

TOWN OF BERTHOUD
BOARD OF TRUSTEES
REGULAR MEETING
JANUARY 22, 2008
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The Board of Trustees of the Town of Berthoud met for a regular meeting on Tuesday, January 22, 2008 in the Board Room at Town Hall. Mayor Milan 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
Planner Robert Anderson
Public Works Director Tony Huerta
Town Attorney Bruce Fickel
Deputy Town Clerk Charlene Reed

PLEDGE OF ALLEGIANCE

Mayor Karspeck led the pledge of allegiance.

CITIZEN PARTICIPATION

Dan Riffell of 739 Sage Place in Berthoud addressed the Board regarding trailer/boat/rv parking on private property. He noted residents have two options, parking the vehicle on the back of their lot or moving the vehicle offsite. He suggested the intent of the law is to prevent vehicles from being parked on the street, or being an unsightly mess in front of the residence. If a resident has no other option but to comply, and cannot park the vehicle behind his home, then he is forced to incur the expense to park the vehicle offsite. He explained that his lot is shaped like an ice cream cone, and he is unable to move the vehicle to the back of the property. He suggested that the Town develop a paid permitting system for parking these vehicles, which can be approved on a case-by-case basis, and would generate revenue for the Town. In order to obtain a permit, it would be necessary to get neighbor consent, and the vehicle could be inspected to prevent unsightly vehicles from being parked in the open. Another option he suggested would be for the Town to open a paid storage facility. The Town could earn approximately \$5,000 a month and would be providing a service to our residents. He also suggested a delay in enforcement to allow residents time to prepare a site on their property, or to make arrangements for off-site storage. He respectfully requested that the Board modify the current laws to help residents with trailers.

Valerie Pherson of 1032 6th Street Court noted they also have a trailer that is currently parked in the front and to the side of the house. She noted the trailer is not unsightly and is out of site, but is still in violation of the law because it is in front of the house. She asked the Board to find a way to allow residents to park the trailers in front of the house.

Administrator White noted that this is a difficult situation. Staff will review the options suggested and may bring this back to the Board for future consideration.

REPORTS

Administrator White announced that Town Engineer Stephanie Brothers received notice that she passed her exam and is now a licensed Professional Engineer. He commended Ms. Brothers for her accomplishment.

CONSENT AGENDA

The consent agenda consisted of the minutes of the regular meeting of January 8, 2008, and the bills allowed for December 2007 and January 2008.

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

PUBLIC HEARING – ORDINANCE REGARDING PERMANENT USE OF WATER FROM NORTHERN COLORADO WATER CONSERVANCY DISTRICT

Administrator White explained that Northern Colorado Water Conservancy District requires that all Temporary Use Permits be converted to Permanent Use by March 1st for any CBT water allotted in the previous year. In September, 2007, the Gateway Development through 2534 Development, Inc. allotted 11 acre-feet units of CBT water to the Town of Berthoud. The Town is required to complete the conversion of these units to Permanent Use by March 1, 2008.

Mayor Karspeck read the title of the proposed Ordinance and opened the floor for public comment. There were no comments from the audience.

Trustee Buckingham moved to approve Ordinance 1081, approving the conversion of the Temporary Use Permit for 11 acre-foot units to Permanent Use, as required by the Northern Colorado Water Conservancy District Board Policy, Section 131, Annual Renewal Water Contract. Second by Trustee Thorstensen. Mayor Pro-Tem Ashcraft abstained and all other members voted in favor of the motion.

**SET PUBLIC HEARING – RESIDENTIAL AND NON-RESIDENTIAL
ARCHITECTURAL STANDARDS & GUIDELINES – ORDINANCE
TO ADOPT BY REFERENCE**

Planner Anderson explained that the Board is considering adopting by reference changes to Section 30-15 of the Development Code regarding the residential and non-residential design standards. Now that the comprehensive plan is complete, the Board is being asked to approve the residential standards, and to give formal approval to the non-residential standards that were approved in October, 2006. Staff is requesting that the Board set the public hearing to consider these changes for February 26, 2008.

Trustee Buckingham moved to set the public hearing date for changes to Section 30-15 Design Standards (Residential and Non-Residential) of the Town of Berthoud Development Code to February 26, 2008. Second by Mayor Pro-Tem Ashcraft. The motion passed unanimously.

**COLORADO WATER/WASTEWATER AGENCY RESPONSE NETWORK
(CoWARN) MUTUAL AID AND ASSISTANCE AGREEMENT**

Public Works Director Huerta explained that the Colorado Water/Wastewater Agency Response Network (CoWARN) is a program intended to create a network of utility agencies that are prepared and willing to provide assistance to one another in times of crisis. This program is modeled after several similar WARN programs currently active in other states in the country.

The intent of this program is to be an additional resource for utility agencies of all sizes during a time of crisis. It is not intended to replace current standing agreements between local agencies or to replace the State and Federal aid systems. It is planned to become a statewide system to augment the assistance provided by those resources.

At the January 15, 2008 Study Session, staff presented the CoWARN Program to the Board, with the assistance of Ms. Mary Smith, with the Colorado Department of Public Health and Environment. Staff is returning the topic to the Board to consider becoming an active member of CoWARN and executing the Mutual Aid and Assistance Agreement.

Trustee Buckingham moved to authorize the Town of Berthoud's Utility Divisions of Public Works join the CoWARN Program and sign the Mutual Aid and Assistance Agreement. Second by Trustee Thorstensen. The motion passed with Trustee Gervasi voting NO.

RESOLUTION – STATE TAX CREDITS

Administrator White noted that Colorado State Statutes require that the sponsoring entity for each Certified Local Government approve a resolution each calendar year agreeing to be a reviewing entity for state tax credit projects for that year.

Trustee Buckingham moved to approve Resolution 2-08 agreeing to act as a reviewing entity for the State income tax credit program. Second by Mayor Pro-Tem Ashcraft. The motion passed unanimously.

EXECUTIVE SESSION – NEGOTIATIONS & LEGAL

Mayor Karspeck asked for a motion to allow the Board to adjourn to an Executive Session for negotiations and legal actions.

Trustee Buckingham moved to adjourn to an Executive Session for negotiations and legal actions. Second by Trustee Thorstensen. The motion passed unanimously.

The Board adjourned to an Executive Session at 7:55 p.m, and reconvened and adjourned at 9:00 p.m.

Mayor Milan Karspeck

Deputy Town Clerk Charlene Reed