



## MEETING MINUTES OF THE TOWN BOARD

Town Board Room  
807 Mountain Avenue  
Town of Berthoud, Colorado  
Tuesday, October 27, 2020 6:30 p.m.

This was a VIRTUAL MEETING hosted by Zoom

**REGULAR MEETING CALLED TO ORDER** – Mayor William Karspeck at 6:31 p.m.

### I. PLEDGE OF ALLEGIANCE – Mayor William Karspeck

Mayor Karspeck led the Pledge of Allegiance.

### II. ROLL CALL – Mayor William Karspeck

The following Board Members were present:

William Karspeck, Mayor  
Maureen Dower, Mayor Pro-Tem  
Jeff Hindman, Trustee  
Tim Hardy, Trustee  
Mike Grace, Trustee  
May Soricelli, Trustee  
Lonnie Stevens, Trustee

The following Board Members were absent:

The following were also present:

Chris Kirk, Town Administrator  
Christian Samora, Town Clerk  
Erin Smith, Town Attorney

### III. CITIZEN PARTICIPATION

There was no Citizen Participation

### IV. SCHEDULED ITEMS

#### 1. Consent Agenda

(Christian Samora)

*Consent Agenda items are routine by the Town Board and will be enacted with a single vote. There will be no separate discussion of these items. If discussion is deemed necessary, that item should be removed from the Consent Agenda and considered separately.*

- a) October 27, 2020 Meeting Agenda
- b) October 13, 2020 Meeting Minutes
- c) Community Garden Lease

Trustee Hindman moved to combine and approve the items a) and b) on the Consent Agenda. Trustee Grace seconded the motion. In a 6-0 roll call vote, **THE MOTION CARRIED.**

#### 2. Community Garden Lease was pulled from Consent Agenda and made first item. (Chris Kirk)

The Berthoud Local Non-Profit has been operating and managing the community garden located at Pioneer Park. This has been done through an informal relationship with the Town and has provided a beautiful community garden for anyone in the Town to enjoy. Each year, the garden is planned, planted, and harvested by volunteers and leftover produce is donated to a local food bank.

As the garden has evolved, the Town has supported Berthoud Local's efforts to enhance the garden and most recently, supported the planting of new fruit trees that were funded by a grant received by Berthoud Local. Town staff are also enhancing the irrigation system in the garden to make it more efficient, manageable, and to separate it

from the Pioneer Park irrigation system.

To further enhance and formalize the relationship between the Town and Berthoud Local have discussed and prepared a no cost lease agreement for the community garden.

Vickie Dunn and Natalie Vogt answered questions for the Board.

**Trustee Hindman approve the lease agreement between the Town and Berthoud Local for the Community Garden at Pioneer Park plus \$1000.00 with receipts for reimbursements. Trustee Hardy seconded the motion. In a 6-0 roll call vote, THE MOTION CARRIED.**

**3. Resolution in Support of Ballot Question 3B**

**(Town Board)**

Trustee Grace proposed the following Resolution for the Board to approve.

**RESOLUTION NO. 15  
(Series 2020)**

**A RESOLUTION IN SUPPORT OF BALLOT QUESTION 3B ON THE NOVEMBER  
3, 2020 GENERAL ELECTION BALLOT**

**WHEREAS**, the Town of Berthoud, Colorado ("Town"), is a statutory town; and

**WHEREAS**, in 2005 the Colorado General Assembly enacted Senate Bill 05-152 (SB 152), which prohibits local governments such as the Town from providing cable television services, telecommunication services, or high-speed internet services (advanced services), either directly or indirectly, unless such services are authorized by the electorate; and

**WHEREAS**, SB 152 has been interpreted by some as prohibiting local governments from providing a wide spectrum of services including such things as internet service in public facilities; leveraging government infrastructure and partnering with private businesses to provide affordable and high-speed internet services throughout the community; and direct provision of broadband services by municipal government where needed; and

**WHEREAS**, a voter approved exemption from SB 152 would restore local independence and the ability to evaluate all possibilities for next generation broadband services in the Town; and

**WHEREAS**, the Berthoud Town Board of Trustees submitted to Berthoud voters, as authorized by SB152, a question as to whether Berthoud should be exempted from the restrictions imposed by SB 152; and

**WHEREAS**, an election will be held on Tuesday, November 3, 2020, conducted as a coordinated election in conjunction with Larimer and Weld Counties; and

**THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF  
BERTHOUD, COLORADO, AS FOLLOWS:**

**Section 1.** The Town Board of the Town of Berthoud supports the passage of ballot question 3B that will appear on the November 3, 2020 General Election Ballot, and strongly urges the electors of the Town to vote in favor of such ballot question.

**Section 2.** Adoption of this resolution may be reported or distributed only through established, customary means, other than paid advertising, by which information about other proceedings of the Town Council is regularly provided to the public.

**Section 3.** This resolution is effective upon adoption.

**Trustee Grace moved to approve Resolution 2020-15, a resolution of the Town Board of the Town of Berthoud in support of Ballot Question 3B on the November 3, 2020 General Election ballot. Mayor Pro Tem Dower seconded the motion. In a 5-1 roll call vote, THE MOTION CARRIED.**

**4. Berthoud Fire Protection District Intergovernmental Agreement (Chris Kirk)**

In 2015, the District received an upgrade of its Public Protection Classification (PPC) from a Class 3 to a Class 2 for all properties within five driving miles of the District's two current fire stations. Areas east of Weld County Road 7 have a PPC classification of 10, indicating a lack of firefighting resources in the area. This higher classification number also leads to higher insurance premiums for residential, agricultural, commercial and industrial properties in the classification area.

