

Town of Berthoud  
Regular Meeting  
April 14, 2015  
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**BOARD OF TRUSTEES  
REGULAR MEETING  
April 14, 2015  
6:30 P.M.**

**Board Members Present:** Mayor David Gregg  
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 Clerk Mary Cowdin  
Town Attorney Greg Bell  
Town Planner Sherry Albertson-Clark  
Town Engineer Stephanie Brothers  
Administrative/Court Clerk Melissa Colucco  
Administrative Clerk Candice Brumit

Mayor Gregg Led the Pledge of Allegiance.

**Citizen Participation**

**None.**

**Consent Agenda**

Mayor Greg asked if there were any changes to the Meeting Minutes from March 24, 2015. Mayor Pro-Tem Dowker made note of corrections to page 1.

**Trustee Buckridge moved to approve Consent Agenda that included the minutes from March 24, 2015. Mayor Pro-Tem Dowker seconded the motion. The motion passed unanimously.**

**Proclamation-Arbor Day:**

**Mayor Gregg read the Proclamation. April 25, 2015 is the date for this Proclamation. This is the 32<sup>nd</sup> time this Proclamation has been made. Trustee Alaback noted that all the festivities will be a week from this Saturday.**

**Resolution – Hoime Development 1<sup>st</sup> & 2<sup>nd</sup> Serial Annexation:**

Comm. Dev. Director Albertson –Clark spoke about the resolution finding substantial compliance and setting the public hearing date for Hoime Development First and Second Annexations.

This 4.98 acre parcel is located on the north side of 10E, east of LCR 17. The Resolution sets a date to be presented to the Board on May 26, 2015, and begin the annexation process. The Resolution will also be presented to the Planning Board.

Trustee Alaback asked about the annexation statute and the clarification of the definition of urbanization, and the background on water pipes.

Comm. Dev. Director Albertson-Clark responded by noting that Hoime Development would be required to do any required extensions on the utilities. The property is bordered on three sides by pieces of Open Space owned by Berthoud Lake Ranchettes.

Mayor Pro-Tem Dowker asked also about the clarification of when the utilities would be available.

Comm. Dev. Director Albertson-Clark answered by pointing out the applicant and that they would be required to follow specific utility requirements. Berthoud Lake Ranchettes is not part of Berthoud. The town is serving the Berthoud Lake Ranchettes.

Attorney Bell responded by clarifying the annexation definition.

Trustee Baker asked about item 19 on the Resolution.

Comm. Dev. Director Albertson- Clark asked Attorney Bell if the language in the Resolution is standard.

Attorney Bell responded that it's a request for utilities.

Mayor Gregg asked if the applicant would like to speak.

Alex Flemming came to speak, and to clarify that all the utilities are there at the property.

**Trustee Henning moved to adopt Resolution 7-15, finding substantial compliance and setting Public hearing date of May 26, 2015 for Hoime Development. Trustee Baker seconded the motion. There was no further discussion. The motion passed unanimously.**

**Resolution – State Elevator Regulations:**

Comm. Dev. Director Albertson-Clark explained that there are 7 elevators in the Town. Historically, there has been a company contracted with the Town to do all the inspections. Dr. Call has handled this in the past, but the town has served as a middle man between land owners and building owners. The resolution for regulations needs to be adopted because of the new regulations. There would be two

options available. The provisions and safety codes for elevators would be adopted to ensure the safety of them.

Mayor Pro-Tem Dowker asked about the coding.

Attorney Bell responded by clarifying that the Town is adopting the current coding, but that they are not becoming the Town's ordinance.

Trustee Buckridge clarified about the new codes.

Comm. Dev. Director Albertson-Clark also noted there are copies of the inspection results.

Trustee Henning asked if the current contract (until 2018) with the current firm could be dissolved.

Comm. Dev. Director Albertson-Clark noted the ability to end the agreement with the State of CO, and that the Admin Assistant is currently sending letters to property owners to pay balances.

Trustee Henning asked if this was a revenue stream.

Town Administrator Hart stated that the town does this as a service for people getting inspections.

Trustee Henning offered to the Board the suggestion to end this contract.

Mayor Gregg asked Attorney Bell if the town is under any obligations.

Attorney Bell noted that it would require a notice to the State, cost of inspections, admin costs, compliance, and the Board would just need to decide.

Trustee White asked if the resolution is adopted, would that make the Town responsible as part of the code.

Attorney Bell stated that the inspector is required by law to follow these codes.

Mayor Gregg stated that he wouldn't be opposed to adopting the resolution.

Trustee Buckridge noted that the inspection records need to be on file and that the inspector has to report to the State.

Trustee Henning clarified that the Town would not need to have those on file if the agreement is ended.

Attorney Bell noted that there are two separate agreements: an agreement with the State and the consulting contractor.

Comm. Dev. Director Albertson-Clark stated that written notice would be needed to cancel the current agreement.

Town Administrator Hart asked if the payments could be made up front.

Comm. Dev. Director Albertson-Clark answered that the first payment was made to the consultant already, but that the agreement could still be terminated for 2016.

Town Administrator Hart asked about the next cycle.

Comm. Dev. Director Albertson-Clark stated that the agreement with the State would terminate Jan. 5, 2018.

Mayor Gregg asked if there are any further questions.

Mayor Pro-Tem Dowker agreed to pass Resolution 8-15, but to cancel the agreement with the State. Mayor Gregg suggested adopting the Resolution with the new codes.

**Trustee Henning moved to adopt Resolution 8-15, adopting the State of CO codes regarding elevator and escalator safety. Trustee Buckridge seconded the motion. The motion passed unanimously.**

Attorney Bell noted that if the Board would like the Town to look into cancelling the agreement, they would ask the specific questions to do so.

