

**BOARD OF TRUSTEES  
REGULAR MEETING  
MARCH 26, 2013  
BOARD ROOM  
7:00 P.M.**

Board Members Present:	Mayor David Gregg Mayor Pro Tem Jan Dowker Trustee Dick Shepard Trustee Thomas Jones Trustee John Bauer Trustee Suzie White
Board Members Absent:	Trustee Paul Alaback
Staff Members Present:	Town Administrator Mike Hart Police Chief Glen Johnson Town Clerk Mary Cowdin Administrative Clerk Jory Haslett Economic Development Director Ron Schneider

The Mayor Gregg led the Pledge of Allegiance.

**Citizen Participation**

Whitney Taylor, of City Star Brewery, 321 Mountain Avenue, addressed the Board regarding vendor licensing in Berthoud. In order to host food trucks several times during the week, City Star has installed electricity outside their building. Ms. Taylor stated that currently the Town Code requires a \$250 license fee for vendors, which is steep for food trucks because they are also required to have a county license. Ms. Taylor thinks it is worth reviewing the Town Code to revisit the vendor fees for food trucks and to investigate how other municipalities have addressed the issue. She would propose the elimination of the current code and ask the Board to take the time to adopt a common sense regulation.

**Consent Agenda**

**Trustee Bauer moved to approve the Consent Agenda with changes to the February 26, 2013 minutes made by Mayor Pro Tem Dowker. Trustee Shepard seconded the motion. The motion passed unanimously.**

### **Larimer County Update**

Commissioner Tom Donnelly and County Manager Linda Hoffman addressed the Board and spoke about the issues affecting Larimer County. Commissioner Donnelly and County Manager Hoffman also met with Administrator Hart earlier in the afternoon.

Commissioner Donnelly spoke about the tax that supports the county jail that will be expiring in 2014 and noted that there will be tough county budgets for several years.

County Manager Hoffman spoke about the recovery effort for the High Park Fire and the ensuing water availability and water quality issues.

County Manager Hoffman stated that there are exciting things on the horizon for Larimer County and the County is more visionary than before.

Berthoud is in the process of updating the IGA with the County and it will provide an opportunity for the Town and the County to work together. The County also welcomes the opportunity to work with Berthoud on economic development issues and partnerships.

### **Ordinance Re: Cultivation of Medical Marijuana**

Administrator Hart introduced the proposed Ordinance prohibiting the cultivation of marijuana for sale outside of Town limits. After further review of the Town Code, it was discovered that the issue of large retail marijuana grow operations hadn't been addressed.

Chief Johnson explained that the intent of the Ordinance was to prohibit large grow operations in Town limits that will support out-of-town medical marijuana centers or retail businesses. The proposed Ordinance will not impact patients.

Mayor Pro Tem Dowker asked for clarification of "sole purpose". For example, in the case of extra product or overages, would that be considered legal under this Ordinance because it wasn't the "sole purpose" to have extra product available for sale.

**Trustee Bauer moved to approve Ordinance 1158 as an emergency ordinance with the elimination of the word "sole" in the fifth paragraph of the ordinance to read:**

***"WHEREAS, the Town perceives a danger in allowing Medical Marijuana Businesses to cultivate medical marijuana within the Town for the purpose of selling said medical marijuana to businesses without the Town; and"***

**Mayor Pro Tem Dowker seconded the motion. The motion passed unanimously.**

**Resolution re: Supplemental Budget Appropriation for Procurement of Raw Water**

Administrator Hart presented a purchase agreement for 18 units of Colorado-Big Thompson water at \$13,500 per unit.

Administrator Hart stated that there will be 62 new building permits at the end of the quarter, all of which have used cash-in-lieu for the water requirements.

**Trustee Bauer moved to approve Resolution 5-13 for a Supplemental Budget Request for the Town of Berthoud's Water Acquisition. Trustee White seconded the motion. The motion passed unanimously.**

**Reports**

Trustee Shepard reported that the third meeting of the Comprehensive Plan Update was held last night and there has been some citizen participation lately.

Administrator Hart reported that April 13<sup>th</sup> volunteers will be laying sod in Pioneer Park.

Trustee White asked about the age limit for youth participation for volunteering at Pioneer Park. Town Clerk Cowdin stated that she will consult with the Town's insurance carrier and report back to the Board. Mayor Pro Tem Dowker asked Trustee White to send out volunteer information.

Clerk Cowdin reported that Berthoud Clean-up Day will be held at Turner Middle School on May 18<sup>th</sup> from 8 AM – 12 PM. Only residents within Town limits are allowed to drop materials off. There will be no hazardous materials recycling and tree limbs should be dropped off at the cemetery.

Administrator Hart reported that a community forum is scheduled for April 30<sup>th</sup> and June 15<sup>th</sup> is slated for a Board retreat. Mayor Gregg and Mayor Pro Tem Dowker volunteered to help with developing these agendas with input from the Board.

Mayor Gregg reported that he was a panelist at Northern Colorado Home Builders Association meeting and the attendance and energy at the meeting confirmed that the building industry has turned the corner in Northern Colorado.

Mayor Pro Tem Dowker reported that immediately prior to the next North Front Range MPO meeting there will be a VanGo media event addressing recent changes to the Buy America program and the impact it has on passenger commuter vehicles. The meeting will be on April 4<sup>th</sup> at the Windsor Community Recreation Center. Berthoud will host the May 2<sup>nd</sup> NFRMPO meeting at the Community Center. Mayor Pro Tem Dowker further reported that the 287 Corridor meeting will be held on Thursday.

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Trustee Bauer reported that he will be attending the Northern Colorado Transit Managers meeting next Thursday.

Trustee Shepard asked about preparations for the Town's participation in the 2013 Berthoud Day celebration.

Mayor Gregg adjourned the meeting at 8:11 PM.

  
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Jory Kate Haslett  
Administrative Clerk  
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Mayor David Gregg