



TOWN OF WELLINGTON

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BOARD OF TRUSTEES
March 9, 2010
LEEPER CENTER – 3800 WILSON AVE.

REGULAR MEETING – 7:30 PM

AGENDA

CALL TO ORDER - PLEDGE OF ALLEGIANCE

ROLL CALL

ADDITIONS TO OR DELETIONS FROM THE AGENDA

CONFLICTS OF INTEREST

PUBLIC TO BE HEARD ON NON-AGENDA ITEMS

CORRESPONDENCE

PRESENTATIONS

Wellington Warm-up – Mike Glenn

CONSENT AGENDA

- Board of Trustee Minutes for February 23, 2010

LIBRARY BOARD

Directors Report

NEW BUSINESS

1. Ordinance 2-2010 – Amending Zoning Code Concerning Allowed Uses in Industrial Zone
2. Purchase Request – Recreation Equipment Shed for Viewpointe Park
3. Softball Program Proposal – Wellington Participation in Fort Collins Program
4. Resolution 4-2010 - Reappointing Housing Authority Board Members Whose Terms have Expired
5. Discussion – Letters and Flyers Concerning Boxelder Basin Regional Stormwater Authority
6. Bills for Approval
7. Town Attorney Update
8. Town Administrator Update

SCHEDULING OF WORK SESSIONS

OTHER

ADJOURN

BOARD OF TRUSTEES
REGULAR BOARD MEETING
March 9, 2010

The Regular Board Meeting was called to order at 7:30 p.m. March 9, 2010 at the Leeper Center 3800 Wilson Ave, Wellington CO.

TRUSTEES PRESENT: MIKE STEELY, TRAVIS STEVENS, DAVID NOE, TRAVIS VIEIRA, MISHIE DAKNIS and JACK BRINKHOFF

TRUSTEES ABSENT: NONE

PRESIDING: LARRY NOEL, MAYOR

ALSO PRESENT: LARRY LORENTZEN, TOWN ADMINISTRATOR
CYNTHIA SULLIVAN, DEPUTY CLERK
BRAD MARCH, TOWN ATTORNEY
GENE ANNE TRANT, LIBRARY DIRECTOR
DON SILAR, TOWN ENGINEER
JAKE RAYNOLDS, RECREATION COORDINATOR

Additions to or deletions from the agenda

None

Conflicts of Interest

None

Public to be heard on non-agenda items.

None

Correspondence

None

Presentations

Wellington Warm-up Ride – Mike Glenn

Mike Glenn, of 8575 Citation Dr., presented to the Board a history of the event and how they want to enhance the experience of the participants. He said the start and stop location has changed to the parking lot in front of Main Street Market the starting times would be staggered instead of everyone at once. He said they are adding a family fun ride that will start at Main Street Market and go south to Rice Elementary and then go back to the market. He said there are several local businesses helping with the event. The proceeds from the event would be split between the Boys and Girls Club and the Food Bank. The ride is on May 1st. Mr. Glenn is requesting that the Town temporarily close the intersection at Mount Owens and 5th Street. He said since the routes would be going through the intersection at 6th and Cleveland that they would have Course Marshalls there to make sure the riders conform to traffic safety. He reviewed the routes for the different distances. He said they would be charging \$20 for the 3 routes and \$10 per person for the family ride.

Mr. Lorentzen said he would have a resolution for the next meeting to close Mount Owens.

Consent Agenda

- Board of Trustee Minutes for February 23, 2010

TRUSTEE BRINKHOFF MOVED AND TRUSTEE DAKNIS SECONDED to approve the consent agenda. Roll call was taken and the motion passed unanimously.

Mayor Noel closed the Regular Board Meeting at 7:51 pm and opened the Library Board Meeting. Roll call was taken and all members were present.

LIBRARY BOARD

Ms. Trant said the Board had both the two month report and a yearend report. She has seen an increase in inter library loans because of the new circulation system. She said the Friends of the Library will have a book sale in April. Getting ready for Summer Reading Program.

Mayor Noel closed the Library Board Meeting at 7:55pm and reopened the Regular Board Meeting. Roll call was taken and all members were present.