**Habitat for Humanity Request for Fee Waivers:**

Trustee Henning will recuse himself from the discussion.

Comm. Dev. Director Albertson- Clark stated that the request is for 1724 and 1728 N 4<sup>th</sup> Street. In 2000, there was an ordinance adopted that allows the approval of two homes for a non-profit organization. Typically, there's been one home per year built. The two houses are for flood families from 2013, and the estimated fees for both properties, except for water waste fees, have been determined in the request.

Mike Cook from Habitat for Humanity is a water customer of the town, volunteer, also a Board Member. Habitat for Humanity is an International organization. There is a 21 lot subdivision in Berthoud, a Re-Store in town, and Habitat has also done some critical home repairs. After the flood in 2013, CO Habitat received funding to build homes for flood-impact families. Two families had been impacted from the flood and both families lived in Berthoud as required. Habitat was approved for two Community- Based grants. Fourteen additional families have been helped. The two homes on 4<sup>th</sup> Street are homes partnered with LHS. One hundred thirty of the kids in Geometry class will help build one of the homes. This is a Great program that impacts the kids also. Habitat has chosen a local builder to build the homes here in Berthoud. Habitat is asking to waive fees as done in the past.

Mayor Gregg asked if there were any questions for applicant or staff.

Trustee Buckridge noted that the efforts are very noble by Habitat, and is excited about this project.

Town Administrator Hart noted the current debt on water in response to Mayor Gregg, and clarified that the fees can't be waived, but the general fund would pay fees.

Mayor Gregg asked for any further discussion.

Mayor Pro- Tem Dowker agreed that Habitat for Humanity is great! She was previously involved with them, and feels that it's been a great partnership for families. She also stated that it's been a blessing to Berthoud. She agreed on the suggestion to not waive waste water fees.

Trustee Alaback reflected on a recent discussion on affordable housing, and supports this program and the staff's recommendation.

**Trustee Alaback moved to approve a waiver for all fees for 1724 & 1728 N 4<sup>th</sup> Street, except for the \$11,755.00 wastewater and water tap fees. Mayor Pro-Tem Dowker seconded the motion. The Motion passed unanimously.**

Mayor Gregg thanked Mike & Habitat for Humanity.

**Resolution-Attorney Services:**

Town Administrator Hart spoke about the resolution. The new name of the firm needs to be noted.

Town Clerk Cowdin noted the name change for the Town's current attorney is Bell, Gould, Linder, & Scott, P.C. Peter Linder recently became a shareholder.

Mayor Gregg asked if there are any questions.

Trustee Buckridge asked about any minor changes.

Town Administrator Hart noted that the fees were never approved the first time, but there's a budget for services.

**Trustee Henning moved to pass Resolution 9-15, reflecting the new name Bell, Gould, Linder & Scott, P.C. Trustee Buckridge seconded the motion. The motion passed unanimously.**

**Reports:**

Mayor Pro-Tem Dowker stated they did not have an MPO meeting this week.

Mayor Gregg noted the summary report from Ann is expected, and lots of info is in that report. He asked if Board would look at that.

Trustee White thanked Mike for hiring Ann to do the report. She felt pleased with presentation. She asked about last meeting selling town assets. Attorney Bell responded to her question by clarifying that it saves time for the staff and the Town. Mary will account for those sales. Trustee White asked if a purchase from the Town will be possible through a policy. Attorney Bell responded by noting specific details on which it will be handled.

Trustee Henning also noted the strategic planning meeting went very well this past week, and that Ann Hutchison was a great facilitator, and that Mike would also have to abide by her recommendations.

Attorney Bell stated that the easement is done and moving forward on sewer being done. The 3<sup>rd</sup> Street building is gone.

Town Administrator Hart noted the planning session going very well, and that Ann did a terrific job! He's waiting on the notes from Claire. Administrator Hart will get all notes ready for the Board. The staff did follow up on the stop light timing, and Stephanie worked with CDOT at 17 and 56. Community Chat is at 7pm tomorrow night.

Trustee Henning also commented on lights at A&W corner and noted he saw cable being pulled at that corner. Town Administrator Hart noted that the problem with the lights has been fixed.

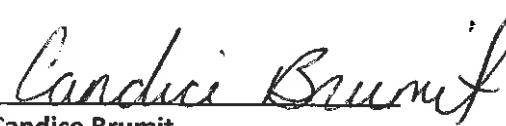
Trustee Alaback stated that the tree committee meeting will meet Monday, and work on improving more planning details.

Trustee Buckridge spoke about the advisory committee meeting yesterday. The Stories of Berthoud will be at Fickel Park, and ties in to special dates in May. The committee has agreed to new guidelines for upcoming municipal code update, including defining historical definitions, and set up a reference section in the library that gives the history of Berthoud. The Committee decided to come up with a plan to restore historic community, and to better define goals and objectives, and be able to give advice to the Town. He also noted that the Historic integrity is important to the committee.

Mayor Gregg asked for a show of hands on the community chat for tomorrow night.

**Mayor Gregg asked for a motion to move to Executive Session for the purpose of determining matters that may be subject to negotiation, strategy or instruction of negotiators and to adjourn from Executive Session. Trustee Buckridge moved to go into Executive Session and to adjourn meeting from executive session. Mayor Pro-Tem Dowker seconded. The Motion passed unanimously.**

**Mayor Gregg adjourned to Executive Session at 7:25pm.**

  
Candice Brumit  
Administrative Court Clerk

  
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Mayor David Gregg