

Minutes

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

January 13, 2011

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:

<i>Mayor:</i>	<i>Chad Auer</i>
<i>Mayor Pro-tem:</i>	<i>Paul Sorensen</i>
<i>Trustees:</i>	<i>Jennifer Weinberger</i>
	<i>Matt Holcomb</i>
	<i>Darrell Walsh</i>
	<i>Bobbi Sindelar</i>
	<i>Kelly Morgan (absent/excused)</i>

Also present were:

- Wes LaVanchy, Town Manager*
- Judy Hegwood, Town Clerk, CMC*
- Sam Light, Town Attorney*
- Ron Lay, Finance Director*
- Bruce Nickerson, Town Planner*
- Dave Lindsay, Town Engineer*
- David Montgomery, Chief of Police*

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 Manager Wes LaVanchy said that Sabrina McDaniel will not be present this evening and she will be at the January 27, 2011 meeting. He also deleted item 9c from the agenda and stated there may or may not be an executive session. Trustee Sindelar moved and Trustee Weinberger seconded, to approve the agenda, as submitted. Voice vote taken. Motion carried 5-Yea; 0-Nay. Trustee Morgan was absent.

APPROVAL OF CONSENT AGENDA

- a. Approval of November 2010 Financial Report*
- b. Approval of January 2011 Accounts Payable*
- c. Approval of Minutes – December 9, 2010 Regular Meeting*
- d. Approval of Minutes – December 16, 2010 Special Meeting*
- e. Resolution Designating the Place for Posting of Notices of Meetings of Board of Trustees- Resolution No. 11-01*
- f. Approval of Consultant Payment for Carbon Valley Transit System Feasibility Study*
- g. Water System PRV Stations 210 & 211 Construction Payment Application No. 2*

Trustee Sorensen moved and Trustee Sindelar seconded, to approve the consent agenda, as submitted. Roll call vote was taken. Motion carried 5-Yea; 0-Nay. Trustee Morgan was absent.

PRESENTATIONS

Sabrina McDaniel's – This presentation was moved to the January 27, 2011 meeting.

Police Awards

Police Chief Montgomery presented the Chiefs "Special Recognition" Award to the Rotary Club, the "Santa Cops Golf Tournament" Award to Bella Rosa Golf Club, and Awards went to Wal-Mart, American Legion, and Cowboy Church Thanking them for their support in the "Santa Cops" Program.

Police Commander Bruce Borders presented Commentary Letters for the year 2010 to Officers James Stroud and Amy Ford. Officer Curtis Sasson for the number of DUI Arrests in 2010, Officer Kim Cornwell for her work ethics and actions, and Officer Mark Robinson for his life saving action on August 5, 2010.

Police Chief Montgomery presented Award Plaques Officer Bryce Borders for his 10 years of service, dedication and loyalty to the Town of Firestone, Officer Neal Lucero for his 10 years of service, dedication and loyalty to the Town of Firestone, and special recognition went to Police Records Clerk Debbie Pittman for everything she does for the Police Department. Corporal Chris Ross was presented a Plaque for "Officer of the Year" and for his professional constitution, with his wife Mandy standing by his side.

Mayor Auer called for a recess at 7:29 p.m. to shake hands with the Officers and to thank them for what they do. The Meeting reconvened at 7:40 p.m.

CITIZEN PARTICIPATION

There was audience participation from the following citizen:

Mr. Nathan Garcia – Mr. Garcia had his two daughters dressed as chickens, each reading a letter to the Board of Trustees. Mr. Garcia stated that the City of Longmont has removed the number of permits for chickens allowed in Longmont.

LIQUOR LICENSING AUTHORITY

SD FIRESTONE DBA SLOPPY DOG/PINOCCHIO'S – To establish Neighborhood Boundaries and Set Public Hearing Date

Trustee Matt Holcomb recused himself from the meeting due to conflict of interest, as he owns a liquor store in the Town of Firestone.

Trustee moved and Trustee seconded to set the boundaries for the neighborhood as the entire Town of Firestone and set the hearing date as January 27, 2011 as Town Clerk Judy Hegwood had requested her AIM to the Authority. Roll call was taken. Motion carried 4-Yea; 1-Recused; 1-Absent.

PUBLIC HEARINGS

UNITED POWER – SECOND READING OF AN ORDINANCE GRANTING A NON-EXCLUSIVE ELECTRIC FRANCHISE TO UNITED POWER

Town Manager Wes LaVanchy stated that he had been working with United Power for a few months and thanked Troy Whitmore and Ginny Buczek for their partnership. Attorney Sam Light read the title of Ordinance No. 766 for the second reading of the franchise agreement that repeals Ordinance No. 285. He commented that he appreciated the negotiations with United Power and thanked Mr. Williams.

Mayor Auer opened the public hearing at 7:45 p.m.

Public Comment

There was comment from the following people:

1. Troy Whitmore of United Power gave his thanks for the good partnership; he thanked Attorney Sam Light, Engineer Dave Lindsay and Town Clerk Judy Hegwood.
2. Ginny Buczek thanked the employees of United Power and the Town of Firestone.

Mayor Auer closed the Public Hearing at 7:53 p.m.

Mayor Auer called for Board comment.

