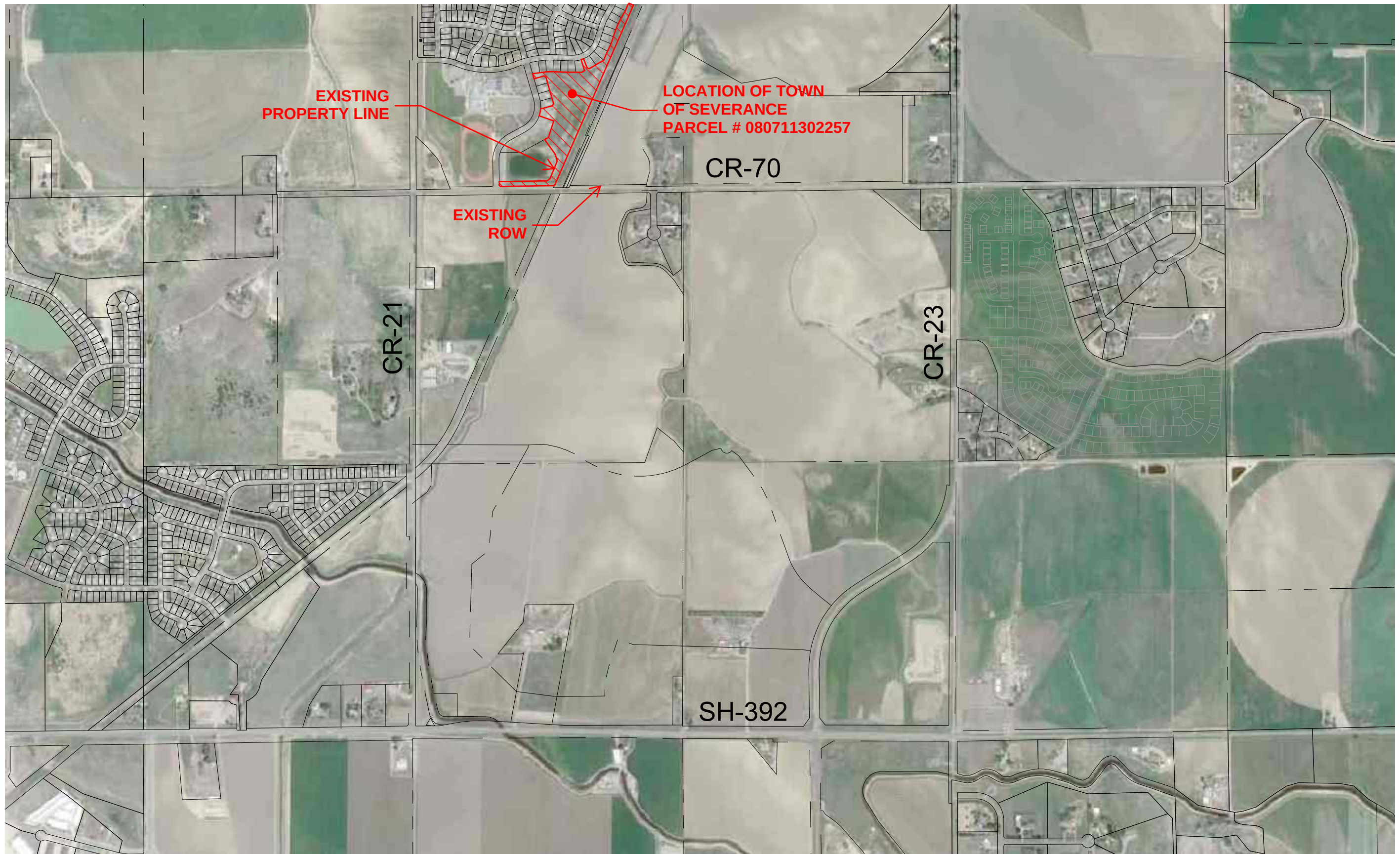


Sheet 3 of 3

Jason S. Allee—On behalf of Lat40°, Inc.
Colorado Licensed Professional
Land Surveyor No. 38479

DATE: 9/20/2022
PROJECT#: 2018030.2

NOTE: This exhibit drawing is not intended to be a monumented land survey. It's sole purpose is as a graphic representation to aid in the visualization of the written property description which it accompanies. The written property description supersedes the exhibit drawing.

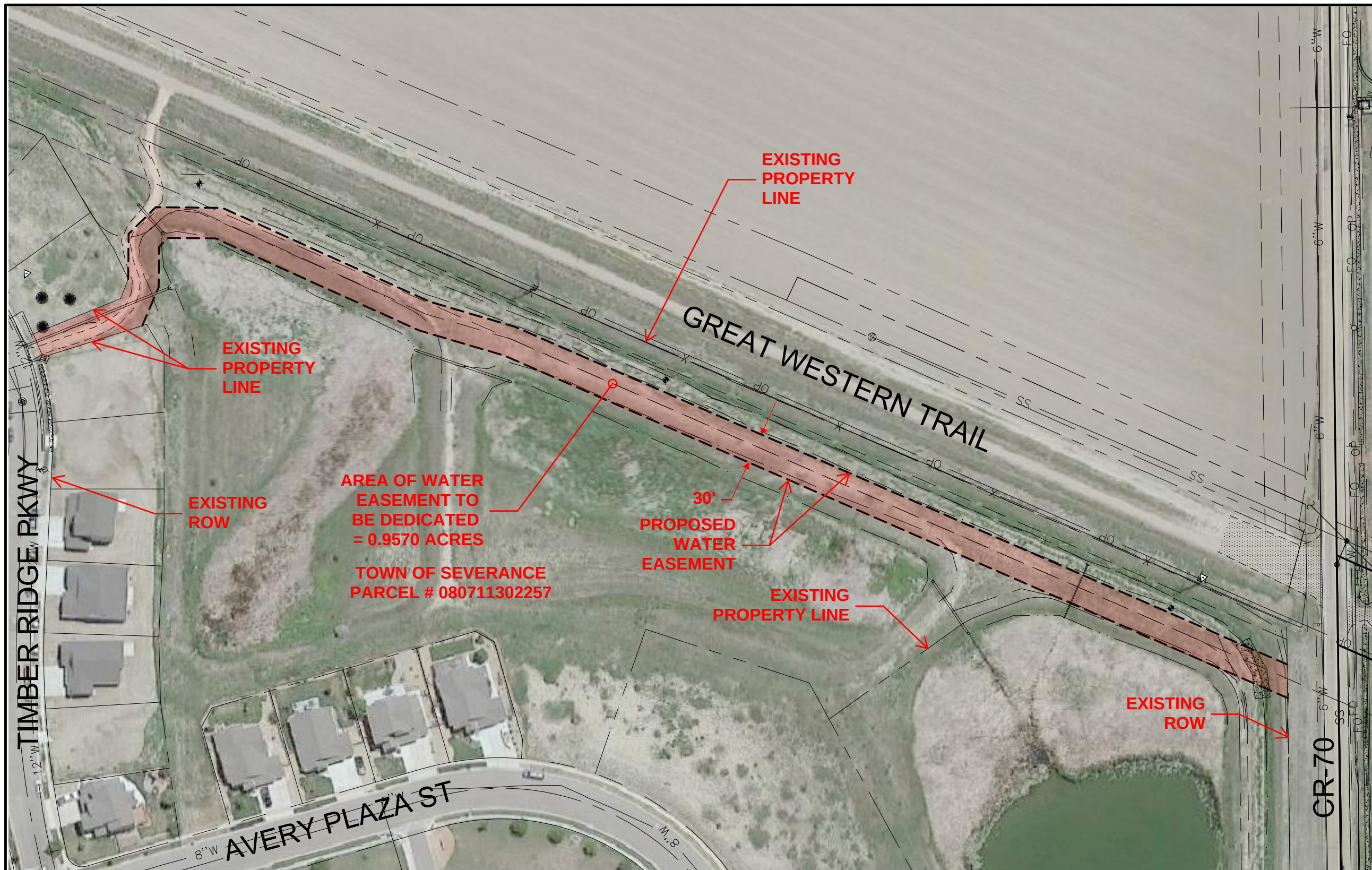


SEVERANCE SOUTH
EXHIBIT A

LOCATION OF PARCEL # 080711302257
OWNER: TOWN OF SEVERANCE



1880 Fall River Drive, Suite 200
Loveland, CO 80538
Tel. 970-461-7733



WATER EASEMENT TO BE OBTAINED:

41,687 SQ FT

REASON:

WATER MAIN INSTALLATION.

