

**CALL MEETING TO ORDER**

Mayor Pro-Tem Reich called the regular meeting of the Board of Trustees to order at 8:00 p.m.

**ADDITIONS TO THE AGENDA** – Harvey stated there were no additional items for the agenda.

**ROLL CALL**

Paul Aragon – present	Claudia Reich – present	Gary Bruce – present
Tony Asbury – present	Jane Rumrill – present	
Andy Martinez – absent	Anita Salazar – present	

Others present were:

- Carl Harvey - Police Chief & Operation Director
- Bradley Sorenson – Town Clerk/Treasurer
- Barry Schaeffer – Public Works Director
- Clint Dudley – Recreation Director (arrived 8:40 p.m.)
- Toni Polland – Deputy Town Clerk
- Holly Bruce

**MINUTES 8/22/06**

Salazar noted there were two corrections to the minutes. One on page 4 paragraph 1, *Salazar questioned the possibility of paving S. Walnut Street* and on page 6 paragraph 1, replace the words “two issues” with “the foot notes”. **Asbury moved to approve, with the corrections, the minutes of the regular meeting held on 8/22/06. Rumrill seconded the motion. Motion carried 6 – 0.**

**MINUTES 8/28/06**

Salazar stated she had something to say about the Special Meeting held 8/28/06. She stated there was a fine line between freedom of speech and being censored, she felt that the recently held executive session was on the verge of being that. She continued that by saying that she wanted to keep the Board out of trouble because the meeting was not posted, as is required law. Harvey replied and supported by Sorenson that the meeting was posted, as required, on Friday afternoon August 25<sup>th</sup>. Salazar stated she walked the area and did not see the posting. She than asked if the posting was visible from the outside. Harvey stated the notice was posted at the regular place as is designated. She continued by saying that she wanted to make sure that the executive sessions are appropriate. She felt the executive sessions are at the verge of being inappropriate. At that point, Mayor Pro-Tem Reich interceded by stating that prior to each executive session the Town’s Attorney is present and the privileged nature of the issues discussed are explained. Salazar stated that this was not to discuss what was said in the session but the process. She felt there was a hidden agenda. Salazar stated that she was not told what the meeting was about and three of the trustees had discussed the meeting previously. Salazar stated she just wanted the board to be careful not to get the town in trouble. Reich again stated that this was not the appropriate time to discuss these issues. Salazar stated that she wanted to be heard. Reich agreed that she had the right to be heard but this was not the appropriate time. Salazar stated she had said what she intended to say and that the board needs to be careful, all of us. “We don’t want to go against the law concerning executive sessions and we don’t want anyone to feel they are being censored or not having the right to freedom of speech.

Harvey noted that on page 1 the word lease was misspelled, leaqse. **Rumrill moved to approve, with the correction of the word lease, the minutes of the regular meeting held on 8/28/06. Asbury seconded the motion. Aragon – yes, Asbury – yes, Bruce – yes, Reich – yes, Rumrill – yes, Salazar – no, motion carried 5 – 1.**

**WARRANTS 9/12/06**

Sorenson indicated there was one addition to the warrants, an invoice from Xcel Energy in the amount of \$6,301.80 for the towns’ monthly utility bill.

<u>Inquiries</u>	<u>by</u>	<u>Explanation</u>	<u>by</u>
No. Co. Water Conservancy District	Salazar	Carry-over water allotment charges for 2006 & allotment for 2007	Harvey
Agland (Amine & Curtail)	Asbury	A type of weed killer used on the parks.	Schaeffer
Colorado Water Well Pump	Salazar	Pass through item to Dove Hill, well repair	Schaeffer
Questions about the Cash	Rumrill	An abbreviate form for the Invoice Register Regular Report. Used when manual check Issued.	Sorenson
National Waterworks Inc.	Asbury	Water line repair parts.	Scheaffer
Wells Fargo	Asbury	Long term water project repayment	Sorenson

**Asbury moved to approve the warrant’s list dated 9/12/06 for the amended total of \$230,275.13 and staff salaries dated 8/29/06 for \$26,344.10. Rumrill seconded the motion. Motion carried 5 – 0 – 1, with Reich abstaining.**

**PUBLIC COMMENT**

Reich welcomed public comments at this time as designated on the agenda. At this time there were no comments to the Board of Trustees.

