

Board of Trustees
Regular Meeting
March 14, 2017

1. CALL TO ORDER

Mayor Mulvihill called the regular March 14, 2017 Board of Trustees meeting to order at 6:30 p.m. in the Board Room.

2. ROLL CALL

Town Clerk Alisa Darrow called the roll, those present were: Mayor Mulvihill, Mayor Pro Tem Buckridge, Trustee Dunkelberger, Trustee Hindman, Trustee Karspeck, and Trustee Laak. Trustee Baker was absent.

3. PLEDGE OF ALLEGIANCE

Mayor Mulvihill led the Pledge of Allegiance.

4. CITIZEN PARTICIPATION

None.

5. CONSENT AGENDA

Trustee Laak moved, seconded by Trustee Dunkelberger, to approve the Consent Agenda consisting of the February 28, 2017 minutes, December, 2016 Financial Statements, and the December, 2016 Bills Allowed. The motion carried 6:0, with Trustee Baker absent.

6. YOUTH ADVISORY COMMISSION APPOINTMENT

Town Clerk Alisa Darrow presented on this item.

Trustee Dunkelberger moved, seconded by Trustee Laak, to appoint Eric Godfrey to the Youth Advisory Commission for a term ending November 30, 2017 and appointing Ella North as an alternate to the Commission for a term ending November 30, 2018. The motion carried 6:0, with Trustee Baker absent.

7. PUBLIC HEARING – HAMMOND REZONING AND PRELIMINARY

Mayor Mulvihill opened the public hearing.

Community Development Director Freese presented on this item, the developer was available to answer questions.

There being no speakers present, the Mayor closed the public hearing.

Trustee Hindman stated that he did not support the rezoning plan based on comments from the developer indicating there was a preference for a different use in the southern portion of the site. He was concerned about giving up future commercial areas for use.

Mr. Freese clarified that the rezoning was a compromise allowing for commercial use, under previous zoning the entire development would have been zoned as R-1 or strictly residential dwellings.

Trustee Hindman expressed concern that there were no guarantees that the commercial plan would come to fruition.

The developer noted he would commit the five acres of commercial zoning if that was the desire of the Board.

Mayor Pro Tem Buckridge moved, seconded by Mayor Mulvihill, to accept the Planning Commission recommendation of approval of the rezoning request, as it satisfies the following development code criteria:

- **To rezone an area or extend the boundary of an existing district because of changed or changing conditions in a particular area or in the Town generally;**
- **The land to be rezoned was zoned in error and as presently zoned is inconsistent with the policies and goals of the Town Comprehensive Plan; and**
- **The area requested for rezoning has changed or is changing to such a degree that it is in the public interest to encourage development or redevelopment of the area**

of Section 30-3-110 B of the Development Code.

Mayor Pro Tem Buckridge amended his motion to require five acres of commercial in the portion of the site south of CR 10E. Mayor Mulvihill agreed to the amendment.

Vote was taken on the amended motion, the motion carried 5:1, with Trustee Hindman opposed and Trustee Baker absent.

Trustee Dunkelberger moved, seconded by Trustee Karspeck, to recommend approval of the Hammond Preliminary Plat with the following findings:

- **The Preliminary Plat represents a functional system of land use and is consistent with the rationale and criteria set forth in the Code;**
- **The application is consistent with the approved concept plan and incorporates the Town's recommendations and any conditions of approval;**
- **The land use mix within the project conforms to Berthoud's Zoning District Map and Preferred Land Use Map and furthers the goals and policies of the Comprehensive Plan and PORT Plan;**

- The utility and transportation design is adequate, given existing and planned capacities of those systems;
- Negative impacts on adjacent land uses including, but not limited to: solar access, heat, dust, glare, traffic and noise have been identified and satisfactorily mitigated; and
- There is a need or desirability within the community for the applicant's development and the development will help achieve a balance of land use and/or housing types within Berthoud.

Vote was taken on the motion, the motion carried 5:1, with Trustee Hindman opposed and Trustee Baker absent.

