

**BOARD OF TRUSTEES  
REGULAR MEETING  
July 26 2016  
6:30 P.M.**

**Board Members Present:** Mayor David Gregg  
Trustee Jeff Hindman  
Trustee William Karspeck  
Trustee Brian Laak  
Trustee Jennifer Baker

**Board Members Absent:** Mayor Pro-Tem Chris Buckridge  
Trustee Kelly Dunkelberger

**Staff Members Present:** Town Administrator Mike Hart  
Town Clerk Alisa Darrow  
Town Attorney Greg Bell  
Business Development Manager Walt Elish  
Parks and Recreation Director Jeremy Olinger  
Community Development Director Curt Freese  
Police Chief Jim Anderson  
Public Information Officer Claire Bouchard

Mayor David Gregg called the meeting to order at 6:30 PM.

Town Clerk Darrow called the roll and declared there were sufficient members present to have a quorum.

Mayor Gregg led the Trustees and audience in the Pledge of Allegiance.

**Citizen Participation**

None.

**Consent Agenda**

The Consent Agenda consisted of the June 26, 2016 minutes.

Trustee Hindman noted that there needed to be clarification on the price of Colorado Big Thompson water shares and asked staff to listen to the recording regarding his motion on the skate park and make corrections.

**Trustee Hindman moved, seconded by Trustee Baker, to approve the Consent Agenda with the June 26, 2016 minutes amended. The motion passed 5:0, with Trustees Buckridge and Dunkelberger absent.**

### **School District Presentation**

Town Administrator Hart introduced Dr. Scheer with the Thompson Valley School District who introduced Dr. Dan Maas who presented information on Thompson Reinvented, the Master Plan for the school district. He suggested the public visit [www.thompsonschoools.org/thompsonreinvented](http://www.thompsonschoools.org/thompsonreinvented) for more information.

Trustee Laak asked if the number of students choosing open enrollment was an issue.

Dr. Scheer answered that it was a hole in the program that was causing the district to lose state funding. He noted that many students were choosing to go to Poudre School District because it was close in proximity at the north end and students at the south end were sometimes choosing Berthoud. He noted that there were no schools on the east end of the district and that was an issue they planned to address. He discussed how the clusters of families in Loveland have moved and the District needed to take note and get schools closer in proximity. He expressed a desire to upgrade HVAC systems to make the buildings more efficient and save funds for students.

Trustee Laak asked if students who elected open enrollment were responsible for their own transportation.

Dr. Scheer answered that parents were responsible for their transportation if they open enrolled and it was a significant commitment to do so.

Trustee Laak commented that a citizen had asked if a pool at the High School would allow open swim hours for families and kids.

Dr. Maas answered that there were open swim hours that were posted for the public. He noted that an Intergovernmental Agreement would be required with the Town to offer those hours to the public when the pool was not in use by the District.

Mayor Gregg recalled private-public partnerships that helped fund pools at other high schools in the district and asked Dr. Scheer to explain how that worked. He wondered if the pool would have to remain on school district property.

Dr. Scheer recalled that about forty percent of the funding had come from the District in those cases and the District was open to those partnerships, but since that is an unknown right now, the District was planning for the entire expense. The committee did not want to commit a community to raising funds for the project without knowing there was interest in partnering. He states that there would be \$4-5 billion in school projects statewide and the District considered how competitive the bids would be with others doing similar work when the time comes. He was unsure about locating the pool offsite without discussion with the District's attorneys.

Trustee Hindman mentioned the recent survey about the desires of the community related to Parks, Open Space, Recreation and Trails (PORT) and the overwhelming support for a recreation center in Berthoud. He mentioned the desire to create a recreational district and the timing being off for the 2016 November election. He wondered if a campus for recreation provided by the Town would be a good site for the pool.

Dr. Scheer was not confident about the location and his understanding was that the District would need to make sure they delivered what was promised to voters if the bond issue passed. He would have to discuss the possibility with the committee and the Board and there would have to be a strong commitment from the Town with guarantees related to priority use for students.

