

**BOARD OF TRUSTEES  
REGULAR MEETING  
February 10, 2015  
BOARD ROOM  
6:30 P.M.**

**Board Members Present:**

Mayor Pro Tem Jan Dowker  
Trustee Chris Buckridge  
Trustee Jennifer Baker  
Trustee Suzie White  
Trustee Paul Alaback  
Trustee Mike Henning

**Staff Members Present:**

Town Administrator Mike Hart  
Town Attorney David Bell  
Town Business Development Manager Walt Elish  
Deputy Town Clerk Tamiko Brewster  
Administrative/Court Clerk Melissa Colucco

Mayor Pro Tem Dowker Led the Pledge of Allegiance.

**Citizen Participation**

None.

**Consent Agenda**

The following corrections were requested to the January 27, 2015 Meeting Minutes; a correction on page 3 of 5 under Trustee Bakers comments changing 3% to 1% sales tax, under Mayor Pro Tem Dowkers reports there was a correction on page 4 of 5 changing NCC to NCEDC and a correction under Trustee Alabacks reports changing Thompson Valley to Big Thompson River.

Trustee Alaback wanted the following comments he made captured on the January 27, 2015 meeting minutes under the Slate Communication Plan. The quality of life in Berthoud needs to list goals and

themes of the Communication Plan and to develop a better way of communicating the status of proposals for development.

**Trustee Henning motioned to approve the January 27, 2015 amended meeting minutes with corrections. Trustee Alaback seconded the motion. The motion passed unanimously.**

### **Berthoud Common RFP Recommendation**

Town Business Development Manager Walt Elish opened up the discussion by giving a brief description of the proposal. Elish explained that he was asked by Town Administration to search for a commercial brokerage service to assist in selling the Berthoud Common property. After reviewing several brokers Town Staff is recommending Loveland Commercial LLC. Town staff is requesting a motion to authorize Town Administrator Mike Hart to sign a listing agreement with Loveland Commercial LLC.

Trustee White wanted to mention for future reference she would like to see all underlined proposals and bids and asked if the commission amount proposed is standard.

Elish stated that the proposed commission amounts are standard.

Trustee Alaback pointed out that in the packet there is an estimated valuation of the property. Alaback asked where those numbers came from and what were the assumptions for land use.

Trustee Buckridge asked if the town has had any experience working with Loveland Commercial.

Elish mentioned that the town has not had experience but he himself has had experience with all the proposed companies. Elish also mentioned that all applicants were qualified but felt Loveland Commercial was the better fit.

Trustee Alaback asked if we are successful at selling the property are we going to get a full list to choose from.

Attorney Bell stated that in the end the town is the seller and the seller always has the option of addressing the offers. We want to be careful not to put ourselves in any conflicting positions by accepting certain offer because they offered a higher amount but are requesting discounts in fees.

Nate Klein with Loveland Commercial LLC gives a brief history of the company and then addressed some of the questions asked by the board. Klein explained that Loveland Commercial does brokerage services for both business and residential. In the analysis Loveland Commercial looked at single, multi-family options and what is reasonable for Berthoud as well as a comparison of prices for lots. R-3 zoning is suggested because this will leave the property flexible to the market and all buyers. Klein also adds that Loveland Commercial will take the Town's direction when marketing begins and they are looking to market within 2 weeks.

Trustee Buckridge asked if offers will be handled as they come in or all at once.

Klein stated that having multiple offers all at once is relatively small and recommends handling them as they come in.

Trustee White wanted to know how Loveland Commercial came up with their evaluation.

Klein explained that Berthoud did not have enough comparisons so they had to look at surrounding areas. Some of the areas were Loveland, Longmont, Firestone, Johnstown and Mead.

Trustee White asked if the asking price is the range presented or a set price. White also expressed concern with a time frame of 12 months being too long.

Trustee Henning asked the board when we should determine the market price.

Elish recommend that we approve to use Loveland Commercial LLC then work out the listing price as long as the board is comfortable with the range proposed.

All board members agreed that they were comfortable with the proposed range.

Trustee Alaback suggested that since there has been controversy with this property the town should post an article in the newsletter communicating the sale.

**Trustee Buckridge motioned to authorize Town Administrator, Mike Hart, to sign a commercial services listing agreement with Loveland Commercial LLC. Trustee Baker seconded the motion. The motion passed unanimously.**

Elish gave the board an update on a few items. February 26, 2015 is the Unity in the Community which will be held in Longmont. If anyone is interested in participating to him me know. Elish also relays that he had three inquiries from interested business in Berthoud; the bad news is two of them were looking for available buildings which Berthoud is short on. The Loves project is progressing and moving along. Elish gave a presentation with the Chamber of Commerce about potential opportunities in Berthoud and has already begun to receive interest and contacts. Elish will be submitting an article to The Colorado Municipal League Monthly Magazine. The article will be in the April issue focusing on Berthoud being a good place to live and work. Elish also reported he will be traveling to Denver to meet with legislators and The Office of Economic Development and International Trade for the State of Colorado on why Berthoud is a good place to visit and do business.

**Agreement to Provide Residential Sewer Service  
Western Mini-Ranches/Vaquero Estates Sewer Association**

Town Administrator Hart gave a history of negotiations with the agreement. Hart explains that developers were having trouble with relicensing sewer treatment systems in rural areas. Last year Berthoud signed a service agreement with River Glen Estates to supply sewer treatment service to those rural areas. Hart explains that we have the same situation with Western Mini-Ranches/Vaquero Estates to provide sewer service. There is no cost to the town and all impact fees will be collected from new customers. All applicable charges will be consistent with our existing fee and rate schedule. Hart introduces Ed Schemm from Larimer County Department of Health.

