

Posted on April 22, 2024 at:

20:00



**TOWN OF WIGGINS
BOARD of TRUSTEES MEETING
AGENDA**

April 24, 2024 at 7:00 P.M.

**304 CENTRAL AVENUE
WIGGINS, CO 80654**

***THE PUBLIC IS INVITED & ENCOURAGED TO ATTEND THE MEETING VIA ZOOM
OR WATCH ON YOUTUBE IF THEY ARE UNABLE TO ATTEND MEETING IN PERSON***

GO TO <https://us06web.zoom.us/j/89138082108> FOR THE MEETING LINK

MEETING AGENDA

I. INTRODUCTIONS

1. Call the Meeting to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Agenda

II. CONSENT AGENDA

1. Approval of Board of Trustees Meeting Minutes March 27, 2024

III. REPORTS/FINANCIALS

1. Town Manager Report
2. Board of Trustees
3. Approval of Bills April 2024
4. Financials-Actual to Budget

IV. PUBLIC COMMENTS

The Board of Trustees welcomes you and thanks you for your time. If you wish to address the Board of Trustees about a specific concern or to comment on an item, this is the only time set on the agenda for you to do so. We ask that you be respectful and courteous when addressing the board. When you are recognized, please step to the microphone, state your name and address. Your comments will be limited to three (3) minutes. The Board will not respond to your comments this evening, rather they will take your comments and suggestions under advisement and provide direction to the appropriate member of Town Staff for follow-up.

V. CONSIDERATION OF ORDINANCE NO. 02-2024 – FIRST READING

An Ordinance Adopting by Reference and Enacting a New Municipal Code for the Town of Wiggins; Providing for the Repeal of Certain Ordinances not Included Therein; Providing for the Adoption of Secondary Codes by Reference; Providing a Penalty for the Violation Thereof; Providing for the Manner of Amending Such Code; and Providing When Such Code and this Ordinance shall Become Effective and Setting a Public Hearing Date for May 22, 2024.

1. Ordinance No. 02-2024

VI. CONSIDERATION OF ORDINANCE NO. 03-2024

An Emergency Ordinance of the Town of Wiggins Prohibiting Dogs in Dilbert Teets Park

1. Ordinance No. 03-2024

VII. CONSIDERATION OF RESOLUTION NO. 17-2024

A Resolution Refunding a Portion of Delinquent Charges Assessed and Collected in 2023 for Water and Sewer Provided by the Town of Wiggins, Colorado

1. Resolution No. 17-2024

VIII. CONSIDERATION OF RESOLUTION NO. 18-2024

A Resolution Approving a Revocable Agreement Between the Town of Wiggins and Kiowa Park Homeowner’s Association of the Kiowa Park Subdivision

1. Resolution No. 18-2024

IX. CONSIDERATION OF RESOLUTION NO. 19-2024

A Resolution Authorizing the Town Manager to Enter into Contract with the Band Named Double Wide and a Solo Opening Act to Play on August 3, 2024 for the Town of Wiggins 50th Year of Incorporation Celebration

1. Resolution No. 19-2024

X. CONSIDERATION OF RESOLUTION NO. 20-2024

A Resolution Authorizing the Town Manager to Purchase Parts for the Elgin Street Sweeper and Repealing Resolution No. 14-2024

1. Resolution No. 20-2024

XI. ADJOURNMENT

1. Closing Remarks by Mayor and Trustees, and Meeting Adjournment



MINUTES OF MEETING

TOWN OF WIGGINS BOARD OF TRUSTEES MEETING

March 27, 2024 at 7:00 p.m.

CALL TO ORDER & ROLL CALL

A meeting of the Town Board of Trustees for the Town of Wiggins, Colorado was held on Wednesday, March 27, 2024. Mayor Chris Franzen called the meeting to order at 6:59 p.m. The following Trustees answered roll call: Mayor Chris Franzen and Trustees: Bryan Flax, Steve Perrott, and Mayor Pro-Tem David Herbstman. Staff present were Tom Acre, Town Manager; Nichole Seiber, Town Clerk/Treasurer; Craig Miller, Chief of Police; and Beau Warden, Public Works Supervisor.

APPROVAL OF THE AGENDA

Motion was made by Mayor Pro-Tem Herbstman to approve the agenda. Seconded by Trustee Perrott. Roll Call: The agenda was unanimously approved.

CONSENT AGENDA

Motion was made by Trustee Perrott to approve the Consent Agenda. Seconded by Trustee Flax. Roll Call: The Consent Agenda was unanimously approved.

TOWN MANAGER REPORT

- The Town Manager discussed recent check fraud and the steps we will be taking moving forward.
- The Town Manager discussed the Kiowa Bijou Waterline as he has been in contact with DOLA and the Public Works Supervisor about cost. There are other funding options the Town Manager is looking into to keep costs down.
- The Town Manager stated the lift station vault project will start soon.
- The Colorado Resiliency Office's Camp Resiliency is April 9th.
- Mayor Franzen inquired about the membranes being installed. The Public Works Supervisor stated the membranes have been replaced and we are waiting to conduct a wet test. Standard Operating Procedures will be made for removal, installation and upkeep as well as checklists for maintenance.
- Mayor Franzen asked who is taking on the Parks and Recs Coordinator responsibilities. The Town Manager stated the job posting will be posted soon and both the Town Clerk/Treasurer and the Planning and Zoning Administrator have volunteered to fill in.
- Mayor Franzen inquired about the PT/Seasonal Park Maintenance worker position. The Town Manager stated the Town would like to have someone on board by May.
- Mayor Franzen asked about getting quotes on the canopies for Teets Park. The Town Manager stated he is in the middle of gathering those together. Mayor Franzen asked the Public Works Supervisor to also create a quote for the Town to do the work.
- Potholes, the sweeper and the mower were discussed amongst the Town Manager, Public Works Supervisor and the Board.



APPROVAL OF MARCH BILLS 2024

Trustee Flax inquired about the Pitney Bowes postage bill. The Town Manager stated it is for routine mailing and we order the money in \$600.00 increments.

Trustee Flax asked what officer equipment was purchased. The Town Manager explained it was the bodycams that were purchased a couple years ago and that is being paid off in increments.

Motion was made by Mayor Pro-Tem Herbstman to approve the March 2024 Bills. Seconded by Trustee Flax. Roll Call: Motion was unanimously approved.

FINANCIALS - ACTUAL TO BUDGET

Trustee Flax inquired about the money for the Main Street Programs. The Town Manager stated we can use it for mostly anything from a facade improvement to planters.

Trustee Flax stated he would like to see the Town spend some of the money in the business district budget and possibly do some projects on Main Street. There was discussion on options for Main Street and Central Avenue projects.

Motion was made by Mayor Pro-Tem Herbstman to approve Financials Actual to Budget. Seconded by Trustee Perrott. Roll Call: Motion was unanimously approved.

PUBLIC COMMENTS

The Public Comments portion of the meeting was opened at 7:31 p.m.

Mark Strickland appeared via Zoom. Mr. Strickland inquired about the trees planted at County Road P and Main and also the trees along the Kiowa Park walking trail having irrigation with timers. The Public Works Supervisor stated the irrigation does run along the back side of the walking trail along with timers and the trench will go in this spring for the trees around the retention pond.

The Public Comment portion of the meeting was closed at 7:33 p.m.

CONSIDERATION OF RESOLUTION 11-2024 – A Resolution Recognizing the CDOT Click It or Ticket (CIOT) Grant Funding for Occupant Restraint Enforcement.

Chief Miller explained this grant is similar to past grants giving the Police Department extra money for extra patrols to look for people not wearing seat belts.

Motion was made by Mayor Pro-Tem Herbstman to approve Resolution 11-2024. Seconded by Trustee Perrott. Roll Call: Motion was unanimously approved.



EXECUTIVE SESSION

An Executive Session for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving; any specific employees who have requested discussion of the matter in open session; any member of this body or an elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees – Vacation Payout Request.

Motion was made by Trustee Flax to move into the Executive Session for the purpose stated above. Seconded by Trustee Perrott. Roll Call: The motion to go into Executive Session was unanimously approved. The Board of Trustees entered the Executive Session at 7:38p.m.

The Board adjourned from the Executive Session at 8:09p.m.

REPORT OUT FROM THE EXECUTIVE SESSION

The Board gave general direction to the Town Manager regarding Vacation Payout Request. No formal action was taken during the Executive Session.

ACTION FOLLOWING EXECUTIVE SESSION

Motion was made by Mayor Pro-Tem Herbstman, seconded by Trustee Perrot to grant the vacation payout request for Officer Camilleri and directed the Town Manager to draft a letter to staff regarding vacation payout. The motion was unanimously approved.

ADJOURNMENT

The Mayor invited closing remarks.

Mayor Franzen adjourned the meeting at 8:11 p.m.

Respectfully submitted by:



The Town Clerk/Treasurer, Nichole Seiber



TOWN MANAGER'S REPORT

Board of Trustees Meeting April 24, 2024

- The Town's auditor completed the field visit portion of the 2023 Financial Audit the second week of April. This portion went well and was completed in two days.
- The Town's contract accountant flagged two additional incidents of check fraud that occurred about the same time as the incident reported last month. These are being reported to the Postal Inspector, FBI and claims are being submitted to CIRSA as we are provided the bank name and branch location. Electronic payment ability has been implemented through Caselle and High Plains Bank. Local vendors are being paid by hand delivered check.
- The excess vehicle auction by Purple Wave is underway. We have had interest in the grader and dump truck.
- The RO plant is fully functional and has been running great. Staff participated in an additional RO operation training with King Lee Technologies.
- Modified influent headgate with lifting mechanism/grate better non-digestible debris collection.
- Public Works spent two days with representatives from CDPHE for the Water System Sanitary Survey and Wastewater Treatment Facility inspections. Time was spent before the inspections working with our contract water and wastewater operator preparing for the inspections.
- The new aerators and mixers are working great at the wastewater treatment facility. Between the recent improvements made at the Johnson Street lift station and new equipment at the wastewater treatment facility, staff has had to make adjustments to keep the processes balanced.
- The Parks and Recreation/Event Coordinator position recruitment has been extended until the end of the week. We have received three responses and anticipate at least one additional application. Interviews are planned next week.
- The part time/summer parks maintenance position has been filled. We had two applicants; both were excellent candidates and agreed to work approx. twenty hours per week.
- The fourth full time Public Works worker concentrating on Parks is being advertised. Position recruitment closes as the end of the month and will remain open until filled.
- Irrigation systems are on at Teets Park, Town Hall, Kiowa Park Johnson St entrance and High Plains Park.

- Weed spraying has begun at Teets Park. Follow up will be completed as needed.
- Tire swing has been installed at Teets Park.
- Staff assisted with the Shred-it/Electronic Recycling Event on Saturday, April 20th. The Town used the event to destroy some documents per our document retention guidelines and recycled some electronics.
- Public Works staff assisted the Mayor on his Main Street Island planting project.
- Public Works and Administration staff are preparing for the vaccination clinic being held on 4/23/2024 in the PW Shops.
- Public Works is getting things ready for the Arbor Day Tree Planting on Saturday 4/27/2024.
- Staff has been coordinating with community member hosting a 5k benefit run on Saturday, May 4th. This is also the date for the community wide garage sale.
- The Colorado Resiliency Office (CRO) Camp Resiliency in Akron was postponed April 9th. They are looking to reschedule in May.
- Between 4/1/24 and 4/14/24, WPD worked 45.5 hours of Click It Or Ticket grant overtime, conducting 90 traffic stops. A total of 38 seat belt/child restraint violations were cited.
- Between 4/4/24 and 04/24/24, WPD worked a total of 12.25 hours of DUI Grant overtime, conducting 20 traffic stops. No DUI drivers were located.
- The new Wiggins Police Tahoe has been stripped and is the third vehicle inline for equipment installation.
- Street sweeper replacement belt/brushes have been received and sweeper has been disassembled. Discovered bearings and hoses need replacement as well.
- The Town submitted and was awarded a grant by SIPA for software licenses to aid in become digitally accessibility compliant. The software assists in converting and preparing pdf documents to be accessible. Staff is also working with SIPA and their contractor Allyant on an accessibility audit of our web site.
- The Town Manager attended the Colorado City County Managers Association Annual (CCCMA) conference last week. He met with our regional DOLA representative and met the new Division of Local Government Executive Director while at the conference.
- The Town Manager, Public Works Supervisor and Contact Water Operator met with representatives working with CDPHE regarding the lead service line inventory requirement program.
- The Town Manager met with Colorado Rural Water Association regarding a tool being developed to aid in capital improvement planning, fee and rate setting.
- The Town Manager met with the managers from Brush and Fort Morgan regarding the communication center at CCCMA, we are waiting to see the final proposed agreement from the County.

INCIDENT ANALYSIS - DAY

Date 04/23/2024

Time 08:27:21

Report CFS03

Agency Wiggins Police Dept.

Dates 03/01/2024 Thru 03/31/2024

Activity	Sun	Mon	Tue	Wed	Thur	Fri	Sat	Total
Agency: WPD Wiggins Police Dept.								
00600 Theft	0	0	0	0	0	1	0	1
01720 Assault-sexual	0	0	0	0	1	0	0	1
02415 Domestic Violence	0	0	0	0	0	1	1	2
02620 Trespassing	0	0	0	0	0	1	0	1
02670 Local Ordinance Violation	0	1	0	0	0	2	1	4
02671 Dog At Large	1	2	0	0	0	0	0	3
02700 Susp Pers/veh/inc	2	0	0	0	2	0	0	4
02900 Runaway/missing Prsn	0	0	0	0	0	0	1	1
03000 Community Policing	1	1	3	1	0	0	0	6
03010 Assist Other Agency	0	0	3	0	1	1	0	5
03040 Civil Service	0	0	0	0	0	1	0	1
03080 Medical Assist	1	0	0	0	1	0	0	2
03100 Welfare Check	1	0	0	0	0	1	1	3
03120 Extra Patrol	17	11	21	5	57	40	45	196
03121 Vacation House Check	3	0	6	1	2	3	0	15
03540 Traffic Accident	0	0	0	0	1	0	0	1
03600 Driving Complaint	0	1	0	0	0	0	1	2
03610 Parking Complaint	0	0	0	1	0	1	0	2
03640 Animal Control	0	0	0	0	0	1	0	1
03680 Warrant Attempt/arrest	0	0	0	0	1	2	0	3
03695 Family Dispute	0	0	0	1	0	0	0	1
03730 Lost/found	0	0	0	0	1	1	0	2
03760 Information	0	1	0	0	0	1	0	2
05000 Misc	0	0	2	2	1	0	0	5
05007 Restraining Order Violati	0	0	0	0	1	0	0	1
07410 Disturbance	0	0	0	0	1	2	0	3
07510 Abandoned Vehicle	0	0	1	0	0	1	0	2
07520 Motorist Assist	0	0	1	0	2	0	0	3
07530 Traffic Contact	4	10	15	4	14	9	5	61
07570 Unlock Vehicle	0	0	0	0	0	0	1	1
07580 Vehicle Inspection	0	1	0	1	2	1	0	5
07700 Juv Problem	0	2	0	0	0	0	0	2
09000 Fire Investigation LE	0	0	0	0	0	2	1	3
09001 911-Welfare Check	1	0	1	2	0	2	4	10
09006 Registered Sex Offender	0	0	0	0	0	1	0	1
09900 Follow Up/Investigation	0	0	1	0	0	3	1	5
09902 Civil Issues	0	0	0	0	0	1	0	1
35DU Traffic Contact-DUI Inv	0	2	5	0	0	0	0	7
35HR Traffic Accident-H & R	0	0	0	0	0	0	1	1
S2T Safe2Tell	0	0	0	1	0	0	0	1
SEO Select Enforce Off Init	6	9	21	7	19	15	5	82

Wiggins Police Dept. Agency Total 37 41 80 26 107 94 69 454

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TOWN of WIGGINS - BILLS PAID

