

**BOARD OF TRUSTEES
REGULAR MEETING
AUGUST 8, 2017
BOARD ROOM, 6:33 P.M.**

1. CALL TO ORDER

Mayor Mulvihill called the regular August 8, 2017 Board of Trustees meeting to order at 6:33 p.m. 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. MOTION TO APPROVE AGENDA

Trustee Dunkelberger moved to approve the agenda as presented, seconded by Mayor Pro Tem Buckridge. Motion passed 7:0

5. CITIZEN PARTICIPATION

None.

6. CONSENT AGENDA

Trustee Laak moved to approve the consent agenda consisting of:

a. Minutes –July 11, July 25, & August 1, 2017

b. Financials –June 2017

c. Bills Allowed –June 2017

Seconded by Trustee Baker. Motion passed 7:0

7. BALLOT ISSUE QUESTION: SALES TAX OR FEE ON RETAIL MARIJUANA

Town Attorney Bell presented on this item. Lengthy discussion was held exploring various options: After some debate,

Trustee Laak moved to adopt Resolution 8-17, placing on the ballot the right of the Town to assess taxes on Retail Sales of Marijuana should it be legalized at any time in the future with funds going toward sidewalk/streets, parks/recreation and law enforcement purposes at a tax rate of seven percent. Seconded by Trustee Dunkelberger. Motion passed 7:0

8. BUSINESS DEVELOPMENT UPDATE

Informational presentation from Business Development Director Walt Elish.

Dialogue was exchanged among Board Members regarding economic development. Direction was given to Staff to issue an RFP for Old Town Hall and report back to Board at a later date.

9. TOWN CLERK APPOINTMENT

Town Attorney Bell addressed the Board, asking for the approval to grant Town Administrator Hart authority to appoint an Acting Town Clerk, considering Deputy Clerk Brewster's resignation.

Trustee Karspeck moved, seconded by Mayor Pro Tem Buckridge, to allow the Town Administrator the authority to make the temporary appointment of an Acting Town Clerk to be effective on August 18, 2017. Motion passes 7:0

10. THE FARMSTEAD CONCEPT PLAN

Community Development Director Freese brought this item before the Board.

Applicant, Jim Birdsall also addressed the Board. Board proceeded to provide comments and questions to the applicant. Bill Edwards, the developer, introduced himself to the Board.

Comments were made applauding the mixed use of residential and business sites, planned trail connections and multi-family dwellings.

9:22 pm Opened Public Hearing

Jim Anderson, Larimer County Sheriff's Office, Berthoud Squad Chief asked the applicant and developer to consider the use of sound mitigation efforts so close to the Gun Club.

Diane Kuligowski, 318 E Colorado Ave Berthoud, CO 80513, asked about the planning process and when development was scheduled to begin. Mr. Birdsall responded.

9:32 pm Closed Public Hearing

After discussion among Trustees;

Trustee Hindman moved to approve the Concept Plan as per the recommendations found in the pages 3-5 of the Staff report along with the following recommendations; designation of future school parcel on submitted plans, implement a cap on proposed duplexes at 42 as presented in the Concept Plan, require secondary access to County Line Road during construction and implement a good faith effort with CDOT in future plan considerations, as well as;

- 1) Limit industrial uses to RV/ Self-storage/Offices/uses compatible with residential on the proposed industrial parcel**
- 2) Requiring a minimum of 5 acres of commercial on the mixed-use "super-pads"**
- 3) Requiring a 40" minimum buffer area with staggered fencing along County Line Road.**

Seconded by Mayor Pro Tem Buckridge. Motion passed 6:1 with Trustee Karspeck voting against.

11. WATER, WASTEWATER MASTER PLAN UPDATES; STORMWATER CAPITAL IMPROVEMENT PLAN

Presentation by Town Engineer Stephanie Brothers and representatives from JVA, Inc.
Information Only.

12. WATER PLANT AWARD BID

Presentation by Town Engineer, Stephanie Brothers who introduced representatives from Moltz Construction.

Trustee Hindman moved to approve Town Administrator to authorize Moltz Construction to begin the Water Treatment Plant expansion project. Seconded by Trustee Baker. Motion passed 7:0

13. REPORTS

Town Administrator Hart provided updates on area crosswalks, and spoke about interest of Larimer County Food Bank to expand services in Berthoud.

Trustee Laak reported that the price of treating ash trees within Town limits had dropped significantly, per the most recent Tree Advisory Committee meeting.

Trustee Dunkelberger reported that Town Administrator Hart attended Youth Advisory Commission meeting.

Trustee Hindman gave an update on the PORT Committee and identified their expressed priorities for next year; access to Berthoud reservoir, Heron Lakes trails and connection to Loveland (if possible), as well as Town Park and swimming pool improvements. Stated that PORT Committee would like to explore the option of hiring a consultant.

He went on to address Broomfield's water shares of Malchow Farm, suggested amendments to the existing Mosquito Control Policy, and raised concerns in regard to perceived lack of transparency on some issues such as the renaming of Berthoud Parkway/ County Road 17.

Trustee Baker gave an update on her involvement with North Front Range Metropolitan Planning Organization (NFRMPO). She expressed interest in the upcoming Food Bank meeting and supported revisiting the Mosquito Control Policy at a later date.

Trustee Karspeck spoke about his recent visits to NoCO Bike & Ped, Affordable Housing, and I-25 Coalition meetings. He was granted Board support to attend an upcoming conference and expressed interest in a community carousel project. He closed by reading a personal letter he received from Neil DeGrasse Tyson, in regard to Berthoud's Dark Sky policy.

Mayor Pro Tem Buckridge addressed the Town Administrator interview process and asked Trustees to consider having Administrator Hart present. Discussion ensued among Trustees and the decision was made to include Hart in the process.

Mayor Mulvihill presented his plan on distributing flyers throughout town with the assistance of volunteers. Flyers address Dark Sky and Mosquito Prevention measures. He further stated that he had spoken to library and community center volunteers in regard to assisting with Larimer County Food Bank distribution.

14. AGENDA REVIEW

Mosquito Control Policy to be revisited at next regular Board Meeting and discussion was held about upcoming agenda items to come before the Board.

15. ADJOURN

There being no further business to come before the Board at this time, the meeting was adjourned at 11:03 p.m.

Approved this 12th day of September, 2017.

APPROVED BY:



Mayor Steve Mulvihill

ATTEST:



Kathy Webb, Administrative Assistant

