

**BOARD OF TRUSTEES  
REGULAR MEETING  
FEBRUARY 11, 2014  
BOARD ROOM  
6:30 P.M.**

Board Members Present: Mayor David Gregg  
Mayor Pro Tem Jan Dowker  
Trustee Suzie White  
Trustee Dick Shepard  
Trustee Thomas Jones  
Trustee John Bauer  
Trustee Paul Alaback

Staff Members Present: Town Administrator Mike Hart  
Town Clerk Mary Cowdin  
Interim Police Chief Sargent John Feyen  
Administrative Clerk Jory Haslett  
Attorney Greg Bell  
Engineer Stephanie Brothers

Mayor Gregg led the Pledge of Allegiance.

**Citizen Participation**

None.

**Consent Agenda**

The consent agenda consisted of the January 21, 2014 minutes.

**Mayor Pro Tem Dowker moved to approve the Consent Agenda. Trustee Shepard seconded the motion. The motion passed unanimously.**

**Award Bid – County Road 1 Emergency Repairs**

Engineer Brothers reported on the bids for emergency repairs on County Road 1. There were three bids, with Hunter Construction providing the low bid of \$154,869.60.

**Trustee Bauer moved to approve the staff recommended choice of Hunter Construction for the emergency repairs on County Road 1. Mayor Pro Tem Dowker seconded the motion. The motion passed unanimously.**

### **Berthoud Police Department Update**

Administrator Hart introduced Linda Hoffman, the Larimer County Manager.

Ms. Hoffman addressed the Board and discussed the County's Strategic Plan and the role that public safety plays in it.

Administrator Hart reviewed the past and current financial situation of the Town and the impacts that low revenues in years past have had on Town fund balances, including the Police Department. There has been a lack of planning in the past addressing for the Town's need for new facilities and equipment for all the Town departments.

Accountant Smith presented the operation and maintenance budget for 2014, followed by the costs to implement the recommendations made by Sgt. Feyen in the audit of the police department. Including all the recommendations into the current budget with continuing 24/7 police coverage, the total budget is for 2014 would be \$1,247,282. The additions to the budget would put the projected 2017 General Fund balance in the negative, which is prohibited by State Statute.

Accountant Smith then presented an alternative projected budgets showing the costs of contracting with the Larimer County Sheriff's Office (LCSO) for 24/7 coverage, Berthoud Police including recommendations providing 19/7 coverage, and LCSO providing 19/7 coverage. Accountant Smith also reported on the current assets of the Police Department.

Trustee Bauer clarified that the building repairs included in the budget recommendations would be the bare minimum.

Next, Accountant Smith presented several scenarios which included a short term agreement for coverage with LCSO with a projected start-up of the Berthoud Police Department including different hours of coverage.

Administrator Hart stated that it could take the remainder of 2014 to completely re-staff and make the necessary upgrades to the Police Department. A "re-boot" would also require the assistance of outside resources.

Sgt. Feyen reported on the public safety needs of the Town and if it is possible for LCSO to meet those needs. He addressed the concerns that were raised at the January 21, 2014 Board meeting. First, if the Town chooses to contract with LCSO, there will continue to be a police presence at Town Hall. He also stated that calls for service will come from within the Town limits of Berthoud, not from other areas. After discussions with Weld County officials, it was confirmed that as the Town's contracted municipal police force, LCSO will be able to act in the same capacity that the Berthoud Police Department did in regard to issues that arise within the areas of the Town that are in Weld County. If there is an after-hours call for a non-emergency, LCSO will respond if there is 24 hour coverage. The LCSO will ask for a two year commitment from

officers that are assigned to the Town in order to provide a consistent presence. LCSO is also willing to handle animal control if it is important to the community. The LCSO is also willing to negotiate vehicle branding to include Berthoud markers. LCSO is also working on a system for report releases at the Town. LCSO will also plan to install an interview room at Town Hall. He does not recommend hybridization. There are plans in place for staff transition, including a modified hiring process for current Berthoud officers, any remaining vacancies would be filled using the standard hiring process. LCSO will also be able to leverage their "buying power" to address the needs of the department. LCSO also has the resources to back-fill staff if there was a long-term officer absence.

From a management perspective, Administrator Hart stated that, in his opinion, in order to provide the highest level of service he recommends contracting the LCSO for two years, which would give the Town some time to plan and make better informed decisions regarding restarting the police department in the future.

Trustee White asked if the contract would be renewable year to year after the expiration of the first two-year term. Captain Manago stated that each year the pricing and level of service will be reviewed.

Captain Bob Coleman, LCSO, addressed the Board and pointed out that in order to restart the department; the Town would be required to infuse money into the budget.

Mayor Gregg gave a brief review of the options before the Board tonight and the costs associated with those options.