April 2024

Vendor	Description	Amount
BECKER, HOPE	Mileage Reimbursement	\$198.99
CANFIELD DRILLING CO. INC.	RO Plant	\$74.92
CASELLE, INC	AP Direct Pay/Timekeeping Software	\$6,450.00
COLORADO ANALYTICAL LABORATORY	Water Analysis	\$255.40
COLORADO CUSTOM FIREARMS LLC	Main Street Island Signs/Baseball Markers	\$235.00
FORT MORGAN ACE HARDWARE	Transponder Key	\$99.99
GERTGE TECHNOLOGY, LLC	Phone	\$133.87
HARBOR FREIGHT TOOLS	PW Tools & Supplies	\$864.18
HAYES POZNANOVIC KORVER, LLC	Water Rights Attorney's Fee	\$1,258.00
HE LLC	Headgate Modification	\$1,762.50
KAMMERER, WILLIAM M.	Water Shares Lease/Purch Paymt	\$3,510.42
KEEFE CONSTRUCTION SERVICES	Down Payment/Performance Bond	\$35,626.09
KELLY, PC	Town Attorney	\$7,065.00
KING LEE TECHNOLOGIES	RO Skid Membranes	\$77,499.31
LAW OFFICE OF AMY C. PENFOLD LLC	PROSECUTING ATTORNEY FEES	\$1,120.00
LEAF	Copier Lease Split	\$159.00
MARTENS, VIRGINIA	Mileage Reimbursement	\$182.58
OUT EAST CONTRACTING, LLC	Recycled Asphalt	\$1,390.00
PROFESSIONAL MANAGEMENT SOLUTIONS	Contract Accountant	\$2,578.75
REFUNDS FOR UTILITY BILLING	Utility Refunds	\$333.08
REVELATION STEEL, LLC	Kammerer Aug Ponds Headgate	\$619.44
RH WATER & WASTEWATER, INC.	Water & WWTF Contract Operator	\$1,770.00
SAFEbuilt Lochbox #88135, LLC	Building Inspection/Permit/Review	\$771.33
SAILSBERY SUPPLY CO., INC.	Headgate Modification	\$81.20
SITEONE LANDSCAPE SUPPLY	Trees	\$6,684.71
STUB'S GAS & OIL, INC.	Fuel for Police	\$109.90
UTILITY AASSOCIATES, INC.	Officer Equipment	\$7,751.25
WALKER REPAIR SERVICES	Full Service on PD F-150	\$204.64
WELLER FABRICATION & MACHINE	Steel	\$405.40
WICKHAM TRACTOR COMPANY	Kubota Supplies	\$10,390.26
WIGGINS FARM AND AUTO SUPPLY	PW Shop Supplies	\$226.92
WIGGINS SUPER'S 1846	Misc Supplies	\$91.21

Approved: _____



Date: 04/23/2024

Total: \$169,903.34

TOWN OF WIGGINS
 COMBINED CASH INVESTMENT
 MARCH 31, 2024

COMBINED CASH ACCOUNTS

01-10210	HIGH PLAINS-MAIN CHECKING	276,857.33
01-10220	HIGH PLAINS-SWEEP ACCOUNT	4,234,993.40
01-10700	RETURNED CHECK CLEARING ACCT	(235.82)
01-10750	UTILITY CASH CLEARING ACCOUNT	21.56
	TOTAL COMBINED CASH	4,511,636.47
01-10100	CASH ALLOCATED TO OTHER FUNDS	(4,071,820.30)
	TOTAL UNALLOCATED CASH	439,816.17

CASH ALLOCATION RECONCILIATION

10	ALLOCATION TO GENERAL FUND	1,597,486.33
20	ALLOCATION TO WATER ENTERPRISE	985,455.56
30	ALLOCATION TO SEWER ENTERPRISE	1,379,973.45
40	ALLOCATION TO SALES TAX CAPITAL IMPROVEMENT	789,238.98
45	ALLOCATION TO SALES TAX STREETS	(727,763.29)
50	ALLOCATION TO CONSERVATION TRUST	47,429.27
	TOTAL ALLOCATIONS TO OTHER FUNDS	4,071,820.30
	ALLOCATION FROM COMBINED CASH FUND - 01-10100	(4,071,820.30)
	ZERO PROOF IF ALLOCATIONS BALANCE	.00

TOWN OF WIGGINS
 BALANCE SHEET
 MARCH 31, 2024

GENERAL FUND

ASSETS

10-10100	CASH IN COMBINED CASH FUND	1,597,486.33	
10-10110	PETTY CASH (T. MANAGER)	44.30	
10-10120	PETTY CASH (T. CLERK)	805.39	
10-10240	CASH IN BANK COMM HALL FUND SA	18,894.21	
10-10250	COLOTRUST FUND	116.05	
10-10260	CASH IN USE TAX FUND	267,277.31	
10-10310	CASH W/ COUNTY TREASURER	4,188.65	
10-10500	PROPERTY TAXES RECEIVABLE	681,487.00	
10-11500	ACCOUNTS RECEIVABLE	73,805.79	
	TOTAL ASSETS		2,644,105.03

LIABILITIES AND EQUITY

LIABILITIES

10-20200	ACCOUNTS PAYABLE	2,372.68	
10-20210	PAYABLE TO SCHOOL DISTRICT	27,214.75	
10-22210	DEFERRED PROPERTY TAX	681,487.00	
10-22410	UNEARNED REVENUE	135,516.52	
10-22700	WAGES PAYABLE	1,531.09	
10-22710	FED/ FICA TAXES PAYABLE	52,305.53	
10-22720	STATE W/H TAXES PAYABLE	5,174.72	
10-22740	POLICE PENSION PAYABLE	1,975.87	
10-22760	DEFERRED COMP CONTRIB PAYABLE	1,320.34	
10-22770	UNEMPLOYMENT PAYABLE	109.29	
10-22820	HEALTH INSURANCE PAYABLE	(10,128.20)	
10-22825	AFLAC PAYABLE	(8.73)	
10-22830	LIFE INSURANCE PAYABLE	50.40	
10-22840	VISION INSURANCE PAYABLE	126.27	
10-25320	FUND BALANCE	1,832,486.63	
	TOTAL LIABILITIES		2,731,534.16

FUND EQUITY

	UNAPPROPRIATED FUND BALANCE:		
	REVENUE OVER EXPENDITURES - YTD	215,839.11	
	BALANCE - CURRENT DATE	215,839.11	
	TOTAL FUND EQUITY		215,839.11
	TOTAL LIABILITIES AND EQUITY		2,947,373.27

TOWN OF WIGGINS
REVENUES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUES</u>					
10-31100	248,761.49	260,028.29	681,487.00	421,458.71	38.2
10-31200	4,954.80	11,691.58	30,000.00	18,308.42	39.0
10-31300	21,481.56	68,742.93	310,000.00	241,257.07	22.2
10-31301	1,814.98	8,049.78	10,000.00	1,950.22	80.5
10-31420	152.62	510.23	1,000.00	489.77	51.0
10-31810	.00	.00	65,000.00	65,000.00	.0
10-31820	.00	2,433.00	9,000.00	6,567.00	27.0
10-31821	1,926.10	6,765.10	15,000.00	8,234.90	45.1
10-31823	.00	1,022.50	3,000.00	1,977.50	34.1
10-32110	10.00	32.50	175.00	142.50	18.6
10-32210	717.00	4,858.85	25,000.00	20,141.15	19.4
10-33412	7,481.38	20,248.59	55,197.00	34,948.41	36.7
10-33430	.00	(.50)	.00	.50	.0
10-33530	5,983.20	16,663.62	60,869.00	44,205.38	27.4
10-33550	782.66	2,012.53	6,000.00	3,987.47	33.5
10-33800	28,380.68	29,666.09	45,000.00	15,333.91	65.9
10-34210	25.00	100.00	.00	(100.00)	.0
10-34215	100.00	340.00	200.00	(140.00)	170.0
10-34220	1,050.00	1,050.00	5,000.00	3,950.00	21.0
10-34221	368.55	2,963.25	5,000.00	2,036.75	59.3
10-34282	.00	3,410.00	.00	(3,410.00)	.0
10-34283	.00	.00	2,000.00	2,000.00	.0
10-34284	.00	.00	10,000.00	10,000.00	.0
10-34286	.00	.00	1,000.00	1,000.00	.0
10-34287	.00	.00	6,500.00	6,500.00	.0
10-35110	5,180.00	10,714.50	37,250.00	26,535.50	28.8
10-36000	215.96	1,614.41	.00	(1,614.41)	.0
10-36010	30.00	70.00	300.00	230.00	23.3
10-36011	65.00	161.00	200.00	39.00	80.5
10-36012	50.00	525.00	1,250.00	725.00	42.0
10-36013	100.00	200.00	200.00	.00	100.0
10-36020	.00	1,960.00	.00	(1,960.00)	.0
10-36100	8,844.17	19,534.39	35,000.00	15,465.61	55.8
10-36310	.00	.00	6,000.00	6,000.00	.0
10-36501	.00	65.00	.00	(65.00)	.0
10-36512	350.00	800.00	.00	(800.00)	.0
TOTAL FUND REVENUE	338,825.15	476,232.64	1,426,628.00	950,395.36	33.4

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>GENERAL GOVERNMENTAL</u>					
10-410-13 FINANCIAL AUDIT	.00	.00	5,500.00	5,500.00	.0
10-410-22 EMPLOYEE EVAL/TESTING	.00	.00	500.00	500.00	.0
10-410-32 PROFESSIONAL SERVICES	359.30	3,731.07	20,000.00	16,268.93	18.7
10-410-34 CODIFICATION	.00	.00	4,500.00	4,500.00	.0
10-410-35 COPIER LEASE	.00	143.10	950.00	806.90	15.1
10-410-40 EMPLOYEE TRAINING	.00	.00	5,000.00	5,000.00	.0
10-410-41 TELEPHONE & INTERNET	40.16	202.20	2,800.00	2,597.80	7.2
10-410-42 UTILITIES--ELECTRIC	84.00	168.00	1,000.00	832.00	16.8
10-410-43 OFFICE BLDG REPAIRS & MAINT	.00	98.98	5,000.00	4,901.02	2.0
10-410-44 POSTAGE METER LEASE	71.93	71.93	1,600.00	1,528.07	4.5
10-410-45 UTILITIES-GAS	.00	1,761.44	1,525.00	(236.44)	115.5
10-410-46 CELL PHONE	.00	224.68	1,400.00	1,175.32	16.1
10-410-48 TRASH	.00	275.00	300.00	25.00	91.7
10-410-52 INSURANCE & BONDS	11.04	7,254.78	48,000.00	40,745.22	15.1
10-410-54 ADVERTISING	.00	.00	600.00	600.00	.0
10-410-55 POSTAGE & SHIPPING	.00	251.88	800.00	548.12	31.5
10-410-58 TRAVEL & MEETINGS	1,460.39	1,656.29	5,200.00	3,543.71	31.9
10-410-61 OPERATING SUPPLIES	384.70	1,570.39	5,500.00	3,929.61	28.6
10-410-68 COPIER EXPENSE	.00	845.82	1,500.00	654.18	56.4
10-410-70 IT SUPPORT	333.07	990.87	15,000.00	14,009.13	6.6
10-410-71 COMPUTER SOFTWARE	381.28	1,331.86	3,000.00	1,668.14	44.4
10-410-87 EQUIPMENT	.00	.00	2,000.00	2,000.00	.0
10-410-90 DUES & SUBSCRIPTIONS	.00	.00	2,000.00	2,000.00	.0
10-410-91 NEWSLETTERS & PUBLICATIONS	3.68	3.68	600.00	596.32	.6
TOTAL GENERAL GOVERNMENTAL	3,129.55	20,581.97	134,275.00	113,693.03	15.3
<u>ADMINISTRATION DEPARTMENT</u>					
10-411-11 SALARY-TOWN CLERK	3,206.66	9,578.31	.00	(9,578.31)	.0
10-411-15 ADMINISTRATION DEPT EMPLOYEES	5,613.94	16,841.82	129,321.00	112,479.18	13.0
10-411-20 EMPLOYEE BENEFITS	585.20	2,205.00	18,828.00	16,623.00	11.7
10-411-22 FICA & MEDICARE	674.78	2,010.15	9,893.00	7,882.85	20.3
10-411-23 457 RETIREMENT	339.42	1,017.01	5,365.00	4,347.99	19.0
10-411-25 UNEMPLOYMENT INS	15.19	81.37	100.00	18.63	81.4
10-411-26 WORKERS' COMPENSATION	.00	.00	4,250.00	4,250.00	.0
10-411-27 EMPLOYEE APPRECIATION	.00	57.79	1,200.00	1,142.21	4.8
10-411-28 TA VEHICLE STIPEND	.00	.00	2,000.00	2,000.00	.0
TOTAL ADMINISTRATION DEPARTMENT	10,435.19	31,791.45	170,957.00	139,165.55	18.6

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>JUDICIAL DEPARTMENT</u>					
10-412-00 CONTRACT-JUDGE	.00	625.00	3,800.00	3,175.00	16.5
10-412-01 CONTRACT-TOWN PROSECUTOR	.00	507.50	5,000.00	4,492.50	10.2
10-412-11 COURT SPANISH INTERPRETOR	.00	125.00	.00	(125.00)	.0
10-412-35 COPIER LEASE	.00	31.80	225.00	193.20	14.1
10-412-41 TELEPHONE & INTERNET	.00	.00	100.00	100.00	.0
10-412-44 POSTAGE METER LEASE	43.16	43.16	175.00	131.84	24.7
10-412-55 POSTAGE	.00	191.43	750.00	558.57	25.5
10-412-61 OFFICE SUPPLIES	.00	.00	175.00	175.00	.0
10-412-68 COPIER EXPENSE	.00	211.46	350.00	138.54	60.4
10-412-70 IT SUPPORT	.00	.00	100.00	100.00	.0
10-412-71 COMPUTER SOFTWARE	.00	.00	200.00	200.00	.0
TOTAL JUDICIAL DEPARTMENT	43.16	1,735.35	10,875.00	9,139.65	16.0
<u>MAYOR & LEGISLATIVE BOARDS</u>					
10-413-10 MAYOR COMPENSATION	.00	.00	2,400.00	2,400.00	.0
10-413-11 BOARD OF TRUSTEES COMPENSATION	440.00	1,320.00	2,880.00	1,560.00	45.8
10-413-12 BOARD OF TRUSTEES APPRECIATION	.00	.00	500.00	500.00	.0
10-413-22 FICA & MEDICARE	33.66	100.98	404.00	303.02	25.0
10-413-26 WORKERS' COMPENSATION	.00	.00	300.00	300.00	.0
10-413-40 BOARD OF TRUSTEES TRAINING	.00	.00	1,500.00	1,500.00	.0
10-413-51 E & O INSURANCE	.00	.00	3,200.00	3,200.00	.0
10-413-58 BOARD TRAVEL & MEETINGS	.00	.00	3,000.00	3,000.00	.0
10-413-70 IT SUPPORT	.00	.00	200.00	200.00	.0
10-413-71 COMPUTER SOFTWARE	.00	.00	500.00	500.00	.0
10-413-90 DUES & SUBSCRIPTIONS	.00	.00	2,500.00	2,500.00	.0
TOTAL MAYOR & LEGISLATIVE BOARDS	473.66	1,420.98	17,384.00	15,963.02	8.2
<u>ELECTIONS</u>					
10-414-00 ELECTIONS	.00	.00	4,500.00	4,500.00	.0
TOTAL ELECTIONS	.00	.00	4,500.00	4,500.00	.0
<u>TREASURER'S OFFICE</u>					
10-415-15 COLLECTIONS (TREASURERS FEE)	4,975.24	5,200.58	12,000.00	6,799.42	43.3
10-415-30 TOWN LEGAL	2,160.00	4,590.00	50,000.00	45,410.00	9.2
10-415-40 REPORTING & PUBLISHING	.00	.00	500.00	500.00	.0
TOTAL TREASURER'S OFFICE	7,135.24	9,790.58	62,500.00	52,709.42	15.7

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>ECONOMIC DEVELOPMENT</u>					
10-416-50 ECONOMIC DEVELOPMENT	.00	.00	75,000.00	75,000.00	.0
10-416-51 MEMBERSHP FEE/DUES	.00	.00	2,800.00	2,800.00	.0
TOTAL ECONOMIC DEVELOPMENT	.00	.00	77,800.00	77,800.00	.0
<u>COMMUNITY DEVELOPMENT</u>					
10-417-30 COMMUNITY MEETINGS	.00	.00	1,000.00	1,000.00	.0
10-417-35 COPIER LEASE	.00	31.80	200.00	168.20	15.9
10-417-44 POSTAGE MACHINE LEASE	28.77	28.77	135.00	106.23	21.3
10-417-55 POSTAGE	.00	.00	250.00	250.00	.0
10-417-61 OFFICE SUPPLIES	.00	.00	50.00	50.00	.0
10-417-63 ABATEMENT	.00	.00	6,500.00	6,500.00	.0
10-417-68 COPIER EXPENSE	.00	211.46	350.00	138.54	60.4
10-417-70 IT SUPPORT	.00	.00	200.00	200.00	.0
10-417-71 COMPUTER SOFTWARE	.00	.00	125.00	125.00	.0
10-417-85 CODE ENFORCEMENT	.00	.00	600.00	600.00	.0
10-417-91 NEWSLETTER	.00	.00	2,100.00	2,100.00	.0
TOTAL COMMUNITY DEVELOPMENT	28.77	272.03	11,510.00	11,237.97	2.4
<u>PLANNING & ZONING</u>					
10-418-30 LEGAL/ENGINEERING SUPPORT	2,260.00	5,797.50	6,000.00	202.50	96.6
10-418-35 COPIER LEASE	.00	31.80	200.00	168.20	15.9
10-418-40 STAFF TRAINING	.00	.00	1,500.00	1,500.00	.0
10-418-41 TELEPHONE & INTERNET	13.39	40.77	95.00	54.23	42.9
10-418-44 POSTAGE MACHINE LEASE	43.16	43.16	175.00	131.84	24.7
10-418-49 COMMISSION TRAINING	.00	.00	500.00	500.00	.0
10-418-51 MEMBERSHIPS/PUBLICATIONS	.00	.00	100.00	100.00	.0
10-418-54 NOTICES/PUBLICATIONS	32.20	32.20	500.00	467.80	6.4
10-418-55 POSTAGE	.00	.00	130.00	130.00	.0
10-418-61 OFFICE SUPPLIES	.00	.00	100.00	100.00	.0
10-418-68 COPIER EXPENSE	.00	211.43	350.00	138.57	60.4
10-418-70 IT SUPPORT	.00	.00	100.00	100.00	.0
10-418-71 COMPUTER SOFTWARE	.00	.00	650.00	650.00	.0
10-418-93 COMPREHENSIVE PLAN	8,146.50	8,146.50	110,393.00	102,246.50	7.4
10-418-94 ZONING MAP	.00	.00	5,000.00	5,000.00	.0
10-418-97 LAND DEVELOPMENT CODE	.00	.00	75,000.00	75,000.00	.0
10-418-98 IMPACT FEE STUDY	.00	.00	15,000.00	15,000.00	.0
TOTAL PLANNING & ZONING	10,495.25	14,303.36	215,793.00	201,489.64	6.6

