

TOWN OF BERTHOUD
BOARD OF TRUSTEES
REGULAR MEETING
JANUARY 9, 2007
Page 1 of 5

The Board of Trustees of the Town of Berthoud met for a regular meeting on Tuesday, January 9, 2007 in the Board Room at Town Hall. Mayor Karspeck called the meeting to order at 7:00 p.m.

MEMBERS PRESENT: Mayor Milan Karspeck
Mayor Pro-Tem Don Ashcraft
Trustee Louis Gervasi
Trustee Peder Thorstensen
Trustee Glen Buckingham

MEMBERS ABSENT: Trustee Michael Patrick
Trustee Chase Sommars

STAFF PRESENT: Town Administrator Jim White
Town Clerk Mary Cowdin
Planning Director Robert Anderson
Public Works Director Tony Huerta
Chief of Police Glenn Johnson
Town Attorney Bruce Fickel
Deputy Town Clerk Charlene Reed

PLEDGE OF ALLEGIANCE

Mayor Karspeck led the pledge of allegiance.

CITIZEN PARTICIPATION

There were no items presented for citizen participation.

REPORTS

Mayor Pro-Tem Ashcraft noted there was a report during our recent snow storm of an avalanche in Berthoud, Colorado. The actual location of the avalanche was Berthoud Pass, Colorado.

Administrator White reported that the closing for the conservation easement for the Waggener Farm property occurred on December 22, 2006. The remainder of the property closed on January 5, 2007.

Administrator White noted that the Chamber of Commerce Installation Dinner is scheduled for Saturday, January 20, 2007 at 5:30 p.m. to midnight at L & M Nursery. The cost for admission to the dinner is \$35 per person.

TOWN OF BERTHOUD
BOARD OF TRUSTEES
REGULAR MEETING
JANUARY 9, 2007
Page 2 of 5

Public Works Director Huerta presented information regarding the two recent snow storms. He updated the Board on what has been done over the past sixteen days, noting that the accumulated snow was between 30 and 40 inches. The Town has limited resources and it was necessary to contact several local contractors to assist with snow removal. Our cost to date is significant, at approximately \$85,000 for the contract cost alone. The Street Department was assisted by members of the Water, Parks and Recreation and the Wastewater Departments. He thanked all the departments that assisted with this project.

Public Works Director Huerta noted we have learned many lessons from the storms. We are in the process of developing a plan to make us more effective for future snow storms. We are developing a snow route map and prioritizing streets, and we will be looking at equipment purchases to make us more effective in managing snow. He noted we have contacted Weld and Larimer Counties to ask for financial assistance and are asking for help from FEMA. At this point, our area was not included in either disaster declaration, for the first storm from December 18-23, or for the second storm from December 28-30.

Mayor Karspeck noted that in prior years, we have budgeted between \$4,500 and \$5,000 and that has been adequate to manage our snow removal for the year. This storm was above and beyond anything we have had in the past several years. He noted that staff handled a significant number of calls from Berthoud residents during the storm.

Mayor Pro-Tem Ashcraft commended staff for using this as a learning experience and for handling the storm as well as we did with limited staff and equipment. He noted that some of the state roads in and around Berthoud were not handled as well.

Trustee Buckingham thanked staff for their efforts, noting this was the third worst snowfall in Colorado. When everyone places the event in context, criticism should melt away. This was significant a storm and we need to keep this in perspective.

Trustee Gervasi commended staff and agreed with the importance in prioritizing routes. He asked if there were problems as a result of vehicles parked on the streets. Public Works Huerta noted there were vehicles parked that could not be moved. Trustee Gervasi asked for a future update on the emergency plan that is being developed and for any information regarding assistance we receive. Trustee Gervasi asked if staff allocated resources to roads in developments that have not been accepted by the Town. Public Works Huerta noted Town staff worked on roads that have been accepted.

Trustee Thorstensen asked how we will be able to pay for these storms. Public Works Director Huerta noted we have some additional funds in the Drainage account, and we will be determining what adjustments need to be made in the budget to cover the cost of these storms. He noted we will continue to pursue assistance from the State of Colorado and FEMA.

Mayor Karspeck suggested we use volunteers to assist our residents in future situations of this type. Public Works Director Huerta noted staff is exploring the possibility of putting together a list of volunteers to help in future storms. We will be exploring other programs of this type in the area to try to put together a plan for Berthoud.

Mayor Pro-Tem Ashcraft noted that other areas have had problems with their snow routes. It has not been necessary to enforce these routes for the past ten years, and in this storm, residents ignored the snow route designation and parked along the snow routes, causing problems with snow removal. Public Works Director Huerta noted once we implement the snow routes, it is important that we communicate with Berthoud residents to make them aware of what we are doing. The more effort we put into communication, the more success we will have.

Trustee Gervasi asked if staff plowed alleys. Public Works Director Huerta noted we concentrated our efforts on streets and did not spend any time plowing alleys.