**SEVERANCE SOUTH
EXHIBIT B**

**WATER EASEMENT TO BE DEDICATED VIA SEPARATE DOC
PARCEL # 080711302257
OWNER: TOWN OF SEVERANCE**

olsson

1880 Fall River Drive, Suite 200
Loveland, CO 80538
Tel. 970-461-7733



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Pg 257 - Resolution 2022-60R: Resolution to Appropriate Funds For Unanticipated Revenues and Expenditures	Nancy Mueller, Finance Director	Nancy E. Mueller, CPA
ACTION REQUESTED		
Town Staff asks that the Town Council review the resolution to appropriate unanticipated revenues and expenditures and take one of the following actions: • Approve Resolution 2022-60R • Approve Resolution 2022-60R with Modifications • Take no action		<u>Action Requested</u> <u>Attorney Approved</u> <u>Resolution</u>
BRIEF SUMMARY		
Staff is requesting that the Town Board review the proposed courses of action and discuss the following item: • Appropriation of unanticipated revenues to cover expenses associated with operations		
PUBLIC SUPPORT/CONCERN		
None at this time.		
ANALYSIS AND RECOMMENDATION		
Town Staff recommends Town Council approve Resolution 2022-60R in order to follow State guidelines.		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet: 1. 2022 Budget Resolution YE Clean Up Final		

RESOLUTION NO. 2022-60R

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SEVERANCE, COLORADO, PROVIDING OF ADDITIONAL APPROPRIATIONS IN FISCAL YEAR 2022 FOR UNANTICIPATED REVENUES AND EXPENDITURES AND TO MODIFY FUND BALANCES PERTAINING TO SAME

WHEREAS, the Town has additional and unanticipated revenues and expenses for the 2022 fiscal year; and

WHEREAS, the Town would like to amend the 2022 Budget by appropriating the revenues and expenditures; and

WHEREAS, in accordance with Section 8.10 of the Town of Severance Home Rule Charter, the Town Council may modify appropriations by resolution during the fiscal year for unanticipated budgetary issues, so long as such modified appropriations do not cause total expenditures within a fund to exceed the beginning fund balance or the funds available plus anticipated revenues and other sources of funds within the fund as estimated in the budget; and

WHEREAS, the Town Council desires to modify appropriations and to authorize the expenditure of certain funds by enacting a supplemental budget appropriation to the 2022 Town budget.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SEVERANCE, COLORADO:

Section 1. The following modifications to unencumbered balances for Fiscal Year 2022 as set forth below are hereby approved:

A. Appropriations of Additional Revenues for Operating Expenses by Fund:

General Fund Revenue	150,520
General Fund In-Kind Revenue	13,101
Water Fund Revenue	93,715

TOTAL FUNDS TO BE APPROPRIATED: \$257,336

Section 2. The following modifications to budget expenditures for Fiscal Year 2022 as set forth below are hereby approved:

Expenditures by Fund:



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Pg 260 - Ordinance 2022-31: An Ordinance of the Town Council of the Town of Severance, Colorado, Amending Chapter 16 of the Severance Municipal Code by the addition of a new Article 18 pertaining to Multi-family Design and Development Standards	Abdul Barzak, Town Planner	Abdul Barzak, Town Planner
ACTION REQUESTED		
Community Development and Management ask that the Severance Town Council review, discuss, and take action on Ordinance 2022-31 for the Multi-Family Requirements within the Land Use Code. Actions that may be taken. 1. Move to approve Ordinance 2022-31 2. Take no action		<u>Ordinance</u> <u>Action Requested</u> <u>Attorney Approved</u>
BRIEF SUMMARY		
On May 5th, 2022 and June 1st, 2022 the Land Use Advisory Committee (LUAC) reviewed, discussed, and directed Town staff with recommendations for Multi-Family Requirements within the Land Use Code. The Planning Commission then reviewed, discussed, and forwarded recommendations regarding the Multi-Family Requirements in the Land Use Code on July 13, 2022. Town Council did review Multi-Family Requirements on July 26th, 2022 and on October 25th, 2022 and provided staff with direction. Tonight, before the Town Council is proposed code Language for adoption.		
PUBLIC SUPPORT/CONCERN		
Residents have expressed the desire to adopt Multi-Family requirements to Town staff.		
ANALYSIS AND RECOMMENDATION		
Community Development and Management recommend that the Town Council to review, discuss, and approve Ordinance 2022-31 on the Multi-Family Requirements within the Land Use Code.		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet: 1. Ord 2022-31 - Multi-Family Design and Development Criteria		

**TOWN OF SEVERANCE
ORDINANCE NO. 2022-31**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SEVERANCE,
COLORADO, AMENDING CHAPTER 16 OF THE SEVERANCE MUNICIPAL CODE
BY THE ADDITION OF A NEW ARTICLE 18 PERTAINING TO MULTI-FAMILY
DESIGN AND DEVELOPMENT STANDARDS**

WHEREAS, the Town Council has determined that the Town’s current development and design standards for multi-family developments set forth in the Severance Land Use Code (Chapter 16 of the Severance Municipal Code) are inadequate; and

WHEREAS, the Town desires to enact a new Article 18 of the Severance Land Use Code to address these existing deficiencies, and the Town finds that enacting comprehensive regulations relating to multi-family design and development standards will increase the effectiveness of the Land Use Code with regard to its underlying goals, and that enacting a new Article 18 of the Land Use Code regarding multi-family design and development standards within the Town to preserve the integrity of the Land Use Code and the character of the Town promotes the public health, safety, and general welfare.

WHEREAS, this ordinance is enacted pursuant to the Town of Severance’s home rule authority under Article XX, § 6 of the Constitution of the State of Colorado, and pursuant to the Town of Severance’s police powers, in order to safeguard and preserve the public health, safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF SEVERANCE, COLORADO:**

Section 1. Chapter 16, “Land Use Code,” of the Severance Municipal Code is amended by the addition of a new Article 18, entitled “Multi-Family Residential Use Design and Development Standards,” to read as follows:

**ARTICLE 17 - MULTI-FAMILY RESIDENTIAL USE DESIGN AND
DEVELOPMENT STANDARDS**

Sec. 16.18.10 Intent.

- (a) *Purpose.* The intent of this article is to apply enhanced design criteria and guidelines to all uses within the Town classified as “multi-family dwellings” under this Code.
- (b) *Provisions.* The provisions of this article are in addition to the requirements of the underlying zone district and supersede the underlying zone district requirements in the event of a conflict.

Sec. 16.18.20 Multi-family Design and Development Standards.

The following tables establish the design standards for all Multi-Family Development and Mixed-Use Development that incorporates multi-family housing. Tables are broken into two sections: Building Standards and Open Space, Landscaping and Amenity Standards.