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT	
<u>COMMUNITY PROGRAMS</u>						
10-419-00	FOURTH OF JULY FESTIVAL	.00	.00	35,000.00	35,000.00	.0
10-419-01	WIGGINS OLD TIME CHRISTMAS	111.67	831.48	5,000.00	4,168.52	16.6
10-419-03	50TH ANIV TOWN INCORPORATION	.00	.00	25,000.00	25,000.00	.0
10-419-05	BUSINESS DIST BEAUTIFICATION	.00	.00	3,000.00	3,000.00	.0
10-419-10	EVENTS COORINATOR	.00	.00	10,800.00	10,800.00	.0
10-419-20	DONATIONS/GRANTS	150.00	150.00	10,000.00	9,850.00	1.5
10-419-58	COMMUNITY MEETINGS	.00	.00	1,000.00	1,000.00	.0
10-419-61	OFFICE EQUIPMENT LEASES	.00	.00	200.00	200.00	.0
10-419-62	MAIN STREET PROGRAMS	.00	.00	10,000.00	10,000.00	.0
10-419-65	TREES/TREE PLANTING	.00	.00	5,000.00	5,000.00	.0
10-419-66	PLANTERS	.00	.00	250.00	250.00	.0
10-419-91	NEWSLETTER/EVENT POSTCARD	.00	.00	900.00	900.00	.0
	TOTAL COMMUNITY PROGRAMS	261.67	981.48	106,150.00	105,168.52	.9

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>POLICE DEPARTMENT</u>					
10-421-02 CONTRACT SERVICES	.00	.00	1,200.00	1,200.00	.0
10-421-04 OFFICER SMALL EQUIPMENT	11,060.70	11,286.60	9,500.00	(1,786.60)	118.8
10-421-10 CAPITAL OUTLAY LEASE	141.75	262.59	.00	(262.59)	.0
10-421-11 SALARIES-COMMAND OFFICERS	1,393.03	1,393.03	.00	(1,393.03)	.0
10-421-15 POLICE SALARIES	20,946.19	56,610.95	215,392.00	158,781.05	26.3
10-421-20 EMPLOYEE BENEFITS	1,775.40	5,326.20	29,729.00	24,402.80	17.9
10-421-21 VEHICLE/MOBILE EQUIPMENT	.00	13.03	12,000.00	11,986.97	.1
10-421-22 FICA & MEDICARE	334.57	873.02	2,800.00	1,926.98	31.2
10-421-23 PENSION-FPPA	2,203.94	5,811.30	25,847.00	20,035.70	22.5
10-421-24 DEATH & DISABILITY-FPPA	254.96	640.88	3,446.00	2,805.12	18.6
10-421-25 UNEMPLOYMENT INSURANCE	37.74	112.02	646.00	533.98	17.3
10-421-26 WORKERS' COMPENSATION	.00	.00	4,500.00	4,500.00	.0
10-421-28 FARM HOUSE UTILITIES-GAS/ELECT	214.86	429.72	2,800.00	2,370.28	15.4
10-421-29 UNIFORMS	.00	.00	1,500.00	1,500.00	.0
10-421-30 PROFESSIONAL LEGAL SERVICES	.00	.00	1,000.00	1,000.00	.0
10-421-35 COPIER LEASE	.00	31.80	150.00	118.20	21.2
10-421-40 TRAINING	389.00	389.00	4,000.00	3,611.00	9.7
10-421-41 TELEPHONE & INTERNET	20.08	220.39	750.00	529.61	29.4
10-421-42 MC COM CENTER PHONE LINE	.00	1,132.97	600.00	(532.97)	188.8
10-421-43 REPAIRS AND MAINTENANCE (AUTO)	97.96	2,081.69	7,500.00	5,418.31	27.8
10-421-44 UTILITIES-ELECTRIC	84.00	168.00	1,200.00	1,032.00	14.0
10-421-45 UTILITIES-GAS	408.29	908.12	600.00	(308.12)	151.4
10-421-46 CELL PHONE	.00	461.16	2,775.00	2,313.84	16.6
10-421-48 TRASH	.00	.00	270.00	270.00	.0
10-421-49 OTHER MISCELLANEOUS	12.70	(10.20)	150.00	160.20	(6.8)
10-421-52 INSURANCE & BONDS	7.47	6,341.43	15,500.00	9,158.57	40.9
10-421-55 PRINTING	.00	.00	1,300.00	1,300.00	.0
10-421-61 OFFICE/GEN OPERATING SUPPLIES	9.99	140.97	600.00	459.03	23.5
10-421-62 FUEL	141.03	670.07	15,000.00	14,329.93	4.5
10-421-64 CRIME PREVENTION	.00	.00	250.00	250.00	.0
10-421-68 COPIER EXPENSE	.00	211.46	350.00	138.54	60.4
10-421-70 IT SUPPORT	.00	.00	2,500.00	2,500.00	.0
10-421-71 COMPUTER SOFTWARE	.00	.00	4,000.00	4,000.00	.0
10-421-72 AMMUNITION	.00	.00	2,500.00	2,500.00	.0
10-421-73 LEXIPOLE	.00	2,727.26	2,750.00	22.74	99.2
10-421-85 ANIMAL CONTROL	.00	.00	100.00	100.00	.0
10-421-90 MEMBERSHIP DUES	.00	50.00	350.00	300.00	14.3
10-421-91 POLICE VEHICLE SINKING FUND	.00	.00	15,000.00	15,000.00	.0
TOTAL POLICE DEPARTMENT	39,533.66	98,283.46	388,555.00	290,271.54	25.3

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>BUILDING INSPECTION DEPARTMENT</u>					
10-424-20 BUILDING INSPECTIONS MATERIALS	.00	.00	200.00	200.00	.0
10-424-30 DEVELOPMENT REVIEW MISC EXP	.00	.00	3,000.00	3,000.00	.0
10-424-31 COMMERCIAL BUILDING REVIEW	.00	.00	12,000.00	12,000.00	.0
10-424-32 RESIDENTIAL BUILDING REVIEW	30.00	4,101.93	20,000.00	15,898.07	20.5
10-424-40 EMPLOYEE TRAINING	.00	.00	500.00	500.00	.0
TOTAL BUILDING INSPECTION DEPARTMEN	30.00	4,101.93	35,700.00	31,598.07	11.5
<u>PUBLIC WORKS ADMINISTRATION</u>					
10-430-11 SALARY - PW MAINTENANCE(1)	11,037.62	33,466.67	10,926.00	(22,540.67)	306.3
10-430-15 SALARY-PW SEASONAL (MOWING)	.00	.00	8,216.00	8,216.00	.0
10-430-16 PW EMPLOYEES-FULL TIME	.00	.00	76,746.00	76,746.00	.0
10-430-20 EMPLOYEE BENEFITS - PW	1,144.70	3,434.10	15,360.00	11,925.90	22.4
10-430-22 FICA & MEDICARE	810.99	2,460.49	7,335.00	4,874.51	33.5
10-430-23 457 RETIREMENT	226.26	701.32	2,302.00	1,600.68	30.5
10-430-25 UNEMPLOYMENT INSURANCE - PW	21.21	64.32	264.00	199.68	24.4
10-430-26 WORKERS' COMPENSATION - PW	.00	.00	3,800.00	3,800.00	.0
TOTAL PUBLIC WORKS ADMINISTRATION	13,240.78	40,126.90	124,949.00	84,822.10	32.1

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PUBLIC WORKS & STREETS DEPT</u>					
10-431-00 UNIFORMS - PW	.00	89.99	2,500.00	2,410.01	3.6
10-431-20 REPAIRS-EQUIPMENT & VEHICLES	3,665.28	9,038.59	15,000.00	5,961.41	60.3
10-431-21 STREETS-SIGNS & MATERIAL	37.78	91.60	2,000.00	1,908.40	4.6
10-431-22 SNOW REMOVAL	.00	31.23	30,000.00	29,968.77	.1
10-431-23 EQUIPMENT RENTAL	.00	.00	200.00	200.00	.0
10-431-24 REPAIRS & MAINTENANCE-STREETS	77.98	591.16	.00	(591.16)	.0
10-431-25 FARM HOUSE MAINT	79.00	1,223.80	5,000.00	3,776.20	24.5
10-431-28 FARM HOUSE UTILITIES	36.04	70.07	2,700.00	2,629.93	2.6
10-431-35 COPIER LEASE	.00	15.90	95.00	79.10	16.7
10-431-39 GIS	.00	.00	250.00	250.00	.0
10-431-40 EMPLOYEE TRAINING	.00	.00	2,500.00	2,500.00	.0
10-431-41 UTILITIES - ELECTRIC	106.86	249.76	1,500.00	1,250.24	16.7
10-431-43 BUIDING MAINT	341.66	1,826.96	20,000.00	18,173.04	9.1
10-431-45 UTILITIES-GAS	.00	948.46	1,200.00	251.54	79.0
10-431-46 CELL PHONE	.00	230.58	1,600.00	1,369.42	14.4
10-431-47 TELEPHONE & INTERNET	13.39	74.33	800.00	725.67	9.3
10-431-48 TRASH	.00	125.00	540.00	415.00	23.2
10-431-52 INSURANCE - PW	5.38	5,239.38	15,000.00	9,760.62	34.9
10-431-55 POSTAGE & SHIPPING-PW	.00	130.95	50.00	(80.95)	261.9
10-431-60 STREET LIGHTING - PW	1,490.36	3,236.33	18,000.00	14,763.67	18.0
10-431-61 OFFICE SUPPLIES	17.03	99.24	500.00	400.76	19.9
10-431-62 FUEL - PW	112.19	233.10	9,500.00	9,266.90	2.5
10-431-63 CONTRACT REFUSE REMOVAL - PW	.00	.00	2,000.00	2,000.00	.0
10-431-65 TREE PROGRAM	.00	.00	3,000.00	3,000.00	.0
10-431-66 PEST/WEED CONTROL - PW	46.98	46.98	1,600.00	1,553.02	2.9
10-431-68 COPIER EXPENSE	.00	211.46	78.00	(133.46)	271.1
10-431-70 IT SUPPORT	.00	.00	2,500.00	2,500.00	.0
10-431-71 COMPUTER SOFTWARE	.00	.00	424.00	424.00	.0
10-431-74 EQUIPMENT- CAPITAL OUTLAY	.00	.00	2,250.00	2,250.00	.0
10-431-76 PW VEHICLES SINKING FUND	.00	.00	15,000.00	15,000.00	.0
10-431-77 PW HEAVY EQUIP SINKING FUND	.00	.00	10,000.00	10,000.00	.0
10-431-99 OTHER MISCELLANEOUS - PW	32.10	68.78	.00	(68.78)	.0
TOTAL PUBLIC WORKS & STREETS DEPT	6,062.03	23,873.65	165,787.00	141,913.35	14.4
<u>STORMWATER</u>					
10-432-59 STORMWATER ENGINEERING/DESIGN	.00	.00	6,000.00	6,000.00	.0
10-432-60 STORMWATER CONSTRUCTION	.00	.00	5,000.00	5,000.00	.0
10-432-61 RETENTION/DETENTION POND MAINT	.00	.00	750.00	750.00	.0
10-432-62 CULVERT/DITCH MAINT	.00	.00	7,000.00	7,000.00	.0
10-432-63 3RD AVE STORM LIFT STATION	.00	.00	500.00	500.00	.0
10-432-64 STREET SWEEPING	.00	.00	1,200.00	1,200.00	.0
10-432-65 LEVEE REPAIR & MAINT	.00	346.78	5,000.00	4,653.22	6.9
TOTAL STORMWATER	.00	346.78	25,450.00	25,103.22	1.4

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
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GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PARK & RECREATION</u>					
10-451-11 SALARIES - P&R DIRECTOR (SEAS)	2,686.55	7,227.67	19,476.00	12,248.33	37.1
10-451-12 SALARIES - SUMMER HELP (SEAS)	.00	416.50	24,960.00	24,543.50	1.7
10-451-16 SALARIES-PW FULL-TIME	.00	.00	32,864.00	32,864.00	.0
10-451-20 EMPLOYEE BENEFITS	79.18	237.54	7,928.00	7,690.46	3.0
10-451-22 FICA P&R	205.53	584.79	5,913.00	5,328.21	9.9
10-451-23 RENTS	10.24	30.72	100.00	69.28	30.7
10-451-25 UNEMPLOYMENT INSURANCE	5.37	15.28	232.00	216.72	6.6
10-451-26 WORKERS' COMPENSATION	.00	.00	1,500.00	1,500.00	.0
10-451-30 SPECIAL EVENTS - P&R	.00	.00	1,000.00	1,000.00	.0
10-451-38 CELL PHONE	.00	76.86	400.00	323.14	19.2
10-451-39 TELEPHONE & INTERNET	13.39	74.31	300.00	225.69	24.8
10-451-40 TRAINING	.00	.00	1,000.00	1,000.00	.0
10-451-41 UTILITIES - ELECTRIC	714.30	1,428.60	12,000.00	10,571.40	11.9
10-451-42 PARK BUILDING MAINTENANCE	188.39	188.39	15,000.00	14,811.61	1.3
10-451-43 PARK REPAIR AND MAINTENANCE	.00	1,220.32	20,000.00	18,779.68	6.1
10-451-48 TRASH	.00	559.00	600.00	41.00	93.2
10-451-52 INSURANCE - P&R	.00	156.27	.00	(156.27)	.0
10-451-55 NEWSLETTERS/POSTCARDS/POSTAGE	43.14	43.14	1,200.00	1,156.86	3.6
10-451-60 BACKGROUND CHECKS	.00	.00	800.00	800.00	.0
10-451-61 OPERATING SUPPLIES - P&R	.00	.00	1,200.00	1,200.00	.0
10-451-62 PARKS & RECREATION PROGRAMS	.00	.00	2,000.00	2,000.00	.0
10-451-70 IT SUPPORT	.00	.00	100.00	100.00	.0
10-451-71 COMPUTER SOFTWARE	.00	350.00	1,500.00	1,150.00	23.3
10-451-83 SOFTBALL	.00	.00	2,750.00	2,750.00	.0
10-451-84 BASEBALL	.00	48.00	8,000.00	7,952.00	.6
10-451-86 VOLLEYBALL	.00	.00	1,000.00	1,000.00	.0
10-451-87 SOCCER	.00	126.22	1,800.00	1,673.78	7.0
10-451-88 SUMMER ACTIVITY	.00	.00	2,000.00	2,000.00	.0
10-451-90 UNIFORMS & EQUIPMENT P&R	.00	.00	150.00	150.00	.0
10-451-91 MISC FEES	.00	.00	300.00	300.00	.0
10-451-92 PARK CONCESSION EXPENSE	.00	.00	5,000.00	5,000.00	.0
10-451-93 MEMBERSHIP/PUBLICATIONS	.00	.00	200.00	200.00	.0
10-451-98 TRANSFER TO 1% SALES TAX FUND	.00	.00	55,000.00	55,000.00	.0
TOTAL PARK & RECREATION	3,946.09	12,783.61	226,273.00	213,489.39	5.7
TOTAL FUND EXPENDITURES	94,815.05	260,393.53	1,778,458.00	1,518,064.47	14.6
NET REVENUE OVER EXPENDITURES	244,010.10	215,839.11	(351,830.00)	(567,669.11)	61.4

