

**Board of Trustees**  
**Regular Meeting**  
**September 27, 2016**

**1. CALL TO ORDER**

Mayor Mulvihill called the regular September 27, 2016 Board of Trustees meeting to order at 6:30 PM in the Board Room.

**2. ROLL CALL**

Town Clerk Alisa Darrow called the roll, those present were: Mayor Mulvihill, Mayor Pro Tem Buckridge, Trustee Baker, Trustee Dunkelberger, Trustee Hindman, Trustee Karspeck, and Trustee Laak.

**3. PLEDGE OF ALLEGIANCE**

Mayor Mulvihill led the Pledge of Allegiance.

**4. CITIZEN PARTICIPATION**

- a. Monica Signer – Spoke on behalf of the local Farmer's Market, she thanked the Board and staff for allowing the market to move locations and work out of Fickel Park in 2016. She indicated that Berthoud Local would be interested in relocating to Waggener Farm Park if the possibility presented itself in the future.
- b. Lorna Greene – Expressed concern and interest as to how the Town would move forward with addressing the policy related to mosquito spraying.
- c. Stephanie Cooper – Spoke about alternative options for mosquito mitigation going forward and encouraged the Board to look into them thoroughly when they considered changes to the mosquito spraying policy.

**5. CONSENT AGENDA**

The Consent Agenda consisted of the minutes from September 13, 2016.

Trustee Laak moved, seconded by Trustee Dunkelberger, to approve the Consent Agenda with the minutes amended. The motion carried 6:0, with Trustee Hindman abstaining.

**6. COMMITTEE APPOINTMENTS**

Town Clerk Darrow presented on this item.

**Trustee Dunkelberger moved, seconded by Trustee Karspeck, to appoint Tracy Briggs to a two-year term and Aaron Smith to a one-year term on the Historic Preservation Advisory Committee and Grant Steffen to a two-year term on the Tree Advisory Committee. The motion carried 7:0.**

**7. IGA FOR FUNDING I-25 IMPROVEMENTS**

Attorney Bell presented on this item and Administrator Hart provided background information.

Trustee Hindman asked how much money the Town would be foregoing by returning funds to the County for I-25 improvements.

Administrator Hart explained that the Town would continue to keep the 2015 Road and Bridge funds that it was already receiving and it was only the overage that would be returned to the County for this use. This agreement would return those overages to the County over a five-year period and the Town would continue to receive the 2015 amount in those future years.

Mayor Pro Tem Buckridge pointed out that the Town would be able to keep funds if there were an emergency or if property values dropped and there was no overage.

Attorney Bell commented that he thought the amount being returned to the County was less than \$50,000 a year in the first two of the five years. He also pointed out that Fort Collins, Loveland, Windsor and Estes Park had already approved the agreement to be signed.

Mayor Mulvihill stated that the time to question whether or not the IGA was the right thing to do was when the motion to support the project and its funding mechanism were previously brought before the Board.

Trustee Hindman disagreed and stated that the Board had the right to ask questions before committing Town funds to any project and he could not recall the meeting when the Board committed to moving forward.

Trustee Karspeck recalled meetings at the MPO and with the County where the issue was discussed, he was supportive of being a team player on improvements to the interstate.

**Mayor Pro Tem Buckridge moved, seconded by Trustee Baker, to authorize the Town Administrator to sign the IGA for funding I-25 improvements. The motion carried 7:0.**

**8. RESOLUTION – SCHOOL DISTRICT BALLOT ISSUES**

Mayor Mulvihill introduced this item and Attorney Bell provided the Board with information regarding support of ballot questions that are introduced by other entities.

Dr. Scheer, Superintendent of Thompson School District, commented that he was present to answer any questions the Board might have.

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Trustee Hindman asked if other cities had passed resolutions supporting the ballot issues from the school district.

Dr. Scheer responded that Loveland had chosen to not pass a resolution and to stay neutral.

Trustee Hindman recalled his time on the Board in the past when resolutions were passed supporting ballot questions. He had children who went through the school system in Berthoud and was very understanding of the school district's challenges. He was supportive of passing the resolution.

Trustee Baker recalled her experience going through school in Berthoud and was also understanding of the challenges related to funding. She commented on the importance of schools being competitive in today's world where parents could choose to open enroll outside of the school district. She was supportive of the resolution.

Mayor Pro Tem Buckridge was supportive of the school district, but was concerned that the school district was also a governmental entity. He did not feel the Board should be representing the citizens on an item that they could vote on individually in November. He did not wish to pass the resolution.

Trustee Karspeck shared the concerns expressed by Trustee Buckridge, but pointed out that the Board had supported the County's initiative for a mental health facility. He was in favor of passing the resolution.

Trustee Dunkelberger stated that she supported the school district on a personal level, but shared the concerns expressed by Trustee Buckridge and would not support the resolution.

Trustee Laak suggested that passing the resolution would send a message to the community about where the Board stands on education. He thought it might be particularly helpful to new families in the community. He supported the resolution.