Using the Tables:

- (X): denotes a requirement for that zone district.
- (-): reflects a non-applicable standard for the specific zone district column.
- (*): denotes additional standards apply found below the table in the Supplemental Provisions section.
- Information other than (X) or (-) indicates specific development standards in the cell.
- SP column is Suburban Perimeter Zone District.
- DN column is Development Node Zone District (including the Industrial Subzone).
- TC column is Town Core Zone District.
- The Rural Residential Zone District is not included as it does not permit Multi-Family Development.

Focus areas identified in the tables include Massing and Scale; Building Materials; Architectural Variety; Architectural Details; Colors; Open Space; Landscaping; Streetscape; Pedestrian Connections; Water Conservation; and Amenities.

Building Design and Development Standards	Zone District		
	SP	DN ^{1/1}	TC
Massing and Scale			
Maximum Stories	2*	3*	
Front Setback	20’	10’	0’
Side Setback	20’	10’	5’
Rear Setback	20’	10’	5’
Rooftop Amenity Permitted*	No	Yes	Yes
Ground Floor Active Use Required*	-	X	
Building Materials			
Primary Materials Required*	20% Minimum	30% Minimum	
Secondary Materials Required*	80% Maximum	70% Maximum	
Accent Materials*	5-10% Building Facades		
Architectural Variety			
Shall have varied building heights, styles, colors, and building details.	X		
Shall incorporate one (1) model for every four (4) buildings at a minimum. Models shall be evenly utilized to the maximum extent practicable.	X		

Distinct building designs, as required above, shall be easily distinguished through a minimum of two (2) of the following criteria. • A variation in length of 30% or more • A variation in the footprint of the building of 30% or more • A distinct variation in use of materials • A variation in the type of dwelling unit contained in the building that results in a significantly different scale and mass (i.e., apartments vs. townhomes vs. duplexes) • A distinct variation in building height and roof form	X	
For developments of three (3) or more stacked buildings, a floor plan may be repeated; however, identical building facades shall not be replicated more than twice within the development.	-	X
Architectural Detail*		
Facades shall be articulated through the incorporation of four (4) or more of the following elements within every thirty-five-foot (35') length of the façade and on a minimum of seventy-five percent (75%) of the façade area. • Balconies • Bay or box windows • Recesses, projections, or significant offsets in the wall plane • Porches • Dormers • Variations in materials • Variations in roof forms • Each building shall feature walls that are articulated by distinct, individualized, and covered entrances • Chimneys that project from the wall plane • Balconies and/or other outdoor living space • Bay or box windows	X	
All buildings shall have a fifteen-foot (15') step-back on all floors over two (2) stories when adjacent to single-family residential uses.	X	
All facades shall have a clear base, middle, and cap.	X	
Facades shall be designed to incorporate visually heavier and more massive elements at the building base, and lighter elements above the base. Upper stories shall not appear heavier or demonstrate greater mass than the lower stories of the building.	X	
Buildings shall provide concentrated dwelling unit access points. Monotonous access balconies and corridors running the length of a building shall be prohibited.	X	
Blocky, uniform facades are prohibited.	X	
Buildings shall feature a combination of primary and secondary roof forms. Primary pitched roof forms shall be articulated by at least one (1) of the following elements. • Changes in plane and elevations • Dormers, gables, or clerestories • Transitions to secondary roofs over entrances, garages, porches, or bay windows	X	
Roofs shall incorporate pitches of between 3:12 and 12:12; however, alternative roof forms may be permitted at the discretion of the Manager.	X	

Roofing materials shall be appropriate to the architectural style of a building.	X
Where exposed to public view, roof materials shall be selected from enameled standing seam metal, concrete or clay tiles, copper metal, wood textured (architectural grade), or composition asphalt shingles.	X
The use of plastic, fiberglass, other metal, or glass visible to public view is prohibited.	X
Colors	
Colors shall be compatible with character of the surrounding area.	X
Colors shall be of subdued and muted tones.	X
Earth-tone colors and neutral colors are encouraged as the primary building color.	X
Reflective or neon primary and secondary colors shall not be permitted as exterior paint colors on any structure. Reflective or neon colors may be allowed for trim and accent elements as approved by the Manager.	X
Roof material colors should be darker and warm, earth-toned hues that accent and complement other building colors.	X

[III](#) Includes Development Node Industrial Sub-Zoning

Sec. 16.18.30 Supplemental Provisions for Multi-Family Residential - Building Design and Development Standards.

(a) Massing and Scale

- (1) Accessible elements are permitted to extend above the maximum building height.
- (2) Height and shadow study should be a part of reviewing/approving three (3)-story structures.
- (3) Rooftop open space shall be included in all open space requirements.
 - a. Rooftop open spaces shall maintain adequate safety features to reduce the possibility of harm to residents during use. These safety mechanisms shall be shown on the site plan submittal.

(b) Building Materials

- (1) *Permitted Materials.* Exterior materials shall be permitted as follows:
 - a. Primary Materials:
 - i. Brick, unpainted.
 - ii. Stone, unpainted
 - b. Secondary Materials:
 - i. Any primary materials

- ii. Glass
 - iii. Metal Siding
 - iv. Color Concrete
 - v. Stucco (or equal or better simulated material)
 - vi. Horizontal Wood Clap board (or equal or better simulated material)
- c. Accent Materials:
- i. Any Primary or Secondary Materials may be used as an accent material
 - ii. Wood trim (or equal or better simulated material)
 - iii. Precast stone, or wood moldings or similar architectural details (or equal or better simulated material)
 - iv. Prohibited Materials:
 - Vinyl Siding
 - EIFS
- d. *Material Changes*. Except for accent materials, changes in the façade material shall only occur at horizontal expression lines, with the heavier material below the lighter material. Alternatively, changes in the material may occur at differentiated structural bays that meet the horizontal massing requirements.

Open Space, Landscaping and Amenity Design and Development Standards	Zone District		
	SP	DN ^{UL}	TC
<i>Open Space (see Open Space criteria of this Code)</i>			
Developments shall provide a minimum twenty-five percent (25%) of the gross land as functional open space. An exception may be granted by the Manager for infill town center projects.	10% to 20% as passive open space 20% to 30% as active open space		
A minimum of one (1) centrally located multifunctional park shall be incorporated for developments of over fifty (50) units and may count towards the amenity points listed below in this table and section.	X		
An internal trail system and trails design shall be required providing inter- and intra-connectivity.	X		
<i>Landscaping</i>			

A minimum of 1 tree / 1,000 sqft of landscaped area shall be provided, subject to adopted water conservation policies.	X		
A minimum of 1 shrub / 150 sqft of landscaped area shall be provided and must be grouped and distributed throughout the site. With the Manager's approval, trees may be substituted for up to ½ of the required shrubs at the rate of 1 tree for every 10 shrubs.	X		
Irrigated turf or an alternative as approved by the Manager, shall be utilized for active recreation areas, and maintained to appropriate industry standards.	X		
Native grass is highly encouraged for areas that will not function as active recreation areas. Native grass must be weed-free and maintained at a maximum height of eight inches (8") following industry standard establishment timeframes.	X		
Live materials shall be located between the front of the building and adjacent roadways at the following minimum rates.	65%	50%	10%
Streetscape			
Perimeter treatment adjacent to roadways should include a landscape buffer of varying widths, with a minimum width of ten feet (10') and a maximum width of twenty feet (20'). An exception may be granted by the Manager for infill town center projects.	X		
A pathway at least six feet (6') in width shall be provided parallel to the street.	X		
A landscape strip ten feet (10') in width shall be planted with at least 1-large tree per thirty-five feet (35') of frontage between the street and pedestrian pathway. An exception may be granted by the Manager for infill town center projects.	75% shade / deciduous species 25% other approved species		
Coniferous / evergreen trees must be placed a minimum of ten feet (10') off the southern edge of a bike path or curb to minimize shading and icing concerns where possible.	X		
Pedestrian Connections			
A pedestrian network that interconnects all dwelling units and uses, and common open space shall be provided throughout each development. - The network shall be made up of sidewalks, walkways, multi-use pathways, and trails - Pedestrian walks and spaces shall be provided as necessary to ensure that projects are easily navigated and enjoyable for the pedestrian	X		
The pedestrian networks shall include gathering/seating areas and provide benches, landscaping, and other street furniture where appropriate.	X		
The pedestrian network shall connect to adjacent developments and any adjacent trail systems.	X		
Sidewalks shall be separate and distinct from motor vehicle circulation to the greatest extent possible.	X		
Water Conservation			
A minimum of seventy percent (70%) of shrubs or trees shall be classified as very low or low water use.	X		
No more than ten percent (10%) of shrubs or trees shall be classified as high-water use.	X		