TOWN OF WIGGINS
BALANCE SHEET
MARCH 31, 2024

WATER ENTERPRISE

ASSETS

20-10100	CASH IN COMBINED CASH FUND	985,455.56	
20-10120	CASH ON HAND	50.00	
20-10210	WATER ENTERPRISE CLEARING ACCT	7,603.69	
20-10250	COLOTRUST-WATER FUND	116.05	
20-10251	HIGH PLAINS WATER ENTPR FUND	183,552.05	
20-10260	COLOTRUST - DEVELOPMENT FEES	113.40	
20-10261	2011 USDA DEBT SERV RESERVE	101,695.18	
20-10262	2013 USDA DEBT SERV RESERVE	155,238.20	
20-10270	COLOTRUST-WATER BOND ACCOUNT	23.85	
20-10271	63.23% BOTW DEBT SERVICE	1,216.11	
20-10273	2020 BOTW LOAN--SINKING FUND	685,342.16	
20-10280	COLOTRUST-WATER BOND RESERVE	117.14	
20-10281	BANK OF THE WEST WTR RESRVS	21,217.95	
20-10282	2020 BOTW LOAN--D.S. RESERVE	255,874.14	
20-10290	OPERATION & MAINTENANCE FUND	116.13	
20-11500	ACCOUNTS RECEIVABLE	81,761.73	
20-14000	CWCB LOAN PROCEEDS ESCROW	1,133,775.50	
20-16100	LAND	661,549.57	
20-16200	WATER RIGHTS	5,022,202.92	
20-16300	CONSTRUCTION IN PROGRESS	222,706.00	
20-16400	PLANT EQUIPMENT	7,382,696.17	
20-16401	OTHER EQUIPMENT	28,834.06	
20-16410	ACCUMULATED DEPRECIATION	(2,104,785.76)	
	TOTAL ASSETS		14,826,471.80

LIABILITIES AND EQUITY

LIABILITIES

20-20200	ACCOUNTS PAYABLE	(4,296.02)	
20-20300	ACCRUED COMPENSATED ABSENCES	8,352.64	
20-20301	ACCR'D COMP ABS--CURR. PORTION	2,088.16	
20-20400	ACCRUED INTEREST PAYABLE	208,696.02	
20-22530	2013 USDA	449,858.98	
20-22540	REVENUE BOND PAYABLE-REA	2,586,254.50	
20-22550	BOTW LOAN--63.23% WATER	1,827,739.03	
20-22600	CAPITAL LEASES PAYABLE	180,038.55	
20-22650	2017 CWCB NOTE PAYABLE	2,408,850.00	
20-22900	CUSTOMER DEPOSIT LIABILITY	62,234.85	
	TOTAL LIABILITIES		7,729,816.71

FUND EQUITY

20-27900	RETAINED EARNINGS	7,080,177.67	
	UNAPPROPRIATED FUND BALANCE:		
20-29001	SUSPENSE	82,785.99	
	REVENUE OVER EXPENDITURES - YTD	(6,024.58)	
	BALANCE - CURRENT DATE		76,761.41

TOWN OF WIGGINS
BALANCE SHEET
MARCH 31, 2024

WATER ENTERPRISE

TOTAL FUND EQUITY	<hr/>	7,156,939.08
TOTAL LIABILITIES AND EQUITY		<u>14,886,755.79</u>

TOWN OF WIGGINS
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 3 MONTHS ENDING MARCH 31, 2024

WATER ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUES</u>					
20-34000 WATER SALES	65,551.74	199,989.08	1,019,736.00	819,746.92	19.6
20-34001 CUSTOMER DEPOSITS	.00	.00	500.00	500.00	.0
20-34002 BULK WATER SALES	.00	.00	200.00	200.00	.0
20-34440 TAP FEES & ACQUISITION FEES	.00	20,000.00	.00 (	20,000.00)	.0
20-34442 WATER METER SALES	.00	305.00	1,500.00	1,195.00	20.3
20-34450 MISCELLANEOUS WATER INCOME	495.00	1,005.00	15,000.00	13,995.00	6.7
20-36001 RENTAL INCOME	322.50	1,071.50	30,000.00	28,928.50	3.6
20-36012 GLASSEY REVENUE	.00	10,000.00	.00 (	10,000.00)	.0
20-36100 INTEREST EARNED	130.99	135.55	.00 (	135.55)	.0
TOTAL FUND REVENUE	66,500.23	232,506.13	1,066,936.00	834,429.87	21.8

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2024

WATER ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PROFESSIONAL SERVICES</u>					
20-410-13 FINANCIAL AUDIT	.00	.00	5,500.00	5,500.00	.0
20-410-30 LEGAL SERVICE	.00	.00	5,000.00	5,000.00	.0
20-410-31 WATER RIGHTS EXPENSES (LEGAL)	561.00	2,691.50	80,000.00	77,308.50	3.4
20-410-32 PROFESSIONAL SERVICES WATER	.00	9,745.67	90,000.00	80,254.33	10.8
20-410-33 POSTAGE	.00	251.88	1,200.00	948.12	21.0
20-410-34 WATER DEPOSIT REFUND	.00	.00	1,000.00	1,000.00	.0
20-410-38 PROFESSIONAL SERVICES ACCT	.00	.00	10,000.00	10,000.00	.0
20-410-40 TRAVEL, MEETINGS & TRAINING	.00	.00	4,000.00	4,000.00	.0
20-410-44 POSTAGE MACHINE LEASE	28.77	28.77	105.00	76.23	27.4
20-410-59 DESIGN/SYSTEM ENGINEERING	2,305.00	6,783.75	50,000.00	43,216.25	13.6
20-410-68 COPIER EXPENSE	.00	105.73	.00	(105.73)	.0
TOTAL PROFESSIONAL SERVICES	2,894.77	19,607.30	246,805.00	227,197.70	7.9
<u>WATER ADMINISTRATION</u>					
20-411-11 SALARY-TOWN CLERK	2,184.00	6,520.75	.00	(6,520.75)	.0
20-411-12 EMPLOYEE SALARY-ADMINISTRATION	.00	.00	62,715.00	62,715.00	.0
20-411-15 ADMINISTRATION DEPT EMPLOYEES	3,299.40	9,898.20	.00	(9,898.20)	.0
20-411-20 EMPLOYEE BENEFITS	285.14	1,379.72	10,405.00	9,025.28	13.3
20-411-21 COMPENSATED ABSENCE EXPENSE	.00	.00	1,000.00	1,000.00	.0
20-411-22 FICA & MEDICARE	419.50	1,243.30	4,798.00	3,554.70	25.9
20-411-23 457 RETIREMENT	251.78	754.40	2,706.00	1,951.60	27.9
20-411-25 UNEMPLOYMENT INSURANCE	8.14	29.68	188.00	158.32	15.8
20-411-26 WORKERS' COMPENSATION	.00	.00	175.00	175.00	.0
20-411-72 UTILITY BILLING SOFTWARE EXP	.00	.00	2,920.00	2,920.00	.0
TOTAL WATER ADMINISTRATION	6,447.96	19,826.05	84,907.00	65,080.95	23.4
<u>PUBLIC WORKS ADMINISTRATION</u>					
20-430-11 SALARY-PW MAINTENANCE	3,600.00	11,176.02	44,720.00	33,543.98	25.0
20-430-15 EMPL SALARY-PW P/T SEASONAL	.00	.00	7,332.00	7,332.00	.0
20-430-20 EMPLOYEE BENEFITS	532.76	1,598.28	7,432.00	5,833.72	21.5
20-430-22 FICA & MEDICARE	258.68	805.07	3,982.00	3,176.93	20.2
20-430-23 457 RETIREMENT	108.00	335.29	1,342.00	1,006.71	25.0
20-430-25 UNEMPLOYMENT INSURANCE	6.76	21.05	34.00	12.95	61.9
20-430-26 WORKERS' COMPENSATION	.00	.00	800.00	800.00	.0
TOTAL PUBLIC WORKS ADMINISTRATION	4,506.20	13,935.71	65,642.00	51,706.29	21.2

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2024

WATER ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>SUPPLIES</u>					
20-431-22 EQUIPMENT REPAIRS AND MAINT	.00	.00	5,000.00	5,000.00	.0
20-431-62 FUEL	.00	391.06	2,000.00	1,608.94	19.6
20-431-75 VEHICLE REPAIR	.00	.00	1,500.00	1,500.00	.0
TOTAL SUPPLIES	.00	391.06	8,500.00	8,108.94	4.6
<u>OPERATIONS</u>					
20-432-00 LINE MAINTENANCE	.00	.00	50,000.00	50,000.00	.0
20-432-05 UTILITY LOCATE EXPENSE	.00	.00	400.00	400.00	.0
20-432-30 CONTRACT OPERATOR	400.00	800.00	6,000.00	5,200.00	13.3
20-432-35 COPIER LEASE	.00	15.90	600.00	584.10	2.7
20-432-37 ANALYTICAL/SAMPLING EXPENSE	41.40	292.20	13,500.00	13,207.80	2.2
20-432-39 GIS	.00	.00	1,125.00	1,125.00	.0
20-432-40 TELEPHONE & INTERNET	60.86	776.18	2,000.00	1,223.82	38.8
20-432-41 UTILITIES-ELECTRIC	3,729.30	7,479.15	80,000.00	72,520.85	9.4
20-432-45 UTILITIES-GAS	.00	206.08	2,500.00	2,293.92	8.2
20-432-46 CELL PHONE	.00	.00	764.00	764.00	.0
20-432-48 TRASH	.00	125.00	100.00	(25.00)	125.0
20-432-49 UTILITIES-PROPANE	.00	197.50	7,000.00	6,802.50	2.8
20-432-50 PERMIT FEES	.00	.00	1,500.00	1,500.00	.0
20-432-52 INSURANCE AND BONDS	2.99	2,452.80	8,000.00	5,547.20	30.7
20-432-53 BOOSTER STATION MAINTENANCE	2.92	2.92	5,000.00	4,997.08	.1
20-432-54 WATER MAIN INSTALLATION EXP	.00	128.36	2,500.00	2,371.64	5.1
20-432-55 METER INSTALL EXPENSE	14.99	14.99	7,800.00	7,785.01	.2
20-432-56 MAINTENANCE (PLANT) RO	2,386.67	25,860.46	80,000.00	54,139.54	32.3
20-432-57 TREATMENT/OPERATING SUPPLIES	.00	1,160.99	8,000.00	6,839.01	14.5
20-432-59 WATER WELL MAINTENANCE	.00	.00	6,000.00	6,000.00	.0
20-432-61 OFFICE SUPPLIES	.00	.00	1,500.00	1,500.00	.0
20-432-68 COPIER EXPENSE	.00	.00	800.00	800.00	.0
20-432-70 IT SUPPORT	332.97	990.57	500.00	(490.57)	198.1
20-432-75 SYSTEM REPAIR & MAINTENANCE	559.78	692.62	2,000.00	1,307.38	34.6
20-432-85 WATER LEASES	.00	2,850.00	80,000.00	77,150.00	3.6
20-432-86 DEPRECIATION	.00	.00	154,705.00	154,705.00	.0
20-432-87 EQUIPMENT	.00	.00	15,000.00	15,000.00	.0
20-432-91 RO SINKING FUND	.00	.00	5,000.00	5,000.00	.0
20-432-99 OTHER MISCELLANEOUS EXPENSE	.00	92.11	1,000.00	907.89	9.2
TOTAL OPERATIONS	7,531.88	44,137.83	543,294.00	499,156.17	8.1

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2024

WATER ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>DEBT SERVICE</u>					
20-471-09 LOAN PMT-CWCB	.00	.00	45,000.00	45,000.00	.0
20-471-11 LOAN PAYMENT-USDA	.00	10,223.00	147,072.00	136,849.00	7.0
20-471-12 LEASE/PURCHASE PMT-KAMMERER	.00	10,531.26	42,125.00	31,593.74	25.0
20-471-13 BOTW SINKING FUND PAYMENT	.00	45,693.48	130,000.00	84,306.52	35.2
20-471-14 BOTW INTEREST PAYMENT	.00	74,185.02	95,000.00	20,814.98	78.1
TOTAL DEBT SERVICE	.00	140,632.76	459,197.00	318,564.24	30.6
TOTAL FUND EXPENDITURES	21,380.81	238,530.71	1,408,345.00	1,169,814.29	16.9
NET REVENUE OVER EXPENDITURES	45,119.42	(6,024.58)	(341,409.00)	(335,384.42)	(1.8)

TOWN OF WIGGINS
BALANCE SHEET
MARCH 31, 2024

SEWER ENTERPRISE

ASSETS

30-10100	CASH IN COMBINED CASH FUND	1,379,973.45	
30-10250	COLOTRUST FUND	117.71	
30-10251	HIGH PLAINS SEWER ENTPR FUND	63,893.03	
30-10260	COLOTRUST SEWER PROJECT	116.05	
30-10271	36.77% BOTW DEBT SERVICE	707.65	
30-10273	2020 BOTW LOAN--SINKING FUND	398,545.34	
30-10282	2020 BOTW LOAN--D.S. RESERVE	148,797.86	
30-10290	CD 1726--STORM SEWER WGNS SCH	12,344.09	
30-11500	ACCOUNTS RECEIVABLE	50,936.02	
30-16100	LAND	821,659.00	
30-16200	BUILDINGS	130,310.00	
30-16300	CONSTRUCTION IN PROGRESS	193,724.40	
30-16400	EQUIPMENT	2,478,842.91	
30-16401	OTHER EQUIPMENT	25,098.72	
30-16410	ACCUMULATED DEPRECIATION-EQ	(872,215.15)	
	TOTAL ASSETS		<u><u>4,832,851.08</u></u>

LIABILITIES AND EQUITY

LIABILITIES

30-20200	ACCOUNTS PAYABLE	10,172.41	
30-20300	ACCRUED COMPENSATED ABSENCES	8,216.51	
30-20301	ACCR'D COMP ABS--CURR. PORTION	2,054.13	
30-20400	ACCRUED INTEREST PAYABLE	7,979.55	
30-22550	BOTH 36.77% SEWER LOAN	1,062,880.97	
30-22900	CUSTOMER DEPOSIT LIABILITY	7,954.90	
30-22905	DEVELOPER PERFORMANCE DEPOSIT	11,750.00	
	TOTAL LIABILITIES		1,111,008.47

FUND EQUITY

30-27900	RETAINED EARNINGS	3,738,851.50	
	UNAPPROPRIATED FUND BALANCE:		
30-29001	SUSPENSE	48,142.35	
	REVENUE OVER EXPENDITURES - YTD	(31,837.52)	
	BALANCE - CURRENT DATE	<u>16,304.83</u>	
	TOTAL FUND EQUITY		<u>3,755,156.33</u>
	TOTAL LIABILITIES AND EQUITY		<u><u>4,866,164.80</u></u>

TOWN OF WIGGINS
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 3 MONTHS ENDING MARCH 31, 2024

SEWER ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUES</u>					
30-34000 SEWER SALES	38,293.98	115,152.99	458,348.00	343,195.01	25.1
30-34001 CUSTOMER DEPOSITS	.00	.00	150.00	150.00	.0
30-34440 TAP FEES	.00	8,000.00	.00	(8,000.00)	.0
30-36100 INTEREST EARNED	.00	2.24	100.00	97.76	2.2
TOTAL FUND REVENUE	38,293.98	123,155.23	458,598.00	335,442.77	26.9

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2024

SEWER ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PROFESSIONAL SERVICES</u>					
30-410-13 FINANCIAL AUDIT	.00	.00	5,500.00	5,500.00	.0
30-410-30 LEGAL SERVICE	.00	.00	2,000.00	2,000.00	.0
30-410-32 PROFESSIONAL SERVICES	.00	2,549.57	10,000.00	7,450.43	25.5
30-410-33 POSTAGE	.00	251.88	1,000.00	748.12	25.2
30-410-34 SEWER DEPOSIT REFUND	.00	.00	500.00	500.00	.0
30-410-35 COPIER LEASE	.00	15.90	125.00	109.10	12.7
30-410-40 TRAINING	.00	.00	2,000.00	2,000.00	.0
30-410-44 POSTAGE MACHINE LEASE	28.77	28.77	105.00	76.23	27.4
30-410-67 OFFICE SUPPLIES	.00	.00	100.00	100.00	.0
30-410-68 COPIER EXPENSE	.00	105.73	200.00	94.27	52.9
TOTAL PROFESSIONAL SERVICES	28.77	2,951.85	21,530.00	18,578.15	13.7

SEWER ADMINISTRATION

30-411-11 SALARY-TOWN CLERK	1,889.34	5,636.77	.00 (	5,636.77)	.0
30-411-14 EMPLOYEE SALARIES-ADMIN	.00	.00	54,931.00	54,931.00	.0
30-411-15 ADMINISTRATION DEPT EMPLOYEES	3,299.38	9,898.14	.00 (	9,898.14)	.0
30-411-20 EMPLOYEE BENEFITS	284.86	1,378.88	10,405.00	9,026.12	13.3
30-411-21 COMPENSATED ABSENCE EXPENSE	.00	.00	950.00	950.00	.0
30-411-22 FICA & MEDICARE	396.94	1,175.53	4,202.00	3,026.47	28.0
30-411-23 457 RETIREMENT	242.96	727.95	1,722.00	994.05	42.3
30-411-25 UNEMPLOYMENT INSURANCE	7.54	27.92	165.00	137.08	16.9
30-411-26 WORKERS' COMPENSATION	.00	.00	200.00	200.00	.0
30-411-70 IT SUPPORT	332.96	990.56	250.00 (	740.56)	396.2
30-411-72 UTILITY SOFTWARE EXPENSE	.00	.00	2,920.00	2,920.00	.0
TOTAL SEWER ADMINISTRATION	6,453.98	19,835.75	75,745.00	55,909.25	26.2