Board Comment

Ordinance No. 766

AN ORDINANCE GRANTING A NON-EXCLUSIVE FRANCHISE TO UNITED POWER, INC. TO FURNISH, SELL AND DISTRIBUTE ELECTRICITY WITHIN THE TOWN OF FIRESTONE, TO THE TOWN AND TO ALL RESIDENTS OF THE TOWN WITHIN UNITED POWER'S SERVICE AREA, AND THE RIGHT TO ACQUIRE, CONSTRUCT, INSTALL, LOCATE, MAINTAIN, OPERATE AND EXTEND INTO, WITHIN AND THROUGH THE TOWN ALL FACILITIES REASONABLY NECESSARY TO FURNISH, SELL AND DISTRIBUTE ELECTRICITY WITHIN THE TOWN, AND A NON-EXCLUSIVE RIGHT TO MAKE REASONABLE USE OF ALL TOWN STREETS AND OTHER TOWN PROPERTY, AS HEREIN DEFINED, AS MAY BE NECESSARY TO THE EXERCISE OF SAID RIGHT; FIXING THE TERMS AND CONDITIONS THEREOF; AND REPEALING ORDINANCE NO. 285.

Trustee Weinberger moved and Trustee Sindelar seconded, to adopt Ordinance No. 766, approving the second reading of the United Power Franchise Agreement. Roll call vote was taken. Motion carried 5-Yea; 0-Nay. Trustee Morgan was absent.

ACTION ITEMS

Comcast Franchise Agreement – An Ordinance Granting a Non-Exclusive Cable Television Franchise to Comcast of Colorado IV, LLC, Amending Corresponding Provisions of the Firestone Municipal Code, and Approving a Letter Agreement with Comcast

Ordinance No. 767

AN ORDINANCE GRANTING A NON-EXCLUSIVE CABLE TELEVISION FRANCHISE TO COMCAST OF COLORADO IV, LLC, AMENDING CORRESPONDING PROVISIONS OF THE FIRESTONE MUNICIPAL CODE, AND APPROVING A LETTER AGREEMENT WITH COMCAST

Attorney Sam Light read the Title of the Ordinance.

Trustee Weinberger moved and Trustee Sindelar seconded, to adopt Ordinance No. 767. Roll call vote was taken. Motion carried 5-Yea; 0-Nay. Trustee Morgan was absent.

Northern Integrated Supply Project (NISP) Annual Operation and Maintenance Costs

Trustee Sorensen moved and Trustee Sindelar seconded, to approve the annual operation and maintenance costs for NISP. Motion carried 5-Yea; 0-Nay. Trustee Morgan was absent.

Code Modification to Chapters 8.12 Garbage and Refuse and 8.16 Weeds and Rubbish

This item was moved to the January 27, 2011 meeting agenda.

Discussion/Direction/Action – Town Manager Performance Evaluation

Trustee Sorensen moved and Trustee Weinberger seconded, to approve the Town Manager Performance Evaluation and First Amended Employment Agreement. Motion carried 5-Yea; 0-Nay. Trustee Morgan was absent.

First Amended Employment Agreement

Trustee Sorensen moved and Trustee Weinberger seconded, to approve the Town Manager First Amended Employment Agreement. Motion carried 5-Yea; 0-Nay. Trustee Morgan was absent.

STAFF REPORTS

Mayor Chad Auer 1) reported that staff reports were reported electronically.

Town Planner Bruce Nickerson 1) reported that the executive leadership team is meeting tomorrow to go over each other's work plans 2) reported that he is tracking a NASA project 3) stated that to avoid going into executive session for Flatirons incentives, the annexation agreement has not been talked about and recommended the standard annexation agreement. There was discussion with the Board saying that they want Flatirons in the town and gave direction to move forward.

Town Manager Wes LaVanchy 1) reported that the executive leadership team meets tomorrow to go over work plans that will be presented to the Board of Trustees at the January 20, 2011 work session. 2) reminded all of the Unity in the Community Event on February 24, 2011. 3) reported that he had a meeting with Central Weld on Wednesday.

BOARD REPORTS

Trustee Holcomb 1) thanked all for their thoughts and prayers when his father passed away.

Trustee Walsh 1) reported that he attended the Carbon Valley Event. 2) reported that the Tri-town seniors were redacted and the seniors sent along their thanks for the towns support. 3) reported that he will be out of town on January 20, 2011 and therefore will not be at the work session.

Trustee Sorensen 1) reported that there was a parks & trails meeting last night and the sign at Gateway Park will be changing, and that all of the sign are eventually going to be metal instead of wood.

DISCUSSION

There were no discussion items on the agenda.

CITIZEN PARTICIPATION

There was no citizen participation.

EXECUTIVE SESSION

There was no executive session held on the executive session agenda item below.

Executive Session – 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, for the following matters: Flatirons Property annexation agreement, vested rights agreement and tax incentive agreement.

ADJOURNMENT

There being no further business to come before the Board of Trustees, Trustee Weinberger moved and Trustee Sindelar seconded, to adjourn the meeting. Motion carried. 5-Yea; 0-Nay. The meeting adjourned at 8:44 p.m.

TOWN OF FIRESTONE, COLORADO

ATTEST:

Judy L. Hegwood
Judy L. Hegwood, Town Clerk, CMC

Chad Auer
Chad Auer, Mayor



Read and Approved this 27th day of January, 2011