Sites over three (3) acres shall be organized into distinct hydrozones according to their microclimatic needs and water requirements. - Plants with similar water requirements shall be grouped together in the same irrigation zones. - Grass turf areas classified as medium or high-water use shall be limited to high use or high visibility areas.	X
Grass varieties listed as low water use may be used without limitation.	X
Amenity Points Required for Developments*	
Up to 10 dwelling units	1
11-30 Units	2 3 2
31-50 Units	3 5
51-150 Units	5 6
More than 151 dwelling units	7

[II](#) Includes Development Node Industrial Sub-Zoning

(c) Supplemental Provisions – Amenity Points

Amenities for residents should include active and passive spaces that are age-appropriate for current and future residents of all abilities. Credit shall be given for incorporated features as listed below. Credit may be provided for amenity features not included in this list. Such credit shall be based on the determination of the Manager, based on a review of the variety of amenities proposed. Final decision by the Manager may be appealed in accordance with the appeals procedures of this Code.

(1) Two (2) Amenity Points each:

- a. Pool
- b. Community Clubhouse with Fitness Center included – large (more than 2,500 sqft)
- c. Multifunctional playgrounds with commercial grade equipment – large (greater than 2,500 sqft playground zone area)

(2) One (1) Amenity Points each:

- a. Community Clubhouse – small (less than 2,500 sqft)
- b. Fitness Center (5 or more pieces of equipment)
- c. Dog Park - Large
- d. Multifunctional playgrounds with commercial grade equipment – medium (1,000 to 2,500 sqft playground zone area)
- e. Court games (tennis, volleyball, basketball, etc.) at least 1,000 sqft in size shall each count

-
- f. System of trails throughout the entire development
 - i. Trails shall be designed to provide interesting and distinct areas for walking, bicycling and or riding in areas separate from and in addition to traditional sidewalks. Trails shall be designed and constructed as required by the Town.

(3) One-half (.5) Amenity Points each:

- a. Dog Run
- b. Fitness Center (fewer than 5 pieces of equipment)
- c. Plazas, courtyards, community gazebo, or community gardens with irrigation systems and defined garden edges of at least 1,000 sqft in size
- d. Public Art, as approved by the Manager
- e. Picnic / Barbeque areas with commercial grade equipment
- f. Multifunctional playgrounds with commercial grade equipment - small (less than 1,000 sqft playground zone area)
- g. Rooftop solar arrays

Section 2. Section 16.7.10, “Definitions,” of Chapter 16, “Land Use Code,” of the Severance Municipal Code is hereby amended by the addition of the following definitions, to be inserted alphabetically and to read as follows:

Active Open Space means an open space area developed primarily for community access and recreation including sports, exercise, or active play. These areas may include hardscape or landscape areas that have been formally designed and constructed.

Passive Open Space means an open space area development primarily for leisure, relaxation, or the preservation of nature. These areas may include landscaped garden beds, wildlife habitats, native planting areas, or similar spaces within the community.

Playground Zone Area means a designated safety area surrounding each item of playground equipment that must be kept free and clear of other structures, decorations, or similar devices.

Section 3. If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Town Council hereby declares it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 4. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 5. This ordinance is deemed necessary for the immediate protection of the health, welfare and safety of the community.

Section 6. Violations of this ordinance shall be punishable in accordance with Section 1-4-20 of the Severance Municipal Code.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL this 13th day of December, 2022.

TOWN OF SEVERANCE, COLORADO

Matthew Fries, Mayor

ATTEST:

Leah Vanarsdall, MMC, Town Clerk

APPROVED AS TO FORM:

Hayashi & Macsalka, LLC, Town Attorney



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Pg 270 - Resolution 2022-58R: A Resolution of the Town Council of the Town of Severance, Colorado, Extending the Land Use Advisory Committee Through December 31, 2023	Nicholas Wharton, Town Manager	Nicholas J. Wharton, MPA, ICMA-CM
ACTION REQUESTED		
Management asks the Town Council to discuss Resolution 2022-58R: A Resolution of the Town Council of the Town of Severance, Colorado, Extending the Land Use Advisory Committee Through December 31, 2023 and take action: • Actions that may be taken: ○ Move to approve Resolution 2022-58R ○ Move to approve Resolution 2022-58R with Amendments ○ Take no action		<u>Resolution</u> <u>Attorney Approved</u> <u>Action Requested</u>
BRIEF SUMMARY		
This Resolution extends the Land Use Advisory Committee (LUAC) through December 31, 2023.		
PUBLIC SUPPORT/CONCERN		
None at this time		
ANALYSIS AND RECOMMENDATION		
Management recommends that the Town Council take action and move to approve Resolution 2022-58R: A Resolution of the Town Council of the Town of Severance, Colorado, Extending the Land Use Advisory Committee Through December 31, 2023.		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet:		
1. Resolution 2022-58R: Land Use Advisory Committee Extension		

**TOWN OF
SEVERANCE
RESOLUTION NO.
2022-58R**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
SEVERANCE, COLORADO, EXTENDING THE LAND USE ADVISORY
COMMITTEE THROUGH DECEMBER 31, 2023**

WHEREAS, the Town Council, by duly-adopted Resolution No. 2022-12R, established the Land Use Advisory Committee (“LUAC”) for the purposes stated in such Resolution; and

WHEREAS, at the time of formation, Town Council anticipated a one-year operating schedule for LUAC; and

WHEREAS, there is still much more work to be done despite all of the valuable work LUAC has performed to date, and the Town Council finds the advice of LUAC to be timely, valuable, and in the best interests of the Town;

WHEREAS, in recognition of its accomplishment and to demonstrate its continued support of LUAC’s efforts, the Town Council desires to extend the LUAC sunset date.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SEVERANCE COLORADO:

Section 1. The Town Council hereby reaffirms the Land Use Advisory Committee established pursuant to Resolution No. 2022-12R and extends the Land Use Advisory Committee through December 31, 2023.

Section 2. The Land Use Advisory Committee shall continue to operate under the provisions of Resolution No. 2022-12R.

Section 3. Section 5 of Resolution No. 2022-12R is hereby amended as follows:

“Section 5. Terms.

All voting members of the LUAC shall be appointed to serve through December 31, 2022 2023, unless extended by the Town Council.”

RESOLVED AND APPROVED this 13th day of December, 2022.