PUBLIC WORKS ADMINISTRATION

30-430-11 SALARY-PW MAINTENANCE	3,600.00	11,176.02	.00 (	11,176.02)	.0
30-430-12 SALARY-PW MAINTENANCE	.00	.00	44,720.00	44,720.00	.0
30-430-13 EMPL SALARY-PW P/T SEASONAL	.00	.00	7,332.00	7,332.00	.0
30-430-20 EMPLOYEE BENEFITS	532.76	1,598.28	7,432.00	5,833.72	21.5
30-430-22 FICA & MEDICARE	258.72	805.19	3,982.00	3,176.81	20.2
30-430-23 457 RETIREMENT	108.00	335.29	1,342.00	1,006.71	25.0
30-430-25 UNEMPLOYMENT	6.76	21.04	34.00	12.96	61.9
30-430-26 WORKERS' COMPENSATION	.00	.00	800.00	800.00	.0
TOTAL PUBLIC WORKS ADMINISTRATION	4,506.24	13,935.82	65,642.00	51,706.18	21.2

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2024

SEWER ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>WWTP</u>					
30-431-22 EQUIPMENT MAINTENANCE/REPAIRS	.00	.00	1,500.00	1,500.00	.0
30-431-41 UTILITIES-ELECTRIC	.00	.00	500.00	500.00	.0
30-431-45 UTILITIES-GAS	.00	.00	400.00	400.00	.0
30-431-48 TRASH	.00	.00	876.00	876.00	.0
30-431-51 WWTP ENGINEERING & CONTINGENCY	.00	.00	7,500.00	7,500.00	.0
30-431-59 ENGINEERING DESIGN	.00	.00	15,000.00	15,000.00	.0
30-431-62 FUEL	.00	168.34	800.00	631.66	21.0
30-431-74 CAPITAL OUTLAY WWTP	17,712.71	17,581.60	25,000.00	7,418.40	70.3
30-431-75 VEHICLE REPAIRS	.00	.00	5,000.00	5,000.00	.0
TOTAL WWTP	17,712.71	17,749.94	56,576.00	38,826.06	31.4
<u>OPERATIONS</u>					
30-432-00 LINE MAINTENANCE	.00	.00	7,500.00	7,500.00	.0
30-432-05 UTILITY LOCATE EXPENSE	.00	.00	500.00	500.00	.0
30-432-30 CONTRACT OPERATOR	400.00	800.00	4,800.00	4,000.00	16.7
30-432-39 COMPUTER SOFTWARE-GIS	.00	.00	1,200.00	1,200.00	.0
30-432-41 UTILITIES-ELECTRIC	2,446.54	4,905.44	28,000.00	23,094.56	17.5
30-432-42 TELEPHONE/INTERNET	40.77	396.95	750.00	353.05	52.9
30-432-45 UTILITIES --GAS	.00	.00	1,200.00	1,200.00	.0
30-432-46 CELL PHONE	.00	.00	300.00	300.00	.0
30-432-48 TRASH	.00	75.00	750.00	675.00	10.0
30-432-50 PERMIT FEES	.00	.00	3,500.00	3,500.00	.0
30-432-51 ANALYTICAL/SAMPLING EXPENSE	1,185.00	2,116.00	8,000.00	5,884.00	26.5
30-432-52 INSURANCE AND BONDS	2.99	2,257.46	9,000.00	6,742.54	25.1
30-432-53 SEWER CLEANING/VIDEO	.00	.00	20,000.00	20,000.00	.0
30-432-54 INSTALLATION OF LINE EXPENSE	.00	.00	500.00	500.00	.0
30-432-55 GENERAL MAINT CENT LIFT ST	.00	.00	500.00	500.00	.0
30-432-56 GENERAL MAINTENANCE OF PLANT	1,396.97	6,256.66	15,000.00	8,743.34	41.7
30-432-57 GENERAL MAINT JOHNSON LT ST	522.93	11,174.09	2,500.00	(8,674.09)	447.0
30-432-59 ENGINEERING DESIGN	.00	.00	5,000.00	5,000.00	.0
30-432-60 TREATMENT OPERATIONS	.00	2,813.20	8,500.00	5,686.80	33.1
30-432-61 OFFICE SUPPLIES	.00	.00	200.00	200.00	.0
30-432-75 CAPITAL OUTLAY - LINES	.00	.00	60,000.00	60,000.00	.0
30-432-86 DEPRECIATION	.00	.00	51,000.00	51,000.00	.0
30-432-99 OTHER MISCELLANEOUS EXPENSE	.00	11.91	1,000.00	988.09	1.2
TOTAL OPERATIONS	5,995.20	30,806.71	229,700.00	198,893.29	13.4
<u>DEBT SERVICE</u>					
30-471-13 BOTW SINKING FUND PAYMENT	.00	48,142.35	96,536.00	48,393.65	49.9
30-471-14 BOTW INTEREST PAYMENT	.00	21,570.33	70,000.00	48,429.67	30.8
TOTAL DEBT SERVICE	.00	69,712.68	166,536.00	96,823.32	41.9

TOWN OF WIGGINS
 EXPENDITURES WITH COMPARISON TO BUDGET
 FOR THE 3 MONTHS ENDING MARCH 31, 2024

SEWER ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
TOTAL FUND EXPENDITURES	34,696.90	154,992.75	615,729.00	460,736.25	25.2
NET REVENUE OVER EXPENDITURES	3,597.08	(31,837.52)	(157,131.00)	(125,293.48)	(20.3)

TOWN OF WIGGINS
BALANCE SHEET
MARCH 31, 2024

SALES TAX CAPITAL IMPROVEMENT

<u>ASSETS</u>			
40-10100	CASH IN COMBINED CASH FUND	789,238.98	
40-10250	COLOTRUST FUND	116.05	
40-10251	HIGH PLAINS 1% TAX FUND	15,279.88	
40-11500	ACCOUNTS RECEIVABLE	47,251.91	
	TOTAL ASSETS		851,886.82
<u>LIABILITIES AND EQUITY</u>			
<u>LIABILITIES</u>			
40-25320	FUND BALANCE	805,194.48	
	TOTAL LIABILITIES		805,194.48
<u>FUND EQUITY</u>			
	UNAPPROPRIATED FUND BALANCE:		
	REVENUE OVER EXPENDITURES - YTD	68,167.45	
	BALANCE - CURRENT DATE	68,167.45	
	TOTAL FUND EQUITY		68,167.45
	TOTAL LIABILITIES AND EQUITY		873,361.93

TOWN OF WIGGINS
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 3 MONTHS ENDING MARCH 31, 2024

SALES TAX CAPITAL IMPROVEMENT

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUES</u>						
40-31300	1% TOWN SALES TAX	21,475.11	68,722.30	310,000.00	241,277.70	22.2
40-36100	INTEREST EARNED	6.48	20.15	50.00	29.85	40.3
40-39112	TRANSFER FROM GENERAL FUND	.00	.00	55,000.00	55,000.00	.0
TOTAL FUND REVENUE		21,481.59	68,742.45	365,050.00	296,307.55	18.8

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2024

SALES TAX CAPITAL IMPROVEMENT

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>CAPITAL PROJECTS</u>					
40-430-05 CIP-NORTH STORM DETENTION	.00	.00	75,000.00	75,000.00	.0
40-430-16 CIP-TOWN HALL DIGITAL SIGN	.00	.00	2,500.00	2,500.00	.0
40-430-18 CIP-NON POT WATER MAIN	.00	.00	160,000.00	160,000.00	.0
40-430-21 CIP-PARK PAVILION BLDG	575.00	575.00	125,000.00	124,425.00	.5
40-430-22 CIP-ENTRY SIGN IMPROVEMENTS	.00	.00	10,000.00	10,000.00	.0
TOTAL CAPITAL PROJECTS	575.00	575.00	372,500.00	371,925.00	.2
TOTAL FUND EXPENDITURES	575.00	575.00	372,500.00	371,925.00	.2
NET REVENUE OVER EXPENDITURES	20,906.59	68,167.45	(7,450.00)	(75,617.45)	915.0

TOWN OF WIGGINS
 BALANCE SHEET
 MARCH 31, 2024

SALES TAX STREETS

ASSETS

45-10100	CASH IN COMBINED CASH FUND	(	727,763.29)	
45-11500	ACCOUNTS RECEIVABLE		47,251.91	
			<u>47,251.91</u>	
	TOTAL ASSETS			(680,511.38)

LIABILITIES AND EQUITY

LIABILITIES

45-20200	ACCOUNTS PAYABLE		200.00	
45-25320	FUND BALANCE	(	727,758.55)	
			<u>727,758.55</u>	
	TOTAL LIABILITIES			(727,558.55)

FUND EQUITY

	UNAPPROPRIATED FUND BALANCE:			
	REVENUE OVER EXPENDITURES - YTD		68,522.28	
			<u>68,522.28</u>	
	BALANCE - CURRENT DATE		68,522.28	
			<u>68,522.28</u>	
	TOTAL FUND EQUITY			68,522.28
	TOTAL LIABILITIES AND EQUITY			(659,036.27)

TOWN OF WIGGINS
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 3 MONTHS ENDING MARCH 31, 2024

SALES TAX STREETS

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUES</u>						
45-31300	1% TOWN SALES TAX (2022)	21,475.11	68,722.28	310,000.00	241,277.72	22.2
45-36100	INTEREST EARNED	.00	.00	5.00	5.00	.0
45-39111	TRANSFER FROM 1% CIP SALES TAX	.00	.00	304,995.00	304,995.00	.0
TOTAL FUND REVENUE		21,475.11	68,722.28	615,000.00	546,277.72	11.2

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2024

SALES TAX STREETS

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>CAPITAL PROJECTS</u>					
45-430-10 CIP-MAIN STREET C&G 3RD TO 5TH	.00	.00	10,000.00	10,000.00	.0
45-430-11 CIP-CHAPMAN 3RD TO 4TH	.00	.00	300,000.00	300,000.00	.0
45-430-12 CIP-3RD AVE CHAPMAN TO MAIN ST	.00	.00	250,000.00	250,000.00	.0
45-430-59 CIP ENGINEERING SERVICES	.00	.00	15,000.00	15,000.00	.0
TOTAL CAPITAL PROJECTS	.00	.00	575,000.00	575,000.00	.0
<u>DEPARTMENT 431</u>					
45-431-22 REPAIRS & MAINTENANCE-STREETS	.00	200.00	50,000.00	49,800.00	.4
45-431-24 SNOW REMOVAL	.00	.00	15,000.00	15,000.00	.0
TOTAL DEPARTMENT 431	.00	200.00	65,000.00	64,800.00	.3
TOTAL FUND EXPENDITURES	.00	200.00	640,000.00	639,800.00	.0
NET REVENUE OVER EXPENDITURES	21,475.11	68,522.28	(25,000.00)	(93,522.28)	274.1

TOWN OF WIGGINS
 BALANCE SHEET
 MARCH 31, 2024

CONSERVATION TRUST

ASSETS

50-10100	CASH IN COMBINED CASH FUND	47,429.27	
50-10250	COLOTRUST FUND	115.65	
50-10251	HIGH PLAINS CNSRVTN TRST FUND	14,280.48	
		<u> </u>	
	TOTAL ASSETS		<u><u>61,825.40</u></u>

LIABILITIES AND EQUITY

LIABILITIES

50-25320	FUND BALANCE	56,468.47	
		<u> </u>	
	TOTAL LIABILITIES		56,468.47

FUND EQUITY

	UNAPPROPRIATED FUND BALANCE:		
	REVENUE OVER EXPENDITURES - YTD	5,356.93	
		<u> </u>	
	BALANCE - CURRENT DATE	5,356.93	
		<u> </u>	
	TOTAL FUND EQUITY		<u>5,356.93</u>
	TOTAL LIABILITIES AND EQUITY		<u><u>61,825.40</u></u>

TOWN OF WIGGINS
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 3 MONTHS ENDING MARCH 31, 2024

CONSERVATION TRUST

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUES</u>					
50-33501 CT - ST PROCEEDS (LOTTERY)	5,355.81	5,355.81	20,000.00	14,644.19	26.8
50-36100 INTEREST EARNED	.00	1.12	30.00	28.88	3.7
TOTAL FUND REVENUE	5,355.81	5,356.93	20,030.00	14,673.07	26.7

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 3 MONTHS ENDING MARCH 31, 2024

CONSERVATION TRUST

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>DEPARTMENT 430</u>					
50-430-17 CAPITAL OUTLAY -BLEACHER SHADE	.00	.00	12,000.00	12,000.00	.0
50-430-18 CAPITAL OUTLAY-SPRY PAD	.00	.00	50,000.00	50,000.00	.0
50-430-19 CAPTAL OUTLAY-K PARK PG SOD	.00	.00	5,000.00	5,000.00	.0
TOTAL DEPARTMENT 430	.00	.00	67,000.00	67,000.00	.0
<u>PARK OPERATIONS</u>					
50-452-60 REPAIRS AND MAINTENANCE	.00	.00	2,500.00	2,500.00	.0
TOTAL PARK OPERATIONS	.00	.00	2,500.00	2,500.00	.0
TOTAL FUND EXPENDITURES	.00	.00	69,500.00	69,500.00	.0
NET REVENUE OVER EXPENDITURES	5,355.81	5,356.93	(49,470.00)	(54,826.93)	10.8



STAFF SUMMARY

Board of Trustees Meeting April 24, 2024

DATE: April 17, 2024

AGENDA ITEM NUMBER: 5

TOPIC: Consideration of Codification of Town Ordinances and Land Development Code as the Municipal Code for the Town of Wiggins – First Reading

STAFF MEMBER RESPONSIBLE: Hope Becker, Planning & Zoning Administrator

BACKGROUND:

Codification is the process of taking the Town's Ordinances and organizing them into a concise Municipal Code document. The process of codification allows local governments to identify inconsistent and duplicate laws. The Town's various ordinances over time can become vague and uncertain due to amendments, repeals, and redundancy. The Municipal Code can be in paper and electronic digital format uploaded to the Town's web site, allowing users to do key word searches and get results from all Town ordinances. Users can also subscribe to receive email updates as new ordinances are adopted and added to the Municipal Code.

The Town received a grant from the Statewide Internet Portal Authority (SIPA) in the amount of \$6,500 to go toward the codification of the Town's ordinances. The Board of Trustees approved Resolution 39-2022, recognizing the SIPA grant on October 26, 2022. The Board of Trustees approved Resolution 07-2023 on January 25, 2023 to enter into a contract with American Legal to codify the Town's Ordinances.

SUMMARY:

American Legal has completed the codification and the Town's Municipal code is ready for adoption by the Board of Trustees. The approval process for the codification requires the Board of Trustees to introduce the ordinance in a meeting and set the public hearing for approval. Staff will then advertise the public hearing eight and 15 days prior to the hearing date. Staff has prepared a draft ordinance for the Board of Trustees to review.

Staff presented the codification ordinance to the Board of Trustees at the Work Session on April 10, 2024. The Board of Trustees asked a few questions regarding how the codification would be organized and presented on the Town's website.

FISCAL IMPACT:

Approving the Ordinance and setting the hearing date will not have a negative impact on the Town's budget. Future Budgets will need to include annual codification fees (estimated at \$500.00 per year) to incorporate new ordinances and to maintain online hosting.

APPLICABILITY TO TOWN OBJECTIVES AND GOALS TO PROVIDE SERVICES:

Codifying the Town's Ordinances and Land Development Code supports the Town's goals to continue providing public access and transparency to the community.

OPTIONS AVAILABLE TO THE BOARD OF TRUSTEES:

The Board can approve the resolution to set the public hearing date for the Ordinance approving the codification, the Board can request modifications to the resolution, or not approve the resolution.

MOTION FOR APPROVAL:

I make a motion to approve the First Reading of Ordinance 02-2024 – An Ordinance Adopting by Reference and Enacting a New Municipal Code for the Town of Wiggins; Providing for the Repeal of Certain Ordinances not Included Therein; Providing for the Adoption of Secondary Codes by Reference; Providing a Penalty for the Violation Thereof; Providing for the Manner of Amending Such Code; and Providing When Such Code and this Ordinance shall Become Effective and Setting a Public Hearing Date for May 22, 2024.

ACTION REQUESTED:

MOTION, SECOND, ROLL-CALL VOTE

(Ordinances require affirmative votes from the majority of Trustees present)

**TOWN OF WIGGINS, COLORADO
ORDINANCE NO. 02-2024**

AN ORDINANCE ADOPTING BY REFERENCE AND ENACTING A NEW MUNICIPAL CODE FOR THE TOWN OF WIGGINS; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR THE ADOPTION OF SECONDARY CODES BY REFERENCE; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

WHEREAS, Town staff and American Legal Publishing Corporation have prepared a codification of the general and permanent ordinances of the Town of Wiggins; and

WHEREAS, the Board of Trustees desires to adopt the new code of ordinances; and

WHEREAS, the Board of Trustees after proper notice has held a public hearing on this ordinance providing for the adoption of the new Town of Wiggins Code of Ordinances.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF WIGGINS, COLORADO:

Section 1. The code entitled the *Town of Wiggins, Colorado Code of Ordinances*, published by American Legal Publishing Corporation, consisting of Titles I through XV, and the tables and indices thereto, each inclusive (the “Code”), is hereby adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before the adoption date of this Ordinance, which are inconsistent with the provisions of the *Town of Wiggins, Colorado Code of Ordinances*, to the extent of such inconsistency, are hereby repealed.