**WATER RESTRICTIONS**

Harvey presented the board with the breakdown of potable water usage. Comparisons against previous month and previous year usage indicate current water restrictions are effective and sufficient. The board will continue to monitor the water issue, leaving the current restrictions as is.

**DOVE HILL ESTATES**

Harvey presented a request from Mark Strauss, Patriarch Development LLC, approval for one CO. The Certificates of Occupancy is located at 341 Sunset Drive. The property is located in Phase II. The home is being used as the new Model Home.

**Rumrill move to approve the issuance of Certificate of Occupancy for 341 Sunset Drive to Patriarch Development LLC. Bruce seconded the motion. Motion carried 6 – 0.**

Harvey discussed the extension of Letter of Credit No. 626. On August 17, 2006 the extension of the existing letter of credit was received from Union Colony Bank. This letter covers the outstanding non-potable and erosion control for Phase I. This will be the second extension of the LOC, which expired on August 23, 2006. Staff recommendation: Approve the extension of the LOC No. 626 to August 23, 2007. Memorialize through passage of Resolution at the next meeting. **Rumrill moved to approve the extension of Letter of Credit No. 626 through August 23, 2007 covering the outstanding non-potable and erosion control for Phase I. Asbury seconded the motion. Motion carried 6 – 0**

Harvey stated that with continued problems surrounding the well and inability to “test” the system with imminent new well the request by Patriarch Development for initial acceptance is premature. The grass (erosion control) continues to struggle in areas. The well itself falls under both Phases I & II. The Town is not fully protected in any event, but initial acceptance would reduce that protection significantly. Staff recommendation: Deny initial acceptance, continue the 100% guarantee held. This 100% guarantee expires February 2007 and could be reconsidered for initial acceptance at that time. **Salazar moved to deny initial acceptance and reconsider the request in February 2007. Rumrill seconded the motion. Motion carried 6 – 0.**

Harvey requested the comfort level of the board regarding Certificates of Occupancy and the need for board approval for Phases I & II. The consensus of the board was to allow CO’s to be issued in Phase I but to continue to request approval for any and all properties in Phase II until further direction.

## PLANNING AND ZONING

Harvey presented Weld County Referral #2AmUSR-726. This referral is a Use by Special Review that is outside of the Town’s primary and secondary growth boundaries. The property in question is the Nix Produce site on Weld County Road 44. **Rumrill moved to approve Weld County Referral #2AmUSR-726 by checking the box we have reviewed the request and find no conflicts with our interests. Aragon seconded the motion. Motion carried 6 – 0.**

## PUBLIC WORKS DEPARTMENT

**Department Report** – Schaeffer updated the board on the activities of the Public Works department. The Town’s engineer, Reid Bond, has recommended having the polishing pond dredged. Schaeffer presented two bids for the project. Due to the nature of the work, very few companies perform these projects and only two are available. The pond is now empty and Schaeffer would like to get this done as soon as possible. Schaeffer noted that these bids were just an estimate and the final cost could not be determined until the completion of the project. Schaeffer requested approval of an amount with enough leeway to complete the job. **Bruce moved to approve expenditures of up to \$5,000.00 for the pond-dredging project. The bid to be awarded to Goodell Machinery and Construction Co. Asbury seconded the motion. Motion carried 6 – 0.**

Schaeffer stated that the Community Center is badly in need of re-shingling. This project has been cut from the line item for the last two years and now we are experiencing leaks from the shingles that have blown off the roof. At this point we have monies available that will not be spent for a different Parks project and would request to use these monies to repair the Community Center roof. Schaeffer included three bids for

the project with a recommendation for Slaughter Roofing. The Slaughter Roofing bid was for \$7,850.00; this was the middle of the three bids. Salazar inquired as to the ability to file a claim against our insurance company. Schaeffer stated the individual areas of damage would not meet the deductible and the entire roof needs to be replaced. Bruce asked if the area was damaged down to the plywood. Schaeffer stated he didn't believe it was but could not be determined until more of the area could be inspected. **Asbury moved to approve expenditures of up to \$7,850.00 for the Re-shingling of the Community Center and the shelter north of the center. The bid to be awarded to Slaughter Roofing. Aragon seconded the motion. Motion carried 6 – 0.**