Trustee Hindman felt confident that the District would be supported by the Berthoud community. He stated that there was concern about whether the citizens could support a pool owned by the School District and one owned by the Town. He wondered when the Berthoud pool would be constructed.

Dr. Scheer responded it would be a minimum of one year and that it was on the higher priority list.

Trustee Hindman felt as though the Town would need voter approval to provide funding and asked if the District would allow for some flexibility if a partnership were able to come to fruition in the future.

Dr. Scheer responded that he would put these questions on the next agenda for consideration.

Trustee Hindman asked if the pool would be a standard pool for competition or if it would be unique.

Dr. Scheer responded that the pool would have features for older and younger users and would not be strictly designed for competition only. The District would be working with designers up to speed on best practices and make recommendations on design.

Trustee Hindman invited a School Board representative to participate in the PORT planning process.

Dr. Scheer suggested a staff representative who would report information back rather than a Board Member who might be nervous about representing the consensus of the Board on a Town project.

Trustee Karspeck asked about energy efficiency and management.

Dr. Maas noted that the District had an energy specialist on staff that is LEED certified and provided input on how the buildings could be more efficient. He commented that the payback on residential solar had a long period of payback that didn't necessarily make sense for a School District. There were options for the District that would be implemented as part of the bond issue.

No action was taken on this item.

**Vantage Rezoning**

Community Development Director Freese gave a presentation on the staff findings related to the rezoning and the recommendation from the Planning Commission.

Kristen Turner, the Birdsall Group, was present to answer questions.

The public hearing was opened at 7:17 PM. There being no speakers present, the public hearing was closed.

**Trustee Hindman moved, seconded by Trustee Laak, to adopt Ordinance No. 1220 rezoning a 23.242-acre parcel from a residential Planned Unit Development (PUD) to a Single-family Residential (R-1); and a 9.721-acre parcel from PUD to Multi-Family Residential (R-3) finding that the proposed rezoning:**

- 1. Satisfies the applicable zoning amendment criteria of Section 30-3-110.B of the Town's Development Code as found on pages 2-4 of the Staff Report; and**
- 2. Is consistent with the Town of Berthoud's Comprehensive Plan and Preferred Land Use Map**

**The motion passed 5:0, with Trustees Buckridge and Dunkelberger absent.**

**Heron Lakes Amended Concept Plan, Rezoning, Fifth Filing Final Plat**

Community Development Director Freese gave a presentation on the staff findings related to the amended Concept Plan, Rezoning and Fifth Filing Final Plat.

Trustee Laak asked if there were plans for the mixed-use area and what type of businesses would be there.

Mr. Freese responded that there were many opportunities related to mixed-use and until it was built it would be an unknown.

Kristen Turner, with the Birdsall Group, was available to answer questions. She noted that the redesign was more of a tweak and not a major change from the original plans. She stated that the developer was really excited about the diversity of products in the area because they would be unique.

Trustee Laak asked if there was a price range for the various levels of residences that would be available.

Jason Sherrill, with Landmark Homes, was unsure about the high end custom homes, but the most affordable condos would be in the \$250-300,000 range. Single family homes would start in the \$350-380,000 range and the prices would continue to increase with the size of homes and number of bedrooms and would depend on custom options selected.

The public hearing was opened at 7:34 PM.

Sunny Pertalia, 1727 Quails Drive, asked what the vision would be for commercial use near the clubhouse.

John Turner, the developer, responded that the work on the clubhouse and golf course has been very intense and the vision was not fully developed at this time. He explained the steps leading up to the development of the commercial area and indicated that it would be a number of years before that area of the property would be developed.

There being no further speakers present, the public hearing was closed at 7:36 PM.

Mayor Gregg expressed approval of the design and the diversity of the development. Trustee Laak, Trustee Baker, and Trustee Karspeck were in agreement.

Trustee Hindman expressed approval of the project and stated that he would like to see more density downtown in Berthoud in addition to the Heron Lakes proposal. He admitted he was somewhat upset that it would be difficult to see the golf course from the road. He asked about the on/off ramps for 287 near the development.

