

Minutes

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

April 8, 2010

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>Charlie Thomas</i>
<i>Trustees:</i>	<i>Butch Walb</i>
	<i>Matt Holcomb</i>
	<i>Darrell Walsh</i>
	<i>Paul Sorensen</i>
	<i>Kelly Morgan</i>

<i>Also present were:</i>	<i>Wes LaVanchy, Town Manager</i>
	<i>Judy Hegwood, Town Clerk, CMC</i>
	<i>Sam Light, Town Attorney</i>
	<i>Bruce Nickerson, Town Planner</i>
	<i>Dave Lindsay, Town Engineer</i>
	<i>David Montgomery, Chief of Police</i>
	<i>Ron Lay, Finance Director</i>

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 asked that items 10 a & b be moved to Action items 9 h & I. Trustee Walb moved and Trustee Thomas seconded, to approve the agenda, as amended. Voice vote taken. Motion carried.

PRESENTATIONS

There were no presentations.

CITIZEN PARTICIPATION

There was participation from the following citizens:

1. Mr. Alex Cruz – Mr. Cruz thanked Trustees Walb and Thomas for their service on the Board of Trustees, also thanking their spouses. Mr. Cruz thanked all of the Town Employees for doing a great job and thanked Bobbi Sindelar and Jennifer Weinberger for wanting to give their service to the Town of Firestone. Mr. Cruz thanked Trustee Paul Sorensen for moving quickly on the community garden, and thanked the Town for the quickness in removing the limbs in old town after the storm. Mr. Cruz commented that he still has several concerns about improvements to old town, such as; (1) does the Town have an approved Urban Renewal Plan (2) has the entered into an IGA with Weld County (3) will the alleys in old town continued to be paved (4) will improvements be done to Onorato Park; and commented to the Board of Trustees “Please do not lose site of Old Town”.
2. Mr. Dennis Fields - Mr. Fields stated that he is attending the meeting for the WCR 26 Public Hearing.

APPROVAL OF CONSENT AGENDA

- a. *Approval of April 2010 Accounts Payable*
- b. *Approval of Minutes – March 25, 2010 Regular Meeting*

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

PUBLIC HEARINGS

Weld County Road 26 Annexation No. 1 through No. 4 – Approval of Resolution for Eligibility of Annexation, Approval of Annexation Agreement, Ordinances Approving Annexation, Ordinance Approving Zoning and Approval of Assignments of Road Maintenance Agreements

Mayor Auer reopened the public hearing at 7:18 p.m. Attorney Sam Light stated that the annexation is numbered 1- 4 for continuity, and reported that the Planning Commission opened and continued the Public Hearing on the WCR 26 Annexation 1 - 4 on March 24, 2010 so no action was taken on the zoning. Attorney Light recommended continuing this Public Hearing until April 22, 2010, stating that publication and proper notice has been given.

Public Comment

Mr. Jim Sitner, representative for LG Everett's was sworn in by Mayor Auer. Mr. Sitner stated that LG Everett is not objecting the annexation of WCR 26, and are at the hearing in regards to the WCR 26 Road Maintenance Agreement, hoping to discuss this issue with the town.

Mr. Dennis Fields was sworn in by Mayor Auer. Mr. Fields, with LG Everett's stated that he and Mr. Sitner were contacted by the Towns Planning Department late this afternoon to set up a meeting to discuss their concerns.

Mayor Auer called for a motion to continue the public hearing at 7:24 p.m.

Board Comment

Trustee Holcomb moved and Trustee Sorensen seconded, to continue the Weld County Road 26 Annexation No.1 through No. 4 – Approval of Resolution for Eligibility of Annexation, Approval of Annexation Agreement, Ordinances Approving Annexation, Ordinance Approving Zoning and Approval of Assignments of Road Maintenance Agreements, until April 22, 2010. Roll call vote was taken. Motion carried 6-Yea; 0-Nay.

OLD BUSINESS

Town Manager Evaluation/Contract Amendment

Trustee Holcomb moved and Trustee Sorensen seconded, to approve the contract amendment for Town Manager Wesley LaVanchy. Roll call vote was taken. Motion carried 6-Yea; 0-Nay.

Friendly Amendment

Attorney Sam Light stated that in Section 7 regarding sick leave, there is a maximum of 120 hours accrual that took effect on November 11, 2010, the same as the Town Managers appointment. Trustee Holcomb and Sorensen accepted the friendly amendment.

NEW BUSINESS/ACTION ITEMS

Swearing In Mayor

Chad Auer was sworn into the office of Mayor by Town Clerk Judy Hegwood, to serve a term of two (2) years.

Swearing In Trustees

Darrell Walsh was sworn into the office of Trustee by Town Clerk Judy Hegwood, to serve a term of four (4) years.

