

**Town of Berthoud**  
**Board Meeting Minutes**  
**May 10, 2016**  
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**BOARD OF TRUSTEES**  
**REGULAR MEETING**  
**May 10, 2016**  
**6:30 P.M.**

**Board Members Present:** Mayor David Gregg  
Mayor Pro Tem Chris Buckridge  
Trustee Jeff Hindman  
Trustee William Karspeck  
Trustee Brian Laak

**Board Members Absent:** Trustee Jennifer Baker  
Trustee Kelly Dunkelberger

**Staff Members Present:** Town Administrator Mike Hart  
Town Attorney Greg Bell  
Accounting Technician Carla Gustafson  
Director of Public Works Stephanie Brothers  
Business Development Manager Walt Elish  
Community Development Director Curt Freese  
Director of Parks and Recreation Jeremy Olinger  
Police Chief Jim Anderson

Mayor Gregg led the Pledge of Allegiance.

**Citizen Participation**

Allen Crider of 915 Kansas Avenue gave his view of what he thought we should be doing in the city. Mr. Crider would like to see more bike paths, and specifically Hillsdale Park expanded with a trail along the creek. In addition, he believes the surcharge for medical marijuana should go towards a health center and civic related issues around town.

Trustee Hindman asked if the property west of Hillsdale Park was annexed as part of Rose Farm.

Administrator Hart replied that it would be annexed. In two weeks when the Draft Master Plan for the parks trail system is presented it will be pretty much what he was asking for.

Trustee Hindman mentioned that in the past the Town has only been able to build trails in conjunction with the adjacent developments.

Mayor Gregg mentioned that at the meeting in two weeks, the Board will discuss the Parks and Trail Master Plan leading to the next phase, which will include more community outreach and opportunities to engage.

**Consent Agenda**

The Consent Agenda consisted of the April 26, 2016 meeting minutes and the March financial statement and bills allowed.

Trustee Hindman requested a correction to the April 26, 2016 minutes. In the reports section Mr. Hindman attended the Colorado Open Lands open house at Johnsons Corner.

**Trustee Hindman moved to approve the Consent Agenda. Mayor Pro Tem Buckridge seconded the motion. The motion passed 5:0 with Trustees Baker and Dunkelberger absent.**

**JVA Consulting Engineers Utility Rate and Fee Studies**

Town Administrator Michael Hart and Director of Public Works Stephanie Brothers presented a contract item to the Board from JVA Consulting Engineers. Ms. Brothers explained it is one proposal covering a rate study for Water and Wastewater utilities, including Water and Wastewater Storm Drainage impact fee study. The Storm Water Impact Study will help develop costs to be collected at the building permit phase per legislation recently passed by voters.

Administrator Hart mentioned JVA has done work for the Town in the past and already has a lot of the information that will go into the studies. The funding for the studies has already been budgeted and staff believes it is a good deal on our behalf and recommends we award the proposal.

Andrew Reem with Raftelis Financial Consultants and Mandy Rasmussen from JVA gave a brief overview of the project and answered questions from Board members.

Trustee Laak inquired as to what the process was for no bid contracts.

Administrator Hart informed Mr. Laak that the Towns purchasing policy does not require bids for professional services although it can be up to the Boards discretion. In his experience, it has not proven to be cost effective.

Attorney Bell explained there are bid requirements on certain size capital improvement and public works projects. Professional services are an exception to that. You could still bid them, but it is not required.

Mayor Gregg quickly explained the distinction between impact/tap fees and user fees. Impact fees are paid at the time of permit for new construction. The fees go towards capital improvement to build new infrastructure. The user fees are the monthly water bills that everyone pays. These funds go towards operations and maintenance.

**Trustee Karspeck moved to approve the staff recommendation of the Letter of Agreement with JVA for matters related to rates/fees and charges, impact fees and capital improvement programs for Water, Wastewater and Storm Water. Mayor Gregg seconded the motion. The motion passed 5:0 with Trustees Baker and Dunkelberger absent.**

**CDOT Presentation**

Mr. Johnny Olson, Region Director of Northern Colorado for CDOT presented a project to widen northern I-25. CDOT asked the Town of Berthoud to contribute to the funding of the project. Mr. Olson said they are in need of \$500,000 more to reach their goal to move forward. Phase 1 will reconstruct two lanes and add one managed lane from State Highway 402 north to State Highway 14.