Schaeffer then requested approval for the expenditure of \$40,000.00 for pipe for the 394 sewer main project. It has been stipulated in the agreement between the town and the state, this project was undertaken in connection with the settlement of an enforcement action taken by the Colorado Department of Public Health and Environment for violations of the Colorado Water Quality Control Act. Prices for pipe keeps going up and it would benefit the town to purchase now as opposed to later. **Bruce moved to approve an expenditure of \$40,000.00 for pipe used in the 394 sewer main project. Salazar seconded the motion. Motion carried 6 – 0.**

Salazar asked that if the upcoming overlay next weekend posed any conflict for the school's sporting activities. Harvey and Dudley stated they did not believe any activity would be in conflict but would check with the school district.

## RECREATION DEPARTMENT

**Department Report** – Dudley reported on the activities of the recreation department including; tackle football, flag football, Adult co-ed softball and volleyball. Dudley described the current condition of the carpets at the Community Center. While the condition does not pose any safety issues it is stained and well worn. Dudley stated that since the board has approved replacing of the roof, he would request to explore the cost to replace the carpets as well. He provided preliminary estimates but would need full estimates including measurements. The consensus of the board was to instruct Dudley to look into the cost of replacing the carpet at the Community Center and provide full estimates / bids.

Dudley requested approval to hire Abby Smith as the Recreation Supervisor / Concessions Attendant for adult volleyball, adult softball, youth volleyball and youth football. She would be hired at a rate of \$8.75 / hr for approximately 98 hours beginning September 2<sup>nd</sup> and ending October 29<sup>th</sup>. **Bruce moved to approve the hiring of Abby Smith as Recreation Supervisor / Concessions Attendant at a rate of \$8.75 / hr for approximately 98 hours. Salazar seconded the motion. Motion carried 6 – 0.**

Dudley requested to attend a leadership in recreation class offered by the University of Northern Colorado. The Cost of the cost would be \$765.00 and will be supplemented by a \$315.00 stipend Dudley will receive. Bruce asked if Dudley thought this class would be worth while. Dudley stated that the class was a regular course as opposed to a seminar and will be held weekly for the next 10 weeks. He felt the class would be very beneficial. **Salazar moved to approve the expenditure of \$450.00 for Dudley to attend the Leadership in Recreation offered by the University of Northern Colorado. Bruce seconded the motion. Motion carried 6 – 0.**

Dudley stated that following the Moser Benefit Tournament, the conditions of the baseball fields were left in excellent shape.

**FINANCE DEPARTMENT**

**Department Report** – Sorenson reported on the North Front Range MPO monthly and the August 2006 Financial Statement.

**POLICE DEPARTMENT**

**Department Update** – Harvey updated the board on the status of the hiring progress and was well pleased with the quality of the applicants. Harvey also reported on the search for report writing software, process of the tree violations and the activity of the Police Department for August 2006. Salazar noticed the four dog impounds on the activity report and inquired about the breeds. Harvey stated he would have to research that item. Salazar asked if the impounds were Pit Bulls or if we were having a problem with that specific breed. Harvey stated that there was between 20 – 30 Pit Bulls in town and didn't believe the town had experienced an excessive problem with that breed.

**OTHER**

Other informational items included a letter from Child Search, a notice of meeting with the Transportation Commission of Colorado, a meeting notice for the Committee for Positive Weld County Partnerships, a budget request for the Upstate Colorado Economic Development and a pamphlet from CML regarding the upcoming November elections.

**Meeting adjourned at 9:24 p.m.**

Submitted by,

Bradley K. Sorenson  
Town Clerk / Treasurer