Jennifer Weinberger was sworn into the office of Trustee by Town Clerk Judy Hegwood, to serve a term of four (4) years.

Bobbi Sindelar was sworn into the office of Trustee by Town Clerk Judy Hegwood, to serve a term of four (4) years.

Seating of the 2010 Board of Trustees

Trustees Sindelar, Walsh and Weinberger were seated. The 2010 Mayor and Board of Trustees are Mayor Chad Auer, Trustee Matt Holcomb, Trustee Kelly Morgan, Trustee Bobbi Sindelar, Trustee Paul Sorensen, Trustee Darrell Walsh, and Trustee Jennifer Weinberger.

Selection of Mayor Pro Tem

Mayor Auer stated that Trustee Morgan and Trustee Sorensen have expressed interest in the appointment of Mayor Pro-Tem. The process is to first nominate a Trustee, then vote a secret ballot which is handed to Judy Hegwood, Town Clerk. Clerk Hegwood will read the total votes and announce the new Mayor Pro-Tem.

Trustee Weinberger nominated Trustee Morgan as Mayor Pro-Tem. Trustee Walsh nominated Trustee Sorensen as Mayor Pro-Tem. Ballots were voted and Attorney Sam Light gave definition of the Mayor and Mayor Pro-Tem positions, stating that the Town has a non-voting Mayor and cannot vote unless the vote is a tie vote. In the Mayor's absence, the Mayor Pro-Tem is the presiding officer and does not vote. Secret ballot was passed to Town Clerk Judy Hegwood, who announced there were two (2) votes for Trustee Morgan and four (4) votes for Trustee Sorensen. Trustee Sorensen is Mayor Pro-Tem.

Appointment of Town Clerk

Trustee Sorensen nominated to appoint Judy Hegwood as Town Clerk for the Town of Firestone, seconded by Trustee Walsh.

Trustee Sorensen moved and Trustee Holcomb seconded, to appoint Judy Hegwood into the office of Town Clerk. Roll call vote was taken. Motion carried 6-Yea; 0-Nay. Attorney Sam Light stated that this appointment is a statutory office until thirty days after the next election.

Appointment of Town Attorney

Trustee Holcomb nominated Light, Harrington, & Dawes as Town Attorney, seconded by Trustee Walsh.

Attorney Sam Light thanked Ms. Melinda McCulley who works for his firm, stating that Melinda does a great job and he appreciates her for supporting the Town of Firestone and the office of Harrington, Light, & Dawes.

Trustee Holcomb moved and Trustee Walsh seconded, to appoint Harrington Light & Dawes into the office of Town Attorney. Roll call vote was taken. Motion carried 6-Yea; 0-Nay.

Appointment of Treasurer

Trustee Sorensen nominated Ron Lay as the Treasurer/Finance Director for the Town of Firestone, seconded by Trustee Walsh.

Trustee Sorensen moved and Trustee Walsh seconded, to appoint Ron Lay into the office of Town Treasurer/Finance Director. Roll call vote was taken. Motion carried 6-Yea; 0-Nay.

Appointment of Municipal Judge

Trustee Walsh nominated Paul Basso as the Town Judge, seconded by Trustee Weinberger.

Trustee Walsh moved and Trustee Weinberger seconded, to appoint Paul Basso into the office of Municipal Judge. Roll call vote was taken. Motion carried 6-Yea; 0-Nay. Attorney Sam Light stated that this is a two year appointment.

Trustee Liaison Appointments

Mayor Auer has made recommendations for the liaison appointments, for which he handed out a letter to the Board of Trustees with the designations to the various committees. The recommendations are as follows:

Parks & Trails - Trustee Sorensen, Finance - Trustee Weinberger, DRCOG - Trustee Morgan, Economic Development – Trustee Holcomb, Recreation District and Senior Center Liaison – Trustee Walsh, CML Policy Committee – Trustee Sindelar, and Mayor Auer - Metro Mayors Caucus, Tri-Town Mayors Group, North Metro Chamber Round Table, I-25 Mayors Group, North Area Transportation Alliance, and St. Vrain Valley School District Mayor Round Table.

Mayor Auer stated that the appointments could stand “as is” by policy and asked Attorney Light for direction. Attorney Sam Light said that the Mayor was correct and gave direction on committee appointments. The Parks & Trails Advisory Board is by Mayor appointment, the Committee appointments can be accepted as a entire slate from the Mayor, may be appointed by the Mayor unless there are four (4) objections, then the appointments may be voted on by secret Ballot, and the other option is to vote on all.

Mayor Auer asked if there are 4 objections to the appointments. Trustee Morgan asked Mayor Auer if these are the Mayors appointments or suggestions. Mayor Auer said these are the Trustees he recommends for the appointments.