Mayor Mulvihill agreed with the comments made and recognized the need for additional school funding. He was concerned about the bond issue because it appeared that the district could repurpose funds if certain projects fell short on funding and there was no guarantee that the funds allocated to Berthoud would definitely be used in the community.

Dr. Scheer responded that the district was very clear about how the funds would be spent and prioritization had been done to identify which projects rose to the top. He assured the Board that funding would be utilized in accordance with the district's master plan.

Mayor Mulvihill suggested changes to the resolution to acknowledge the district's ballot questions rather than support them, and remove the language encouraging citizens to vote in a specific manner.

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Mayor Pro Tem Buckridge supported the proposed changes to the resolution.

Trustee Hindman disagreed with the proposed changes and suggested adding wording that the Board supported the Thompson Reinvented Plan that provides the detail as to how the bond funds would be spent.

Trustee Laak was not in favor of the proposed changes from Mayor Mulvihill and was fine with the resolution as it was written.

Trustee Karspeck agreed with Trustees Hindman and Laak.

Trustee Baker was in favor of the changes proposed by Mayor Mulvihill in the second paragraph of the resolution and suggested stating the Board encouraged citizens to investigate the proposal on their own prior to voting.

**Trustee Laak moved, seconded by Trustee Hindman, to approve Resolution No. 19-16, supporting ballot measures 3D and 3E supporting additional funding for Thompson School District with the changes proposed by Trustee Baker. The motion carried 4:1, with Mayor Mulvihill opposed and Mayor Pro Tem Buckridge and Trustee Dunkelberger abstaining.**

**9. BULK WATER PURCHASE**

Administrator Hart presented on this item.

Trustee Hindman commented on the history of water requirements in Berthoud and was supportive of the agreement. He was excited about non-treated water being used for lawns rather than treated drinking water being the source for watering outdoors.

Trustees Dunkelberger, Karspeck and Baker were also supportive.

Mayor Pro Tem Buckridge noted that the strategy was working as it was intended.

**Trustee Karspeck moved, seconded by Mayor Pro Tem Buckridge, to approve the "Town of Berthoud Agreement for Payment of Cash-in-Lieu of Water Dedication." The motion carried 7:0.**

**10. RESOLUTION – BUDGET APPROPRIATION FOR TOWN HALL IMPROVEMENTS**

Administrator Hart presented on this item.

Trustee Dunkelberger commented that she had toured the building and she was supportive of improving the Board Room and moving the audio visual equipment to the new building.

Trustee Karspeck wondered why the costs to move the Board Room equipment were so high.

Information Technology Specialist Del Hunter responded that there were some upgrades needed to use the same equipment in a larger room and there were other technology needs related to the building and keeping staff connected to a shared network. He also noted the age of the router used at the current Town Hall and the need to upgrade it regardless of the move.

Trustee Karspeck was still concerned that \$100,000 was such a high number and asked if the Town could consider other bids to ensure the Town received the lowest cost.

Administrator Hart noted that the bank was paying a higher amount for their portion of the remodel on the first floor. The Town would not bear any cost for improvements other than those related to AV and the Board Room. He pointed out that originally the Board Room was not included in the moving costs and he had estimated \$50,000 in moving costs when the Board approved the purchase of the new building. The \$50,000 would have been for improvements on the upper levels, but because of the lease agreement with the bank, the only area requiring any remodel would be the basement where the Board would meet in the future.

Mayor Pro Tem Buckridge stated that the only real way to cut the costs would be to forego the larger Board Room in the move. He recalled times when the current Board Room was filled with interested citizens and he was in favor of enlarging the Board Room at the new building.

Trustee Baker agreed with Mayor Pro Tem Buckridge's comments and was supportive of the renovation.

Trustee Hindman was not comfortable appropriating funds without seeing the details of the bid for construction or the architectural drawings. He suggested the Board postpone the item until more detail could be provided.

Trustee Laak was also concerned about the high dollar amount being requested for the remodel of the new Town Hall and also asked for more detail.

Mayor Mulvihill clarified that in previous presentations from staff, decisions about moving the Board Room were not made and there were no numbers associated with remodeling the room in the basement for the Board Room in the past.

Administrator Hart suggested that any contracts for construction could be brought back to the Board for approval before funds were spent, staff would include architectural plans at that time.

**Trustee Hindman moved, seconded by Trustee Laak, to table the item to a later date when staff could bring back detailed budget information and architectural drawings. The motion failed 3:4, with Mayor Mulvihill, Mayor Pro Tem Buckridge, Trustee Dunkelberger and Trustee Baker opposed.**

**Mayor Mulvihill moved, seconded by Mayor Pro Tem Buckridge, to approve Resolution No. 20-16, appropriating \$100,000 to remodel the Guaranty Bank Building for use as Town Hall**

with the caveat that construction contracts would be brought to the Board for approval. The motion carried 4:3, with Trustees Karspeck, Hindman and Laak opposed.