Section 3. The repeal established in Section 2 of this Ordinance shall not be construed to revive any ordinance or part thereof that had been previously repealed by any ordinance which is repealed by this Ordinance.

Section 4. The following secondary codes were previously adopted by reference and incorporated in the *Town of Wiggins, Colorado Code of Ordinances*. One (1) copy of each is on file in the Town Clerk’s office:

(1) The *Model Traffic Code for Colorado*, 2020 edition, promulgated and published by the Colorado Department of Transportation, Traffic Engineering and Safety Branch, as adopted and amended in Chapter 70 of the Code.

(2) The *International Building Code*, 2018 Edition, as published by the International Code Council, as adopted and amended in Chapter 151 of the Code.

(3) The *International Residential Code*, 2018 Edition, as published by the International Code Council, as adopted and amended in Chapter 151 of the Code.

(4) The *International Mechanical Code*, 2018 Edition, as published by the International Code Council, as adopted and amended in Chapter 151 of the Code.

(5) The *International Fuel Gas Code*, 2018 Edition, as published by the International Code Council, as adopted and amended in Chapter 151 of the Code.

(6) The *International Energy Conservation Code*, 2018 Edition, as published by the International Code Council, as adopted and amended in Chapter 151 of the Code.

(7) The *International Property Maintenance Code*, 2018 Edition, as published by the International Code Council, as adopted and amended in Chapter 151 of the Code.

(8) The *International Existing Building Code*, 2018 Edition, as published by the International Code Council, as adopted and amended in Chapter 151 of the Code.

(9) The *International Swimming Pool and Spa Code*, 2018 Edition, as published by the International Code Council, as adopted and amended in Chapter 151 of the Code.

(10) *International Plumbing Code*, 2018 Edition, as published by the International Code Council, as adopted and amended in Chapter 151 of the Code.

(11) National Electrical Code NFPA 70, 2020 Edition, as promulgated by the National Fire Protection Association, Inc., as adopted and amended in Chapter 151 of the Code.

Section 5. The penalties provided by the *Town of Wiggins, Colorado Code of Ordinances* are hereby adopted as follows:

§ 10.99 General Penalty (Chapter 10, General Provisions)

(A) Violations. It is a violation of this code for any person to do any act which is forbidden or declared to be unlawful or to fail to do or perform any act required in this code.

(B) General penalty for violation.

(1) Unless otherwise provided in this code or by ordinance, whenever in this code or any other ordinance, resolution or rule of the town, the doing of any act is required, prohibited or declared to be unlawful or an offense or a misdemeanor, and no definite fine or specific penalty is provided for a violation thereof, any person who shall be convicted of or plead guilty or no contest to a violation of any such provision of this code or other ordinance, resolution or rule of the town, whether now in existence or hereinafter enacted, shall be punished by a fine of not more than \$2,650, as shall be adjusted for inflation annually in accordance with C.R.S. § 13-10-113, except as hereinafter provided in division (D) below. In

addition, such person shall pay all costs and expenses in the case, including attorney fees. Every day such violation continues shall constitute a separate offense.

(2) Whenever in this code or any ordinance of the town a minimum but not a maximum fine or penalty is imposed, the court may, in its discretion, fine the offender any sum exceeding the minimum fine or penalty so imposed, but not exceeding the maximum fine set forth in division (B)(1) above.

(3) The suspension or revocation of any license, permit or other privilege conferred by the town shall not be regarded as a penalty for the purposes of this code.

(4) All penalties in codes adopted by reference in this code are hereby superseded by this section.

(C) Application of penalties to juveniles. Every person who, at the time of commission of the offense, was at least ten but not yet 18 years of age, and who is subsequently convicted of or pleads guilty or nolo contendere to a violation of any provision of this code, shall be punished by a fine of not more than the maximum fine set forth in division (B) above per violation or count. Any voluntary plea of guilty or nolo contendere to the original charge or to a lesser or substituted charge shall subject the person so pleading to all fines and/or penalties applicable to the original charge. Nothing in this division (C) shall be construed to prohibit confinement in an appropriate facility, at the time of charging, of a juvenile violating any section of this code in accordance with state law.

(D) Penalty for violations of ordinances adopted after adoption of code. Any person who violates any provision of any ordinance of a permanent and general nature passed or adopted after adoption of this code, either before or after it has been inserted in this code by a supplement, shall, upon conviction thereof, be punishable as provided by division (A) above unless another penalty is specifically provided for the violation.

(E) Interpretation of unlawful acts. Whenever in this code any act or omission is made unlawful, it is also unlawful to cause, allow, permit, aid, abet or suffer such unlawful act or omission. Concealing or in any manner aiding in the concealing of any unlawful act or omission is similarly unlawful.

§ 33.14 Violations (Chapter 33, Taxation, Use Tax)

It is a violation of this subchapter for any person subject to the tax levied by this subchapter to refuse to make any return provided to be made; to make any false or fraudulent return or any false statements in any return; to fail or refuse to make payment to the Town Manager of any taxes due the town; or in any manner to evade the payment of the tax, or any part thereof imposed by this subchapter; or for any person to aid or abet another in any attempt to evade the payment of the tax imposed by this subchapter.

§ 33.99 Penalty (Chapter 33, Taxation, Lodging Occupation Tax)

(A) Any person convicted of a violation of this chapter shall be punished as provided in § 10.99 of this code.

(B) It is a violation of §§ 33.01 through 33.14 for any person subject to the tax levied by §§ 33.01 through 33.14 to refuse to make any return provided to be made; to make any false or fraudulent return or any false statements in any return; to fail or refuse to make payment to the Town Manager of any taxes due the town; or in any manner to evade the payment of the tax, or any part thereof imposed by §§ 33.01 through 33.14; or for any person to aid or abet another in any attempt to evade the payment of the tax imposed by §§ 33.01 through 33.14. Any person convicted of a violation of §§ 33.01 through 33.14 shall be punished by a fine of not more than \$2,650 (as adjusted for inflation from time to time, pursuant to C.R.S. § 13-10-113). Each day a violation exists shall be considered a separate punishable violation.

(C) (1) Any person convicted of a violation of §§ 33.25 through 33.40 shall be punished by a fine of not more than \$2,650 (as adjusted for inflation from time to time, pursuant to C.R.S. § 13-10-113). Each day, or portion thereof, that any violation of §§ 33.25 through 33.40 continues shall constitute a separate offense.

(2) A penalty in the amount of 10% of the tax due or the sum of \$10, whichever is greater, shall be imposed upon the vendor and become due in the event the tax is not remitted by the tenth day of the month as required by §§ 33.25 through 33.40, or such other date as prescribed in writing by the Town Clerk, and 1.5% interest shall accrue each month on the unpaid balance. The Town Clerk is hereby authorized to waive for good cause shown any penalty assessed.

(3) Any part of a deficiency is due to negligence or intentional disregard of the provisions of §§ 33.25 through 33.40 or rules and regulations concerning the same, but without intent to defraud, then there shall be added 10% of the total amount of the deficiency. If any part of the deficiency is due to fraud with the intent to evade the tax, then there shall be added 50% of total amount of the deficiency. The penalty under this division (C)(3) shall be in addition to the penalty under division (C)(2) above, and, in all cases, the whole amount of the unpaid tax, together with all penalties and interest, shall become due and payable ten days after written notice and demand by the Town Clerk.

(4) If any vendor fails to make a return and pay the tax imposed by §§ 33.25 through 33.40, the town may make an estimate, based upon available information of the amount of tax due and add the penalties and interest provided above. The town shall mail notice of such estimate, by certified mail, to the vendor at his or her address as indicated in the town records. Such estimate shall thereupon become an assessment, and such assessment shall be final and due and payable from the taxpayer to the Town Clerk ten days from the date of service of the notice or the date of mailing by certified mail; provided, however, that within the ten-day period such delinquent taxpayer may petition the Town Clerk for a modification of such assessment and shall, within such ten-day period, furnish

the Town Clerk the documents, facts and figures showing the correct amount of the taxes due and owing.

(5) Such petition shall be in writing and the facts and figures submitted shall be submitted either in writing or orally, and shall be given by the taxpayer under penalty or perjury. Thereupon, the Town Clerk may modify such assessment in accordance with the facts submitted in order to effectuate the provisions of §§ 33.25 through 33.40. Such assessment shall be considered the final order of the Town Clerk, and may be reviewed under the Rule 106(a)(4) of the Colorado Rules of Civil Procedure, provided that the taxpayer gives written notice to the Town Clerk of its intention to seek review within ten days after receipt of the final order of assessment.

§ 50.99 Penalty (Chapter 50, Public Utilities)

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) Any person convicted of violating any of the provisions of §§ 50.01 through 50.04 shall be punished by a fine of not less than \$250 and not more than \$2,650, as shall be adjusted for inflation from time to time, pursuant to C.R.S. § 13-10-113. Each act or omission in violation of one or more of the provisions of §§ 50.01 through 50.04 shall be deemed a separate violation for each and every day that such act(s) or omission(s) occur(s).

§ 52.99 Penalty (Chapter 52, Water Conservation)

(A) Any person violating any provision of this chapter may be punished by a minimum fine of \$250 and a maximum fine of \$2,650, as shall be adjusted for inflation from time to time pursuant to C.R.S. § 13-10-113. Each day that a violation of this chapter occurs is a separate offense.

(B) (1) Upon a third and each subsequent conviction for such an offense, and in addition to such fine, the town may discontinue water service to the property served, or the town may install a flow restriction device, at the expense of the customer, upon the service line to the property served to limit water service to that necessary for health and sanitary purposes only.

(2) At least ten days' notice and an opportunity to be heard before the Town Manager shall be given prior to each discontinuance or restriction of water service pursuant to this chapter.

§ 53.00 Penalty (Chapter 53, Backflow and Cross Connections)

Any person convicted of violating any of the provisions of this chapter shall be punished by a fine of not less than \$150 and not more than \$2,650, as shall be adjusted for inflation from time to time pursuant to C.R.S. § 13-10-113. Each act or omission in violation of one or more of the provisions of this chapter shall be deemed a separate violation for each and every day that such act(s) or omission(s) occur.

§ 70.07 Violations; Traffic Offenses (Chapter 70, Model Traffic Code)

The violation of the following sections of the Model Traffic Code, as adopted herein, shall constitute a criminal traffic offense and shall be punishable by a fine not exceeding \$2,650, as shall be adjusted for inflation from time to time pursuant to C.R.S. § 13-10-113, or by imprisonment of not more than 364 days, or by both such fine and imprisonment:

- (A) Section 607 of the Model Traffic Code, interference with official devices;
- (B) Section 705 of the Model Traffic Code, operation on approach of emergency vehicles;
- (C) Section 1101 of the Model Traffic Code, where the speed as driven is 24 mph or more over the lawful speed limit;
- (D) Section 1105 of the Model Traffic Code, speed contest;
- (E) Section 1401 of the Model Traffic Code, reckless driving;
- (F) Section 1402(2) of the Model Traffic Code, careless driving, if the person's actions are the proximate cause of bodily injury or death to another;
- (G) Section 1409 of the Model Traffic Code, compulsory insurance;
- (H) Section 1413 of the Model Traffic Code, eluding or attempting to elude a police officer;
- (I) Section 1703 of the Model Traffic Code, parties to a crime; and
- (J) Section 1903 of the Model Traffic Code, stopping for school buses.

§ 70.06 Violations; Traffic Infractions (Chapter 70, Model Traffic Code)

(A) (1) It shall be unlawful for any person to violate any of the provisions of this chapter and the Model Traffic Code as adopted herein. Except as set forth in § 70.07, violations of the Model Traffic Code are hereby deemed non-criminal traffic infractions.

(2) A traffic infraction shall be a civil matter for which punishment by imprisonment shall not be available, for which a penalty assessment notice may be issued and for which is punishable by a maximum fine of \$500.

(B) For any violation of any provision of this chapter and the Model Traffic Code as adopted hereby which is a traffic infraction, no trial by jury shall be available, no arrest warrant shall issue for failure to appear or to pay, no privilege of self-incrimination shall apply, the standard of proof shall be a preponderance of the evidence and the conduct of all proceedings applicable to such a violation shall otherwise be in conformity with those generally applicable to civil matters.

(C) The Municipal Court shall, in addition to any other notice, by published order to be prominently posted in a place where fines are to be paid, specify by suitable schedules the number of fines to be imposed for violations, designating each violation specifically in the schedules. Such fines will be within the limits set by ordinance.

(D) For any violation of any provision of this chapter and the Model Traffic Code as adopted herein which is a traffic infraction, the Municipal Court may enter a judgment of liability by default against the defendant for failure to appear or to pay, and may assess such penalties, together with such court costs and surcharges, as are established by law.

§ 70.99 Penalty (Chapter 70, Model Traffic Code)

Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

§ 71.99 Penalty (Chapter 71, Recreational Vehicles, Golf Carts)

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) (1) It shall be unlawful for any person to violate §§ 71.01 through 71.05. A violation of §§ 71.01 through 71.05 is hereby deemed a non-criminal traffic infraction. A traffic infraction shall be a civil matter for which punishment by imprisonment shall not be available, for which a penalty assessment notice may be issued and for which is punishable by a maximum fine of \$999.

(2) For any violation of §§ 71.01 through 71.05, no trial by jury shall be available, no arrest warrant shall issue for failure to appear or to pay, no privilege of self-incrimination shall apply, the standard of proof shall be a preponderance of the evidence and the conduct of all proceedings applicable to such a violation shall otherwise be in conformity with those generally applicable to civil matters.

(3) For any violation of §§ 71.01 through 71.05, the court may enter a judgment of liability by default against the defendant for failure to appear or to pay, and may assess such penalties, together with such court costs and surcharges, as are established by law.

(4) Upon a third violation of §§ 71.01 through 71.05 within 12 consecutive months, the registration for that golf cart shall be revoked for a period of 12 months and shall not be reinstated until court costs have been paid and a reinstatement fee of \$10 has been paid, which such reinstatement fee may be adjusted in the future by a resolution of the Board of Trustees.

§ 90.99 Penalty (Chapter 90, Animals)

(A) Any person convicted of a violation of this chapter shall be punished as provided in § 10.99 of this code.

(B) In addition to the foregoing penalties, any person who violates this chapter shall pay all expenses, including shelter, food, handling, veterinary care and expert testimony fees necessitated by enforcement of this chapter.

§ 91.999 Penalty (Chapter 91, Health and Safety, Nuisances)

Any person convicted of a violation of this chapter shall be punished as provided in § 10.99 of this code.

§ 92.99 Penalty (Chapter 92, Abandoned and Junk Vehicles)

Any person convicted of a violation of this chapter shall be punished as provided in § 10.99 of this code.

§ 93.99 Penalty (Chapter 93, Streets and Sidewalks)

Any person convicted of a violation of this chapter shall be punished as provided in § 10.99 of this code.

§ 94.99 Penalty (Chapter 94, Fire Prevention)

Any person convicted of a violation of this chapter shall be punished as provided in § 10.99 of this code.

§ 95.99 Penalty (Chapter 95, Alarm Systems)

Any person convicted of a violation of this chapter shall be punished as provided in § 10.99 of this code.

§ 110.99 Penalty (Chapter 110, Licensing Regulations)

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) Any person convicted of violating any of the provisions of §§ 110.01 through 110.14 shall be punished by a fine of not more than \$2,650, as shall be adjusted for inflation from time to time pursuant to C.R.S. § 13-10-113. Each act or omission in violation of one or more of the provisions of §§ 110.01 through 110.14 shall be deemed a separate violation for each and every day that such act(s) or omission(s) occur.

(C) (1) It shall be unlawful for any contractor to fail to obtain a permit of inspection services when required.

(2) It shall be unlawful for any contractor licensed under §§ 110.25 through 110.34 to, without good cause, abandon any contract or undertaking, or to make material departure from the town-approved plans and specifications for any contract or undertaking.

(3) It shall be unlawful for any contractor licensed under the provisions of §§ 110.25 through 110.34 to violate any provision of §§ 110.25 through 110.34; or to refuse to obey any order issued, or neglect to pay any fee assessed, under authority of §§ 110.25 through 110.34.

(4) It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, convert, demolish, equip, use, occupy or maintain any building or structure in the town, or to cause such work to be done, contrary to or in violation of any provision of §§ 110.25 through 110.34.

(5) It shall be unlawful for a contractor to be careless or negligent in obtaining minimum safety measures, including appliances, apparatus and equipment, to protect workers and the public.

(6) Any person convicted of violating any of the provisions of §§ 110.25 through 110.34 shall be punished by a fine of not more than \$2,650, as shall be adjusted for inflation from time to time pursuant to C.R.S. § 13-10-113 or by imprisonment for not more than one year or by both such fine and imprisonment. Each act or omission in violation of one or more of the provisions of §§ 110.25 through 110.34 shall be deemed a separate violation for each and every day that such act(s) or omission(s) occur.