NEW BUSINESS

1. Ordinance 2-2010 – Amending Zoning Code Concerning Allowed Uses in Industrial Zone

Mr. Lorentzen said this would need to be tabled because we have to have a public hearing with 15 days notice. So we could have the public hearing on April 13th. He explained that the Planning Commission wanted to revise this section of the code dealing with types of uses in an industrial zoning district. This ordinance would make the slaughtering and processing of poultry a conditional use and to prohibit the following uses:

- 1) Feedlots.
- 2) Petroleum refining
- 3) Blast furnaces, and rolling and finishing mills
- 4) Electric power generation for distribution
- 5) Cattle, Hogs and sheep slaughtering
- 6) Animal rendering

Mayor Noel asked if needed to open the discussion to the public. Mr. Lorentzen said no their comments would be heard at the public hearing.

TRUSTEE NOE MOVED AND TRUSTEE STEELY SECONDED to table Ordinance 2-2010 until public hearing on April 13, 2010. Roll call was taken and the motion passed unanimously.

2. Purchase Request – Recreation Equipment Shed for Viewpointe Park

Jake Reynolds said they are playing more games in Viewpointe Park and need a place to store the equipment so it does not need to be transported each day. He said a 10X12 shed would be sufficient for now. Mayor Noel asked where it would be located. Mr. Reynolds said we would locate it in the parking lot.

Mr. Lorentzen suggested making the building 9.5X12 so we would not need a building permit.

TRUSTEE NOE MOVED AND TRUSTEE STEELY SECONDED to approve quote from Dan Stanton for construction of a shed at Viewpointe Park in the amount of \$1,750. Roll call was taken and the motion passed unanimously.

3. Softball Program Proposal – Wellington Participation in Fort Collins Program

Mr. Raynolds explained that there is an interest in having girls' softball, but not enough to have our own league. It will cost \$45 per person to join the Fort Collins league. We would register the girls here and then pay Fort Collins for the whole team. He said we also have to supply equipment for the team. The team would practice in Wellington, but all the games would be in Fort Collins. We would like to charge \$60 to cover the cost of the entry fee, equipment and administrative fees.

Trustee Brinkhoff asked if the equipment could be used in other programs if this program does not work out. Mr. Raynolds said all the equipment except the balls used with the younger girls could be absorbed into other programs.

TRUSTEE DAKNIS MOVED AND TRUSTEE VIEIRA SECONDED to approve \$60 fee for girls' softball program. Roll call was taken and the motion passed unanimously.

Mr. Raynolds said that Trustee Daknis had asked about changes that had been implemented from the previous year. He passed out a list of changes.

4. Resolution 4-2010 – Reappointing Housing Authority Board Members Who's Terms have Expired

Mayor Noel said the members would be Barry Friedrichs with term to expire on December 30, 2013 and Chris Fielder with term to expire December 30, 2014.

TRUSTEE STEVENS MOVED AND TRUSTEE DAKNIS SECONDED to approve Resolution 4 reappointing members to the Housing Authority Board. Roll call was taken and the motion passed unanimously.

5. Discussion – Letters and Flyers Concerning Boxelder Basin Regional Stormwater Authority

Mr. Lorentzen updated the Board on where the Authority is heading and to address some of the claims that were made in a letter that was distributed to some of the residences in Wellington. The following were the claims made about the Stormwater Authority:

Claim: The Stormwater Authority was created illegally.

Response: State Statutes specify how storm water utilities can be organized and that IGA's can be used to establish separate governmental entities into one group for the purpose of developing utilities.

Claim: Stormwater fees are not legal.

Response: There are a couple ways to collect the money. One is an assessment which could be a tax assessment or special district. The second is by charging a fee. Since this is a drainage utility a fee would apply better than a tax. With a fee you have to show a benefit. The nexus to calculate the fee is impervious surface. When you put an impervious surface on a property you divert water off of the property and send it down stream and it creates a burden on the next property downstream. So the fee is used to mitigate the drainage water. This fee is based on the amount of impervious surface on each lot.

Claim: That Coal Creek does not exist.

Response: The FEMA flood plain designations were set based on the local creeks. The main reason the town is a part of this authority is to get the residents out of the Coal Creek Flood Plain. The town has looked at a project to move water from the north part of town over to the Boxelder Creek. This came at the same time that upgrade to the sewer plant was scheduled so the Flood Plain Project was put on hold.

