

# Minutes

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

**April 14, 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> (absent/excused)
	<i>Darrell Walsh</i>
	<i>Bobbi Sindelar</i>
	<i>Kathryn Ridenour</i>

*Also present were:*

- Wes LaVanchy, Town Manager*
- Judy Hegwood, Town Clerk, MMC*
- 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. Plaque Presentation was added as 5a under Presentations. Trustee Sindelar moved and Trustee Weinberger seconded, to approve the agenda, as amended. Voice Vote taken. Motion carried 5-Yea; 0-Nay.

## APPROVAL OF CONSENT AGENDA

- Approval of April 2011 Accounts Payable*
- Approval of Minutes – March 24, 2011 Regular Meeting*
- Approval of Consultant Payment for Carbon Valley Transit System Feasibility Study*

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

## PRESENTATIONS

### **Plaque Presentation**

Mayor Auer presented Former Trustee Kelly Morgan with an appreciation plaque for her years of service on the Board of Trustees.

### **Employee of the Quarter**

Town Manager Wes LaVanchy presented Receptionist Carissa Medina with an Award for Employee of the Quarter stating that she is an outstanding employee and he appreciates all of her extra effort.

### **Carbon Valley Recreation District 2011 First Quarter Report**

Ms. Renee Witty gave the first quarter report for the Carbon Valley Recreation District stating that there have been 39,420 visits, there are 197 Seniors, and currently 319 baseball teams. The Recreation District hosted the Frederick High School "After Prom" with several kids in attendance. Trustee Sorensen thanked Ms. Witty for having the "After Prom" for the kids.

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## **CITIZEN PARTICIPATION**

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There was no audience participation.

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## **PUBLIC HEARING**

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### **Resolution for Amending the 2010 Budget by Increasing the Appropriations in the General Fund, Debt Service Fund, Stormwater Fund, and Conservation Trust Fund**

Mayor Auer opened the public hearing at 7:14 p.m.

Finance Director Ron Lay stated that the Town is two months ahead of schedule and the fund appropriations are for administration and stormwater clean-up.

#### Public Comment

There being no public comment, Mayor Auer closed the public hearing at 7:16 p.m.

#### Board Comment

### **Resolution No. 11-07**

A RESOLUTION AMENDING THE 2010 BUDGET BY INCREASING THE APPROPRIATIONS IN THE GENERAL FUND, THE DEBT SERVICE FUND, THE STORMWATER FUND, AND THE CONSERVATION TRUST FUND

Trustee Weinberger moved and Trustee Sindelar seconded, to adopt Resolution No. 11-07. Roll call vote was taken. Motion carried 5-Yea; 0-Nay.

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## **ACTION ITEMS**

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### **The Carbon Valley Rotary Club Revocable License Agreement for the Annual Easter Egg Hunt at Hart Park**

Ms. Bev Mendel addressed the Board of Trustees stating that this is a Revocable License for the Annual Easter Egg Hunt. This year the hunt will be at Hart Park, Saturday, April 23, 2011 from 1:00 p.m. to 4:00 p.m., with several activities planned for the day.

Trustee Ridenour moved and Trustee Weinberger seconded, to approve the Revocable License Agreement. Roll call vote was taken. Motion carried 5-Yea; 0-Nay.

### **Maintenance Shop Land Purchase Appraisal Consultant Contract**

Mayor Auer stated that this contract is for land near the Town Shop to be used for storage and materials.

Trustee Sorensen moved and Trustee Sindelar seconded, to approve the Land Purchase Appraisal Consultant Contract. Roll call vote was taken. Motion carried 5-Yea; 0-Nay.

## REPORTS

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### **Managers Update**

1. Town Manager Wes LaVanchy reported that he and Mayor Auer will be going to Seattle, Washington April 19 through April 21, 2011.

### **Economic Development**

1. Town Planner Bruce Nickerson reported that the Flatirons Agreement is in the Town's hands and will create approximately 150 jobs.

### **Trustees**

Trustee Weinberger thanked Police Chief Montgomery, Manager LaVanchy, and Mayor Auer for helping with the Silent Auction for the Imagine Charter School.

Trustee Walsh reported that he attended the Carbon Valley Networking meeting there was discussion about having a Site for the three Towns of Dacono, Frederick and Firestone to have information for the public about each Town and their businesses.

Trustee Sorensen reported that he attended the Tri-Town Senior fifth meeting of the Month (2) the "After Prom" was a big success (3) the Community Garden is full and waiting for the water to be turned on (4) the Trail project is going good.

### **Mayor**

Mayor Auer reported that he attended the Metro Mayors Caucus and the CML update about the Regional Economic Development was on the agenda to get back on track, reporting that there is only one Fortune Five-Hundred Company left.

### **Future Agenda Items**

There were no agenda items discussed.

