

**BOARD OF TRUSTEES  
REGULAR MEETING J  
une  
BOARD ROOM, 6:30 P.M.**

**1. CALL TO ORDER**

Mayor Mulvihill called the regular June 13, 2017 Board of Trustees meeting to order at 6:30 pm in the Board Room.

**2. ROLL CALL**

Kathy Webb, Administrative Assistant to the Town Clerk, called the roll. Those present were: Mayor Mulvihill, Mayor Pro Tem Buckridge, Trustee Hindman, Trustee Baker, Trustee Dunkelberger, Trustee Karspeck and Trustee Laak.

**3. PLEDGE OF ALLEGIANCE**

Mayor Mulvihill led the Pledge of Allegiance.

**4. CITIZEN PARTICIPATION**

Ralph Walsh, 1020 Meadowlark Drive, Berthoud, CO 80535

Due to increasing population on Meadowlark Drive, north of Kwik Korner, requested the Town review the speed limit. He also raised concerns with lack of lighting, make this area on the edge of Town dangerous.

Trustee Hindman commented he would like to limit Town speed limit at twenty-five miles per hour. Trustee Buckridge inquired how such a request would be addressed to which Town Administrator Hart responded, it was a matter for Public Works and the Police Department.

**5. CONSENT AGENDA**

**Trustee Laak moved, seconded by Trustee Karspeck, to approve the Consent Agenda consisting of Bills Allowed and Financials for April 2017 as well as the minutes for the May 9, 2017 Board of Trustees Meeting. Motion carried 7:0**

**6. MOTION TO APPOINT TAMIKO BREWSTER AS ACTING TOWN CLERK**

Greg Bell, Attorney for the Town of Berthoud, presented.

Mayor Pro Tem Buckridge thanked Ms. Brewster for her willingness to take on the appointment. Trustee Laak was concerned about compensation for added responsibilities to which Town Administrator Hart responded that a small bonus was issued in the past, when Ms. Brewster has held the position of acting Town Clerk.

**Trustee Karspeck moved to appoint Tamiko Brewster, Deputy Town Clerk, as acting Town Clerk until a replacement is appointed by the Board of Trustees at a later date. Seconded by Mayor Pro Tem Buckridge. Motion Carried 7:0**

**7. MOTION TO APPROVE AGENDA**

**Mayor Pro Tem Buckridge moved to approve the agenda, accepting changes to the order of the agenda. Seconded by Trustee Laak. Motion carried 7:0**

**8. 2016 AUDIT PRESENTATION & MANAGEMENT RESPONSE**

Cindy Leach, Financial Director introduced Ms. Wendy Swanhorst, from Swanhorst and Company, LLC., who presented the 2016 audit results to the Board of Trustees.

Swanhorst commented on how the financial reports have improved in recent years. Mayor Pro Tem Buckridge applauded Cindy Leach, Financial Director, for her efforts.

Trustee Laak asked about new court data system, via Caselle, wondering if it improved court collections. Mrs. Leach responded in the affirmative.

Trustee Baker asked about internal controls, i.e. a second person, for auditing purposes. Mrs. Leach responded that such measures are in place, for example one person takes receipt of payments while another posts the fines. Staff is limited.

Mayor Mulvihill asked about the budget being seven percent under projections to which Mrs. Leach responded that it reflected projected revenue.

Mayor Pro Tem Buckridge asked the auditor about how to better the Town's internal auditing process, such as increasing internal controls with limited staff. Auditor responded that there were no indications of fraud.

Trustee Laak asked about I-9 Forms being complete. Auditor responded as to their nature being mainly to prove citizenship.

**Trustee Laak moved, seconded by Trustee Dunkelberger to accept the 2016 audit as presented. Motion carried 7:0**

**9. MOSQUITO CONTROL POLICY**

Jeremy Olinger, Director of Parks and Recreation for the Town of Berthoud, outlined the proposed Mosquito Control Policy for the Board of Trustees.

Town of Berthoud has contracted with Colorado State University, at a cost of \$7,500.00 to test four traps. Trap data to be reported back to staff on Friday evening or Monday at the latest. Town is using .5 vector index, which Larimer County recommends. Emergency control measures are in place utilizing a communication plan, dependent on when trap data is reported back to Town staff. Education and larvicide program is still the top priority. Mr. Olinger then introduced Broox Boze, Ph.D., with Vector Disease Control International (VDCI) to answer further questions.

