

Mayor Patterson called the regular meeting to order at 7:10p.m.

Board Members Present: Mayor Tom Patterson
Trustee Michael Patrick
Trustee John Bauer
Trustee Glen Buckingham
Mayor Pro-Tem David Gregg
Trustee David Shepard
Trustee Jeff Hindman

Staff Members Present: Town Administrator Jim White
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

Scott Banzhaf questioned the status of the railroad crossings in town. The crossing on Bunyan still needs repair. Administrator White stated that the equipment for the repair is in Town and the repair is scheduled, reportedly in July.

Reports

Mayor Pro-Tem Gregg attended a Planning and Zoning Commission meeting. The latest project is an amendment to the Development Code. The Parks and Open Space Board is now operational. A tour of Berthoud Parks is scheduled for June 24, 2009.

Trustee Bauer attended a North I-25 workshop last week. CDOT has worked with the neighboring communities to re-establish the rail link from Longmont to I-25. The cost has also been reduced for I-25 improvements by reducing the length of some medians. The committee is nearing completion of a formal recommendation.

Trustee Shepard asked the Town Board members to evaluate the current projects to make sure there is consensus as to the direction. He expressed concern regarding developing the job description for both Town Administrator and Public Works director. Trustee Shepard asked that the Xcel franchise agreement be tabled.

Trustee Hindman stated that he would support review and updating of the goals set by the Board last year. He reported that K-Lynn Cameron, Open Lands Director for Larimer County, retired last week.

Trustee Buckingham reported that the search sub-committee will present their item.

Administrator White reminded the Board of the Lehman Printing Center dedication on Saturday, July 27, 2009 at 11:00 a.m.

The Southwest Weld Economic meeting is twice per month. Administrator White asked if anyone on the Board was interested in attending. Trustee Buckingham volunteered.

Administrator White is recommending hiring an interim Public Works Director until the position can be filled permanently.

Consent Agenda

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|-------------------------|--------------|
| 6a. Minutes | June 9, 2009 |
| 6b. Bills Allowed | June 2009 |
| 6c. Financial Statement | May 2009 |

Motion to approve items 6a(minutes), 6b(bills allowed) and 6c(financial statement) by Trustee Buckingham, seconded by Mayor Pro-Tem Gregg. Motion passed unanimously.

Motion to approved item 7, Pizza Hut Temporary Liquor License by Trustee Buckingham, seconded by Mayor Pro-Tem Gregg. Motion passed with six yes votes and one abstention by Trustee Patrick.

Aims Jr. College District resolution & ballot question discussion

Dr Marsi Liddell, President of Aims Community College introduced Jacqueline Johnson, Aims counsel. Ms. Johnson explained the legislation that allows voters in Berthoud and the Aims Board of Trustees to vote to include Berthoud in the Aims taxing

district. Ms. Johnson also explained that any Berthoud ballot question would need to address TABOR issues.

Dr. Liddell stated that if the ballot issue passes, any increased funds generated by voter approval would be placed in a restricted fund dedicated to the future Berthoud campus. Dr. Liddell also stated that upon approval, any Berthoud resident would qualify for reduced tuition at any Aims Campus.

Trustee Buckingham asked about the percentage of revenue Berthoud would generate. Dr. Liddell estimated that Berthoud would contribute approximately \$300,000 which is a small percentage of their total budget.

Trustee Patrick stated that the current Berthoud mill levy for residents was 9.162. This measure would increase it to 15 mills. This might be a sticking point for residents with the current economic conditions.

Ludlow Farms annexation petition & set public hearing

Planner Katers presented the request by Ludlow Farms for annexation. Motion by Trustee Hindman to approve Resolution 12-09 and set the public hearing for the Ludlow annexation for August 11, 2009, seconded by Trustee Buckingham. Motion passed unanimously.

