

The Board of Trustees of the Town of Berthoud met for a regular meeting on Tuesday, December 9, 2008. Mayor Tom Patterson called the meeting to order at 7:00 p.m.

#### ROLL CALL

Board members present: Mayor Tom Patterson  
Mayor Pro-Tem David Gregg  
Trustee Dick Shepard  
Trustee John Bauer  
Trustee Jeff Hindman  
Trustee Michael Patrick (7:10)  
Trustee Buckingham (7:20)

Staff members present: Town Administrator Jim White  
Town Clerk Mary Cowdin  
Town Planner Tim Katers  
Museum Director Tom Vaughan  
Town Attorney Bruce Fickel  
Library Director Sara Wright

#### PLEDGE OF ALLEGIANCE

#### CITIZEN PARTICIPATION

Greg Carter, 524 E CR 8, Berthoud, representing the Loveland Lake and Ditch, addressed the Board. As a shareholder the Town of Berthoud has the right to nominate a member to sit on the Board. In the past the Town has appointed Tony Huerta. Requests have been made by several shareholders to have the appointed representative be an elected official. Mayor Patterson indicated an interest in serving as a nominee. Nomination seconded by Trustee Gregg. After discussion, Mayor Patterson agreed to attend the election meeting and submit his request for nomination. Motion to recommend Mayor Patterson passed unanimously.

#### REPORTS

Administrator White announced that the Mountain Avenue ribbon cutting will be held on December 19, 2008 at 3:00 p.m. Invitations have been sent and refreshments will be available.

Tim Katers is following up on requests from the last meeting regarding incentives.

Town of Berthoud  
Board of Trustees  
Regular Meeting  
Tuesday, December 9, 2008  
Page 2 of 5

Trustee Bauer reported on the Berthoud Economic Team activities in the last week. There will be a public presentation December 10, 2008.

Mayor Patterson and Administrator White attended the 2010 census kick off meeting. Mayor Patterson stressed the importance in the census for future funding.

#### CONSENT AGENDA

The Consent Agenda, consisting of minutes from November 18, 2008, November Bills Allowed and October Financial Statement, was approved. Motion to approve the Consent Agenda by Trustee Bauer, second Trustee Shepard. Passed unanimously..

#### RESOLUTION – STATE TAX CREDITS

Museum Director Vaughan introduced this item. State statutes require a resolution from the local governing board to act as the acceptance agent for funding for rehabilitation projects. Motion to approve Resolution 25-08 by Trustee Bauer, second Trustee Shepard. Passed unanimously.

#### RESOLUTION 2009 Mill Levy

This is a required item that must be passed by December 15, 2008. Town Clerk Cowdin explained the figures. Motion to approve Resolution 26-08 by Trustee Bauer, second Trustee Shepard. Passed unanimously.

#### RESOLUTION – EIS PACKAGE “A”

Resolution 27-08 supporting Package A for the CDOT I-25 plan. Motion by Trustee Bauer, second Trustee Gregg. Discussion Trustee Hindman discussed the article in this morning's newspaper regarding the viewpoint of the county commissioners. He again encouraged everyone to submit comments. Trustee Bauer asked that the Berthoud Resolution be forwarded to other front range communities to let them know of our support.

Public Comment – none. Motion passed unanimously

#### IGA – Loveland Dispatch services

Administrator White introduced this item and explained the background. This IGA is the final product and will be on the agenda of the Loveland City Council on December 16, 2008. The transition is scheduled to occur at the end of 2008. Motion to approve the IGA by Trustee Gregg, second Trustee Bauer. Question by Trustee Hindman regarding

whether this includes reverse 911. Trustee Buckingham complimented Chief Johnson and Administrator White for efforts to improve functionality in dispatch services as well as reduce costs. Trustee Patrick concurred. Town Attorney Fickel stated that he has reviewed the proposed IGA and explained several items that were negotiated to the Town's benefit. He recommended approval. Motion passed unanimously.