TOWN OF SEVERANCE

BY: _____

Matthew Fries, Mayor

ATTEST:

Leah Vanarsdall, Town Clerk

APPROVED AS TO FORM:

Hayashi & Macsalka, LLC, Town Attorney



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Pg 273 - PUBLIC HEARING Resolution 2022-59R: A Resolution of the Town Council of the Town of Severance, Colorado, Ratifying and Approving the Planning Commission's Adoption of a Comprehensive Plan Amendment pertaining to an area of the Town located within Section 35, Township 7 north, range 67 west, County of Weld, State of Colorado	Abdul Barzak, Town Planner	Abdul Barzak, Town Planner
ACTION REQUESTED		
Community Development and Management ask that the Town Council to review, discuss, and take action on Resolution 2022-59R on the proposed Comprehensive Plan Amendment. Actions that may be taken: 1. Approve 2022-59R ratifying and approving the Planning Commission's adoption of the Comprehensive Plan Amendment, subject to the conditions listed therein. 2. Take No Action.		<u>Resolution</u> <u>Attorney Approved</u> <u>Action Requested</u>
BRIEF SUMMARY		
The Future Land Use Map which was adopted in the Severance Comprehensive Plan shows the Severance Greenway Corridor on the Future Land Use Map. The Greenway Corridor is an overlay and not a land use as identified in the Land Use Code. Due to this Town Staff would like to remove the Greenway Corridor from the Future Land Use Map as a "clean up" and to allow for a Future Land Use Map that only identifies land uses. At the November 16th Planning Commission Meeting, the Planning Commission Approved Resolution PC-2022-05R for the proposed Comprehensive Plan Amendment and forwarded a recommendation for approval to the Town Council.		
PUBLIC SUPPORT/CONCERN		
None at this time.		
ANALYSIS AND RECOMMENDATION		
Town staff is asking for the Town Council to review, discuss, and approve Resolution 2022-59R for the proposed Comprehensive Plan Amendment.		

MATERIALS SUBMITTED
The following materials were submitted and included in this packet: 1. Resolution 2022-59R: A Resolution of the Town Council of the Town of Severance, Colorado, Ratifying and Approving the Planning Commission's Adoption

**TOWN OF
SEVERANCE
RESOLUTION NO.
2022-59R**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SEVERANCE,
COLORADO, RATIFYING AND APPROVING THE PLANNING COMMISSION'S
ADOPTION OF A COMPREHENSIVE PLAN AMENDMENT PERTAINING TO AN
AREA OF THE TOWN LOCATED WITHIN SECTION 35, TOWNSHIP 7 NORTH,
RANGE 67 WEST, COUNTY OF WELD, STATE OF COLORADO**

WHEREAS, the Town of Severance ("Town"), acting through its Planning Commission, is empowered pursuant to C.R.S. §§ 31-23-201, *et seq.*, to adopt a master or comprehensive plan and amendments thereto to guide current and future growth and development of the municipality; and

WHEREAS, Town Staff, on behalf of the Town of Severance, has submitted an application to amend the Town's Comprehensive Plan, by revising the future land use plan designation for a certain area of the Town, generally located west of the E Harmony Road and 1st Street intersection, to correct a minor, technical error in mapping the boundaries of a proposed open space corridor overlay (the "Application"), which would result in a revised Land Use Plan map for the Comprehensive Plan ("Comprehensive Plan Amendment"), attached hereto as **Exhibit A** and incorporated herein by this reference; and

WHEREAS, in accordance with C.R.S. § 31-23-208, the Severance Planning Commission, at its meeting held on November 16, 2022, conducted a public hearing on the Application, following the publication of notice as required by law; and

WHEREAS, following the conclusion of the duly noticed public hearing conducted on November 16, 2022, the Planning Commission adopted the Comprehensive Plan Amendment; and

WHEREAS, pursuant to and in accordance with the authority set forth in C.R.S. § 31-23-206(1), the Town Council desires to ratify and approve the Planning Commission's adoption of the Comprehensive Plan Amendment.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE
TOWN OF SEVERANCE COLORADO:**

The Town Council hereby ratifies and approves the decision of the Planning Commission adopting the Comprehensive Plan Amendment, attached hereto as **Exhibit A**, as more particularly set forth in Resolution No. PC-2022-05.

RESOLVED AND APPROVED this 13th day of December, 2022.

BY: _____
Matthew Fries, Mayor

ATTEST:

Leah Vanarsdall, Town Clerk

APPROVED AS TO FORM:

Hayashi & Macsalka, LLC, Town Attorney

Current Designation

LEGEND

- Growth Management Area
- Severance Town Limits
- County Boundary
- Severance Greenway Corridor

Future Land Use

- Development Node and Restricted Industrial
- Rural Residential Conservation/ Agriculture
- Suburban Perimeter
- Town Core
- Transition Area between Zoning Districts

NOTE: Zoning boundaries are conceptual.

Proposed Designation

LEGEND

- Growth Management Area
- Severance Town Limits
- County Boundary

Future Land Use

- Development Node and Restricted Industrial
- Rural Residential Conservation/ Agriculture
- Suburban Perimeter
- Town Core
- Transition Area between Districts

NOTE: Future Land Use boundaries are conceptual.



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Pg 278 - Initial Review and Determination - Ethics Complaints - In re: Councilor Baszler	Mary Lynn Macsalka, Town Attorney	Town Attorney
ACTION REQUESTED		
Per Section 10 of the Severance Code of Conduct and Ethics, the Town Council must undertake an initial review and determine how to proceed with three ethics complaints the Town received concerning Councilor Baszler. • Actions that may be taken: ○ Return complaints to complainants without action ○ Determine investigation is warranted ○ Dismiss complaints ○ Request an advisory opinion		<u>Action Requested</u> <u>Attorney Approved</u> <u>Discussion</u>
BRIEF SUMMARY		
In October 2022, the Town received three ethics complaints alleging comments made by Councilor Baszler at the September 27, 2022, Town Council meeting violated the Town's Code of Conduct and Ethics ("Ethics Code"). Per the Ethics Code, the Town Council must undertake an initial review of the complaints to determine: 1. Whether each complaint satisfies the requirements for filing an ethics complaint in Section 10.B. of the Ethics Code and, if not, direct the Town Clerk to return the complaints to the complainants without action; 2. Based on the allegations in the complaints, whether there is a reasonable basis to believe a violation of the Ethics Code has occurred or an investigation is warranted per Section 10.D. of the Ethics Code; or 3. Whether the complaints fail to allege facts sufficient to constitute a violation of the Ethics Code or that the Ethics Code does not apply to the alleged conduct, in which case the complaints must be dismissed per Section 10.C. of the Ethics Code. Regarding number 1 above, all three complaints lack the required "sworn or verified statement signed by the complainant and stating under penalty of perjury ... that the complaint is filed in good faith and not out of malice or any other improper motive or purpose." (Ethics Code §10.B.) Per the Ethics Code, "Any complaint that does not contain such a signed statement shall be returned forthwith to the complainant without action." (Ethics Code §10.B.) Because of these omissions, the Town Council could direct the Town Clerk to return the complaints to the complainants without further action. Regarding number 2, if the Town Council determines there is reasonable cause to believe a violation of		

the Ethics Code has been committed or that an investigation of a possible violation is warranted, despite the omissions in the complaints, the Town Attorney will advise the Council of the steps it must take to invoke its investigatory powers in accordance with Section 10.D. of the Ethics Code, including preparation of a written motion by the Town Attorney for consideration at your next meeting and appointment of a special investigator.

Regarding number 3, the Town Council may determine the complaints fail to allege facts sufficient to constitute a violation of the Ethics Code or that the Ethics Code does not apply to the alleged conduct, regardless of the omissions referenced above. In that case, the Council should move to dismiss the complaints.

Finally, if the Town Council decides it needs further assistance to determine whether the Ethics Code applies to the conduct alleged in the complaints or whether an investigation is warranted, Council could request an advisory opinion from special legal counsel, who would need to be appointed by Council at a future meeting. (Ethics Code §9.A.)

PUBLIC SUPPORT/CONCERN

None at this time.

ANALYSIS AND RECOMMENDATION

The Town Council must review the ethics complaints and determine how to proceed, as described above and in accordance with Section 10 of the Town's Code of Conduct and Ethics. The Town Attorney will be available to answer Council's questions regarding the Code of Conduct and Ethics and the procedure for reviewing and dispensing with ethics complaints.