**11. RESOLUTION – SKATE PARK IMPROVEMENTS AND BUDGET APPROPRIATION**

Parks and Recreation Director Olinger presented on this item.

Trustee Hindman was in favor of implementing option B with the discount in 2016.

Trustee Baker commented that as much as she would like to move forward with full implementation, she was concerned about the funding because there were other budgetary items such as mitigation of the Emerald Ash Borer that would be considered in the budget process.

Mayor Pro Tem Buckridge was impressed with the discount being offered, he was concerned that the Board had not received the PORT (Parks, Open Space, Recreation and Trails) survey results yet. He was in favor of option A while the Board waited for more information on the PORT Plan.

Trustee Karspeck was in favor of full implementation of the improvements.

Trustee Dunkelberger thanked staff for their work and she was in favor of option B with full implementation in 2016.

Trustee Laak was also in favor of option B and full implementation.

Mayor Mulvihill was concerned about moving forward on a PORT Plan item that was not supported in the prioritization shown through survey results. He was concerned that the Board was allocating funds that could be used on higher priority items if the item were tabled until the full results of the PORT Plan were presented. He also pointed out that as the Skate Park was discussed, it started as \$15-20,000 and was now approaching almost \$40,000.

Trustee Laak commented that there was discussion in the PORT Active Recreation group about the need for unsupervised sports to be easily accessible in the community, but details had not been flushed out.

Trustee Baker wondered if the Skate Park had been specifically discussed.

Trustee Laak noted that most of the members were very focused on a personal passion and the users of the Skate Park were not represented in the group.

Mr. Olinger explained the PORT Plan process and how and when feedback was being received related to the Town's amenities.

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Mayor Mulvihill commented that of all the feedback he was receiving from the community, nothing related to the Skate Park had been mentioned to him. He was concerned about spending so much to upgrade the Skate Park when there were parks without benches, shelters or restrooms in the community.

Trustee Hindman responded that the Skate Park has needed upgrades for quite some time, he recalled that the reason for the location was to keep it out in the open and accessible to all. He reiterated his support for the appropriation to upgrade the Skate Park.

**Trustee Laak moved, seconded by Trustee Karspeck, to direct staff to pursue option B and approve Resolution No. 21-16 to appropriate \$36,942 for the purchase of Skate Park equipment in 2016. The motion carried 5:2, with Mayor Mulvihill and Mayor Pro Tem Buckridge opposed.**

**12. 2017 BUDGET – WATER AND WASTEWATER**

Senior Accountant Leach presented on this item and Administrator Hart was available to provide background information and answer questions.

No action was taken on this item.

**13. REPORTS**

Trustee Laak reported he had attended Tree Board and they are making good progress, the committee would be putting together an action plan for all trees in Berthoud rather than just a plan to deal with the Emerald Ash Borer problem. He had also been meeting with citizens concerned about mosquito spraying and listening to the outcome of their research. He said the primary problem was breeding areas where there was standing water. He also attended PORT Plan meetings and thanked staff for their work. He asked staff to bring information to the Board about the future of the existing Town Hall as soon as possible. He also asked for more specific information regarding the HOA the Town would pay into for the new Town Hall.

Trustee Dunkelberger attended the 100<sup>th</sup> birthday of the McCarty-Fickel house.

Trustee Karspeck commented that the purpose of a Tree Plan for Berthoud was to think about other issues that might arise beyond the Emerald Ash Borer. He met with the local Scout Master about future Eagle Scout projects and working out a process with the Town going forward.

Mayor Pro Tem Buckridge had no report.

Trustee Baker attended the street inventory tour and learned about how the streets had been prioritized for repair. She also thanked Mayor Mulvihill for working with the local Scout Master regarding the recent removal of a bridge in Hillsdale that had been built by one of their scouts. She was planning to attend the MPO meeting and the call for project presentations would be next month.

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Trustee Hindman apologized for missing the previous meeting. He attended the Wildfire Street Arts Festival recently and enjoyed the event. He mentioned there was a Regional CML meeting on Thursday evening in Evans.

Mayor Mulvihill also attended the Wildfire event. He attended the Mayor's Forum at CML in Denver where he was able to network with mayors from other municipalities. He mentioned he had met with a citizen interested in donating ten acres for a future nursery to the Town. He thanked the Board for working through difficult issues during the meeting in a civil matter.

Administrator Hart informed the Board that the November meetings would be on the 15<sup>th</sup> and 29<sup>th</sup>. He reminded the Board about Oktoberfest and the Trustee booth. He also informed the Board that he would be out of the office for two weeks of vacation, Community Development Director Freese would be in charge.

**14. ADJOURN**

There being no further business to come before the Board at this time, the meeting was adjourned at 9:42 PM.

Approved this 11<sup>th</sup> day of October, 2016

APPROVED BY:

  
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Mayor Pro Tem Chris Buckridge

ATTEST:



Alisa R. Darrow, Town Clerk

Town Clerk