



TOWN OF WELLINGTON
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BOARD OF TRUSTEES
February 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

US Cable

Safebuilt 2009 Annual Report –Building Permit Activity

PRESENTATIONS

CONSENT AGENDA

- Board of Trustee Minutes for January 26, 2010
- Planning Commission Minutes for January 4, 2010
- Wellington Housing Authority Minutes for November 5, 2009

NEW BUSINESS

1. Discussion - Xcel Franchise Agreement
2. Ordinance 1-2010 – Defer payment of impact fees
3. Request for partial release of LOC – Construction Management Works
4. Purchase Request – Carbon Wetting Cone
5. Discussion - Chairs and Paint for Community Center
6. Bills for Approval
7. Town Attorney Update
8. Town Administrator Update

SCHEDULING OF WORK SESSIONS

OTHER

ADJOURN

BOARD OF TRUSTEES
REGULAR BOARD MEETING
February 9, 2010

The Regular Board Meeting was called to order at 7:30 p.m. February 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
DON SILAR, TOWN ENGINEER
BILL BODKINS, PUBLIC WORKS DIRECTOR

Additions to or deletions from the agenda

None

Conflicts of Interest

None

Public to be heard on non-agenda items.

Delmer Zweygardt, developer, said he has a business interested in moving into the open unit in the grocery building. He said the business wants him to do the tenant finish. He said the expense of the tenant finish would not allow him to also put in the street lights. He was requesting that he not be made to put in the street lighting at this time. The Board did not want to give up on getting lighting in, but was unwilling to turn away business. There was discussion about when the project should be completed. The Board requested Mr. Zweygardt to present a formal proposal at the next meeting outlining his request for relief. The proposal was to specifically include deadlines for installation of street lighting.

Correspondence

US Cable

Safebuilt 2009 Annual Report – Building Permit Activity

Ms. Sullivan said there have been 4 new home permits issued this year and there is interest in building on property other than Columbine Estates.

Presentations

None

Consent Agenda

- Board of Trustee Minutes for January 26, 2010
- Planning Commission Minutes for January 4, 2010
- Wellington Housing Authority Minutes for November 5, 2009

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

NEW BUSINESS

1. Discussion – Xcel Franchise Agreement

Todd Anderson, representing Xcel, said he would be the person working with the town on the franchise. He said the Public Utilities Commission (PUC) requires that a notice is published 3 times before the first reading of the agreement and 2 weeks before the second reading, so it has to be voted on twice. He said the readings would be on the 9th and 23rd of March. He reviewed the main points of the agreement. He said the franchise provides an undergrounding fund to bury transmission lines. He said for future expansion we start looking for locations for substations about 4 years prior to the need. There was further discussion about the requirements for a substation.

2. Ordinance 1-2010 – Defer payment of impact fees

Mr. Lorentzen explained this deferral is to encourage builders to come to Wellington and give some relief so all the fees are not required to be paid up front. He said there would still be some fees paid up front. These fees are related to the inspections and taxes, because these go to outside agencies. He said the administrative fee should also be added to the upfront fees because the work has already been performed. He said the impact fees would be the fees that are deferred. He said the impact to the town usually does not happen until someone moves into the location. He said the pedestrian impact fee should be added to the deferred list because it is for building permits on properties east of the interstate.

Mayor Noel asked what kind of penalty will be in place. Mr. March said a 15% interest and a lien against the property.

Mayor Noel asked how the builders would be notified. Mr. Lorentzen said we could send a flyer to the builders that still have business licenses.

Mr. March said this is not an emergency ordinance so it would not take effect until 30 days from the date of publication. Mr. Lorentzen said staff would need the time to get the process in place. Mr. March said there is a sunset date on the ordinance so it has a limited time. He asked for the date. The Board suggested that the time period should be for one year from the date it goes into effect. Mr. Lorentzen suggested March 31, 2011.