A copy of the Town's Code of Conduct and Ethics is included in the packet for Council's reference concerning this item.

MATERIALS SUBMITTED

The following materials were submitted and included in this packet:

1. Code of Conduct and Ethics - Amended - Severance (2022.03.22)

CODE OF CONDUCT AND ETHICS¹

1. Intent.

This Code of Conduct and Ethics ("Ethics Code") is adopted in accordance with Section 3.06 of the Home Rule Charter for the Town of Severance (the "Charter") and is intended to govern the conduct of elected and appointed officials of the Town with respect to conflicts of interest and the performance of their official duties on behalf of the Town and its residents.

2. Purpose.

- A. The Town Council recognizes that the holding of public office is a public trust and that public officials have a fiduciary duty to carry out the responsibilities of their office for the benefit of the Town. The Town Council finds that ethical standards among its members and the members of the Town's boards and commissions are essential to the public affairs of the Town. In pursuit of such goals, the Town Council adopts the following rules, regulations, standards, and procedures as set forth in this Ethics Code.
- B. The purposes of this Ethics Code are to foster public trust and promote public confidence in the integrity of the Town government, and to provide guidance in the event of conflicts of interest to members of the Town Council and to the boards and commissions operating on behalf of the Town. This Ethics Code is further intended to foster public trust by ensuring that government decisions and policy be made in proper channels of the government structure; and by prohibiting the use of public office for private gain.
- C. This Ethics Code establishes guidelines for standards of conduct by setting forth those acts or actions that are incompatible with the best interests of the Town; by directing disclosure of private, financial, or other substantial interests in matters affecting the Town; and by imposing appropriate sanctions upon elected or appointed officials who violate the provisions of this Ethics Code.
- D. While it is critical that elected and appointed officials of the Town follow both the letter and spirit of this Ethics Code, it is equally important that they strive to avoid situations that may create public perceptions of violations of this Ethics Code. Perceptions of such violations can have the same negative impact on public trust as actual violations.

3. Scope of coverage.

The provisions of this Ethics Code shall be applicable to all members of the Town Council and all appointed members of the Town's boards.

4. Definitions.

As used in this Ethics Code, the following terms shall have the following meanings, except where the context clearly requires a different meaning:

"Appear on behalf of" means to act as a witness, advocate, or expert, or otherwise to support the position of another person.

¹ Adopted Feb. 22, 2022, Res. 2022-08R; amended March 22, 2022, Res. 2022-15R (adding § 12).

"Board" means the Town planning commission, the Town tree board, and any other appointed board or commission, including advisory and appeal boards, created by ordinance of the Town Council or as set forth in the Town Charter or Town Code.

"Board member" means an appointed regular or alternate member of a Town board.

"Business" means any corporation, limited liability company, trust, partnership, association, sole proprietorship, firm, venture, or other legal entity carrying on a business, whether or not operated for profit.

"Confidential information" means any information that is not available to the general public or is deemed confidential in accordance with local, state or federal law, and which is obtained by reason of a Council member's or board member's official position or under circumstances by which a reasonable person could anticipate that such information not be disclosed. Confidential information shall also include matters discussed in executive sessions; however, information otherwise available to the general public does not become "confidential" merely because it was discussed in executive session.

"Conflict of interest" means a financial interest or personal interest of the Council or board member or of any relative of such member that interferes with or influences or may interfere with or influence the conduct of the duties or the exercise of the powers of the Council or board member on behalf of the Town. The term "conflict of interest" includes the restrictions set forth in Section 6 of this Ethics Code.

"Contract" means an arrangement or agreement, including the bidding or negotiation process therefor, pursuant to which any land, goods, materials, services, or other thing of value is to be furnished to the Town for a valuable consideration to be paid by the Town or is to be sold or transferred by the Town, provided the amount involved is more than one hundred dollars. The term "contract" shall include any subcontract thereof.

"Council" means the Town Council of the Town of Severance.

"Council member" means a member of the Town Council of the Town of Severance, including the Mayor.

"Day" means working days.

"Financial interest" means a pecuniary, property, or commercial interest or any other interest, the primary significance of which is economic gain or the avoidance of economic loss, held by a Council or board member or his or her relative. A "financial interest" includes, without limitation:

1. An ownership interest in a business, including ownership of securities of a corporation, or of any beneficial interest in a business, the aggregate amount of which interest or securities owned by the Council or board member and the Council or board member's relative is five (5) percent or more of any class of securities of such business or five (5) percent or greater ownership in such business;
2. A creditor interest in an insolvent business;
3. Employment or a prospective employment for which negotiations have begun, or a contractual relationship that directly relates to a matter under consideration;
4. An ownership interest in real or personal property;
5. A loan or any other debtor interest; or
6. A position as a director, manager, or officer in a business.

However, the term "financial interest" shall not include any matter involving the common public good or necessity or any matter in which a similar benefit is conferred to all persons or property similarly situated.

"Matter" or "matters" includes, without limitation, any contract, any sale, lease, or purchase of an interest in land, goods, materials, supplies, or services, and any processing or granting of a development right, license, permit, application, inspection, or administrative approval.

"Official act" or "official action" means any vote, decision, discussion, determination, recommendation, approval, disapproval, or other action, including inaction, of any Council or board member or of the Town Council or of any board of the Town.

"Pending" means those matters before the Town for an official act or action. Such matters shall not be considered "pending" if no application or request for such official act or action has been filed with or received by the Town.

"Person" means any individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, limited liability company, partnership, association, or other legal entity.

"Personal interest" shall mean a direct or indirect interest, not shared by the general public, having value peculiar to a particular Council or board member, whether or not the value is related to monetary, financial, commercial, or property matters, which value may accrue to such Council or board member or result in such Council or board member deriving or potentially deriving a personal benefit as a result of the approval or denial of any ordinance, resolution, order, or other official action, or the performance or nonperformance thereof, by the Town. Personal interest does not include any matter in which a similar benefit is conferred to all persons or property similarly situated to that of the Council or board member.

"Relative" means a Council or board member's spouse, domestic partner, child, parent, brother, sister, any dependent, or any person assuming a relationship being the substantial equivalent of those listed herein. "Domestic partner" shall mean an unmarried adult, unrelated by blood, with whom an unmarried Council or board member has an exclusive, committed relationship, maintains a mutual residence, and shares basic living expenses.

"Town" means the Town of Severance, Colorado, a Colorado home rule municipal corporation.

5. General duties.

All Council and board members have a duty to use their public positions to contribute to the public good. This Ethics Code shall not preclude such persons from acting in any manner consistent with their official duties or from providing assistance or public services to anyone who is entitled to them. All Council and board members, however, also have a fiduciary duty to refrain from using their positions in any manner for personal or private gain or which is detrimental to the public good. Council and board members must be mindful that the appearance of impropriety can be as corrosive of public confidence as an actual impropriety and must strive to avoid situations that may create an appearance of impropriety.

6. Rules of conduct for Council members and board members.

A. Confidential information.

1. No Council or board member may disclose to third parties any confidential information unless authorized to do so by a two-thirds vote of the applicable Council members and board members in office, except as required by law.