#### INTERIM IGA EXTENSION-BERTHOUD LIBRARY

Library IGA extension. Administrator White explained that this is a temporary IGA to allow the Library to establish the permanent IGA regarding the building. Motion to release 50% of the November balances by Trustee Shepard, second Trustee Bauer. Discussion regarding releasing 50% of the funds. Passed unanimously. Motion to approve the temporary IGA by Trustee Hindman, second Trustee Shepard. Motion passed unanimously.

#### LETA IGA

(This item was moved from item 13 to item 12)  
Motion to approve the LETA IGA by Trustee Buckingham, second Trustee Shepard.  
Motion passed unanimously.

#### PRAIRIE STAR/COOPER PDD AND PRELIMINARY PLAT

Town Planner Tim Katers introduced the Prairie Star Project. The Planning Commission is recommending approval with conditions as outlined.

David Blake, Calthrope, presented the Prairie Star PDP. He discussed what was approved by the previous Board regarding density at the ODP level. The total number of units was 968. Mr. Blake then detailed the changes including the solar farm. The solar farm would allow electricity to be generated for Prairie Star. 40% open space is included in the project.

Trustee Patrick questioned what had changed to cause the density shift between the ODP and PDP. Roger Walker, Civilarts, explained that some of the physical dynamics necessitated the shift.

#### Public Comments

Robin Cantrell, Jane Cantrell. Questioned why we need 968 additional homes when there are so many homes for sale. They are also concerned about the noise level. Ms. Cantrell stated that the additional buildings will bounce the sound of the railroad toward the existing homes. Is there a plan to extend 49<sup>th</sup> Street? Trustee Buckingham

responded that the market should make the decision as to whether this project should proceed.

Jason Godfrey, Iowa Avenue requested information regarding the project timeline. Trustee Gregg responded that the project shows a ten year build out, however the market dictates the timing of projects.

#### Discussion

Trustee Buckingham asked about the carriage units. Scott stated that the plan detailed the percentage of carriage units in each category. Trustee Buckingham also asked if the solar farm could be screened or “dressed up” due to the visibility from Highway 287. Trustee Buckingham also referred to the technical questions raised by the Planning and Zoning Commission. Planner Katers explained that the street width issue has been addressed.

Trustee Hindman questioned the phasing and asked if the phases were flexible. Scott Sarbaugh stated that there is flexibility. Trustee Hindman questioned the level of detail for a PDP. Trustee Hindman commented that with this level of detail the project should be on the fast track.

Trustee Gregg asked for clarification on the numbers for the multi family. Trustee Gregg also asked about the tuck under density.

Richard McCabe detailed that the flat market is a market decision. The project is not at a point.

Trustee Bauer stated that the FDP will provide that level of detail. He questioned who would be responsible for maintaining the roundabout. Roger Walker, Civilarts, detailed the traffic signal versus a roundabout which would actually increase the functioning of this road. Trustee Bauer requested projections on what would be likely if the grocery store concept does not work.

Trustee Patrick detailed his history with this project. The density is an issue and the additional carriage houses increase this density. He also expressed concern regarding the traffic issues and capacity of County Road 17.

Trustee Shepard agreed with Trustee Patrick regarding the density and traffic issues. Question raised if non-potable water is included in the plan. Scott Sarbaugh states that as soon as the public right of ways are established, the non-potable system will be designed. Trustee Shepard questioned whether the roadway would be adequate to handle the number of trips that will be generated.

Planner Katers responded to the traffic concerns and stated that the road improvements to County Road 17 would be addressed at the FDP. Trustee Patrick again questioned the

Town of Berthoud  
Board of Trustees  
Regular Meeting  
Tuesday, December 9, 2008  
Page 5 of 5

density issue and stated that the density is gross and not net and includes the portion of land on the south side of Highway 287, which is unusable.

Motion to approve the Prairie Star PDP and Preliminary Plat with conditions as stated in staff memorandum. Motion Hindman, Second Bauer. Motion approved with Trustees Buckingham, Hindman, Bauer, Shepard, Gregg and Patterson voting yes and Trustee Patrick voting no.

Mayor Patterson adjourned the meeting at 10:00 p.m.