§ 111.99 Penalty (Chapter 111, Peddlers, Solicitors and Vendors)

Any person convicted of a violation of this chapter shall be punished as provided in § 10.99 of this code.

§ 113.99 Penalty (Chapter 113, Marijuana)

(A) Any person violating any provision of this chapter shall be subject to § 10.99 of this code of ordinances.

(B) The operation of a medical marijuana business or a retail marijuana business may be enjoined by the town in an action brought in a court of competent jurisdiction.

§ 130.99 Penalty (Chapter 130, Offenses Against Property)

Any person convicted of a violation of this chapter shall be punished as provided in § 10.99 of this code.

§ 131.99 Penalty (Chapter 131, Offenses Against Public Authority)

Any person convicted of a violation of this chapter shall be punished as provided in § 10.99 of this code.

§ 132.99 Penalty (Chapter 132, Offenses Against Persons)

Any person convicted of a violation of this chapter shall be punished as provided in § 10.99 of this code.

§ 133.99 Penalty (Chapter 133, Offenses Against Peace)

Any person convicted of a violation of this chapter shall be punished as provided in § 10.99 of this code.

§ 134.99 Penalty (Chapter 134, Offenses Involving Minors)

Any person convicted of a violation of this chapter shall be punished as provided in § 10.99 of this code.

§ 151.99 Penalty (Chapter 151, Building Regulations)

Any person, firm, building superintendent, building manager, contractor, contractor's superintendent, corporation or other entity who violates any of the provisions of this Chapter shall be deemed guilty of a misdemeanor and of a separate offense for each and every day or portion thereof during which any violation continues, and shall be punished by a fine of not more than the maximum fine set forth in § 10.99 of this code.

§ 152.99 Penalty (Chapter 152, Flood Damage Prevention)

No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of this chapter and other applicable regulations. Violation of the provisions of this chapter, by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions), shall constitute a misdemeanor. Any person who violates this chapter or fails to comply with any of its requirements shall, upon conviction thereof, be punished as set forth in § 10.99 of this code. Nothing herein contained shall prevent the town from taking such other lawful action as is necessary to prevent or remedy any violation.

§ 153.999 Penalty (Chapter 153, Land Development Code)

(A) Any person convicted of violating the provisions of this chapter in the Town Municipal Court may be fined an amount not to exceed \$1,000.

(B) Any person, firm, building superintendent, building manager, contractor, contractor's superintendent, corporation or other entity who violated any of the provisions of § 153.017, including, but not limited to, failing to obtain a building permit, shall be deemed guilty of a misdemeanor and of a separate offense for each and every day or portion thereof during which any violation continues, and shall be punished by a fine of not more than \$2,650.

(C) Violations of the provisions of this chapter or failure to comply with any of its requirements, including violations of any conditions and safeguards established in

connection with grants of variances or special use or conditional use permits, shall constitute a misdemeanor, punishable by a fine of up to \$1,000. Any agreement to sell or transfer lots in a subdivision before the final plat is approved by the town will constitute a separate violation for each lot sold or agreed to be sold. Each day of violation will constitute a separate offense.

(3) (a) Any act constituting a violation of the provisions of this chapter or a failure to comply with any of its requirements, including violations of any conditions and safeguards established in connection with the grants of variances or special use or conditional use permits, shall also subject the offender to a civil penalty of \$25.

(b) If the offender fails to pay this penalty within ten days after being cited for a violation, the penalty may be recovered by the town in a civil action in the nature of debt. A civil penalty may not be appealed to the Board of Adjustment if the offender was sent a final notice of violation and did not take an appeal to the Board of Adjustment within the prescribed time.

(4) This chapter may also be enforced by any appropriate equitable action.

(5) Each day that any violation continues after notification by the Administrator that such violation exists shall be considered a separate offense for purposes of the penalties and remedies specified in this section.

(6) In addition to any other penalty imposed by this chapter for a violation of the provisions of this chapter, the town reserves and maintains the continued right to abate violations of this chapter.

(7) Any one, all or any combination of the foregoing penalties and remedies may be used to enforce this chapter.

(D) (1) Whoever, being the owner or agent of the owner of any land located within a subdivision, transfers or sells, or agrees to sell or negotiates to sell, any land by reference to or exhibition of or by use of a plat of a subdivision within the town before such plat has been approved by the Planning Commission and recorded or filed in the office of the County Clerk and Recorder shall pay a penalty of \$1,000 to the town for each lot or parcel so transferred, or sold, or agreed or negotiated to be sold.

(2) The description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies provided in this section. The town may enjoin such transfer or sale or agreement by action for injunction brought in any court of competent jurisdiction and may recover the penalty by civil action in any court of competent jurisdiction.

(E) Violation of § 153.018 is a misdemeanor with a possible fine of up to \$1,000.

(F) Violations of the provisions of § 153.069 or failure to comply with any of its requirements, shall constitute a misdemeanor, punishable by a fine of up to \$1,000.

§ 154.99 PENALTY (Chapter 154, Trees)

Any person violating any provision of this chapter shall be, upon conviction or a plea of guilty, subject to a fine not to exceed \$300.

Section 6. Additions or amendments to the Code, when passed in the form as to indicate the intention of the Town to make the same a part of the Code, shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 7. Ordinances adopted after this Ordinance that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to those provisions of the Code.

Section 8. If any paragraph, section, sub-section, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid, unconstitutional and/or unenforceable, such provisions shall be deemed to be separate, distinct and independent and the remaining provisions of this Ordinance shall continue in full force and effect.

Section 9. This Ordinance shall become effective thirty (30) days after publication thereof as provided by Colorado Revised Statutes § 31-16-105.

INTRODUCED, READ, ADOPTED ON FIRST READING THIS 24TH DAY OF APRIL, 2024.

READ, ADOPTED ON SECOND READING, APPROVED, SIGNED, AND ORDERED PUBLISHED BY TITLE ONLY THIS 22ND DAY OF MAY, 2024.

TOWN OF WIGGINS

Christopher Franzen, Mayor

ATTEST:

Nichole Seiber, Town Clerk

I, Nichole Seiber, Town Clerk of the Town of Wiggins, Colorado, hereby certify and attest that the foregoing Ordinance No. 02-2024 was, read, adopted on second reading, and ordered published by title only, at a regular meeting of the Board of Trustees of the Town of Wiggins, Colorado on the 22nd day of May, 2024. This Ordinance was published by title only in The Fort Morgan Times on _____, 2024.

Dated _____.



STAFF SUMMARY

Board of Trustees Meeting

April 24, 2024

DATE: April 20, 2024

AGENDA ITEM NUMBER: 6

TOPIC: Ordinance No. 03-2024 – An Emergency Ordinance of the Town of Wiggins Prohibiting Dogs in Dilbert Teets Park

STAFF MEMBER RESPONSIBLE: Tom Acre, Town Manager

BACKGROUND:

The Town of Wiggins has been experiencing pet owners using Teets Park and not picking up after their animals. There is signage at the park and dog waste bags are supplied. Also, the Town of Wiggins has an ordinance requiring pet owners to clean up after their animals. Despite these measures, community members playing/using the park and maintenance staff have had to contend with dog waste that has not been picked up and properly disposed of. This creates a health and safety risk for users.

SUMMARY:

Pet owners who have not been picking up dog waste have caused the Town to consider a different approach. This has resulted in banning all dogs from Teets Park.

FISCAL IMPACT:

Adoption of this ordinance does not have a significant impact on the Town's Adopted 2024 Budget.

APPLICABILITY TO TOWN OBJECTIVES AND GOALS TO PROVIDE SERVICES:

This action supports the Board of Trustees goal of providing a clean and safe park experience for the community.

OPTIONS AVAILABLE TO THE BOARD OF TRUSTEES:

The Board of Trustees may approve the Ordinance, approve the Ordinance with modification, or not approve the Ordinance.

MOTION FOR APPROVAL:

I make a motion to adopt Ordinance 03-2024 - An Emergency Ordinance of the Town of Wiggins Prohibiting Dogs in Dilbert Teets Park

ACTION REQUESTED:

MOTION, SECOND, ROLL-CALL, VOTE.

(Emergency Ordinances require affirmative votes from six Trustees)

**TOWN OF WIGGINS, COLORADO
ORDINANCE NO. 03-2024**

**AN EMERGENCY ORDINANCE OF THE TOWN OF WIGGINS PROHIBITING DOGS IN DELBERT
TEETS PARK**

WHEREAS, Town ordinance requires dog owners to promptly pick up their dog's waste;
and

WHEREAS, despite enforcement efforts by the Wiggins Police Department, dog waste
continues to be found at Delbert Teets Park; and

WHEREAS, the Board of Trustees finds it is in the best interest for the health and safety
of its residents to prohibit dogs in Delbert Teets Park.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF
WIGGINS, COLORADO:**

Section 1. Chapter 90 of the Wiggins Municipal Code is hereby amended by the
addition of a new Section 90.32 to read as follows:

§ 90.32 Dogs prohibited in Delbert Teets Park.

Dogs, whether leashed or unleashed, are prohibited in Delbert Teets Park,
located at 300-348 E 4th Ave. It shall be unlawful for any person owning or having
charge, care, custody, or control of any dog to violate this Section. This prohibition
shall not apply to service dogs.

Section 2. If any 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 Board of Trustees hereby
declares that 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 3. 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 4. The Board of Trustees herewith finds, determines and declares that this
Ordinance is necessary for the immediate preservation of the public health and safety in order to
timely and efficiently enforce the restrictions provided herein, and this Ordinance shall take effect
upon adoption, provided the same has been adopted and signed by the Mayor and approved by
three-fourths of the entire Board.

**INTRODUCED, READ, PASSED AND ADOPTED AND ORDERED PUBLISHED BY TITLE ONLY
THIS 24TH DAY OF APRIL, 2024.**

TOWN OF WIGGINS, COLORADO

Christopher Franzen, Mayor

ATTEST:

Nichole Seiber, Town Clerk

I, Nichole Seiber, Town Clerk of the Town of Wiggins, Colorado, hereby certify and attest that the foregoing Ordinance No. 03-2024 was introduced, read, adopted and ordered published by title only, at a regular meeting of the Board of Trustees of the Town of Wiggins, Colorado on the 24th day of April, 2024. This Ordinance was published by title only in The Fort Morgan Times on _____, 2024.

Dated _____.



STAFF SUMMARY

Board of Trustees Meeting

April 24, 2024

DATE: April 17, 2024

AGENDA ITEM NUMBER: 7

TOPIC: Resolution No. 17-2024 – A Resolution Refunding a Portion of Delinquent Charges Assessed and Collected in 2023 for Water and Sewer Provided by the Town of Wiggins, Colorado

STAFF MEMBER RESPONSIBLE: Nichole Seiber, Town Clerk/Treasurer

BACKGROUND:

In January 2024, a water and sewer customer brought to the attention of staff that the Town was incorrectly providing notice of delinquent payments and incorrectly applying late fees to our water and sewer bills. Colorado Revised Statute (C.R.S. 29-1-1102) establishes specific limits on allowable penalties for overdue utility charges for local governments and the process for notifying customers. The Board of Trustees adopted Resolution No. 02-2024 at the January 24, 2024 Board Meeting amending how delinquent charges were assessed and collected.

SUMMARY:

Following the adoption of Resolution No. 02-2024, staff looked back at the past year and analyzed customer data for the delinquent charges assessed and collected in 2023 to determine the number of customers and the amount they were incorrectly charged for delinquent fees. Staff presented this data to the Board of Trustees at the April 10, 2024 work session and received direction from the Trustees to credit customer bills and in some cases issue a check refunding the incorrectly charged delinquent fee. Approximately 600 customers will receive a credit or refund ranging from \$10 to \$25 depending on when they were assessed and paid the delinquent charge. Affected customers will be notified of the refund and refund amount they should anticipate in the coming months.

FISCAL IMPACT:

This action will have a negative impact of \$8,325 to the Water and Sewer Enterprise Funds of the Town of Wiggins.

APPLICABILITY TO TOWN OBJECTIVES AND GOALS TO PROVIDE SERVICES:

This action supports the Board of Trustees goal of being transparent and doing what is right for residents.

OPTIONS AVAILABLE TO THE BOARD OF TRUSTEES:

The Board of Trustees may approve the Resolution, approve the Resolution with modification, or not approve the Resolution.

MOTION FOR APPROVAL:

I make a motion to adopt Resolution No. 17-2024 - A Resolution Refunding a Portion of Delinquent Charges Assessed and Collected in 2023 for Water and Sewer Provided by the Town of Wiggins, Colorado.

ACTION REQUESTED:

MOTION, SECOND, ROLL-CALL, VOTE.

(Resolutions require affirmative votes from the majority of Trustees present)

**TOWN OF WIGGINS, COLORADO
RESOLUTION 17-2024**

**A RESOLUTION REFUNDING A PORTION OF DELINQUENT CHARGES ASESSED
AND COLLECTED IN 2023 FOR WATER AND SEWER SERVICE PROVIDED BY THE
TOWN OF WIGGINS, COLORADO**

WHEREAS, the Town of Wiggins Board of Trustees adopted Resolution 02-2024 amending delinquent charges for water and sewer service to ensure compliance with C.R.S. § 29-1-1102; and

WHEREAS, the Town of Wiggins has analyzed customer accounts for 2023 to determine which accounts may have been incorrectly assessed and charged delinquent fees; and

WHEREAS, the Board of Trustees has reviewed the delinquent fees charged to such accounts and finds that such charges should be credited or refunded amended as set forth herein.

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

Section 1. Account credits or refunds will be categorized based on when the delinquent charge was assessed and paid as provided in Sections 2 and 3.

Section 2. Customers who paid the delinquent charge within the 5-days of the due date (within 5-day grace period) will receive a twenty-five (\$25) dollar credit or refund.

Section 3. Customers who paid the delinquent charge after the 5-day grace period will receive a ten (\$10) dollar credit or refund.

INTRODUCED, ADOPTED AND RESOLVED THIS 24TH DAY OF APRIL, 2024.

TOWN OF WIGGINS, COLORADO

Christopher Franzen, Mayor

ATTEST:

Nichole Seiber, Town Clerk



STAFF SUMMARY

Board of Trustees Meeting April 24, 2024

DATE: April 18, 2024

AGENDA ITEM NUMBER: 8

TOPIC: Consideration of Resolution No. 18-2024 - A Resolution Approving a Revocable Agreement Between the Town of Wiggins and Kiowa Park Homeowner's Association of the Kiowa Park Subdivision

STAFF MEMBER RESPONSIBLE: Hope Becker, Planning & Zoning Administrator

BACKGROUND:

The Kiowa Park Home Owner's Association (HOA) has requested permission to assist the Town with maintenance and upkeep of Town owned areas adjacent to Kiowa Park. Staff has determined that a revocable license maintenance agreement with the Kiowa Park Home Owner's Association is the best way to coordinate activities with the HOA. The agreement provides guidance on what maintenance activities are allowed. The agreement also places limitations on maintenance of the retention ponds, the Town levee, and structures. .

SUMMARY:

The Town can benefit from the HOA's involvement to maintain the area adjacent to the Kiowa Park Subdivision. The agreement provides a guidance on what work the HOA does and where they can do work. The HOA has agreed to meet with Town Staff each fall to plan work activities for the following year. The license agreement would remain active until either party terminates the agreement by giving a 30 days' written notice to the other.

Staff presented the details of the maintenance agreement to the Board of Trustees at the Work Session on April 10, 2024. The Board of Trustees asked a few questions regarding how the agreement would work and what areas of the Town property would be involved with the partnership. Trustees stated that they were in agreement with moving forward with the agreement to help better maintain the Town's open spaces.

FISCAL IMPACT:

Approving the resolution will not have a negative impact on the Town's budget.

APPLICABILITY TO TOWN OBJECTIVES AND GOALS TO PROVIDE SERVICES:

This agreement supports the Town goal of providing attractive parks and open space for its residents.

OPTIONS AVAILABLE TO THE BOARD OF TRUSTEES:

The Board can approve the resolution to set the public hearing date for the Ordinance approving the codification, the Board can request modifications to the resolution, or not approve the resolution.

MOTION FOR APPROVAL:

I make a motion to approve Resolution No. 18 – A Resolution Approving a Revocable Agreement Between the Town of Wiggins and Kiowa Park Homeowner’s Association of the Kiowa Park Subdivision.

ACTION REQUESTED:

MOTION, SECOND, ROLL-CALL VOTE

(Resolutions to approve require affirmative votes from the majority of Trustees present)

**TOWN OF WIGGINS, COLORADO
RESOLUTION NO. 18-2024**

**A RESOLUTION APPROVING A REVOCABLE LICENSE AGREEMENT BETWEEN THE TOWN OF
WIGGINS AND KIOWA PARK HOMEOWNER'S ASSOCIATION OF THE KIOWA PARK
SUBDIVISION**

WHEREAS, the Kiowa Park Home Owner's Association desires to help maintain the Town's open spaces surrounding the Kiowa Park Subdivision; and

WHEREAS, the Town desires to protect the Town owned properties and structures surrounding the Kiowa Park Subdivision; and

WHEREAS, a Revocable License Agreement for the Kiowa Park Homeowner's Association has been proposed; and

WHEREAS, the Board of Trustees by this resolution desires to approve the Revocable License Agreement for the Kiowa Park Homeowner's Association and authorize its execution.