Mayor Gregg asked for an explanation of the staff recommended contribution amount and how it would impact the budget and the source of the funds.

Administrator Hart replied funding could come from our 1% fund, transportation impact fees, and/or from the regular General Fund dollars derived from taxes and fees. A contribution of \$500,000 could be spread out over a three-year period.

Trustee Hindman said we have to support this project, it's just a matter of how much and what funds are used.

There was discussion among the Board about how important I-25 is to our community and where the funds could come from. Mr. Hart reported that he had looked at the budget and suggested an amount not more than \$250,000 but if the Board decided to contribute \$500,000 it could be spread out over three years from two different funds. He would not recommend taking it out of the 1% fund due to the recreation center project.

Mayor Pro Tem Buckridge suggested we commit to \$250,000 today and decide, after reviewing the budget, if we could contribute more.

Because of his knowledge of the budget and fund balances Mayor Gregg felt comfortable agreeing to a pledge of \$250,000 tonight.

Trustee Hindman supported the decision but would prefer it come from the general fund.

Mayor Gregg commented the source of the funding could be decided later as budget studies are coming in August and September.

**Mayor Pro Tem Buckridge moved to pledge \$250,000 at this time and revisit later for possible adjustments. Mayor Gregg seconded the motion. The motion passed 5:0 with Trustees Baker and Dunkelberger absent.**

**VanGo Presentation**

Mr. Jeff McVay presented information and a slide show highlighting the benefits of the VanGo service provided by the North Front-Range Metropolitan Planning Organization. The ride-sharing program offers commuters living in the same geographic area the opportunity to commute together and save money. Other benefits are the use of HOV lanes, reduced congestion, and potential incentives or subsidies from employers. For more information on how to start a Vanpool, go to [www.smarttrips.org](http://www.smarttrips.org).

**Ordinance re: ballot question #261**

Attorney Bell explained the ordinance for a 3% lodging tax for the Town of Berthoud passed by voters on April 5, 2016 commencing on January 1, 2017.

**Trustee Hindman moved to adopt Ordinance 1218 regarding a 3% lodging tax. Trustee Laak seconded the motion. The motion passed 5:0 with Trustees Baker and Dunkelberger absent.**

**Ordinance re: ballot question #262**

Attorney Bell also explained the ordinance for the permanent levy passed April 5, 2016. Voters made permanent the levy passed by the voters in 2006 imposing a maximum of three mills upon taxable real property within the Town for the support of police and law enforcement.

**Trustee Hindman moved to adopt Ordinance 1219 regarding a maximum of three mills upon taxable real property within the Town for the support of police and law enforcement. Trustee Laak seconded the motion. The motion passed 5:0 with Trustees Baker and Dunkelberger absent.**

Mayor Gregg called a recess at 8:03 p.m.

Mayor Gregg reconvened the meeting at 8:05 p.m.

**Recreation Center Discussion**

Administrator Hart provided information regarding recreation center discussions from previous meetings to the current Board members. The purpose of the discussion was to let the current Board members know where the last Board left off. Mr. Hart also included a proposal from GreenPlay, who has been doing consulting for the Port Masterplan to facilitate a citizens committee for the rec center project. They have done the public meetings and surveys that indicated the most interest from the community was for a recreation center. As a result, the previous Board decided to separate the rec center project from the Port Master Plan and create a citizen committee to get involved with the rec center project. He explained the history of different funding options. Due to restrictions on grant money from DOLA the facility could be called a Community Activity Center and a partnership with the Boys and Girls Club is being considered. He recommended the Board wait to make decisions until after they hear GreenPlay's development plan presentation at the next Board meeting on May 24, 2016.

Mayor Gregg added that the urgency to move forward with the rec center is due to a \$500,000 endowment the Town received from the Jones family some years ago, and will expire December of 2017 if a project is not under construction by that time. He gave a brief history of previous plans that involved several phases for construction.

Administrator Hart explained part of the decision to possibly partner with the Boys and Girls Club was to share the operating costs.

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Mayor Gregg suggested due to funding, the project would need to have a modest beginning with multiple phases and a vision for the future. The reason for the partnership and the phased approach is to get something started.