CONSENT AGENDA

The consent agenda consisted of the minutes of the regular meeting on December 12, 2006, the bills allowed for December 2006, and the October and November 2006 financial statements.

Trustee Buckingham moved to approve the consent agenda as submitted. Second by Mayor Pro-Tem Ashcraft. The motion passed unanimously.

PUBLIC HEARING – ORDINANCE & RESOLUTION **RE; ALLEN ANNEXATION & ZONING**

Planner Anderson noted the property owners, Michael and Andria Allen, are requesting approval of an annexation encompassing 10 acres with T-Transitional Zoning. He noted there are no plans for development of the property at this time. The property is located on the west side of Larimer County Road 17, north of and adjacent to Gateway Park.

Trustee Buckingham asked the purpose of this request. Planner Anderson explained that property owners feel there is an advantage to being a part of the Town. These property owners are interested in living in Berthoud and anticipate that this will improve their property value. Property owner Michael Allen confirmed their desire for annexation.

Mayor Pro-Tem Ashcraft asked if the applicant will be required to follow all Town of Berthoud codes once the annexation takes place. Planner Anderson confirmed that this will be the case.

Mayor Karspeck opened the floor for public comment and there was none.

Trustee Buckingham moved to approve Resolution 1-07, the findings of fact and conclusions of the Allen Annexation. Second by Trustee Gervasi. The motion passed unanimously.

Trustee Buckingham moved to approve Ordinance 1048, the Allen Annexation and Rezone. Second by Trustee Gervasi. All members voted YES.

SET PUBLIC HEARING - OVERLOOK AT DRY CREEK

Planner Anderson noted Harvest Estate Development, LLC has submitted an application to the Town to rezone approximately 120.4 acres from T (Transitional) to PUD. This property is located east of LCR 17, south of the Hillsdale Subdivision and north of LCR 4E. Planning is recommending approval, and he asked the Board to set the public hearing for January 23, 2007.

Trustee Buckingham moved to accept the Overlook at Dry Creek application for rezoning and set the public hearing date for January 23, 2007. Second by Trustee Gervasi. The motion passed unanimously.

PILO FEES – R2J SCHOOL DISTRICT

Attorney Fickel presented information regarding the request for a change to the school district PILO (Payment in Lieu of) fees. He explained that this was reviewed extensively by all parties involved. He explained that this changes the collection of these fees, with fees collected by the School District “prior to or at the time of certificate of occupancy,” rather than the present practice of collecting them at the time of building permit.

Kate Brown explained the change in the fees. The prior amount for any number of units was \$688. The proposed modification is for a fee of \$1,382 per unit for 1 to 4 attached units, and \$946 per unit for 5 or more attached units. She explained that this revised fee has been adopted and is currently being collected by Larimer County, Loveland and Fort Collins. Windsor has adopted the fee schedule and will be collecting these fees in the future. Johnstown is the only town that has not adopted this fee at this time.

Trustee Buckingham asked if this compares to the fees being charged by other school districts. Ms. Brown noted other school districts are significantly higher. Trustee Buckingham commended the school district for doing their homework and setting the fees at a level that meets their needs and is still affordable.

Trustee Buckingham moved to approve the Intergovernmental Agreement (IGA) between the Town of Berthoud and the Thompson R2-J School District, concerning

annexations and school site dedication, or payments in lieu (PILO) for school purposes. Second by Trustee Gervasi. The motion passed unanimously.

RESOLUTION – STATE TAX CREDITS

Town Administrator White noted that state statute requires each Certified Local Government to approve a resolution agreeing to be a reviewing entity for state tax projects for the year. This is primarily a “housekeeping” resolution, though we will lose our CLG status if we fail to pass it.

Trustee Buckingham noted the Berthoud Historic Preservation Commission is the official review board for historic resources.

Trustee Buckingham moved to pass Resolution 2-07, agreeing to act as a reviewing entity for the state income tax credit program. Second by Trustee Gervasi. The motion passed unanimously.

AGENDA POSTING SITE

Mayor Karspeck noted that Colorado Revised Statutes require the Town to designate the official site for the posting of all meeting agendas for the year. Staff recommends that the current posting site of the bulletin board at the entrance of Town Hall be used as the 2007 posting site.

Trustee Buckingham moved to designate the bulletin board at the entrance to Town Hall as the official agenda posting site for 2007. Second by Trustee Thorstensen. The motion passed unanimously.

EXECUTIVE SESSION – NEGOTIATIONS

Mayor Karspeck requested an Executive Session for negotiations regarding the Memorandum of Understanding for the Library and advise from the Town Attorney.

Trustee Buckingham moved to adjourn to an Executive Session. Second by Trustee Thorstensen. The motion passed unanimously.

The Board adjourned to an Executive Session at 8:00 p.m., reconvened at 8:30 p.m. and immediately adjourned.

Mayor Milan Karspeck

Deputy Clerk Charlene Reed