

Minutes

Board of Trustees – Firestone Town Hall
151 Grant Avenue, Firestone, CO 80520
7:00 p.m.

January 22, 2009

Regular Board Meeting

The Town Board of Trustees of the Town of Firestone met in regular session at Town Hall, 151 Grant Avenue, Firestone, Colorado. Mayor Chad Auer called the meeting to order at 7:00 p.m. Roll call was taken with the following persons present:

Mayor: *Chad Auer*
Mayor Pro-tem: *Charlie Thomas*
Trustees: *Butch Walb*
Matt Holcomb
Darrell Walsh
Paul Sorensen
Kelly Morgan

Also present were: *Cheri Andersen, Town Manager*
Wes LaVanchy, Town Administrator
Judy Hegwood, Town Clerk, CMC
Sam Light, Town Attorney
Bruce Nickerson, Town Planner
Dave Lindsay, Town Engineer
David Montgomery, Chief of Police
Theo Abkes, Public Works Director
Pete Ditmon, Community Resource Coordinator

PLEDGE OF ALLEGIANCE

All rose for Pledge of Allegiance to the flag.

APPROVAL OF AGENDA

Mayor Auer called for additions, deletions or changes to the agenda. Town Administrator Wes LaVanchy added Finance Department Employee of the Month and Police Department Employee of the Year, under Presentations. Trustee Thomas moved and Trustee Sorensen seconded, to approve the agenda, as amended. Voice vote taken. Motion carried.

PRESENTATIONS

Town Administrator Wes LaVanchy and Mayor Chad Auer presented Linda O'Keefe, Finance Jr. Accountant with a certificate for December 2008 Employee of Month and thanked her for a job well done.

Police Chief David Montgomery presented Alan Yoder, Police Officer an Award and a certificate for the 2008 Police Department Employee of the Year. Officer Yoder was given appreciation for his work on the Swat Team and for his work with Support Services. Police Chief David Montgomery stated that Officer Yoder has given outstanding service to the Town.

FIRST PARTICIPATION FROM UNSCHEDULED CITIZENS NOT LISTED ON THE AGENDA

There was audience participation from the following citizen.

Mr. Alex Cruz stated that, if Board approved, he would volunteer his time to be the keeper of Onorato Park.

APPROVAL OF CONSENT AGENDA

- a. *Approval of December 2008 Financial Report*
- b. *Approval of January 2009 Accounts Payable*
- c. *Approval of Minutes – January 8, 2009 Regular Meeting*

Trustee Holcomb moved and Trustee Thomas seconded, to approve the consent agenda, as submitted. Roll call vote was taken. Motion carried.

PUBLIC HEARINGS

OWEN QUARTER HORSES ANNEXATION, ZONING AND OUTLINE DEVELOPMENT PLAN

Town Planner Bruce Nickerson showed a Power Point presentation and gave an overview of the proposed annexation, zoning and outline development plan, entering the power point into the record. Planner Nickerson went through the review process and stated that Planning Commission has given their recommendation for approval. Nickerson stated that this plan will bring the area into the town and the next phase would be the preliminary plat. The location of this property is north of Pine Cone (Rd 20), west of Frontier Street (Rd 15), and east of Colorado Boulevard (Rd 13), having approximately 39.958 acres with existing facilities of a home, garage, mobile home, horse barn, one horse, 5 dogs over 4 months old, 4 goats, and 4 chickens. The existing land use for this property is for quarter horse operations and raising Yorkie dogs. No additional buildings may be built on these lots, Lot A having 5.32 acres and Lot B having 34.64 acres.

Applicant

Ms. Mickey Farnsworth was sworn in by Mayor Auer at 7:30 p.m. Ms. Farnsworth stated that she is the representative for Al Owen and stated that he has no plans to develop soon and his current plan is to continue the quarter horse operation.

Attorney Sam Light asked Ms. Farnsworth when the annexation agreement would be signed by the owners.

Ms. Farnsworth stated that Mr. and Mrs. Al Owens are the owners of Lot B and Mr. Owens sister is the owner of Lot A, and the annexation agreement should be signed by Monday, January 26, 2009.

Mayor Auer opened the Public Hearing at 7:35 p.m.

Public Comment

There was public comment from the following citizens and each citizen was sworn in by Mayor Auer before speaking.

1. Katherine Dvorak
2. Carol Giffin
3. Jim Clemmer

Mayor Auer closed the public hearing at 7:47 p.m.

Applicant

Ms. Farnsworth stated that if and when Mr. Owen wants to develop, there will be homeowner meetings and he will work with the ditch company and have everyone involved.

Board Comment

The Board asked if there should be two access points, if there would be a road to Central Park, and asked if the Town could put in a clause that states at the time of development the ditch company will repair/change the siphon drain. Planner Nickerson said that the second access point will be covered in the preliminary development stage, and there can be a road put in that accesses the Central Park property. Engineer Dave Lindsay stated that the ditch company did not put in the siphon, the Owl Lake developers did, and when this is developed the ditch users will take care of this and he will facilitate the change.