Set public hearing-ordinance Re: conveyance plat

Planner Katers presented the request to create a "conveyance plat" to handle large platted lots as an addition to the Development Code. Motion to set the public hearing for Ordinance 1111 for July 14, 2008 by Trustee Hindman, seconded by Trustee Bauer. Motion passed unanimously.

LETA update

Kimberly Culp, Executive Director for Larimer Emergency Telephone Authority, described the history of LETA and presented an overview of LETA's budget and projects.

Appointment to Berthoud Economic Development Committee

Administrator White presented an update to this item. Trustee Buckingham reported that all three applicants are well qualified. He is recommending that the membership ordinance be

amended to fifteen members and appoint all three applicants. Motion to expand the membership of the BERT committee to fifteen and to appointment all three applicants by Trustee Hindman, seconded by Trustee Shepard. Trustee Patrick suggested that the Board of Trustees needs to clarify the functioning of the BERT committee and provide direction. Trustee Buckingham recommended that staff provide additional training for BERT members. Motion passed unanimously. Trustee Hindman asked that the BERT minutes be distributed to all Board members. Trustee Shepard supported receiving regular reports from the BERT sub-committees.

Mayor Patterson introduced Dallas Everhart, Fort Collins. Mr. Everhart presented his resume and is interested in being hired to assist in the transition between Town Administrators.

DOLA/CSU/TOB Memorandum of Understanding for Recreation Center designs

Administrator White presented the proposed Memorandum of Understanding regarding developing drawings for the future recreation center. Mayor Pro-Tem Gregg asked to increase the scope of work to include identifying potential funding and to include master planning for the recreation center site. Motion to approve the Memorandum of Understanding for recreation center design and incorporate increases in the scope of work to include potential funding sources by Trustee Hindman, seconded by Trustee Buckingham. Motion passed unanimously. Funding to be taken from 1% sales tax.

Set Public Hearing-Ordinance re: Xcel Energy franchise agreement

Trustee Shepard requested this item be postponed. Trustee Patrick moved to table the Xcel franchise agreement matter, seconded by Trustee Shepard. Attorney Fickel explained the legal issues involved with postponing this item. Mayor Pro-Tem Gregg recommended that public hearing be held. Trustee Buckingham amended the motion to read set a public hearing, seconded by Trustee Hindman. Mayor Patterson called for a vote on the main motion to postpone the public hearing, without the amendment. Motion failed with five no votes and two yes votes. Motion to set the public hearing for July 28, 2009 by Trustee Buckingham, seconded by Trustee Hindman. Motion passed with five yes votes and two no votes.

Review of subcommittee documents

Trustee Buckingham presented the recommendations, statutory requirements and proposed job description for the Town Administrator position. Trustee Buckingham also distributed the recommended advertisement.

Motion by Trustee Buckingham to accept Item A of the recommendations, seconded by Trustee Bauer. Motion passed unanimously.

Motion by Trustee Buckingham to approve the sub-committee to work on the selection of a paid interim resource, seconded by Trustee Bauer. Trustee Buckingham modified the motion to present a list of two candidates for consideration by the Board. Approved by the second. Motion passed unanimously.

Motion by Trustee Buckingham for the town attorney to review and present the suggested contract, seconded by Trustee Patrick. Motion approved unanimously.

Motion by Trustee Buckingham to approve application deadline for hiring the permanent administrator three weeks from the date of posting. Trustee Buckingham amended application deadline to July 17, 2009, seconded by Trustee Bauer. Motion approved unanimously.

Motion by Trustee Buckingham to direct the Town Clerk to post the job in the listed sites, seconded by Trustee Bauer. Motion passed unanimously.

Motion by Trustee Buckingham to approve expenses associated with the posting and interview process, seconded by Trustee Bauer. Motion passed unanimously.

Motion by Trustee Buckingham to approve the selection process as outlined, seconded by Trustee Bauer. Motion passed unanimously.

Mayor Patterson adjourned the meeting at 10:30 p.m.

Mayor Tom Patterson

Linda Higuera
Deputy Town Clerk