### **Board Comments**

Trustee Laak asked about how vector index is calculated, to which Broox Boze answered, it is dependent upon the RNA isolation amount in the pool.

Mayor Pro Tem Buckridge asked about calculating the vector index. Dr. Boze answered that more than a single trap is required to calculate an index.

Trustee Baker inquired about Town boundaries and where the Town placed traps. Parks Director Olinger responded the traps cover approximately 16 square miles.

Trustee Baker asked about "LETA like" alerts. Town Administrator Hart directed Sergeant Anderson and Parks and Rec Director Olinger to speak about the Everbridge system and developing accounts for residents to alert them in the event of mosquito spraying and other public concerns. Town residents must opt-in to receive alerts but it is free to town governments. Sergeant Anderson will be setting up the proper controls over the next few weeks.

Sergeant Anderson raised concern that Berthoud has the lowest 'opt-in' rate for all of Larimer County. Trustee Hindman thought it was wonderful that the option to opt-in was available to residents, Mayor Pro Tem Buckridge reiterated and Trustee Karspeck spoke about it being an impressive system.

Trustee Laak asked if any municipality currently had a vector index of .75 to which Derek Turner with Larimer County Health Department responded Fort Collins was currently reviewing that option.

Trustee Hindman asked about the possibility of allowing individuals to sign-up for opting out of having their residence included when spraying. Dr. Boze explained that an effective adult spraying policy, in the case of a real and imminent danger, must not allow for shut-offs and must be completed in two consecutive nights because of mosquito biology; a second night of spraying increases the efficacy to 75-80 percent. Dr. Boze stated that if we allow for shut-offs, her company would be putting out a lot more pesticide than necessary and that skipping houses along the route depletes the efficacy of spraying.

Providing clarification to Trustee Karspeck, Dr. Boze explained that there is a State Department of Agriculture registry for individuals with documented pesticide sensitivity. No residents from Berthoud were currently on the list. Trustee Baker expressed interest in having that information added to the Town's West Nile social media sites.

Trustee Hindman asked Dr. Boze about establishing a rolling index citing some communities find this to be more effective. Dr. Boze responded that while waiting for base line to be created under a rolling index, West Nile would still be active in the environment.

Trustee Karspeck raised concerns about mosquito spraying eliminating bee populations in the area to which Dr. Boze responded that there is a way to have the bees examined post mortem, and encouraged communities to do so because she is confident it is not VDCI pesticides. Trustee Karspeck also inquired about equine cases of West Nile, to which Dr. Boze answered regarding the equine vaccine being actively administered in the area.

#### **Public Comments**

Lynette Ludwig, 1631 Glacier Avenue:

Expressed a desire to see more community education and increased communication on the Town's part. She acknowledged while lots of information on spraying was available, we know little about the ingredients of the pesticide, raising concern that perhaps as much as 40% of ingredients are currently unknown. Ms. Ludwig also expressed apprehension regarding being outdoors when pesticides were administered.

Timothy Hardy, 740 8th Street:

Urged the Trustees to reconsider .75 to 1.0 vector index, advocated for increased funding for the larvicide program, and asked the Board to consider spraying later at night.

Jeremy Franz, 527 9<sup>th</sup> Street:

Commented on the number of passionate citizens who care about the community, and asked the Board of Trustees to consider bumping vector index to .75. He stated he had collected signatures in town by going door-to-door.

Al(an) Wadleigh, 865 Bruce Drive:

Asked for clarification on larvicide program within town limits and echoed desire for Town to raise vector index to .75 before spraying. He strongly recommends honoring shut-offs to quell community discord, and advocated for the use of postcards instead of LETA reverse 911. Mr. Wadleigh also raised concerns about Trustees passing along information to a new Board after the upcoming election.

#### **Board Discussion/ Debate**

Trustee Laak commented the use of postcards can be expensive and there is no guarantee of delivery on time. He agrees the Town should consider .75 vector index. He will not support opt out option but believes Town can "tighten-up" on education aspects.

Trustee Dunkelberger urged residents to educate themselves on mosquito prevention, to opt-in to LETA system and become more proactive by dumping standing water for example. Stated she has explored horticultural options in her yard such as placing citronella candles and marigolds in her yard.

Commented that she, herself, has had West Nile. Per Trustee Dunkelberger, each citizen needs to be proactive and self-educate; mosquito control is not entirely the responsibility of the Board, citizens need to take individual responsibility in reducing their risk of contracting West Nile.

