

Board Members Present:

Mayor Tom Patterson

Mayor Pro-Tem David Gregg

Trustee Michael Patrick

Trustee John Bauer (7:30)

Trustee Jeff Hindman

Trustee Dick Shepard

Staff Members Present:

Town Administrator Gary Suiter

Town Clerk Mary Cowdin

Town Planner Tim Katers

Town Attorney Bruce Fickel

Deputy Town Clerk Linda Higuera

Pledge of Allegiance

Mayor Patterson led the Pledge of Allegiance

Citizen Participation

Judy Lehn addressed the Board regarding the taste and smell of the water, the lack of snow removal, no activities in the parks, nine businesses that have closed.

Dorian Ryan stated that the citizens of Berthoud should come first. She also stated that the money being spent for an economic development consultant should be spent from a water consultant and a tree consultant. She also read information from a posting on the Berthoud Town Forum regarding hiring of an economic development consultant. Ms. Ryan stated that there is very little or no return for an investment of \$50,000 for a consultant.

Billie Norris addressed the Board regarding the stench of the water. Ms. Norris stated that even with water filters the water is undrinkable. She also stated that the rates are significantly higher.

Diane Guken states that the Berthoud water smells like a swamp. She just recently had eye surgery and is afraid to use the water for fear of infection.

Kathy Stimler stated that the water is unusable, smelly and rusty.

Town Administrator Suiter presented a report detailing the steps that have been taken in the last few weeks. The water has been tested repeatedly for any contaminants. The laboratory tests

have been negative for any bacteria. There has been some limited flushing but no system wide flush. Administrator Suiter has been in contact with the Colorado State Health Department regarding problem. They stated that this is a recurrent problem with shallow water storage areas. The Town is hiring a professional water consultant to evaluate the entire water supply system to determine the problem.

Trustee Patrick stated that the smell and taste issues usually occur this time of year. He also stated that solar bees have been purchased and installed in the reservoir to circulate the water to prevent the formation of algae. Trustee Patrick stated that this issue was a priority for the Board and the Town staff.

Roger Norris asked if there was a plan to reduce water rates.

Gary Movell stated that the Town should bring in experts to solve this problem.

Dana Foley stated that this is the worst the water has ever been. He stated that the water sample given to the water department was tested at his house, not at the laboratory. Mr. Foley stated that the EPA is going to require additional testing in the future. The Town should consult with other communities to determine what works, then implement those ideas.

Mick Shupe stated that he lives by the water storage reservoir and the smell is extremely rank. He stated that introducing grass carp to the reservoir would reduce the algae.

Mayor Pro-Tem Gregg asked for rate comparison information for a future meeting. Trustee Patrick cautioned that the water and sewer rates in Berthoud are what are required to pay the bond payments.

Trustee Shepard stated that this problem needs to be addressed.

Jen Rotar stated that the weeds at Berthoud Commons (vacant lots) are extremely high. She requested that the vacant lots be treated the same as the individual property owners by the Code Enforcement Officer.

Dana Foley stated that before the Town raises rates it should consider selling equipment that is not being used. He also stated that potholes are not being filled, streets are not being swept.

Reports

Trustee Shepard stated that the Utility Advisory Board is compiling an assessment of cost of providing the water and sewer services. Attorney Fickel provided an explanation of the Xcel franchise agreement to the UAB which was appreciated.

Trustee Hindman requested that anyone who has concerns about the Berthoud Economic Development Committee attend a BERT meeting.

Administrator Suiter announced that the Bunyan Avenue railroad crossing will be replaced in the next week.

There is a pre-construction meeting for the roundabout on 9/2/09. There is a public portion of the meeting for any resident having concerns or needing more information on the project.

A scope of work for the Economic Development Consultant has been received. It is currently being reviewed.

The old warning sirens are no longer in existence and would not be cost effective to repair and/or replace. A new system would probably be out of reach financially. Trustee Hindman stated that the LETA system is up and running for emergency notifications.

The Budget process is beginning. Administrator Suiter met with staff and explained the budget process.

Administrator Suiter presented the schedule for Town Administrator interviews. The interview schedule was approved by consensus.

Consent Agenda

Motion by Trustee Bauer to approve the minutes of the August 11, 2009 meeting. Motion seconded by Trustee Shepard. Motion approved with five yes votes and one abstention by Trustee Hindman.

Motion by Trustee Hindman to approve the minutes of the August 14, 17 & 18 2009 meeting, July bills allowed and July financial statement. Motion seconded by Mayor Pro-Tem Gregg. Motion passed unanimously.

Motion by Mayor Pro-Tem Gregg to approve the Special Events Liquor License. Motion seconded by Trustee Shepard. Motion passed with five yes votes and one abstention by Trustee Patrick.

Proclamation-Constitution Week

Mayor Patterson read the Constitution Week Proclamation into the record.

Resolution re: Ludlow Annexation

Mayor Pro-Tem Gregg recused himself from this matter due to a conflict of interest. The Mayor reopened the public hearing. Planner Katers presented a summary. He requested that the Board approve the annexation without the development/annexation agreement. Jim Birdsall spoke for the applicant and stated that he was encouraged by his recent meeting with staff regarding the modification of the proposed agreement. Town Attorney Fickel explained that the developers are trying to accomplish an annexation without an election. By including the conditions in the annexation it would protect the developer and the Town. The Mayor closed the Public Hearing.

Motion to approve Resolution 13-09 Trustee Shepard, second Bauer. Approved unanimously.

Appointments to volunteer boards & commissions

Town Clerk Cowdin presented the recommendations as listed. Motion to approve by Trustee Hindman, seconded by Trustee Shepard. Motion approved unanimously.

Set public hearing-ordinance Re: Town fees

Attorney Fickel presented this item. This ordinance would allow the Town Administrator to bring routine fee increases to the Board. Motion to set the Public Hearing for September 8, 2009 by Trustee Patrick, seconded by Trustee Shepard.

Aims Ballot Question

Town attorney Fickel presented the proposed ballot language. This was developed between Attorney Jacqueline Johnson and Attorney Fickel. It was moved and seconded to approve the ballot language subject to review by Colorado Municipal League attorneys. Motion passed unanimously.

The meeting was adjourned at 9:00 a.m.

Mayor Tom Patterson

Linda Higuera
Deputy Town Clerk