After discussions with Chief Charles and District staff, open land on the south side of the Town's Regional Wastewater Treatment Facility was identified as an ideal location for such a station. The Town does not have any current plans to use the ground. The building would not house fire personnel but would hold any fire vehicles and equipment that would be necessary for responding to fire activity in the area. The fire department does have capability to staff people there via a trailer should the need arise.

Town staff utilized a lease agreement developed between the Town and the Thompson School District as a template for a lease of the ground described above. This 10-year lease would not require the Fire District to pay the Town for the use of the land but would require the land to be maintained by the District and to provide any needed improvements at their cost. The District would also be responsible for covering the property under its insurance. Upon expiration of the lease, the District would either remove the improvements or turn them over to the Town.

Chief Charles answered questions for the Board.

**Trustee Hindman moved to approve an intergovernmental agreement for the lease of space to construct a building to house Berthoud Fire District Vehicles and Equipment. Trustee Grace seconded the motion. In a 5-0 roll call vote, THE MOTION CARRIED. Trustee Soricelli recused herself because she works for the Berthoud Fire Protection District.**

**5. Incentive Policy for Business Development (Walt Elish)**

Earlier this year during the Board's retreat, one of the goals identified for the Business Development Department was the drafting and adoption of a Berthoud Business Development Incentive Program.

For primary employers, the Policy establishes minimum eligibility criteria regarding amount of the investment, number of jobs being created, and wages and the project must show an economic benefit to the Town. The eligibility criteria for commercial and retail establishments include filling a retail leakage gap, locating or redeveloping a site along the Mountain Avenue corridor, minimum investment and show an economic benefit to the Town. The Policy also includes façade improvement grants for businesses owners along Mountain Avenue.

The policy requires that approval to come from the Town Board. The Town Board has the final say in whether or not that incentive is provided based on the criteria of the policy and the presentation from staff.

**This item will be brought back at a future board meeting. There were no decisions made.**

6. **Berthoud Recovery Fund Update**

**(Walt Elish)**

As a result of these marketing activities, twenty-six applications were submitted totaling requests for \$211,000. Of the twenty-six applications, twenty-two were approved for funding totaling approximately \$169,000. Staff is currently working with each of the awardees to ensure the proper documentation is submitted for Berthoud CARES Act funding. Keep in mind that DOLA has the final say on whether these projects qualify for funding. It is our understanding that they do qualify.

Staff initiated discussions with the Thompson School District regarding the possibility of using some of the remaining Berthoud CARES Act Funds to support Thompson School District activities in Berthoud, specifically for Berthoud students. The result of these discussions is a request from the Thompson School District for Berthoud Recovery Funds to offset the cost of

COVID-19 related expenses the District incurred in Berthoud. The request totals \$30,000 and will be used to reimburse the Thompson School District for such COVID -19 expenses such as cleaning supplies, masks and hand sanitizer, additional licenses for online schooling, printed virtual meeting instructional material for fully online students, social and emotional learning support services and large monitors for teachers to facilitate in person and online learning. Staff believes these Thompson School District COVID 19 related expenses meet the intent of the Berthoud Recovery Fund program.

**The Board agreed to extend the deadline.**

7. **Berthoud Area Transportation Discussion**

**(Town Board)**

**A Draft RFP will be brought to a study session to have further discussion.**

V. **ELECTED OFFICIAL REPORTS**

**Town Administrator Kirk:** He will be getting some time slots of availability for Greg Piburn who was the facilitator for the Board retreat to come and have a conversation about what the current strategic plan looks like, where we are at and any changes or modifications as we move forward.

**Trustee Grace: Nothing to report.**

**Trustee Hardy: Nothing to report.**

**Trustee Soricelli:** Stated she had a couple of things. She wanted to ask staff and the board, if there's anything we could do about the late agenda items that get added, that are not an emergency. She would like to have the time it takes to be able to review these items and would like to be effective in her decision making and for her do a good job as a trustee.

She also stated, (that can be brought up in a strategic plan) how critical it is to have an emergency action plan. She is excited and eager to talk about what they have learned from this year, and how they can apply it to that emergency plan going forward. She would also like to see the lines of communication open between emergency entities and the town.

**Trustee Hindman: Nothing to report.**

**Mayor Pro Tem Dower:** Did a shout out to the Chamber of Commerce. She got a flyer in the mail from them about buying in Berthoud and does it matter YES. She stated it was nicely done.

She is also interested and happy about the progress that has been made at Waggener Farm Park.

**Attorney Smith: Nothing to report.**

**Mayor Karspeck:** He asked the Board to appoint Trustee Hindman as the lead for open space. There were no objections from the Board.

He attended the Berthoud Community Garden closing as they were winterizing it. He was happy that they were able to present tonight and how the community came together to make it possible.

He stated that he agreed with Trustee Soricelli regarding the Emergency Operations Center. However, he felt after driving out to see what could be done that there was no way we could or a community that had the resources could offer it. He too would like us to work with Larimer County Emergency Operations Center and do better with the communications.

The Regional Air Quality Council had a budget meeting today October 27, 2020.

He is also on the Greenhouse Gas subcommittee for the MPO. He can only report that there is no actual roadmap to meet the deadlines by 2030 and hit the numbers by 2050. There needs to be a 90% reduction from oil and gas sector.

**VI. ADJOURN**

The meeting adjourned at 9:47 p.m.

  
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Town Clerk or Deputy Town Clerk  
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William Karspeck, Mayor