## DISCUSSION

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### **Large In-Home Daycare Licensing Discussion**

Mayor Auer opened the discussion and turned over to Staff regarding the Data, thanking Town Manager Wes LaVanchy for putting this together. Town Manager LaVanchy stated that there were several conquests about daycare with staff looking at this carefully to see if the Town could do something administratively, also working with the State to see what the Town could and could not do. Town Codes would need to be updated and a number of towns have deferred to the States regulations. Town Planner Bruce Nickerson stated that this is an issue that is time sensitive and needs analyzed, reporting that the Town currently has 16 licensed daycares. He said there are two options, one is to go with the State regulations and two is in addition of the State regulations limit the large facilities to a certain number before needing assistance and limit the hours of operation. This will go to the Planning and Zoning Commission on May 4, 2011 and to the Board of Trustees on May 12, 2011. Mayor Auer gave an update on how the town handles these items and Manager LaVanchy encouraged all to go to the Planning Commission with comments and Planner Nickerson stated that this is a positive for the Town.

### **Public Comment**

There was testimony given by the following people:

1. Kelly Morgan - 6400 Stagecoach, Firestone, CO
2. Amy Johnson - 4858 Barn Owl, Frederick, CO
3. Vicki Athmann - 6931 Summerset Ave., Firestone, CO
4. Janelle Thomas - Ebony Street, Firestone, CO
5. Corinne Vanosdoll - Tenderfoot, Firestone, CO
6. Christine O'Dell - Tilbury Ave., Firestone, CO
7. Ericka Pilon - 10560 Echo Ct., Firestone, CO
8. Hallie Spanger - 10573 Falcon Street, Firestone, CO

All of the above citizens are in favor of daycare in the Town of Firestone including large In-Home Daycare facilities and schools where their children can learn and be taken care of safely.

### Board Comment

The Board of Trustees would like to see a change to the zoning codes for these daycare facilities, stating that it is important to have these choices for the residents.

Mayor Auer called for a break at 8:15 p.m. The meeting reconvened at 8:27 p.m.

### **St. Vrain Sanitation District Intergovernmental Agreement Update**

Town Engineer Dave Lindsay stated that he and Town Manager Wes LaVanchy have met with the sanitation district regarding the IGA, and the town will be starting to put more restrooms in the parks.

### **Town Sign Plaza's and Businesses Discussion**

Town Manager Wes LaVanchy stated that the town has been asked for a revocable license to expand the usage of the sign plazas. He said Staff is recommending not promoting this expansion. Town Planner Bruce Nickerson stated that subdivision signs used to be placed in the right of ways so the town entered into a sign plaza contract just for subdivision/builders to alleviate this and the code issue involved. Discussion. Trustee Weinberger asked about renting out the sign plazas until the time when a builder would need that space, without additional cost to the town. Attorney Sam Light stated that this would be a change to the code. Trustee Walsh asked if the town could check with the Town of Frederick to see how this works for them, and Manager LaVanchy said that the Town could look into that. Discussion. The Board of Trustees directed staff to look into the possibility of using the sign plaza's for rental to new business only. Mayor Auer asked that this research be as simple as possible.

### **Town of Firestone DRCOG Representative Discussion**

This will be an action item on the April 28, 2011 meeting agenda.

### **Proposed Policy Statement for 2010-2011 (2)**

Town Manager Wes LaVanchy reported that CML is changing their format and a link is on-line to make comments for the CML Conference. If any Trustee has comment, please give those to CML Liaison Bobbi Sindelar and she will get them to CML.

## **CITIZEN PARTICIPATION**

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There was one citizen who stated that he would like the sign plaza showing where the subdivisions are located.

## **EXECUTIVE SESSION**

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### **Pursuant to C.R.S. § 24-6-402(4)(b)- Conference with Town Attorney for Legal Advice Regarding Specific Legal Questions, Legal Consultation and Advice Regarding Pending Claims Issues**

Attorney Sam Light read the title for the Executive Session under C.R.S. § 24-6-402(4)(b) which allows the Trustees to receive legal advice from the Town Attorney.

Trustee Sorensen moved and Trustee Walsh seconded, to enter into Executive Session for the purposes that were read into the record by Attorney Sam Light. Roll call vote was taken. Motion carried 5-Yea; 0-Nay. [8:50 p.m.] The Board of Trustees reconvened in open session at 10:06 p.m.

The persons in attendance were Attorney Sam Light, Mayor Auer, Town Manager Wes LaVanchy, Town Engineer Dave Lindsay, Trustees Weinberger, Walsh, Sindelar, Sorensen, and Ridenour.

Attorney Tom Rice, Attorney Tami Tanoue and Police Chief David Montgomery were in attendance until 9:35 p.m. at which time they left the executive session. Attorney Josh Marks joined the executive session at 9:35 p.m. and left at the conclusion of the executive session.

Attorney Sam Light stated that he took direction from the Board of Trustees while in executive session.

**NWC Highway 119**

Attorney Sam Light reported that a cost agreement is being worked on due to the property being sold to a new developer. The new developer will be making monthly payments to the Town for the remainder of the outstanding balance from the previous owner. The new developer will be signing an amendment for this Plan.

**ADJOURNMENT**

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There being no further business to come before the Board of Trustees, Trustee Sorensen moved and Trustee Sindelar seconded, to adjourn the meeting. Motion carried. 5-Yea; 0-Nay. The meeting adjourned at 10:09 p.m.

TOWN OF FIRESTONE, COLORADO

*CW A*

Chad Auer, Mayor

ATTEST:

*Judy L. Hegwood*  
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Judy Hegwood, Town Clerk, MMC



Read and Approved this 28<sup>th</sup> day of April, 2011.