8. COMMISSIONER JULIE COZAD

Weld County Commissioner Julie Cozad updated the Board on County accomplishments for 2016 and highlighted items on the 2017 work plan. She spoke about the changes in oil and gas standards being updated and adding a permit process. She was also proud of work the County had done around solar facilities and creating standards for large solar projects. She noted that transportation was a major theme in the 2017 work plan. She praised Trustee Baker for her work on the I-25 MPO. The County was working on funding options for transportation programs. She also highlighted Weld County's Bright Futures Program that provides a \$3,000 grant to students in Weld County, she noted that residing in the County was the only requirement to receive the award. She explained that the funds were for post-secondary education and the County did not limit where the student could attend. The students had ten years to use the grant and to keep the grant there were GPA requirements. She reminded the Board that Weld County did not have any debt and highlighted the low mill levy. She wrapped up by inviting the Board to a Coffee with Cozad event.

9. PUBLIC HEARING – BERTHOUD TECH CENTER REZONING

Mayor Mulvihill opened the public hearing.

Community Development Director Freese presented on this item.

There being no speakers present, the public hearing was closed.

Mayor Pro Tem Buckridge moved, seconded by Trustee Dunkelberger, to accept the Planning Commission recommendation of approval, as it satisfies factors:

- To rezone an area or extend the boundary of an existing district because of changed or changing conditions in a particular area or in the Town generally;
- The proposed rezoning is necessary to provide land for a community-related use that was not anticipated at the time of the adoption of the Town Comprehensive Plan, and the rezoning will be consistent with the policies and goals of the Comprehensive Plan; and

- The area requested for rezoning has changed or is changing to such a degree that it is in the public interest to encourage development or redevelopment of the area

of Section 30-3-110 B of the Development. The motion carried 6:0, with Trustee Baker absent.

10. BOARD SUBCOMMITTEE – EXECUTIVE SEARCH FIRM SELECTION

Town Clerk Alisa Darrow presented on this item.

The Board directed staff to bring the RFP's to an executive session with a memo from Attorney Bell regarding whether the RFP's meet the criteria required.

11. BOARD SUBCOMMITTEE – OLD TOWN HALL SITE

Town Clerk Alisa Darrow presented on this item.

The Board directed staff to email the Board to ask who would like to serve on this subcommittee and report back with the names of those who signed up at a future meeting.

12. INTEGRATED MOSQUITO LARVICIDE PROGRAM AND CMC CONTRACT

Mayor Mulvihill clarified that this item was for informational purposes only and no decisions would be made until a future meeting related to the policy on fogging for mosquitos.

Parks and Recreation Director Jeremy Olinger presented on this item.

Trustee Karspeck thanked the public who made time to attend the meeting, Larimer County representatives and Colorado Mosquito Control.

Mayor Pro Tem Buckridge clarified that treatment areas included annexed Town development. He also pointed out that the Town utilized social media and the website to provide information and messaging to the public.

Colorado Mosquito Control representative Rob Kozar commented that his staff inspected more than twenty sites a week from May to September to inspect for mosquito larvae and pupae, based on that information CMC made decisions on prioritization for treatments. They utilized historical data to determine if there were peak times for specific areas that might change when they were treated. CMC did not treat areas where there was no evidence of mosquito breeding. He explained how the larvicide treatments worked, how it activated and explained that it was specifically created to target mosquitos only.

Trustee Laak asked what kind of education was required to provide mosquito control services.

Mr. Kozar responded that the company looked for college students with a focus on biology or entomology because it was more of a seasonal job for technicians. CMC has a dedicated

technician for various areas for each season. Each supervisor is licensed by the State of Colorado and up to six applicators can work under one supervisor license. The employees were not on-site with a supervisor, but worked on their own with supervisors doing quality control. Quality control could include site visits to check the technician's work. He further explained how the surveillance trapping worked, trap numbers should decline as larvicide efforts are undertaken. The average number of mosquitos found in a Berthoud trap in 2016 was 48, compared to nearby towns and cities that number was low.