Dana Foley of 877 Welch Ave addressed the Board and spoke in favor of exploring other options to address the needs of the Town, including creating an advisory committee for emergency response issues. He requested that the Board not vote on the issue until all options have been exhausted.

Kevin Jones of 304 Michigan addressed the Board asked that the Board not vote on the Police Department issue tonight. He would like to learn more about how the LCSO program works in Wellington. He also stated that the revenue issues would need to be addressed long-term.

Bill Wagner of 517 Redwood Circle addressed the Board as the former Police Chief of Berthoud. He stated the issues facing the Police Department have been long-term and the department has never been funded properly. He stated that the LCSO is the best option before the Town because the Town would not be able to properly rebuild in 10 months, especially without the proper funding.

Trustee Bauer stated that an immediate change is necessary to decide the direction of the Police Department. He is in favor of contracting with LCSO as it is the best option to provide the best public safety service to Berthoud residents. He is in favor of 19/7 hour coverage, which will allow the Town to save funds for department improvements in the future.

Trustee Alaback stated public input is important when addressing a complex issue such as this. In order to understand what the citizens of Berthoud want, the Town needs do a better job of public outreach and engagement to get a solid background of the citizen's desires. He stated that he is in favor of contracting the LCSO for two years while the Town involves the community in planning the future of the police department.

Trustee Jones stated he appreciated Mr. Foley's comments and some of the issues he raised could be addressed immediately, such as workman's comp. He believes that the Town needs some "breathing room" in order to effectively build a foundation for a new police department, but he believes that a Berthoud police department can and will work in the future. He also stated the importance of public input when reviewing the status of the police department in the future.

Mayor Pro Tem Dowker thanked Staff and LCSO for the work they completed in bringing information to the Board. She is support of contracting with LCSO for 19/7 coverage.

Trustee White stated she agreed with the previous comments made by the Board members. She is in favor of 19/7 coverage with the LCSO, but it is critical that there is adequate money in reserve before deciding to rebuild the police department. Trustee White stated that she appreciates all that Administrator Hart has done for the Town of Berthoud.

Trustee Shepard thanked Administrator Hart for all the work he has done in addressing all the issues that face the Town. He believes that the Town deserves its own police department, but it needs to be done right and it will take some time. He recommends contracting with LCSO for 24/7 coverage.

Mayor Gregg stated that he recommends contracting with LCSO for the two year contract. He would like to have 24/7 coverage but understands that 19/7 is the logical choice. He is in favor of a citizen's advisory committee for oversight and to assist in the planning of recreating the police department. He summarized the direction from the Board is for a two year contract with LCSO, during which time the Town will be exploring what the parameters needed to restart the police department in the future.

Administrator Hart stated that he understands the direction from the Board is to bring back a contract for 20/7 coverage with LCSO.

Captain Coleman stated that the LCSO has developed a comprehensive timeline for the hiring process for current Berthoud officers. May 1, 2014 is the target date to be up and running with the LCSO. Administrator Hart stated that there are plans to retain the current civilian staff as a Berthoud employee.

### **Ballot Language Approval – April 1, 2014 Election**

Clerk Cowdin presented the proposed language for the ballot questions for the April 1, 2014 ballot.

Trustee Bauer asked about the costs for the election. Clerk Cowdin stated that it depends if there is a concurrent Trustee election. If there isn't a Trustee election, the election could cost up to \$10,000.

**Trustee Bauer moved to approve ballot title and language regarding citizen initiated ordinance re: future annexations outside the Berthoud Growth Management Area as it existed on December 31, 2012 as presented. Trustee Jones seconded the motion. The motion passed unanimously.**

**Trustee Bauer moved to approve ballot title and language regarding the Haworth Estate first and second annexation as presented. Trustee Jones seconded the motion. The motion passed unanimously.**

### **Reports**

Business Development Director Schneider reported that tomorrow is the Boys and Girls Club of Larimer County Youth of the Year breakfast.

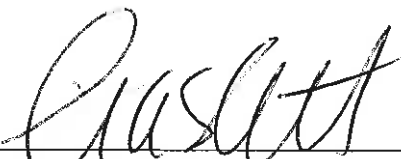
Trustee White reported on the NCDEC meeting and the NFRMPO meeting.

Mayor Pro Tem Dowker reported on the I25 corridor conference call with Senator Udall and the NFRMPO meeting. She also reported that there is a CML policy meeting on Friday morning.

Administrator Hart stated that there is Comprehensive Review open house on Saturday from 10:00 AM – 2:00 PM and from 6:00 – 8:00 PM Wednesday.

Mayor Gregg complimented Administrator Hart and Sgt. Feyen on the presentation tonight.

Mayor Gregg adjourned the meeting at 9:52 PM.

  
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Mayor David Gregg  
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Jory-Kate Haslett  
Administrative Clerk