



## MEETING MINUTES OF THE TOWN BOARD

Town Board Room  
807 Mountain Avenue  
Town of Berthoud, Colorado  
Tuesday, June 11, 2019 6:30 p.m.

- I. **REGULAR MEETING CALLED TO ORDER** – Mayor William Karspeck Called into session 6:30 p.m.
- II. **PLEDGE OF ALLEGIANCE** – Mayor William Karspeck
- III. **ROLL CALL** –All were present.
- IV. **CITIZEN PARTICIPATION** –

There was none

## V. SCHEDULED ITEMS

1. **Consent Agenda**
  - a) Approval of June 11,2019 Agenda
  - b) Approval of Minutes – May 28,2019
  - c) April 2019 Financials
  - d) Thompson School District R2 J Fireworks IGA

**Mayor Pro Tem Hindman Motioned to combine and approve the items on the Consent Agenda. Trustee Tomassi Seconded the Motion. WITH ALL IN FAVOR THE MOTION CARRIED.**

### 2. **Ban of Puppy Mills in Town Limits, 1<sup>st</sup> Reading**

**Mayor Karspeck** introduced this item. He introduced **Dan and Rudi Taylor** of Berthoud and Founders of Harley's Dream. They have personally rescued 760 dogs from puppy mills. In addition to that they have raised money to rescue and provide medical care for thousands more in puppy mills. Their inspiration was Harley (their dog) that came from a puppy mill. He lived in a cage for ten years, lost an eye from being power-washed, and later thrown in a dumpster. Someone realized he was not dead taking him to a rescue where Dan and Rudi Taylor became his parents. They are asking the Town to pass an ordinance banning puppy mills and prevent pet stores from selling puppies and kittens from mills. They also talked about Harley's Dream which is about education and awareness. It is a 501(c)(3) non-profit organization based out of Berthoud.

**Trustee Dower** mentioned that Harley was a 2015 American Hero Dog.

**Mayor Pro Tem Hindman** mentioned that Hops and Harley was Saturday, June 15, 2019 at Fickle Park, which is a fundraiser for Harley's Dream to continue awareness and education.

**This item will be brought back to the June 25, 2019 Board Meeting.**

### 3. **2018 Audit Presentation**

**James D. Hinkle CPA** with Hinkle & Company was introduced by **Finance Director Leach**.

Mr. Hinkle stated that they test the internal controls with the main focus being financial and payroll functions. Their goal is to get the control risk low. He stated that it was a clean audit and that everything they requested was provided.

**Trustee Laak Motioned to accept the 2018 Audit. Trustee Tomassi Seconded the Motion. WITH ALL IN FAVOR THE MOTION CARRIED.**

#### 4. Town of Berthoud Street Tree Maintenance Program 2<sup>nd</sup> Reading

**Town Forester Embrey** brought back to the Board the revised Tree Maintenance Ordinance 1266. The language in the previous ordinance was confusing and they took out the street tree replacement because there is already a program in place for that. They focused the ordinance on Maintenance of trees in the right-of-way and added more definitions to make the ordinance clearer.

**Trustee Tomassi Motioned to Approve Ordinance 1266, an ordinance of the Town of Berthoud, Colorado requiring a street tree work permit and implementing a tree replacement program for trees located within Tree lawns. Trustee Dower Seconded the Motion. WITH ALL IN FAVOR THE MOTION CARRIED.**

#### 5. Water Resources, Facilities and Water Dedication Fees

**Paul Zilis** with V&R Attorneys at Law Town of Berthoud Water Attorney introduced this item. He started out by stating that there should be a study session scheduled. He introduced **Jeff Drager** with Northern Colorado Water Conservancy District.

Paul Zilis continued by going over a few definitions.

CFS: Cubic Feet per second, which is 448 gallons per minute.

Acre-Foot: The volume is 325,851 gallons

A CFS for 24 hours gives you two Acre-feet.

SFE: Single Family Equivalent is what a single-family home use. This was defined by Leonard Rice, a water engineer that the town hired.

Firming up: means that the units have been stored.

CBT: Colorado Big Thompson

He stated we have a very diverse water portfolio. He also stated that Berthoud Reservoir has been rehabilitated; it can store 563 acre-feet and it has its own decree of 479, however; we are allowed to take our senior water rights. Senior rights can be diverted from April 10<sup>th</sup> to October 31<sup>st</sup> which allows us to store them. The town has put in two cells to help with the water quality along with an activated carbon system that went operational this week.

The Town is in a very good position with its current water portfolio and water facilities available to the Town. It currently serves 3,601 water taps and will have the ability to serve an additional 2,934 Single Family Equivalents ("SFE's") based upon its existing water rights and facilities, for a total of 6,535 SFE's, in addition to non-potable taps. That being said, the Town needs to continue to pursue additional water resources and projects to maximize its current water supply.

He suggests that Leonard Rice Engineers update the Raw Water Planning Model. We continue to pursue water rights and amend its current water dedication ordinance.

**Jeff Drager** gave some updates. Their facility is over seventy years old. They are spending a lot of time to keep the Colorado Big Thompson System reliable as it has been in the last seventy years. They are also looking at climate change and how it effects the Colorado River. Chimney Hollow Reservoir is a project that has been worked on for sixteen years. They are hoping to start building the reservoir in 2020.