Trustee Hindman suggested adding Grace Place Church to the treatment area. He noted that the treatment areas were right up against residential developments. He wondered why the treatment area wasn't being expanded to the greater Berthoud area to ensure that preventative measures were as successful as possible. He also pointed out that there were annexed areas not included on the map provided in the packet.

Mr. Kozar explained the cost of each trap and when additional traps had been added in the past.

Trustee Hindman asked what the process was for testing mosquitos for West Nile Virus and what the process was for adding that test.

Mr. Kozar explained that Berthoud mosquitos could be tested, Colorado State University would handle those tests.

Trustee Hindman expressed support for additional traps and if numbers were increasing CMC could make a decision to test Berthoud mosquitos for West Nile virus.

Trustee Karspeck wondered if there was a formula for determining where to locate traps and if ponds and lakes were good candidates.

Mr. Kozar explained that CMC could assess sites and make recommendations on site specific treatment. He explained that vegetation type was one of the main factors for determining if a site was a candidate for treatment or not.

Mayor Pro Tem Buckridge noted that the Town had no authority to treat outside of Town limits and the Town could not regulate private property as it related to standing water and other breeding areas.

Mayor Mulvihill pointed out that with farms surrounding the Town and the irrigation related to them, it was difficult to defend against creation of breeding areas outside Town limits.

Larimer County Health Department representative Derek Turner explained that public education was always the best method for preventing breeding grounds, but farms outside town limits were a challenge.

Mayor Pro Tem Buckridge asked if there was a radius around the Town for treatment that would make the program more effective, what would it be.

Mr. Kozar responded that there were no hard lines that could be drawn due to each season being very different than the last. He explained that the more water being used, the more likely the Town might have a higher number of mosquitos in a season.

Trustee Laak asked if the public education component was purely passive.

Mr. Kozar explained that for the most part that was correct, but when a technician spotted an issue they were able to contact home owners or leave a door tag explaining the problem if the owner was not home. He went on to explain the addition of trap sites over time and how those additional sites had provided additional data for decision-making in larval treatment.

Administrator Hart asked if there were plants or bugs that would help deter mosquito breeding.

Mr. Kozar explained that education on standing water was the most effective prevention method, but larvicide was the first and most effective prevention treatment method. He noted that the product a citizen can purchase at a store was the exact same product used by CMC, he explained how the product was used properly and what common mistakes were made by individual homeowners. He also pointed out that mosquitos preferred shade when it was hot, homeowners could purchase products such as Bug Be Gone to treat the backyard if they had a lot of vegetation creating shade. These are water based products that have a limited life when used.

Mayor Pro Tem Buckridge suggested that homeowner options could be part of the Newsletter article in June.

Mr. Turner explained that without trap data to tell us what the mosquitos are carrying it would be far more difficult to make a recommendation on whether a larvicide program surrounding the Town was the right thing to do.

Mr. Kozar noted that the City of Thornton only had five surveillance traps now, they based their decision to fog on how many mosquitos were collected in traps. Fort Collins has one trap per square mile and the City chooses not to fog at all, they were only in place for data collection. He recommended one additional trap in Berthoud for 2017 and potentially one more in 2018 with development growth.

Mayor Mulvihill summarized that education and additional trap data were the highest recommendations being made.

Trustee Hindman asked why we didn't have more traps on the perimeter of Town.

Mr. Olinger explained that the more traps we have, the more data we have, but then what do we do with that information. If the Town started testing the mosquitos, staff would need to understand what we would do with that information. He noted that most cities and towns that were testing, did so because they used that information to determine when to fog or adulticide.

Administrator Hart commented that he had been told in the past that CSU only had limited capacity for testing and Berthoud's test results might not be timely.

Mayor Pro Tem Buckridge recalled his experience discussing the policy in the past and there was a financial component that created challenges for Berthoud.

Mr. Kozar explained that most proposed buffer programs did not make it to fruition due to cost concerns. He noted that trap data over time was the best determinant, but proposing a buffer zone was a possibility.

Trustee Hindman asked if CMC would make recommendations on expanding the larvicide program.

Mayor Mulvihill wondered how the County's larvicide program provided a benefit to Berthoud.