Administrator Hart explained that three of the four ramps looked good, but there were issues with one of them not being long enough for traffic changing lanes. Staff would continue the conversation related to access into Berthoud near Heron Lakes.

Mayor Gregg recalled that Heron Lakes was being discussed twelve years ago when he started on the Board and he was happy to see it come through at the end.

**Trustee Hindman moved, seconded by Trustee Karspeck, to approve Amended Concept Plan and the Heron Lakes Fifth Filing Final Plat, finding that:**

- 1. The Final Plat and Concept Plan meets all applicable requirements of the Development Code and the respective zoning districts requested as found on pages 4-6 of the staff report; and**
- 2. Satisfies all applicable requirements of the Subdivision Standards of the Development Code as found on pages 4-6 of the Staff Report.**

**The motion passed 5:0, with Trustees Buckridge and Dunkelberger absent.**

**Trustee Hindman moved, seconded by Trustee Laak, to adopt Ordinance No. 1221 rezoning a 12.418-acre parcel from single-family Residential (R-1) to Multi-Family Residential (R-3); a 26.098-acre parcel from Agricultural (AG) and Single-family Residential (R-1) to Agricultural (AG); a 2.541 acre parcel from Agricultural (AG) and Neighborhood Commercial (C-1), to Neighborhood Commercial (C-1). Finding that:**

- 1. It satisfies the applicable zoning amendment criteria of Section 3-3-110.B of the Town's Development Code as found on pages 4-6 of the Staff Report; and**

**2. Is consistent with the Town of Berthoud's Comprehensive Plan and Preferred Land Use Map.**

**The motion passed 5:0, with Trustees Buckridge and Dunkelberger absent.**

**PORT Planning Document**

Town Administrator Hart introduced this item and gave a brief presentation of the material presented in the packet.

Mayor Gregg commented that there was confusion about what the Board would be asked to approve and he wanted to make sure the findings were well flushed out before it came to the Board. He noted that it was a full compilation of public comment, trending and recommendations.

Trustee Laak asked for discussion on the role of the committees and what the expectation of each would be as far as output. He asked if staff could provide blank maps for the committees to work with and place items on it to look at the location of various amenities in reference to one another.

Administrator Hart explained that the committees had the ability to start from scratch in prioritizing the projects and creating a timeline. He explained that the consultant had mapped it and put costs to the various projects, he had asked them to unbundle those items so the committees could make recommendations.

Mr. Freese noted that the original timeline called for the PORT plan to be approved in May, the implementation committees were likely created a little early since the document was not ready for public consumption.

Trustee Laak wondered if there could be goal setting for the committees.

Administrator Hart responded that staff would be able to offer more direction once the draft was available, he noted that the building committee was probably going to need to move faster than any of the others due to the deadline on endowment funds. He wanted the committees to feel free to think outside the box leading up to the document being distributed. He recalled the process that was used for the design of Pioneer Park and how well that had worked.

Mayor Gregg suggested that the Chair of each committee could have additional meetings with Trustee liaisons and staff to make sure they were on track and to stay on the same page.

Administrator Hart pointed out that he was scheduling tours of the assets for the committees to get an idea of what they are working with.

Mayor Gregg noted that Board liaisons were not required to run meetings, but were there to communicate back to the Board and provide information to the committees. He also pointed out that staff was there to provide technical advice and to also bring information back to the Board.

Administrator Hart noted that the meetings were public and would be posted, each committee would have a Chair and Secretary to take minutes.

Trustee Hindman commented that he was in support of the findings from GreenPlay, but he was concerned that the maps being presented did not necessarily support the input received through the surveys and interviews. The committees were confused about their purpose given the consultant was providing vision maps as part of the plan.

Mr. Freese pointed out that those maps were part of the contract.

Trustee Hindman responded that an election had happened and that likely changed the view of the planning process. He wondered how the consultant was determining how many of each amenity the Town would need and where to place them.

Mr. Freese responded that the vision map did not have to be adopted as part of the plan.

