

Board Members Present:

Mayor Tom Patterson
Mayor Pro-Tem David Gregg
Trustee John Bauer
Trustee Glen Buckingham
Trustee Michael Patrick
Trustee Jeff Hindman
Trustee Dick Shepard

Staff Members Present:

Town Administrator Mike Hart
Town Clerk Mary Cowdin
Public Works Director Stephanie
Brothers
Town Planner Tim Katers
Town Attorney Bruce Fickel

Mayor Patterson called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Mayor Patterson led the Pledge of Allegiance.

Reports

Trustee Hindman attended the forum on downtown Loveland. He felt some of the issues were the same for Berthoud's downtown. He also attended the Weld Economic Development luncheon.

Mayor Patterson passed out information from the North Front Range MPO. He also discussed the Transportation Impact Fee report. This report shows the different communities handling of transportation impact fees.

The Tree Board is looking for projects for Arbor Day in Berthoud. Some suggestions are Botterell Home area, the roundabout, Pioneer Park and the high school. Please forward suggestions to a Tree Board member or the Town Administrator.

The Berthoud Historic Preservation Commission is looking at the Building Codes to determine what the HPC is allowed to do, i.e. designation of any home 50 years older or more as historic. The HPC is also working on signage on the interstate.

Trustee Shepard attended the Utility Advisory Board meeting. The UAB is working on setting goals for the next year. They will be presenting a report on 2/16/10. The primary focus is on water issues.

Administrator Hart discussed the lack of agenda material for the next few weeks. If there are no agenda items there will be no meeting scheduled.

Trustee Patrick asked staff to present a current update of the Sales and Use Tax to evaluate current collections versus projections.

Administrator Hart discussed the proposed Board Retreat. There was a consensus to have a retreat on February 9, 2010 beginning at 6:00 p.m. The meeting will be held at the Mayor's home.

Administrator Hart has received a request from BERT for a second Business Appreciation Breakfast. He has recommended that BERT try to obtain corporate sponsors to assist with the cost. There was consensus was to pursue the idea with corporate sponsors to assist with the cost.

There will be no Board meeting on March 16th.

Robert Fink will be filling in for Town Attorney Bruce Fickel during absences in the next few months.

Town Engineer Stephanie Brothers presented an update on the capital improvement projects. She distributed information on the three current projects, i.e. roundabout construction, roundabout enhancement and Mountain Avenue Phase three.

Mark Chaffee addressed the Board regarding the delays in the roundabout project. Administrator Hart reported that all options were re-evaluated and there was no way to speed up the project due to the timing of project approval and the early bad weather.

Consent Agenda

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|-------------------------|-----------------------|
| 6a. Minutes | January 12, 2010 |
| 6b. Bills Allowed | Dec 2009 and Jan 2010 |
| 6c. Financial Statement | November, 2009 |

Motion to approve the consent agenda by Trustee Buckingham, seconded by Trustee Hindman. Trustee Bauer abstained from voting on the minutes. Motion passed unanimously.

Public Hearing - Variance to Development Code Prairie Star

The Mayor opened the Public Hearing. Planner Katers presented this item. The applicant is asking for a variance as detailed in the staff report.

Trustee Patrick questioned who would be responsible for the infrastructure if a block in the middle of the project was activated first.

Planner Katers also explained that the Planning Commission will address changes to the Development Code Zoning and Design Standards on 2/11/10.

Trustee Buckingham clarified that the variance request would apply once a block was identified.

Trustee Bauer questioned the process as outlined in the Model Development Code.

Trustee Patrick recommended that instead of a variance that would set a precedence that the Town proceed with the amendments to the Development Code that would address some of these issues.

Roger Walker, Engineer for the Prairie Star Development, addressed the Board. Mr. Walker explained that the purpose of this request is to stimulate marketing of portions of this development. This would allow potential purchasers of specific plots to share in the cost of the detailed engineering. Mr. Walker presented information about the level of detail already completed for this development.

Trustee Patrick asked how a potential purchaser would be able to identify their engineering costs with this type of situation. Mr. Walker stated that preliminary engineering has been done. The purchaser would be able to estimate their cost.

Joe Ebanowski, resident just north of the Prairie Star development, addressed the Board. He stated that his purpose for attending the meeting is to obtain information regarding the progress of the project.

Scott Sarbaugh explained the reasoning for requesting the variance and explained that the development includes improvements for County Road 17 as development occurs. He also stated that if the development code changes currently in process were to be completed soon, a variance would probably not be necessary.

Trustee Patrick asked Planner Katers about the timing of the development code changes. Planner Katers felt that the changes could be completed in the near future. The Planning Commission has reviewed the draft changes.

Mr. Sarbaugh requested that the request for a variance be continued to late March to allow the Board to consider the changes to the Development Code.

Motion by Mayor Pro-Tem Gregg to continue the matter to March 23, 2010, seconded by Trustee Buckingham. Motion passed unanimously. Trustee Patrick requested that the Development Code changes be scheduled for a study session in late February.

Resolution regarding Larimer County Emergency Management Plan

Public Works Director Stephanie Brothers presented a request from Larimer County for a Resolution supporting an updated Hazard Mitigation Plan. Eric Nilsson, Larimer County Sheriff's Office, has

prepared the Hazard Mitigation Plan for the Northern Colorado Region and is asking Berthoud to be a part of this plan.

Motion to approve Resolution 1-10 supporting Berthoud's inclusion in the Northern Colorado Regional Hazard Mitigation Plan by Trustee Buckingham, seconded by Trustee Hindman. Motion passed unanimously.

The meeting adjourned at 9:05 p.m.

Tom Patterson, Mayor

Linda Higuera
Deputy Town Clerk