Mr. Turner explained that the County put their funds into education, they did not have a larvicide budget.

Public Information Officer Katie O'Donnell with Larimer County Health Department explained how the County could partner with the Town on education and outreach related to mosquitos.

Trustee Karspeck asked if there was a successful program that has not raised the vector index through larvicide only.

Mr. Kozar responded that comparing programs could be a lot like comparing apples and oranges. He noted that Parker was the only contract he could think of that did larvicide and trapping only, with very minimal adulticide. He pointed out that the policy in Berthoud was atypical, so he could not think of one to compare Berthoud to. He explained that many mosquitos come from outside the control zone, their ability to travel was impacted by many factors, topography being one of those factors.

Trustee Laak commented that the educational component needed to be more formative and he was in favor of increasing those efforts. He suggested a booth at the Farmer's Market for education and outreach.

- a. Al Wadleigh – Advocated for a strong larvicide program in Berthoud for prevention of mosquito breeding. He explained that he represented a group concerned about the use of chemicals and their impact on natural predators of mosquitos.
- b. Lynette Ludwig – Thanked the Board for their time and attention to the issue of mosquito prevention. She provided data she received from Larimer County related to West Nile Virus cases.

Trustee Laak commented that if the Town was brought to the point of fogging, there should be additional preventative measures to implement. He was in favor of a more robust larvicide program.

Trustee Hindman asked for a cost and recommendation for expansion of the larvicide program, a recommendation on the number of traps that should be added, additional information on the cost and options for testing mosquitos, and if there are any grant opportunities that could assist with the cost of any preventative measures.

Mayor Mulvihill noted that Berthoud's policy was unique and having only fogged once since the policy was put in place shows how well it was working. He was interested in the recommendation on expansion of the program.

Mayor Pro Tem Buckridge supported Trustee Hindman's requests. He wondered if there should be a citizen advisory committee that reviewed data and information on the mosquito season and could make a recommendation to the Board each year. He imagined they might meet at the beginning and end of the season. He also asked for information on expansion of the treatment area.

Trustee Karspeck supported Trustee Hindman's suggestions and the idea of an advisory committee. Trustee Laak also supported those requests.

Direction to staff to bring back to the Board was:

- Recommendation from CMC on the cost for expansion of the prevention program;
- Recommendation on an expanded treatment area;
- A recommendation on the number of traps Berthoud should add;
- Additional information on the cost and options for testing mosquitos;
- Information on grant opportunities to assist with the cost of preventative measures; and
- Formation of a citizen committee to meet at the beginning and end of the mosquito season that would review trap data and make recommendations to the Board.

13. REPORTS

Administrator Hart handed out a written management report. He asked the Board if they would like to appoint a liaison to be on the interview committee for the PORT applicants.

Trustee Karspeck moved, seconded by Trustee Dunkelberger, to appoint Trustee Hindman as the PORT Committee liaison. The motion carried 6:0, with Trustee Baker absent.

Trustee Laak attended the forum at the library for elected officials.

Trustee Dunkelberger also attended the forum at the library and Planning and Zoning Commission. She reminded the Board about Alex Sabados Day of Kindness on March 25, 2017.

Trustee Hindman spoke about the importance of Alex Sabados Day of Kindness and he volunteered to help set up the Town's booth at the event.

Trustee Karspeck was also at the library forum and he learned that the library had learning kits people could borrow related to many topics ranging from sewing to robotics.

The Board agreed to have a booth at Alex Sabados Day of Kindness.

Mayor Pro Tem Buckridge attended Historic Preservation Advisory Committee and they were looking at grant opportunities for the Foursquare Church. There were three more homes coming forward for historic designation.

Mayor Mulvihill held a coffee with the Mayor event and he also spoke to kids at the Skate Park.


14. ADJOURN

There being no further business to come before the Board at this time, the meeting was adjourned at 10:17 p.m.

Approved this 11th day of April, 2017.

APPROVED BY:

ATTEST:


Alisa R. Darrow, Town Clerk


Mayor Steve Mulvihill