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2. No Council or board member may waive any confidence or privilege of the Council or the board unless authorized to do so by a two-thirds vote of the applicable Council or board members in office, except as required by law.
 3. The obligations and requirements of this subsection A. continue to apply to Council members and board members after leaving office.
 3. Whether or not it shall involve disclosure, no Council or board member shall use or permit the use of any confidential information to advance his or her personal or financial interest or those of any other person, unless such information is available to the public at large.
- B. *Gifts.* No Council or board member may solicit or accept from any one person or entity a present or future gift, favor, loan, service, honorarium, or thing of value, whose cumulative value is more than sixty-five dollars (\$65) per annum, or of any value whatsoever under circumstances that would lead a reasonable person to believe that such gift, favor, loan, service, honorarium, or thing of value was made or given primarily for the purpose of influencing or attempting to influence such Council or board member in connection with an official act, or as a reward for official action he or she has previously taken. This prohibition shall not apply to:
1. Campaign contributions and contributions in kind reported in full compliance with the Colorado Fair Campaign Practices Act.
 2. Admission and reasonable expenses for attendance at conferences, meetings, seminars, training sessions, cultural events, award ceremonies, or conventions related to or in connection with Town business.
 3. Acceptance of food and refreshment at conferences, meetings, seminars, training sessions, luncheon and dinner meetings, special occasions and other instances in conjunction with Town business.
 4. An unsolicited item of trivial value less than fifty dollars (\$50), such as a pen, calendar, plant, book, note pad, or other similar item, or an unsolicited token or award of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item.
 5. A gift given by an individual who is a relative or personal friend of the recipient on a special occasion.
 6. Payment of salary from employment, including other government employment, in addition to any that may be earned from being a Council or board member, and reimbursement of necessary and reasonable expenses directly related to such employment.
- C. *Conflict of interest.* No Council or board member may participate in any discussion of, or take any official action on, any matter in relation to which the Council or board member has a conflict of interest, as provided in Section 7 of this Ethics Code. In addition, a Council or board member must not perform an official act that directly and substantially affects to its economic benefit a business or other undertaking in which such Council or board member has a substantial personal or financial interest, or that directly and substantially affects to its economic detriment any business or other undertaking when such Council or board member has a substantial personal or financial interest in a competing business or undertaking.
- D. *Appearances before Council and boards.* No Council or board member may appear on behalf of a private party before the Council or board, unless otherwise permitted by the Town Code, except that any Council or board member may appear before the Council or any board to address that Council or
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board member's own personal interest. Nothing in this subsection shall preclude a Council or board member in the same manner and under the same circumstances as any other person from appearing before the Council or any board on an application of the Council or board member for a permit, license, or other approval of the Council or board required by law.

- E. *Civil litigation.* No Council or board member may appear on behalf of or represent any private interests, other than the Council member's or board member's own interest, against the interests of the Town in any civil litigation to which the Town is or may become a party, unless the consent of the Council or applicable board is first obtained, except that any Council or board member may testify under oath if subpoenaed.
- F. *Service on other governmental entities or associations.* A Council or board member may serve on a board of another governmental entity or association as long as the Council or board member (1) first requests the consent of the Council to apply for, run for, or seek appointment to the board of the other governmental entity or association and a majority of the Council members in office approve the request, (2) does not receive any personal pecuniary benefit from such service, other than reimbursement for expenses directly related to such service, (3) explicitly discloses such service through a conflict-of-interest disclosure as to type of position, compensation, and role, to be kept on file with the Town and with the other governmental entity, (4) discloses a conflict and recuses themselves from an official act of the Council or board that may directly or substantially affect the other governmental entity or association, and (5) discloses a conflict and recuses themselves from an official act of the other governmental entity or association that may directly or substantially affect the Town.
- G. *Personal benefit.* No Council or board member may use any Town property, equipment, or employee services for personal or private purposes, gain, or advantage except in the same manner and under the same circumstances as any other person who is not a Council or board member of the Town.
- H. *Special consideration.* No Council or board member may request or grant to any person any special consideration, treatment, or advantage beyond that which is available to every other person in similar circumstances or need.
- I. *Voting on matters involving own conduct.* No Council or board member may take any official action on or vote on any question concerning the member's own conduct.
- J. *Other conduct.* It shall be a violation of this Code of Conduct for any Council or board member to engage in other conduct which threatens the public confidence in the integrity of the Town government, including but not limited to illegal conduct, conduct which puts self-interest before public interest, willful or persistent failure to perform his or her duties, engaging in any form of harassment or unlawful discrimination, or any other conduct involving dereliction of duties.

7. Conflict of interest—Disclosure; Recusal.

- A. No Council or board member may vote on any matter if the member has a conflict of interest as defined above. In the event that a Council or board member has a conflict of interest in any matter proposed or pending before the Council or board of which he or she is a member, the member shall disclose the conflict of interest in a public meeting and shall not vote, participate in, or take any official action on the matter.
- B. In the event that any Council or board member is aware that he or she could reasonably be perceived as having such a conflict of interest or is unsure of the existence of such a conflict, the member shall

nevertheless disclose the possibility of such conflict of interest to the Council or board. The member may request an advisory opinion pursuant to Section 9 of this Ethics Code and if it is determined that such member has a conflict of interest, the member shall disclose such conflict of interest to the Council or board and shall not vote, participate in, or take any official action on the matter.

- C. A Council or board member with a conflict of interest shall physically remove himself or herself from the room in which the Council or board is meeting and shall refrain from attempting to influence the decisions of the other members of the Council or board of which the person is a member. No vote shall be recorded for a Council or board member who refrains from voting due to a conflict of interest. After the Council or board has completed consideration of the matter, the member may return and resume his or her duties as a member of the Council or board.
- D. A Council or board member who has a conflict of interest may vote notwithstanding the requirements and restrictions of this section if his or her participation is necessary to obtain a quorum or otherwise enable the Council or board to act and if he or she complies with the disclosure procedures under subsection A or B of this section.

8. Quasi-judicial decisions.

- A. *Duty to remain impartial.* Each Council and board member shall be and remain impartial when making any quasi-judicial decision. Any Council or board member who cannot be impartial in making a quasi-judicial decision shall follow the disclosure and recusal procedures in Section 7 of this Ethics Code.
- B. *No investigation or ex parte communications.* No Council or board member shall receive nor shall any Town employee or member of the public provide to any Council or board member any substantive oral or written information, except for legal advice, regarding a matter which is pending before the Council or board on which the member sits, and which is the subject of a quasi-judicial hearing before the Council or board, outside of the quasi-judicial hearing process. The term "quasi-judicial hearing process" includes, but is not limited to, preparations necessary for such hearing such as written staff reports, scheduling, agendas, proposed resolutions and ordinances, posting or publishing notice, and legal advice. The Town Attorney shall provide affected Council or board members advice on what constitutes a quasi-judicial decision.
- C. *Disclosure.* In the event a Council or board member shall inadvertently or unintentionally receive any substantive oral or written information outside of the quasi-judicial hearing process, as prohibited in this section, the Council or board member shall fully and completely disclose such substantive oral or written information received at the start of the quasi-judicial public hearing process. By making such full and complete disclosure, the Council or board member shall be deemed to be in compliance with the requirements of this section. Failure to make such full and complete disclosure shall be a violation of this section.

9. Advisory opinions.

- A. Any Council or board member may request from the Town Attorney an advisory opinion whenever a question arises as to the applicability of this Ethics Code to a particular situation. In determining whether or not a Council or board member has a conflict of interest, consideration may be given to the following:
 - 1. The purposes and provisions of this Ethics Code;
 - 2. Whether the potential conflict of interest would impede independence of judgment;

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3. The effect of the member's participation on public confidence in the integrity of the Council or board and of the Town government;
 4. Whether the member's participation is likely to have any significant effect on the ultimate disposition of the matter; and
 5. The member's fiduciary obligations to the Town.
- B. Should the Town Attorney at any time determine that he or she has a conflict of interest in carrying out the duties of this section, the Town attorney shall request that the Town Council appoint special counsel to undertake such duties. Special counsel must be engaged by a majority vote of the Council and his or her reasonable fees and expenses shall be paid by the Town.