Ed Schemm explains that his role is to manage projects and assist in getting the rural areas off their existing sewer hookup and onto a new one. Schemm adds that it has been great working with the town and they are hoping to get this agreement signed. It is the last thing needed to get their loan approved.

Trustee White asked how we will rate the sewer since our sewer rates are based on water consumption and this area is not connected to Berthoud's water.

Hart explained that we will have communication with Little Thompson Water District on those residents water consumption.

Also introduced in the meeting was Ray Lyons the Treasurer and acting Vice President for the Association.

**Trustee Buckridge motioned to approve Resolution #1-15 approving an Agreement to provide residential sewer service to the Western Mini-Ranches/Vaquero Estates Sewer Association. Trustee Henning seconded the motion. The motion passed unanimously.**

**Event Request-Berthoud Commons  
Use Agreement**

Town Administrator Hart explains that the Town was asked to use the property known as the Berthoud Commons for a one day event. Hart feels it is for a good use and that the town should be involved. Hart turns the subject over to Mayor Pro Tem Dowker for a history.

Mayor Pro Tem Dowker gives an explanation and history of the event. Alex Sabados was an 8<sup>th</sup> grader who passed away from Cancer back in 2010. He was dearly loved by the community and an outdoor enthusiast. In recognition of Alex Sabados March 24th of each year was declared an annual Day of Kindness in Berthoud. The event has grown each year and many local businesses volunteer. The request

is to use the property to do a motocross event. The motocross event will be led by American Supercamp and founder Danny Walker. The property is located right next to the High School.

There is also a 5K run beginning at the High School and this will make it easier keeping activities at one location with parking in the High School parking lot. Dowker wanted to express that this day of kindness over the years has become a week of kindness with not only recognizing Sabados but also raising money for families in need, cancer awareness and bullying.

Trustee Buckridge wanted to make sure the towns liability is in order.

Attorney Bell confirms that we are not leasing the property just allowing the right to use the property and liability insurance will be covered under American Supercamp.

**Trustee Henning motioned to approve the Use and License Agreement allow this event for the Alex Sabados week of kindness event. Trustee Baker seconded the motion. The motion passed unanimously.**

#### **Library Board Appointment**

Town Deputy Clerk Tamiko Brewster presents the board with a motion to approve appointment of Diane Brotemarkle to fill a library trustee position with a term expiring on December 31, 2015. Brotemarkle will be replacing Davin Cook.

**Trustee Henning motioned to approve the appointment of Diane Brotemarkle to a term on the library board for the Berthoud Library running for a term through December 31, 2015. Trustee Buckridge seconded the motion. The motion passed unanimously.**

#### **Reports**

Trustee Alaback reports on some of the meetings he attended. Alaback met with the Poudre River Forum last Saturday and that meeting was more of networking with farmers, town representatives and conservation groups on water conservation measures. The meeting was very informative and there were a lot of information shared. They spoke about trails, low flows during the summer and trying to find solutions. It was a good meeting and strongly encourages attendance. Alaback also reported that last Thursday he attended the Business Innovation Conference in Fort Collins which was sponsored by Climate Wise. The conference was to help the city encourage businesses to be more efficient in energy and recourses. A lot of discussion was around electric cars, LED lights and efficiency. The key note speaker was a professor from UCLA, Dr. Richard Jackson. His goal is on understanding urban planning

and development and public health. There was discussion around how the way your city is developed and how it can affect your lifestyle. A well-developed city can be better for your health. Alaback adds that the information shared gives us a different way to look at how we develop and plan our parks when we are making decisions.

Trustee Buckridge reports on the Historical Preservation Advisory Committee. They had three members attend a series of seminars led by History Colorado. There was information on standards and guidelines in evaluating homes, how to apply for grants and information on state sponsored tax credits. The committee has been looking at reevaluating the process of their jobs and to help clarify criteria, understanding vague terms, and to redesign the forms. The committee is also working on a central database for information.

Trustee Baker reported that the February Northern I25 Corridor Coalition meeting was rescheduled for March due to weather. We will be going over goals and visions, update the coalition flyer and CDOT updates.

Trustee White asked for an update on Wilson Ranch. White also asked if it was possible to add an amendment to our ordinance in regard to petitions. White wanted to know if we could display a disclaimer on the petition what the cost to Berthoud residents will be if passed. White also asked Town Administrator Hart if he could assist in looking into whether the town and fire district could be combined since our fire district is not owned by the town. This could possible help when it comes to grant funding.

Attorney Bell stated in regard to Wilson Ranch there will be information at a later time. Bell stated that in regard to amending the ordinance for petitions is not something they can do because they are state law and we cannot add anything in our ordinance for state law.

Town Administrator Hart wanted to remind the board of the community chart next Wednesday evening. The community chat will be held at Town Hall 7pm. Hart also informed the board he will be out of town on that date.


Mayor Pro Tem Dowker reported that the Northern Front Range MPO went very well. Dowker also added that in regard to connectivity they are looking at safe routes to school grants.

**Mayor Pro Tem Dowker asked for a motion to move into executive session from which we will adjourn after the executive session is over based on CRS 24-6-40239, 2 and 5 to get legal advice for specific legal issues, to determine positions that may be subject to negotiations and to instruct negotiators.**

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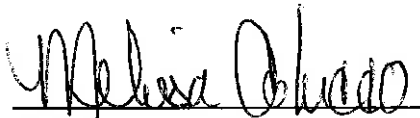
Trustee Henning motioned to move to executive session on items mentioned and adjourn the meeting from the executive session. Trustee Alaback seconded the motion. The motion passes unanimously.

Board moved into executive session at 7:45 pm.



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Mayor Pro-Tem Jan Dowker



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Melissa Colucco  
Administrative Court Clerk