Resolution No. 09-03

A RESOLUTION CONCERNING A PETITION FOR THE ANNEXATION OF PROPERTY TO THE TOWN OF FIRESTONE, COLORADO, KNOWN AS THE OWEN QUARTER HORSES ANNEXATION TO THE TOWN OF FIRESTONE, AND FINDING THE AREA PROPOSED TO BE ANNEXED ELIGIBLE FOR ANNEXATION

Trustee Thomas moved and Trustee Morgan seconded, to adopt Resolution No. 09-03 finding the Owen Quarter Horses Annexation eligible for annexation to the Town of Firestone. Roll call vote was taken. Motion carried.

Annexation Agreement

Trustee Thomas moved and Trustee Walb seconded, for the annexation agreement for the Owen Quarter Horses annexation be approved in the form presented to the Board; that the Mayor and Town Clerk be authorized to sign the agreement; and that the Mayor and Town Manager be authorized to negotiate and approve on behalf of the Town such revisions to the form of agreement as the Mayor and Town Manager determine are necessary or desirable for the protection of the Town, so long as the essential terms and conditions of the agreement are not altered. Roll call vote was taken. Motion carried.

Ordinance No. 705

AN ORDINANCE APPROVING AN ANNEXATION KNOWN AS THE OWEN QUARTER HORSES ANNEXATION TO THE TOWN OF FIRESTONE, COLORADO

Trustee Morgan moved and Trustee Sorensen seconded, to adopt Ordinance No. 705 annexing the Owen Quarter Horses property to the Town of Firestone, upon the condition that the annexation agreement be signed by the owner and returned to the Town no later than the Board’s next regular meeting on February 12, 2009. Roll call vote was taken. Motion carried.

Ordinance No. 706

AN ORDINANCE APPROVING AN INITIAL ZONING OF PROPERTY ANNEXED TO THE TOWN OF FIRESTONE AND KNOWN AS THE OWEN QUARTER HORSES ANNEXATION AND APPROVING AN OUTLINE DEVELOPMENT PLAN FOR SUCH PROPERTY

Trustee Morgan moved and Trustee Thomas seconded, to adopt Ordinance No. 706 approving the initial zoning and outline development plan for the Owen Quarter Horses property, upon the condition that the annexation agreement be signed by the owner and returned to the Town no later than the Board’s next regular meeting on February 12, 2009. Roll call vote was taken. Motion carried.

ACTION ITEMS

SABLE AVENUE INFRASTRUCTURE DESIGN CONTRACT CHANGE ORDER

Trustee Thomas moved and Trustee Holcomb seconded, to approve the Sable Avenue infrastructure design contract change order expenditure, not to exceed, \$2050.00 and authorizing the Mayor to sign. Roll call vote was taken. Motion carried.

CBT CHANGE IN PERMIT ORDINANCE AUTHORIZING A CHANGE IN TEMPORARY PERMIT STATUS TO SECTION 133 FOR CBT WATER DEDICATED IN 2008

Ordinance No. 707

AN ORDINANCE TO APPLY AND CONTRACT FOR BENEFICIAL USE OF WATER ON BEHALF OF THE TOWN OF FIRESTONE, A MUNICIPAL CORPORATION, AND PRESCRIBING THE TERMS FOR APPLICATION FOR AN ALLOCATION OF THE RIGHT TO USE COLORADO-

BIG THOMPSON PROJECT WATER TO SAID TOWN OF FIRESTONE BY NORTHERN COLORADO WATER CONSERVANCY DISTRICT.

Trustee Thomas moved and Trustee Morgan seconded, to approve the CBT change and authorizing the Mayor to sign. Roll call vote was taken. Motion carried.

STORMWATER ENTERPRISE FORMATION

Town Administrator Wes LaVanchy stated that this ordinance is only for the formation of the stormwater enterprise and the fee schedule will come before the Board of Trustees at a later meeting.

Ordinance No. 708

AN ORDINANCE DESIGNATING AND ESTABLISHING THE TOWN OF FIRESTONE STORMWATER ACTIVITY ENTERPRISE

Trustee Thomas moved and Trustee Holcomb seconded, to adopt Ordinance No. 708 designating and establishing the Town of Firestone Stormwater Activity Enterprise. Roll call vote was taken. Motion carried.

SRO AGREEMENT

Trustee Thomas moved and Trustee Morgan seconded, to approve the School Resource Officer agreement and authorizing the Mayor to sign. Roll call vote was taken. Motion carried.

EXECUTIVE SESSION

EXECUTIVE SESSION: RECREATION DISTRICT IGA – for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e)

Mayor Auer called for a motion to enter into executive session.

Trustee Thomas moved and Trustee Morgan seconded, to enter into executive session for a conference with the Town attorney, stating that Public Works Director Theo Abkes and Town Planner Bruce Nickerson will be included in the meeting. Roll call vote was taken. Motion carried. [8:33 p.m.]