Trustee Karspeck addressed each of the audience participant concerns. He would like to see staff add MSDS Sheet (or the link to it) to the Town website and pressed for the clarification in the resolution of "average of all traps" in calculating vector index. Trustee Karspeck thanked the passionate people in Berthoud, applauding their organized community effort. Trustee Karspeck expressed interest in writing into the resolution that Berthoud is still committed to our motto, as being designated the 'Garden Spot of Colorado'. He understood VDCs stance not to honor shut-offs because of community health risks. He commented that going inside during spraying is an individual choice.

Mayor Pro Tem Buckridge expressed delight over the amount of enthusiasm the community has brought to the Board on the topic of mosquito control. He suggested the Town's website be more concise. Mayor Pro Tem Buckridge recommends a vector index of .5, in line with Larimer County Health Department recommendations and was pleased that the Town now has their own traps to monitor mosquitos.

Trustee Hindman appreciates the community coming out and believes people were angry last year due to the lack of communication, from the Town, in regard to spraying. Trustee Hindman acknowledged that the Town's larvicide program is a huge improvement over previous efforts but also noted the lack of public support on a proposed spraying policy. He suggested a vector index of .5 becoming the threshold for increased larvicide measures, while recommending a vector index of .75 for spraying. Trustee Hindman advocated for residential shut-offs, a 72 hour notice as opposed to 48 hours prior to spraying, a rolling trap average, placing the larvicide map on the Town's website, allocating \$1500 for postcards to quell community concerns, and including the Town's commitment to including Town motto of 'Garden Spot of Colorado' in the resolution.

Trustee Baker asked for clarification from Larimer County Health in determining whether a .5 vector index was most accurate when determining when to spray and how West Nile virus spreads. MR. Turner confirmed in Larimer County, .5 is currently the threshold number. Trustee Baker went on to comment that as a Board member her concern must be for the public safety and community welfare of Berthoud residents. She went on to cite the amount of adjacent farm land and open space, and the amount of expertise at the disposal of the Board regarding recommendations, adding that postcards are expensive.

Mayor Mulvihill acknowledged difficulty of separating feelings from information while thanking community members for their time and efforts. The Mayor agreed with County and expert recommendations regarding upholding the .5 vector index threshold and believed moving to a .75 rolling average would mean putting the community in imminent danger. He considers one person too many to risk exposing to West Nile. Mayor Mulvihill also commented on the current separation of larvicide and mosquito spraying policy assuring the audience both will eventually be combined, into one comprehensive policy. He supported spraying as late as possible in the evenings.

After further debate, a consensus was reached to include in the resolution the Boards' commitment to maintaining the Town's motto as the *Garden Spot of Colorado*, to spray no earlier than 10pm and to clarify that the vector index of .5 would be calculated using all traps.

**Mayor Pro Tem Buckridge, moved to approve Resolution 6-17, establishing a policy for mosquito control spraying as amended, seconded by Trustee Dunkelberger. Motion passed 6:1 with Trustee Hindman opposed**

#### **10. REC / COMMUNITY CENTER**

Town Administrator, Mike Hart, presented and introduced Attorney Bruce Fickel who commented on potential funding for this project.

Administrator Hart gave a brief history of the Community Center and mentioned the possibility of securing DOLA grants which helped fund the Milliken Athletic Complex, which this proposed center would mimic. Milliken has already shared with staff, the plans, worth an estimated ninety thousand dollars. Town Administrator Hart asked for direction from the Board on allowing staff to pursue grant applications regarding this project.

Trustee Laak asked about association with Boys & Girls Club and wanted assurance that the PORT Committee would be allowed to comment on proposed plans as well.

Trustee Baker raised concerns about parking. Administrator Hart responded that proper scheduling would resolve any issues. He went on to say that once we have a building on the campus it opens the possibility of more funding and growth in the future.

Mayor Mulvihill raised concerns about funding to which Administrator Hart went on to explain that in Milliken's case, their collaboration with Boys & Girls Club, helped to secure funding opportunities.

Mayor Pro Tem Buckridge added that the Board has a small window to decide to pursue a proposed center as an option or will risk losing monies set aside, in trust.

Trustee Karspeck raised concerns over easement and conservation values, especially on the north end of site. He does not feel that this project is a good fit for Waggener Farm.

Attorney Bruce Fickel addressed the Board, urging them to consider this project or risk losing funding set aside, at the end of the year.