Administrator Hart recapped the purpose tonight is to get this Board up to speed of where the project is. What they choose to do with the project moving forward is up to them.

Trustee Hindman gave a history of previous rec center planning from the 1990's. He stated previous plans were derailed due to a Growth Cap that was passed. He stated the funding challenge is the operations and maintenance and due to the expense, they should look at not only the Town but also the fire district as well for a tax base. He asked Attorney Bell if it would be possible to get something on the ballot this year. He further commented that he believes there is a market for a rec center in Berthoud and if the right plan is presented, the people will vote for an increase in property taxes.

Mayor Gregg asked Mr. Bell if there is a restriction in district formation in taxation vote every two years in November.

Mr. Bell replied the vote could be done at any election including a special election.

Trustee Hindman commented that the school district has expressed serious interest in building an indoor pool at Berthoud High School and he believes it is an opportunity to move the bigger vision forward, not just the community center.

Administrator Hart mentioned he met with the school district and was informed they need a ballot issue to approve bonds to do their facilities master plan. If approved, pool construction would be 7-10 years out.

Project Manager Dylan Packebush from GreenPlay spoke about how they could help with the vision and planning of a rec center. The first part would be to help develop a committee to focus on input from community. The second would be insuring any partnerships are penned onto paper and discussions of who is responsible for operations of the facility be formalized.

Mayor Gregg inquired as to the time frame from committee formation until we have enough information to engage in the architecture phase.

Mr. Packebush responded with an estimation of one to two months for community input and one to two months for feasibility.

Trustee Hindman commented that there is no reason to spend the money if voters are not going to approve it and basic schismatic plans with an estimated budget should be presented to the voters to determine if they would approve it.

**Reports**

Administrator Hart began by mentioning the special election is set for August 9, 2016 and will be a mail ballot election. He informed the Board the agendas from now until the election will be heavy with items on transportation, water resource plant and development issues. Mr. Hart asked the Board for input on when they would like to have a retreat.

Trustee Laak replied he would like to have one as soon as possible.

Trustee Hindman related he would like to have some study sessions as well as a retreat including a facilitator.

Different scenarios were discussed regarding when and where to have an information and goal oriented meeting. A meeting including a facilitator was planned on May 31, 2016 at 6:00 p.m. Included in the meeting will be a presentation of the Town's Strategic Plan.

Administrator Hart stated that approval was acquired from State Engineers to begin the process of taking bids for the Berthoud Reservoir project. Mr. Hart also mentioned Trustees Baker, Dunkelberger, Laak and Karspeck are scheduled to attend the CML meeting.

Trustee Hindman reported he would like to attend the Spring CML meeting in Loveland and inquired how to sign up. He was informed he could sign himself up or ask Tamiko for help. He Attended the MPO meeting. He also mentioned the ceremony for the ground breaking of the climbing lane on I-25 is May 26, 2016. He would like to show a presence there in support of the project. Mr. Hindman mentioned there is a comment period open until June on a Train Horn Rule Revision. He would like the Town to comment with strong support to lower train horn noise levels.

Administrator Hart informed Mr. Hindman that letters have been sent in the past. A letter on Town letterhead to be signed by the Board will be drafted and sent to the MPO regarding the train horn noise levels.

Mayor Gregg attended a regional meeting regarding affordable housing sponsored by the City of Fort Collins and Fort Collins Realtors. He will continue to be involved and will keep the Board informed. He also attended a regional meeting sponsored by the Larimer County Office on Aging concerning senior accessible housing and will keep the Board informed of any issues.

Mayor Pro Tem Buckridge announced the Historical Preservation Advisory Committee would be hosting a Historical Preservation Day on Saturday May 21, 2016 from 1:00 to 3:00 p.m. at the Community Center. Included will be a walking tour of historical homes and a presentation with information about the process for land marking historical homes and property.

Trustee Laak reported going to the Historical Preservation Meeting. He mentioned people in the community are concerned about the rules involved for a designated historical site. He suggested putting out an informational document outlining the rules.

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Mayor Gregg adjourned the meeting at 9:13 p.m.

  
Christopher M. Balch Mayor Pro Tem  
**Mayor David Gregg**

  
Carla Gustafson  
**Carla Gustafson**  
**Accounting Technician**