Attorney Sam Light said the purpose of the executive session is (a) pursuant to C.R.S. § 24-6-402(4)(e) for the purpose of developing positions and strategy regarding matters subject to negotiation and instructing negotiators – Carbon Valley Recreation District IGA

The board re-convened from executive session at 9:10 p.m.

Mayor Auer stated that the persons in attendance in the executive session were Attorney Sam Light, Town Manger Cheri Andersen, Town Administrator Wes LaVanchy, Planner Bruce Nickerson, Public Works Director Theo Abkes, Trustees Walb, Holcomb, Walsh, Thomas, Sorensen, Morgan and himself.

DISCUSSION

2009 POTABLE WATER MASTER PLAN

Town Engineer Dave Lindsay stated that the potable water master plan was last updated in 2003, and this water master plan would include expansion to the north and to the east. The Board of Trustees agreed to hold of on the 2009 potable water master plan until a later date.

2009 TRUSTEE FORUMS

Town Administrator Wes LaVanchy asked the Board of Trustees what their desire was for future Trustee Forums. Discussion. The Board agreed to holding Trustee Forums monthly, in different locations each month, and a separate topic for each Forum. Town Administrator Wes LaVanchy will put a calendar together for the Board.

SECOND PARTICIPATION FROM UNSCHEDULED CITIZENS NOT LISTED ON THE AGENDA

There was no audience participation.

STAFF REPORTS

Mayor Auer stated that Staff Reports were reported electronically.

Cheri Andersen, Town Manager

1. Reported that there were 72 building permits in 2008.
2. Asked for topics for the Joint Meeting with the School Board on March 4, 2009. Please have these to Own Manager Cheri Andersen prior to the meeting in February. The Trustees gave these suggestions for topics:
 - A plan on approving the building of schools
 - Frederick High School
3. Asked for direction on Weld County Road 26 and Safety, and Mitigation.
4. How involved in the boundary line discussion with the school district? The Board said to send the school district a letter to leave the boundaries the way they are.
5. Metro-North Chamber Meeting will be placed on the Board drive so they can review the CML meetings that are coming up.
6. Town Manager Cheri Andersen and Town Engineer Dave Lindsay went to the North I-25 meeting held by CDOT.
7. Upon Board direction, the organizational assessment will be on the February 5, 2009 Meeting agenda. The Board agreed saying that this should be a Special Meeting in case an executive session is needed.
8. The Joint Meeting with the Planning Commission is scheduled for February 19, 2009 at 6:00 p.m. and food will be served.

Wes LaVanchy, Town Administrator

1. Asked the Board if they wanted HRMC at the February 5th meeting. The Board said they did not.
2. Reported that Mayor Auer has signed a letter to congressional leaders for water projects through NISP.
3. Reported that the Town is considering partnering with the Town of Milliken to do foreclosure workshops.

BOARD REPORTS

Trustee Walb

1. Reported on the Onorato Parks meeting.
2. Stated that there was discussion at the Parks meeting that all Park signs should be the same standard sign and maintenance free.

Trustee Holcomb

1. Reported that the Finance Committee met today and they are formalizing the Finance Committee roles.
2. Asked who would be attending the Longmont Chamber meeting. Trustee Thomas asked that the Town have the Economic Development material at this meeting for review.

Trustee Walsh

1. Reported that he met with Town Manager Cheri Andersen on Monday and has a meeting on Tuesday with Town Administrator Wes LaVanchy to get his laptop set up.
2. Reported that he attended the Relay for Life meeting at the Carbon Valley Library on Saturday.

Trustee Thomas

1. Asked about the sign plazas and advertising. Town Manager Cheri Andersen stated that she has had a request from the company to use the sign plazas for advertising due to the lack in building. The Board agreed to keep the use of the sign plazas for homebuilders only.

Trustee Sorensen

1. Reported that he attended the Rotary Club breakfast and two Firestone residents were recognized as volunteers.
2. Reported that he attended a country western dance for a Polio Fund Raising drive.

Trustee Morgan

1. Reported that she attended a DRCOG meeting and a lot of legislation was discussed. She invited each of the Board members to attend a meeting to see the process.
2. Reported that Mayor Wade Carlson of Dacono would like SWWC to have a meeting with the Weld County Commissioners.
3. Reported that she attended the meeting in Frederick regarding Home Rule.

Mayor Auer

1. Reported that he will be attending the senior lunch next week.
2. Reported that a Firestone citizen was at the Presidential Inauguration.
3. Reported that he attended the Metro Mayors caucus and it was a round table meeting.

ADJOURNMENT

There being no further business to come before the Board of Trustees, Trustee Holcomb moved and Trustee Sorensen seconded, to adjourn the meeting. The meeting adjourned at 10:23 p.m.

TOWN OF FIRESTONE, COLORADO

Chad Auer, Mayor

ATTEST:

Judy L. Hegwood, Town Clerk, CMC

READ AND APPROVED THIS _____ DAY OF _____ 2009