**Kevin McCarty** water appraiser informed the board that the May report that the CBT Units sold for \$42,500.00.

The Board agreed that...

- This be brought back for a study session to review current policy and Raw Water Dedication.
- Update Leonard Rice Water Resource Master Plan
- Coordinate with Public Works a comprehensive plan to establish time lines and costs for future water rights and facilities.
- Amend Water Dedication Ordinance to accept Ditch shares which can be delivered to Berthoud Reservoir for potable purposes.
- Suspend bulk purchases
- Climate variability model

#### 6. County Road 7 Pavement Replacement Project Bid Award

**Public Work Director Brothers** introduced this item. The Town received grant funding from DOLA in the amount \$400,000.00 and funding from Extraction of Oil and Gas for \$130,00.00 and from Weld County in support of the project in the amount of \$100,00.00 for the County Road 7 pavement replacement project. The plans were completed and placed out for bid in early May. Town staff reviewed said bids for completeness and accuracy for all firms who submitted a bid. The three lowest completed bids were from:

Kehn Construction	\$1,098,127.71
Mountain Contractors	\$1,154,105.00
Duran Excavating	\$1,374,735.00

Kehn Construction is available to get this project finished. The Town has worked with Kehn in projects within Town in the past 12 years. Kehn has also been working throughout Town in the past 4 years on some of the newer neighborhoods. Town staff feels that Kehn Construction will complete the project within proposed scope.

**Trustee Tomassi Motioned to Authorize the Town Administrator to award the 2019 County Road 7 pavement replacement project to Kehn Construction. Trustee Laak Seconded the Motion. WITH ALL IN FAVOR THE MOTION CARRIED.**

## VI. ELECTED OFFICIAL REPORTS

**Administrator Kirk:** Nothing to report.

**Attorney Fred:** Nothing to report.

**Trustee Alaback:** He attended the PORT meeting. There was a very good presentation by WENK. The revised version will be coming to the board. Went to the Tree Board Meeting and Friday is the deadline for applications on getting trees treated for the Emerald Ash Borer (EAB). He has concerns with the tree foliage obscuring the street signs. Example is Turner and 5<sup>th</sup> Street. Also, 10<sup>th</sup> and Welch.

**Trustee Tomassi:** Berthoud Day had a record event, 9,000 in attendance. He also stated due to the growth of the events starting with October Fest it will be held at Town Park.

**Trustee Hardy:** Nothing to report.

**Trustee Laak:** Youth Advisory Committee had a meeting. Their meeting minutes have improved drastically thanks to the help from staff. He also restated that he agrees with going over at the retreat the topic of proper disposal of the chemicals.

**Trustee Dower:** She will be attending the CML Meeting (Colorado Municipal League). She found it to be a huge benefit last year and is really looking forward to going.

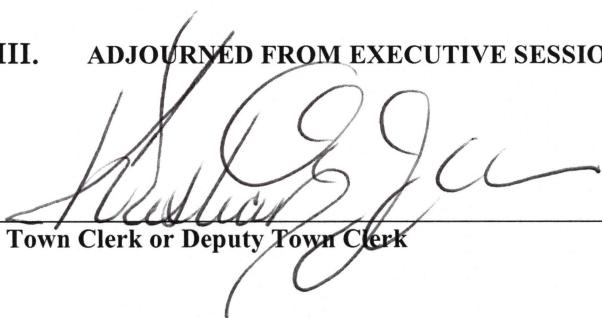
**Mayor Pro Tem Hindman:** Hops and Harley is this Saturday June 15, 2019 at Fickle Park. Bring your dogs. It is encouraged and allowed.

**Mayor Karspeck:** He will be working on a Grant for Charge Ahead Colorado to put in super-chargers. There are three rounds that he can try and apply. His focus is going to be the Love's Stop that he hopes to obtain permission from. He feels they are a good start for this because they are off I-25. The super-chargers can charge a vehicle in 45 minutes versus the 4 hours. If there is another place that the board feels he should try for he would like to hear about. He asked for the Boards approval to move on this and it was unanimously granted. He also mentioned Parklet which is a fun sidewalk extension that provides more space and amenities for people using the street. Parklets are installed on parking lanes that use several parking spaces. They require a special permit. He talked with City Star and the Kōfē Shop. City Star may not because liquor is involved but Kōfē Shop could be a good possibility. He learned about this at his Walk-Ability Meeting.

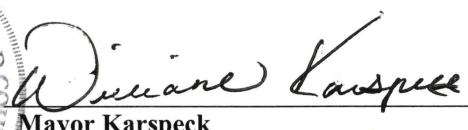
## VII. EXECUTIVE SESSION

**Trustee Tomassi Motioned at 9:10 p.m. I move that the Town Board enter into executive session pursuant to C.R.S. § 24-6-402(4)(e)(I) to determine positions relative to matters that may be subject to negotiations, developing a strategy for negotiations, and instructing negotiators. And the following details are provided: Potential Business Development Incentives. Laak Seconded the Motion. WITH ALL IN FAVOR THE MOTION CARRIED. Adjourning from executive session.**

## VIII. ADJOURNED FROM EXECUTIVE SESSION.

  
Town Clerk or Deputy Town Clerk



  
Mayor Karspeck