Mayor Pro Tem Buckridge reiterated, the only action currently before the Board, regarding the property, is to allow staff to look further into the feasibility of a Community Center at this site. Mayor Mulvihill agreed.

**Trustee Dunkelberger moved, seconded by Mayor Pro Tem Buckridge, to direct staff to proceed with the option to look into the grant using the Milliken Athletic Complex plans and report back to the Board. Motion carries 4:3 with Trustees Hindman, Laak and Karspeck opposed**

#### **11. REPORTS & AGENDA REVIEW**

Town Administrator Hart commented that Berthoud Reservoir is filling fast and announced that the Roundabout on LCR 17 (Berthoud Parkway) is now open. Reviewing the Town Administrator Report, he also commented on the proposed agenda items; e.g., Budget Process Overview for 2018 would include a salary comparison survey. Trustee Karspeck requested the Town try to best match current market value. Administrator Hart responded that the benefit packages available to Town employees needed to be considered when looking at adequate compensation.

Administrator Hart also proposed discussing Life Center, outside interest in leasing office space in Old Town Hall, the Transportation Plan Update and the Spartan Railroad Crossing at the Board Study Session on July 18<sup>th</sup>.

Trustee Hindman commented that he would like the Reports and Future Agenda Items be separated in future agendas, to which the Board agreed. He supports discussion on the Town's energy code, exploring an enforceable Dark Sky code, and recreational marijuana options available to increase Town revenue. Trustee Hindman also announced that he is has begun construction on a shade structure at the Skate Park and asked Parks & Recreation Director Olinger to consider placing a vending machine or drinking fountain at the site. Trustee Laak praised Trustee Hindman's efforts and committed to providing additional supplies, if needed.

Trustee Baker recently attended an MPO meeting and looks forward to the upcoming Colorado Municipal League (CML) Conference. She stated the Berthoud Day booth was a great success. She thanked Trustee Dunkelberger for her work with the Youth Advisory Commission and their booth at Berthoud Day.

Trustee Laak stated he recently attended a Tree Advisory Committee meeting as well as the Library Board meeting and inquired about putting their events on the Town's internet calendar. Town Administrator Hart suggested that the Community Calendar on Berthoud Surveyor's site might be a good fit but agreed that a government entity calendar might be a possibility to explore in the future. Trustee Laak also requested the Board consider having various sub-committee booths at the local Farmers Market.

Trustee Dunkelberger thanked all staff, especially Streets and Parks Departments for their efforts on Berthoud Day, adding her appreciation for Town's administrative staff. She went on to note that American Legion offers Civic scholarships, which might be of interest to Youth Advisory Committee members.

Trustee Karspeck reported recently meeting with Larimer County Connects representatives to discuss community resiliency and commented that the ability to access videos of Board meetings and documents via the Town website has been a great help when researching public concerns prompting Town IT Director, Del Hunter, to lead a discussion about archiving such materials.

Trustee Karspeck also expressed interest in exploring Berthoud becoming designated as a Solar Community, and exploring a 'maker space' in the Library. He asked Town Administrator Hart about the possibility of holding a Staff Appreciation breakfast or summer picnic. Trustee Karspeck would also like to see the topics of affordable housing, adequate staff compensation, and sidewalk encroachments (and their relation to political signage) be explored on future agendas.

Mayor Pro Tem Buckridge apologized for getting heated over the Community Center discussion. He stated that Historic Preservation applications would be needed, due to recent designations. He would like to see topics exploring damage done to Town roads by excessive traffic/ trash hauling on future agendas.

Greg Bell, Town Attorney, commented that he would be presenting a Dark Sky ordinance for review and submit a standing water ordinance as well, which would allow for greater enforceability of the Development Code.

Mayor Mulvihill expressed interest in researching an Old Town design code to help preserve the architectural integrity of the area. He also asked for a budget status to learn how much of the revenue is already committed and clarify what is available to spend on future endeavors.

**12. ADJOURN**

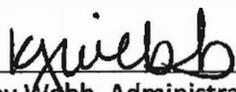
There being no further business to come before the Board at this time, the meeting was adjourned at 10:32 p.m.

Approved this 27<sup>th</sup> day of June, 2017.

APPROVED BY:

  
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Mayor Steve Mulvihill

ATTEST:

  
\_\_\_\_\_  
Kathy Webb, Administrative Assistant