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

Section 1. The Revocable License Agreement between the Town of Wiggins and Kiowa Park Homeowner's Association (the "Agreement") is hereby approved in substantially the same form as the copy of such Agreement (exhibit A) accompanying this Resolution.

Section 2. The Town Manager and Town Clerk are authorized to execute the Agreement in substantially the same form as the copy attached hereto; further, the Town Manager is hereby granted the authority to negotiate and approve such revisions to the Agreement as the Mayor, Town Manager, and legal counsel for the Town determine are necessary or desirable for the protection of the Town, so long as the material terms and conditions of the Agreement are not altered.

Section 3. The Mayor, Town Manager, Town Clerk and Town Staff are further authorized to do all things necessary on behalf of the Town to perform the obligations of the Town under the Agreement and are further authorized to execute and deliver any and all documents necessary under the terms and conditions of said Agreement.

INTRODUCED, READ, AND ADOPTED THIS 24TH DAY OF APRIL, 2024.

TOWN OF WIGGINS, COLORADO

Christopher Franzen, Mayor

ATTEST:

Nichole Sieber, Town Clerk

EXHIBIT A
Maintenance Agreement

REVOCABLE LICENSE AGREEMENT

THIS REVOCABLE LICENSE AGREEMENT is made and entered into this _____ day of April, 2024, by and between the TOWN OF WIGGINS, a Colorado municipal corporation, (the “Town”) and KIOWA PARK HOMEOWNERS’ ASSOCIATION, INC., a Colorado non-profit corporation (the “Association”).

WHEREAS, the Town is the owner of certain public open spaces, common areas, trails, disc golf course, stormwater detention areas, flood levee, sprinkler systems, and entrance areas within the Kiowa Park Subdivision as depicted on Exhibit A, attached hereto and incorporated herein by reference (collectively, the “Premises”); and

WHEREAS, the Association has requested a license from the Town for the purpose of maintaining the Premises; and

WHEREAS, the Town is willing to grant such a license as provided herein, upon the terms and conditions hereof.

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

1. Incorporation of Recitals. The matters recited above are hereby incorporated into and made a part of this Agreement.

2. Annual Meeting. The Town and the Association shall meet annually in the fall, for budgeting purposes, to coordinate projects and activities that will be undertaken by the Association for the following year.

3. License. The Town hereby grants to the Association, its agents, employees and contractors a revocable license to occupy and use the Premises for the purpose of maintaining the Premises. For purposes of this Agreement, “maintenance” includes, but is not limited to maintenance and upkeep of the landscaped, open, and irrigated areas; watering, weeding, pruning, and control of insect pests; trash pick-up and removal; graffiti removal; snow removal from public sidewalks and mowing. The Association shall not place, build, expand, add, or commence repairs to any structures, including sprinkler systems and park equipment, or other items on the Premises without the written permission of the Town.

- a. Activities that require prior communications with the Town.
 - i. Mowing of and other activities in and around the stormwater detention areas.
- b. Strictly Prohibited Activities.
 - i. Mowing on and other activities near the Town Levee.

4. No Property Interest. The Association agrees that it does not have or claim, and shall not at any time in the future have or claim, any ownership interest or estate in the Premises,

or any other interest in real property included in the Premises, by virtue of this Agreement or by virtue of the Association's occupancy or use of the Premises.

5. **Responsibility for Damage.** In the exercise of its rights pursuant to this Agreement, the Association shall avoid any damage or interference with any Town installations, structures, utilities, or improvements on, under, or adjacent to the Premises.

6. **Personal Property.** The Town shall have no responsibility, liability, or obligation with respect to the safety or security of any personal property placed or located on, at, or in the Premises, it being acknowledged and understood by the Association that the safety and security of any such property is the sole responsibility and risk of the Association.

7. **Town's Right of Entry.** The Town shall have the right to enter into the Premises at any time during the term of this Agreement for any purpose of the Town. The Association hereby releases the Town, its officers and employees from any and all claims of damage or liability for any disturbance of or damage to the Premises resulting from the Town's use of the Premises, excepting only liability arising from willful or wanton conduct.

8. **Compliance.** The Association further agrees to comply at all times with the ordinances, resolutions, rules, and regulations of the Town in the Association's use and occupancy of the Premises.

9. **Prior Rights.** The Association understands that the license granted hereunder is granted subject to prior franchise agreements and subject to all easements and other interests of record applicable to the Premises. The Association shall be solely responsible for coordinating its activities hereunder with the holders of such franchise agreements or of such easements or other interests of record, and for obtaining any required permission for such activities from such holders if required by the terms of such franchises or easements or other interests.

10. **Indemnification.** Except for liability resulting from Town's gross negligence or willful or wanton misconduct, the Association shall be solely responsible for all damages to persons or property which may in whole or in part be caused by the Association, or its agents, employees or contractors, or which may result or arise in whole or in part from their activities on the Premises, and the Association shall indemnify and hold harmless the Town, its elected and appointed officials, and its employees, agents and representatives, from any and all liability, damage, loss, cost or expense, including but not limited to reasonable attorney fees, which the Town, its elected and appointed officials, and its employees, agents and representatives may suffer as a result of any and all claims, demands, actions, costs or judgments made or brought against them by any person or entity, and which arise either in whole or in part from, or are in any way connected with, the Association's use and occupancy of the Premises, or with this Agreement or the rights and obligations of the Association hereunder. By demanding this right to indemnification, the Town in no way waives or intends to waive the limitations on liability or other protections which are provided to the Town and its employees under the Colorado Governmental Immunity Act, C.R.S. § 24-10-101 et seq.

11. Insurance. The Association shall cause any contractor performing maintenance work under this Agreement to obtain, carry and maintain during the term of this Agreement a policy of comprehensive general liability insurance insuring against any liability arising out of or in connection with the contractor's use or occupancy of the Premises. Such insurance shall be at all times in an amount of not less than \$1,000,000 combined single limit for bodily injury and property damage. Such insurance shall name Town, its officers and employees as additional insureds. A certificate of insurance shall be completed by the contractor's insurance agent(s) as evidence that a policy or policies providing the coverages, conditions, and minimum limits required herein are in full force and effect, and shall be subject to review and approval by Town prior to commencement of the Association's use of Premises. As between the parties hereto, the limits of such insurance shall not limit the liability of the Association. To the extent the Association utilizes volunteers to perform maintenance work under this Agreement, the Association shall require volunteers to execute a liability waiver in a form approved by the Town.

12. Immunity. The Town is relying on and does not waive or intend to waive by any provision of 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 from time to time amended, or otherwise available to the Town, and its officers and employees.

13. Hazardous Materials. The Association shall not keep any hazardous materials in or about the Premises without prior written consent of the Town, which will be granted or denied in the Town's sole discretion. "Hazardous material" includes but is not limited to asbestos, other asbestosis material (which is currently or may be designated in the future as a hazardous material), any petroleum base products, pesticides, paints and solvents, polychlorinated biphenyl, lead, cyanide, DDT, acids, ammonium compounds, and other chemical products (excluding commercially used cleaning materials in ordinary quantities) and any substance or material defined or designated as a hazardous or toxic substance, or similar term, by any federal, state, or local law.

14. Termination. Either party may terminate this Agreement by giving 30 days' written notice to the other.

15. Notice. Any notices or communications required or permitted under this Agreement to be given to the Association shall be deemed effective and valid if given and shall be sent by United States mail, postage prepaid, registered or certified mail, return receipt requested, addressed as follows:

Town:

Town of Wiggins
Attn: Town Manager
304 Central Avenue
Wiggins, CO 80654
Email: tacre@wigginsco.com

Association:

Kiowa Park Homeowners' Association, Inc.
Attn: Theresa Martinson, CMCA
2619 Canton Court, Ste A
Fort Collins, CO 80525
Email: kiowapark@cgcgcolorado.com

16. **Waiver.** Waiver by the Town of any breach of any term or provision of this Agreement shall not be deemed a waiver of any subsequent breach of the same or any other term or provision thereof.

17. **No Assignment.** This Agreement is personal to the parties hereto. The Association shall not transfer or assign any rights hereunder without the prior written approval of the Town, which approval shall be at the Town's sole option and discretion.

18. **Survival of Terms.** All of the terms and conditions of this Agreement concerning release, indemnification, termination, remedies and enforcement shall survive the expiration of the term of the license granted herein and any termination of this Agreement.

19. **No Third-Party Beneficiaries.** It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the Town and the Association, and nothing contained in this Agreement shall give or allow any such claim or right of action by any other third party on such Agreement. It is the express intention of the parties that any person other than the Town and the Association receiving benefits under this Agreement shall be deemed to be an incidental beneficiary only.

20. **Authority.** The Association and its undersigned representative represent and warrant that such representative has been duly authorized by the Association to sign this Agreement and to bind the Association to the terms and conditions hereof.

TOWN OF WIGGINS,
a Colorado municipal corporation

ATTEST:

By: _____
Town Manager

By: _____
Town Clerk

KIOWA PARK HOMEOWNERS' ASSOCIATION, INC.
a Colorado non-profit corporation

By: _____

Title: _____

ACKNOWLEDGEMENT

STATE OF COLORADO)
)ss
COUNTY OF MORGAN)

The above and foregoing signature of _____, as
_____ of Kiowa Park Homeowners' Association, Inc. was subscribed
and sworn to before me this ____ day of _____, 2024.

Witness my hand and official seal.

My commission expires on: _____

(SEAL)

Notary Public

KEY

TOWN OF WIGGINS PROPERTY

KIOWA PARK, LLC PROPERTY

EXHIBIT A





STAFF SUMMARY

Board of Trustees Meeting

April 24, 2024

DATE: April 22, 2024

AGENDA ITEM NUMBER: 9

TOPIC: Resolution No. 19-2024 – A Resolution Authorizing the Town Manager to Enter into Contract with the Band Named Double Wide and a Solo Opening Act to Play on August 3, 2024 for the Town of Wiggins 50th Year of Incorporation Celebration

STAFF MEMBER RESPONSIBLE: Tom Acre, Town Manager

BACKGROUND:

During the 2024 Town of Wiggins budget preparation, staff and the Board discussed including a community event(s) celebrating the Town's 50th year of incorporation. In the adopted 2024 Town Budget, the budget for this celebration was set at \$25,000 to cover the cost of such items as entertainment, celebration souvenir items, promotion and other items needed to have a successful event.

SUMMARY:

The band "Double Wide" along with a solo act is available to play on August 31, 2024 for a celebration that is being planned at the Teets Park amphitheater to include food trucks, Mariana's ice cream, a beer garden and other activities.

FISCAL IMPACT:

The impact to the Town's 2024 Adopted Budget for contracting with the band is \$10,00.00 and is included in adopted budget for 2024.

APPLICABILITY TO TOWN OBJECTIVES AND GOALS TO PROVIDE SERVICES:

This action supports the Board of Trustees goal of providing events that bring the community together.

OPTIONS AVAILABLE TO THE BOARD OF TRUSTEES:

The Board of Trustees may approve the Resolution, approve the Resolution with modification, or not approve the Resolution.

MOTION FOR APPROVAL:

I make a motion to adopt Resolution No. 19-2024 - A Resolution Authorizing the Town Manager to Enter into Contract with the Band Named Double Wide and a Solo Opening Act to Play on August 31, 2024 for the Town of Wiggins 50th of Year Incorporation Celebration

ACTION REQUESTED:

MOTION, SECOND, ROLL-CALL, VOTE.

(Resolutions require affirmative votes from the majority of Trustees present)

**TOWN OF WIGGINS, COLORADO
RESOLUTION 19-2024**

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO CONTRACT WITH THE BAND NAMED DOUBLE WIDE AND A SOLO OPENING ACT TO PLAY ON AUGUST 31, 2024 FOR THE TOWN OF WIGGINS 50TH OF YEAR INCORPORATION CELEBRATION

WHEREAS, the Town of Wiggins was incorporated 50 years ago on October 11, 1974;
and

WHEREAS, the Town of Wiggins Board of Trustees desires to mark this 50th year of Incorporation Anniversary with a celebration; and

WHEREAS, the Board of Trustees appropriated funds to support the 50th year anniversary in the adopted 2024 budget; and

WHEREAS, the Board of Trustees desires to hire a band to perform at the 50th year anniversary being planned for August 31, 2024.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF WIGGINS, COLORADO:

Section 1. The Board of Trustees hereby authorizes the Town Manager to contract with the band named Double Wide to perform on August 31, 2024 at a cost of \$10,000.

INTRODUCED, ADOPTED AND RESOLVED THIS 24TH DAY OF APRIL, 2024.

TOWN OF WIGGINS, COLORADO

Christopher Franzen, Mayor

ATTEST:

Nichole Seiber, Town Clerk



STAFF SUMMARY

Board of Trustees Special Meeting April 24, 2024

Date: April 17, 2024

ADGENDA ITEM NUMBER: 10

TOPIC: Consideration of Resolution 20-2024 - A Resolution Authorizing the Town Manager to Purchase Parts for the Elgin Street Sweeper and Repealing Resolution No. 14-2024.

STAFF MEMBERS RESPONSIBLE: Tom Acre, Town Manager
Beau Warden, Public Works Supervisor

BACKGROUND:

The Town of Wiggins periodically needs to sweep the Town's paved streets to remove dirt and sand that accumulates, especially after the winter storms. Sweeping streets is required so this dirt and sand does not accumulate in the storm drainage catch basins, piping and retention ponds.

The Public Works Department owns a used 1995 Elgin Street Sweeper that was obtained through an CDOT equipment auction numerous years ago. The Street Sweeper is currently not operating and needs new brushes and a conveyor belt to make it functional. The cost to and time to repair is significantly less than replace this equipment given the limited amount it is used.

SUMMARY:

Staff obtained quotes for purchasing the replacement parts from three vendors in the Denver area and found that the replacement cost can vary significantly depending on the vendor. One vendor included the cost of if they were to do the work at their facility. Staff also researched the cost to purchase a replacement used sweeper. Recent auctions and a discussion with a vendor, put a replacement street sweeper at a cost of \$30,000 and greater. Staff is of the opinion that replacing key components is the best option at this time.

The Board of Trustees approved Resolution No. 14-2024 on March 13, 2024. Additional information was provided by a vendor, lowering the cost of the replacement parts. Staff recommends using this vendor.

FISCAL IMPACT:

Approving the resolution affects the budget approved by the Board of Trustees for the 2024 budget year by expending an estimated \$3,600.00 from the General Fund Budget allocated to the Public Works Department.

APPLICABILITY TO TOWN OBJECTS AND GOALS TO PROVIDE SERVICES:

Providing staff the necessary equipment to perform their work supports the Town's goal to provide its citizens clean streets and use Town resources effectively.

OPTIONS AVAILABLE TO THE BOARD OF TRUSTEES:

The Board of Trustees may adopt this resolution as presented, request an amendment, or not adopt the resolution.

MOTION FOR APPROVAL:

I make a motion to adopt Resolution 20-2024 - A Resolution Authorizing the Town Manager to Purchase Parts for the Elgin Street Sweeper and Repealing Resolution No. 14-2024.

ACTION REQUESTED:

MOTION, SECOND, ROLL-CALL VOTE

(Resolutions require affirmative votes from the majority of Trustees present)

**TOWN OF WIGGINS, COLORADO
RESOLUTION 20-2024**

**A RESOLUTION AUTHORIZING THE TOWN MANAGER TO PURCHASE PARTS
FOR THE ELGIN STREET SWEEPER AND REPEALING RESOLUTION NO. 14-2024**

WHEREAS, the Town of Wiggins desires to periodically clean paved streets throughout the Town; and

WHEREAS, the 1995 Elgin Street Sweeper needs the brooms and conveyor belt to be functional for cleaning streets; and

WHEREAS, the Town of Wiggins desires to purchase parts for the 1995 Elgin Street Sweeper; and

WHEREAS, the Board of Trustees appropriated funds in the in the 2024 General Fund Budget under the Public Works Department budget for such a purchase; and

WHEREAS, the Town received additional information from a vendor with a lower price and desires to obtain replacement parts from this vendor.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF
THE TOWN OF WIGGINS, COLORADO:**

Section 1. The Board of Trustees hereby authorizes the Town Manager to purchase replacement parts for the Elgin Sweeper for approximately \$ 3,600.00.

Section 2. The Town Manager and Town Clerk/Treasurer are hereby authorized to execute and deliver all documents and monies in accordance with this resolution.

Section 3. Resolution No. 14-2024 is hereby repealed and replaced by this resolution.

INTRODUCED, ADOPTED AND RESOLVED THIS 24TH DAY OF APRIL, 2024.

TOWN OF WIGGINS, COLORADO

Christopher Franzen, Mayor

ATTEST:

Nichole Seiber, Town Clerk