Claim: The purpose of the Authority is to benefit developers.

Response: At least 220 properties that would benefit from this project are in Wellington. Developers who would benefit from being taken out of the Flood Plain would still have to pay an impact fee for their impervious surfaces which are a large percentage of a commercial property. Developers or individual homeowners can try to get out of the Flood Plain on their own. ZWZ did it with the Boxelder Plaza (Grocery Store) property by putting in the ditch that runs down the eastside of the property.

Claim: Clark Reservoir does not need to be dredged.

Response: It is not needed but it is part of the agreement with North Poudre Irrigation to allow them to reclaim their original storage capacity in the reservoir.

Claim: Word did not get out to everyone about this issue.

Response: The following media was used to get the word out: Newspaper articles, flyer and letters to city and county residence, letter in water bills, and open houses.

Trustee Brinkhoff asked if there is a sunset on the authority. Mr. Lorentzen explained that the Authority can only charge fees to pay for the project or to pay back loans for the projects. Once the projects are completed there would be a small maintenance fee.

Trustee Brinkhoff asked when Wellington would benefit from this project. Mr. Lorentzen said the Wellington will be the first to benefit from the Clark Reservoir Project.

Lee Tucker, of 7716 Ivy Lane, asked why there was not an agreement with North Poudre Irrigation. Mr. Lorentzen explained that North Poudre Irrigation has been a part of this project from the beginning. The reason a final contract has not been sign is that we do not have final design showing that the changes to be made would meet North Poudre's request for getting a 100% of their storage back.

There was discussion about how the reservoir would be changed.

There was a question from the public about where to find the information about what the projects are and how the money is being spent. Mr. Lorentzen said the Authority meetings are open to the public and meet on the 3rd Thursday of each month at 4:00pm. They do rotate locations. The authority has a website where you can review what is being done and check to see where the next meeting will be held. The website address is www.boxelderauthority.org. The meetings are also posted at Town Hall.

No action was taken.

6. Bills for Approval

Caselle	\$ 1,998.00
Dana Kepner Company, Inc.	2,885.27
Volvo of Denver	3,276.73
March, Olive & Pharris	3,687.50
BHA	8,606.25
Stantec	20,193.65
John Deere	<u>13,421.63</u>
	\$ 54,069.03

TRUSTEE STEELY MOVED AND TRUSTEE DAKNIS SECONDED to approve the bills in the amount of \$54,069.03. Roll call was taken and the motion passed unanimously.

7. Town Attorney Update

Mr. March updated the Board on the following:

- Meeting tomorrow with County attorney regarding 3W Water and the creation of a special district.
- Meeting with North Poudre about buying stock.
- Xcel – Still reviewing franchise agreement.
- No Word from Delmer
- Posting for opening on Stormwater Authority

Trustee Brinkhoff brought up the relationship between the Town and North Poudre Irrigation.

8. Town Administrator Update

Larry updated the Board on the following:

- Opening on Stormwater Authority Board – Applications due on the 23rd.
 - Hearing about the hiring of Rex Burns
 - We received building permits from Miramont, Advanced Tank and Pieper
 - There are 8 more street lights are needed on 5th Street.
 - Submitted applications for funding from the Upper Front Range Transportation Planning (UFRTP) for underpass and the Boxelder trail system. Grant money is good for three years. Don Silar gave an overview of the projects that were submitted to the UFRTP, who will be making a decision Thursday on who and how much money will be given.
 - Seniors receive grant from State for a new bus. Need to have an agreement so we can pay the vendor and then be repaid by the seniors from the grant money.
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Scheduling of Work Session

No work session was scheduled.

Other

Trustee Stevens mentioned the Chamber after hours on Thursday from 5:30pm to 8:00pm at his office.

TRUSTEE BRINKHOFF MOVED AND TRUSTEE DAKNIS SECONDED to adjourn the meeting. Roll call was taken and the motion passed unanimously. Meeting adjourned at 9:36pm.

ATTEST:

Cynthia Sullivan, CMC
Deputy Town Clerk