10. Enforcement.

- A. *Council to enforce.* The Town Council shall have the responsibility for the enforcement of this Ethics Code and the Town's Charter as to Council and board members. The Council shall have the power to investigate any complaint and to initiate any civil action on behalf of the Town where it believes such action is appropriate. If the accused is a Council member, the procedures in Subsection 7.C. shall apply, except that the accused Council member may participate as a party in a hearing on a complaint under this section. Further, the Council shall have the power to appoint a hearing officer to carry out all duties assigned to the Council in this section, except that only the Council may impose sanctions under subsection I. of this section and determine whether to reimburse attorney fees under subsection K. of this section.
- B. *Verified complaint.* Any person who believes that a Council or board member has violated any of the provisions of this Ethics Code or the Charter and wishes to initiate proceedings on such alleged violation shall file a written complaint with the Town Clerk, who shall forthwith forward the complaint to the Council. The Town Clerk shall within ten days of a receipt of a complaint cause to be personally served a copy of the complaint to the Council or board member who is the subject of the complaint. The complaint must state in detail the facts of the alleged violation, must specify the provisions of this Ethics Code or the Charter alleged to have been violated, and must contain a sworn or verified statement signed by the complainant and stating under penalty of perjury that the information in the complaint is true and accurate, and that the complaint is filed in good faith and not out of malice or any other improper motive or purpose. Any complaint that does not contain such a signed statement shall be returned forthwith to the complainant without action.
- C. *Dismissal.* If the Council determines that the verified complaint does not allege facts sufficient to constitute a violation of this Ethics Code or the Charter, it shall dismiss the complaint and notify the complainant and the accused.
- D. *Investigation.* Following the receipt of a complaint or upon the receipt of other information, whether or not under oath, that provides a reasonable basis to believe that a violation of this Ethics Code or the Charter has been committed or that an investigation of a possible violation is warranted, the Council may cause an investigation to be made of the circumstances concerning the possible violation. An investigation shall be conducted by a special investigator, who shall be a qualified disinterested party recommended by the Town Attorney, and who shall be engaged by a majority vote of the Council. The reasonable fees and expenses of the special investigator shall be paid by the Town. Before invoking its investigatory powers, the Council shall approve a motion which shall state the nature and purpose of the investigation, the actions or activities to be investigated and the persons who are the subject of
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the investigation. The Council shall, within five days, serve a copy of the motion on the accused together with a notice informing the person that he or she is the subject of the investigation and a general statement of the applicable provisions for which violations are being investigated.

- E. *Special investigator.* The special investigator may interview witnesses and request documents that may be relevant to the investigation. Before completing the investigation, the special investigator shall provide the Council or board member against whom the complaint is made an opportunity to provide information concerning the complaint. Such information must be provided in writing. Upon completion of the investigation, the special investigator shall provide a written investigation report to the Council stating whether there is probable cause to believe the violation(s) alleged in the complaint occurred, whether the investigation revealed that there is probable cause to believe that different or additional violations of this Ethics Code or the Charter occurred, or recommending dismissal of the complaint, and the basis for the special investigator's conclusions. A copy of the investigation report shall be provided to the Council and served on the accused.
- F. *Dismissal or hearing.* Upon completion of the investigation, the Council shall review the investigation report and dismiss the complaint if it determines there was no violation of this Ethics Code or of the Charter. If the Council determines, based on the investigation report, that there is probable cause that a violation occurred, it shall by motion set a hearing date, time and place. The investigative report and notice of the hearing shall be served on the accused not less than thirty days prior to the hearing.
- G. *Hearing.* The mayor or mayor pro tem shall preside over the hearing on the complaint and shall determine all procedural issues with the assistance of the Town Attorney. The special investigator shall present the case against the accused. The accused may be represented pro se or by any person of the accused's choice. The hearing shall be conducted so as to provide fundamental fairness, although strict rules of procedure and evidence need not be followed. All witnesses shall be subject to cross-examination. Documentary evidence that can be reasonably authenticated shall be admitted for consideration. A violation of this Ethics Code or the Charter shall be proven by a preponderance of the evidence as determined by two-thirds of all the voting members of the Council. Upon finding that the accused violated this Ethics Code or the Charter, the Council may continue the hearing to discuss and, in its discretion, to receive additional evidence regarding the appropriate penalty.
- H. *Findings.* At the conclusion of the hearing regarding the alleged violation, the Council shall dismiss the charges or find that the accused violated this Ethics Code or the Charter. The Council shall serve on the accused a written findings and order within thirty days after conclusion of the hearing.
- I. *Sanctions.* Upon finding that a Council or board member has violated this Ethics Code or the Charter, the Council may impose an oral or written reprimand, a public censure, non-financial restorative justice measures, or other sanctions as the Council deems just and appropriate depending on the seriousness of the violation and any mitigating circumstances. The Council may also remove any board member from such person's appointed position. The Council may also remove a Council or board member from any committees, boards, or other special or ex officio appointments. If a hearing officer appointed by the Council issued the findings and order, the hearing officer may provide a recommendation regarding sanctions for the Council's consideration.
- J. *Service.* Service of any notice or other document pursuant to this section or this Ethics Code is complete upon mailing certified mail to the person's last known address, or upon personal service.

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- K. *Reimbursement of attorney fees.* If the final outcome of any complaint filed pursuant to this section is dismissal or in the event the Council or board member against whom a complaint is filed is found by the Council not to be in violation of the provisions of this Ethics Code or the Charter, then, in that event, the Council or board member may request and the Town may reimburse the Council or board member for any attorney fees actually expended by the Council or board member in his or her defense of the complaint, in an amount determined by the Council in its sole discretion, subject to appropriation. The Council or board member seeking such reimbursement of attorney fees as provided for herein shall file a complete and detailed request for reimbursement with the Council showing amounts expended and specific legal services received. The Council shall then review the request and determine its appropriateness hereunder. In the event the Council has determined by resolution to reimburse such fees, the Town shall reimburse such fees within 60 days of receipt of the request for reimbursement, subject to appropriation therefor.
- L. *Other actions not precluded.* Nothing in this section or this Ethics Code shall be construed to preclude other actions that may be available at law against a Council or board member for violations of this Ethics Code or the Charter.

11. Compliance with other laws.

The requirements of this Ethics Code shall be in addition to the applicable requirements of the Town Charter, the Town Code, the Colorado Constitution, and the laws of the state. To the extent any conflict exists between the requirements of this Ethics Code and the requirements of the Town Code, the Colorado Constitution, or the laws of the state, the more restrictive provision shall apply.

12. Conduct with Town Staff.

- A. For purposes of this section, "staff" shall mean employees of the Town, the Town Manager, and contract consultants performing services for the Town. "Staff" does not include the Town Attorney or the Town's Municipal Judge.
- B. In interacting with Town staff, Council members and board members shall:
1. Treat all staff members as professionals;
 2. Not disrupt staff in the performance of their duties;
 3. Not publicly criticize individual staff members;
 4. Direct all questions of staff through the Town Manager; and
 5. Not attend staff meetings unless invited by the Town Manager.
- C. Individual Council members and board member are prohibited from giving a direct order to any staff member, and from soliciting political support from any staff member for any Council member's or board member's campaign for any elected or appointed office.
- D. If a Council member wishes to discuss matters relating to Town operations and administrative services with Town staff, the Council member must first advise the Town Manager. The Town Manager
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may either arrange a time and place for the Council member to discuss the matter with the appropriate staff, or arrange for the appropriate staff to attend a Town Council meeting to discuss the matter with the entire Council, as appropriate.

E. Council members and board members may only request information from staff through the Town Manager. If, in the Town Manager's determination, more than 60 minutes of staff time per calendar week will be required to obtain or compile the requested information, the request will not be processed unless the matter is placed on the Town Council's agenda for consideration at an upcoming regular or special meeting. The Town Manager will proceed to direct staff to fulfill the request only if so directed by a vote of the majority of the Council present.