Attorney Sam Light stated that the appointment to DRCOG needs to be by the Board of Trustees, appointing a liaison and an alternate liaison. Attorney Light stated that his firm Harrington, Light & Dawes is the general council for DRCOG.

Attorney Light stated that all appointments can be done by voice vote.

Trustee Weinberger moved and Trustee Walsh seconded, for the Board of Trustees to take voice votes for the liaison positions, with the exception of Parks & Trails and DRCOG. Voice vote was taken. Voice vote carried 6-Yea; 0-Nay.

Parks & Trails Advisory Board Liaison

Mayor Auer appointed Trustee Sorensen as the Liaison to the Parks and Trails Advisory Board.

Finance Liaison

Mayor Auer nominated to appoint Trustee Weinberger as the Liaison to the Finance Committee. Trustee Sindelar nominated Trustee Weinberger as the Liaison to the Finance Committee, seconded by Trustee Walsh.

Trustee Walsh moved and Trustee Sorensen seconded, to appoint Trustee Weinberger as the Liaison to the Finance Committee. Voice vote was taken. Voice vote carried 6-Yea; 0-Nay.

DRCOG Liaison

Mayor Auer nominated Trustee Holcomb as Liaison to DRCOG. Trustee Holcomb stated that he is currently the alternate for DRCOG stating that this is high level discussion and there is a lot of time spent on things towards the future. Mayor Auer retracted his previous nomination and nominated Trustee Holcomb as the alternate Liaison to DRCOG.

Trustee Walsh moved and Trustee Sorensen seconded, to appoint Trustee Holcomb as the Alternate Liaison to DRCOG. Voice vote was taken. Voice vote carried 6-Yea; 0-Nay.

Economic Development Liaison

Mayor Auer nominated Trustee Holcomb as the Liaison to the Economic Development Committee. Trustee Sorensen moved and Trustee Walsh seconded, to appoint Trustee Holcomb as Liaison to the Economic Development Committee. Voice vote was taken. Voice vote carried 5-Yea; 1-Nay. Trustee Morgan voted Nay.

Recreation/Senior Center Liaison

Mayor Auer nominated Trustee Walsh as the Liaison to the Recreation/Senior Center Committee. Trustee Weinberger moved and Trustee Sindelar seconded, to appoint Trustee Walsh as the Liaison to the Recreation/Senior Center Committee. Voice vote was taken. Voice vote carried 6-Yea; 0-Nay.

CML Liaison

Mayor Auer nominated Trustee Sindelar as the Liaison to the CML Policy Committee. Trustee Weinberger moved and Trustee Holcomb seconded, to appoint Bobbi Sindelar as the Liaison for CML Policy Committee. Voice vote was taken. Voice vote carried 6-Yea; 0-Nay.

Community Gardens

Trustee Holcomb moved and Trustee Walsh seconded, to approve the expenditure, not to exceed \$5,500.00, for the community garden and authorize the Mayor to sign. Roll call vote was taken. Motion carried 4-Yea; 2-Nay. Trustee Weinberger and Trustee Morgan voted Nay.

DISCUSSION

There were no discussion items.

CITIZEN PARTICIPATION

There was no audience participation.

STAFF REPORTS

Mayor Auer stated that Staff Reports were reported electronically.

Town Planner Bruce Nickerson answered Mr. Cruz’s questions. (1)The Town has approved the Urban Renewal Plan (2) The Town and Weld County have entered into an IGA regarding land use. (3) There have been 51 building permits pulled this year (4) some of the alleys in Old Town will be paved this year (5) there will be some improvements done to Onorato Park this year.

Town Manager Wes LaVanchy (1) reported that the Town has received applications for scholarships and he would like volunteers from the Board of Trustees to review the applications. Trustee Morgan and Trustee Walsh volunteered (2) reported that there will be a Special Meeting/Work Session held on Thursday, April 15, 2010.

BOARD REPORTS

Trustee Walsh reported that he attended the Tri-Town Senior Easter dinner in Wattenberg.

Mayor Auer reported that he met with brokers at King Soopers (2) reminded all of the business expo at American Furniture Warehouse on Friday, April 23 and Saturday, April 24, 2010 (3) reported that Weld County is calling for nominations for the best Recreation Center in Weld County and he will be sending a letter nominating the Carbon Valley Recreation Center

ADJOURNMENT

There being no further business to come before the Board of Trustees, Trustee Morgan moved and Trustee Walsh seconded, to adjourn the meeting. Motion carried. The meeting adjourned at 9:35 p.m.

TOWN OF FIRESTONE, COLORADO

ATTEST:

Judy L. Hegwood, Town Clerk, CMC

Chad Auer, Mayor

READ AND APPROVED THIS ____ DAY OF _____, 2010.