Trustee Hindman discussed various aspects of the plan that would need to be addressed and stressed that the Board agreed that work on a building at Waggener Farm Park was a top priority due to the endowment funds the Town could lose. He noted that the endowment fund restrictions that would be imposed if the ten-year clock ran out did not prevent the Town from accessing them because the Trust could release them to a governmental entity. He asked the Town Attorney to provide advice on whether or not it would be possible to still access the funds.

Attorney Gregg pointed out that at this time the funds were committed to Berthoud and if they were to go into a Trust, they would not be earmarked exclusively for Berthoud.

Administrator Hart pointed out that there were maps showing what amenities the Town had and did not have, which would be a good starting place for the committees.

Trustee Hindman reiterated that the committees really need to have input on the vision map.

Mayor Gregg agreed there was confusion and noted that the Board would be accepting findings and a general vision, but nothing would be set in stone. Once accepted, the implementation would still remain with the committees that would make recommendations to the Board.

Mayor Gregg suggested the committees could start with the draft vision from the consultant and give input on that rather than trying to start from a blank piece of paper.

Trustee Hindman suggested that after the tours were completed, the entire committee should meet as a whole once more and outline the process before breaking out into subcommittees again and moving forward.

Mayor Gregg encouraged staff to ask the Board to accept the Plan rather than approve it in September so it would be clear to the public that it would be a living document that would change over time rather than a vision set in stone by the Board.

No action was taken on this item.

### **Committee and Commission Appointments**

Town Clerk Alisa Darrow presented on this item, she reviewed the applications received, the recruiting efforts and the continued work to fill openings that would remain vacant. The vacancies were listed in the Berthoud Surveyor for three weeks, advertised on the website, the Town Newsletter, and on various social media platforms.

Trustee Hindman commented that he would like to wait for more applicants on the Planning Commission to allow for new members and balance. He was not happy with the response to the current methods of recruitment. He wondered if citizens did not understand that the Town was looking for volunteers. He was interested in extending current members appointments while continuing recruitment efforts to attempt to get diversity on the Commission. He also asked the Board to consider discussing the makeup of the Planning Commission going forward given the growth the Town was experiencing. He recalled the length of time the two applicants had served on the Commission. He wanted to extend the terms by two months.

Trustee Baker praised the work of staff in recruiting for committees and commissions. She expressed that the Town had a history of struggling to find volunteers for committees and commissions in the past and she recalled how trustees had moved up through the ranks of committees and commissions. She stated her support for the appointments.

Trustee Hindman suggested the Town work with the newspaper to put out an article about the purpose and work of committees and commissions. He relayed the efforts he had seen Larimer County make in searching for applicants, specifically an article in the Coloradoan newspaper.

Town Administrator Hart asked for clarification as to whether Trustee Hindman was suggesting all openings be continued or just the Planning Commission.

Trustee Hindman stated that he saw the Planning Commission as different because it dealt with significant growth and development issues where the other committees were more focused on a niche in the community. He was open to keeping those open as well.

Trustee Laak expressed support for continuing to recruit for openings on the Tree Committee, but he had seen that many people he spoke to had plenty to say about the trees in Berthoud, but when he would suggest they apply to the Tree Committee there was no response. He had been trying to recruit citizens himself.

Trustee Hindman stated again that he would like to keep the recruitment open.

Town Administrator Hart commented that the best portal to the public was the new website.

Town Clerk Darrow informed the Board of analytics available on the new website to see how many people visited certain pages, but cautioned that the website only went live in June and there was limited information available to date. She also noted that many volunteer organizations struggle with the problem because people place a high value on their free time and did not want to give it up.



Town Administrator Hart expressed concern that the Historic Preservation Advisory Committee did not have enough members for a quorum.

Mayor Gregg also expressed disappointment regarding the number of applications received, but did not believe it was a problem with how the recruitment was handled.

Town Administrator Hart commented that the Town struggled to get participation on the PORT Committee.

Mayor Gregg urged fellow Trustees to consider that the applicants were expressing a willingness to serve and it was important to recognize that and get them into service as soon as possible. He felt that waiting to fill the vacancies would send the wrong message to applicants who turned in applications by the deadline. He was not in favor of waiting, but was willing to have further discussion on recruitment efforts.

**Trustee Hindman moved to delay the committee and commission appointments for one month and continue recruitment efforts.**

Trustee Karspeck began to comment on the applicants and whether or not to continue the appointments, Trustee Hindman pointed out there was a motion on the floor and no discussion could continue until that motion was seconded.

**The motion failed for lack of a second.**

Mayor Gregg recalled how Trustee Baker and former Trustee Alaback worked on committees before becoming Trustees. He hoped for better participation in the future.

Trustee Baker asked why the applicant Patricia Karspeck had three different dates on her application.

Town Clerk Darrow explained that Ms. Karspeck had been out of Town and initially submitted her prior application with a new date on it and then when she returned from her trip she was able to fill out an updated application for the Board to consider.

Administrator Hart clarified that it was a matter of Ms. Karspeck wishing to have her application submitted prior to the deadline for applications.

Trustee Hindman stated he would vote against the motion because he wanted staff to refine recruitment efforts.

**Trustee Laak moved, seconded by Trustee Karspeck, to appoint all applicants to the Commissions and Committees they applied to for three-year terms. The motion passed 4:1, with Trustee Hindman opposed and Trustees Buckridge and Dunkelberger absent.**

### **Reports**

Public Information Officer Claire Bouchard gave an update on communication efforts her firm was providing for the Town, upcoming events including Cities and Towns Week and National Night Out.

Sergeant Anderson with the Larimer County Sheriff's Office commented that their goal was to bring the whole community together on August 2 for National Night Out. He asked the Trustees to attend and support the event. He also mentioned an issue with some kids slashing tires in Berthoud and noted that about twenty cars had been hit. There was not a good description of the kids, just that they were small and wearing hoodies. His plan was to try to work with Crime Stoppers to see if anyone in the community would provide information that would assist LCSO with an arrest.

Attorney Greg Bell attended the inaugural CML Attorney's meeting and he was excited to have more direct contact with city and town attorneys in the area.

Trustee Hindman noted that the PORT Building Committee would be meeting at 6:30 tomorrow night.

Trustee Baker stated that the MPO had opened up a call for projects. She noted that the TIGER grant to expand I-25 was received, but it was a bit lower than was hoped for. Trustee Hindman asked if it would include a toll lane and Trustee Baker commented she would find out.

Mayor Gregg stated there was a group in the area forming to work on the issue of affordable housing that would be meeting next week and he would continue to attend even after the new Mayor was elected as a citizen.

Trustee Karspeck asked Trustee Hindman if the meeting on Thursday of the Open Lands Committee would include an executive session. He had toured areas with railroad quiet zones and found it was creating more questions than answers. He thanked Mayor Gregg for his service to the community as this was his last meeting and the new Mayor would be sworn in at the August 16, 2016 meeting.

Trustee Laak commended the Parks and Recreation Department on their assistance to the local Farmers Market and they have noticed higher participation with the new location. He mentioned he was having email issues that the IT staff person was continuing to work on.


Administrator Hart commented that the Board should give their passwords to the Town Clerk to make it easier to assist with.

Trustee Laak also mentioned there was a concert at the Museum, he wasn't able to attend, but heard it was well attended and the next concert would be tomorrow night. He also attended the Tree Advisory Board and commended the Arborist for his work in treating trees to prevent the Emerald Ash Borer (EAB) from destroying trees in Berthoud. He was happy to hear that the Town Administrator approved double the amount of trees originally proposed. The Tree Advisory Board wanted to have an estimated cost to treat all trees in right-of-way, including those privately maintained.

Administrator Hart pointed out that there would be an EAB update at the August 16 meeting and staff was trying to put together an Adopt a Tree program to help treat more trees in Berthoud.

Trustee Hindman suggested that it was a policy decision of the Board whether or not they require home owners to have their trees treated or if the Town would pay for it. He also commented that an assistance fund might be another option.

**Mayor David Gregg adjourned the meeting at 9:00 PM.**



**Alisa R. Darrow**  
**Town Clerk**



**Mayor David Gregg**