TRUSTEE BRINKHOFF MOVED AND TRUSTEE DAKNIS SECONDED to approve Ordinance 1-2010 deferral of impact fees for new construction with additions to expire at the end of business day March 31, 2011. Roll call was taken and the motion passed unanimously.

3. Request for partial release of LOC – Construction Management Works

A representative from Construction Management Works was not present. Mr. Lorentzen said he put together an estimate on the landscaping of \$5,800 which would leave about \$3,000 available to reduce the letter of credit by.

TRUSTEE STEVENS MOVED AND TRUSTEE VIEIRA SECONDED to approve the request for reduction in letter of credit for Lots 1, 2, 3 and 16 replats of Milliken Carper in the amount of \$3,000. Roll call was taken and the motion passed unanimously.

4. Purchase Request – Carbon Wetting Cone

Mr. Bodkins said this was a different type of delivery system using vacuum instead of pumps. He said this would be more efficient and cost effective.

TRUSTEE BRINKHOFF MOVED AND TRUSTEE DAKNIS SECONDED to authorize purchase of Cone/Eductor System from Municipal Treatment Equipment, Inc., in the amount of \$4, 650. Roll call was taken and the motion passed unanimously.

5. Discussion - Chairs and Paint for Community Center

Trustee Daknis said she wanted to wait on this item and would bring it back in March.

6. Bills for Approval

Midwest Tape	\$ 1,113.71
DPC	1,309.30
BHA	2,435.00
Centennial Equipment	4,058.20
North Poudre Irrigation	5, 671.00
Ace Hardware of Wellington	1,066.67
NALCO	<u>2,589.95</u>
	\$ 18,243.83

TRUSTEE STEELY MOVED AND TRUSTEE DAKNIS SECONDED to approve the bills in the amount of \$18,243.83. Roll call was taken and the motion passed unanimously.

7. Town Attorney Update

Mr. March updated the Board on the following:

- Xcel Franchise agreement
- Seaworth Water
- Updating Court procedures

Trustee Daknis asked if there was still a letter of credit with Mr. Zwegardt. Mr. March said there is still a letter of credit but the agreement did not cover the lights. There was further discussion about what could or could not happen with this issue.

8. Town Administrator Update

Larry updated the Board on the following:

- Planning Commission – Subdivision of Outlot E in Columbine Estates – cleanup on a title
- Planning Commission – Subdivision of One Lot on Lebsack Annexation #2 for Chicken Processing Plant
- Advanced Tank will be bringing in a sight plan for an office building
- Received a fax regarding waving fees for the Chicken Processing Plant
- Meeting with CDOT on signage on interstate regarding directional signs to recreational areas.
- Mr. Silar attended a meeting where they discussed available grants for congestion and air quality. We might be able to use the monies for an underpass and trails.
- Met with Aires Assoc. regarding residual properties that could still be in the flood plain after the Clark reservoir project is complete.
- Stantec still working on GIS Mapping

- Washington Ave. Railroad Crossing – waiting for additional information from the RR Company to submit the application to the PUC.

Larry said he would be out next week on vacation.

Scheduling of Work Session

None

Other

Trustee Vieira – Asked Cynthia how many businesses were still behind on their renewals. Ms. Sullivan said that Mr. Norden went to each business to remind them. Out of the ones he visited several were out of business and only about five have not responded.

Trustee Daknis reminded the Board about the Boys & Girls Club Breakfast on Wednesday.

Trustee Daknis would like to attend the CML Conference in June at Breckenridge.

Trustee Brinkhoff asked about the complaint letter. Larry said Mr. Norden had spoken with the owner and informed him that he needed a permit for the shed. Larry said the home owner also needed to apply with the Architectural Review Committee for the subdivision but that is not a town issue.

Mayor Noel asked if CAC had submitted minutes. Trustee Stevens said the CAC had not met since November and would be meeting next Monday.

TRUSTEE NOE MOVED AND TRUSTEE DAKNIS SECONDED to adjourn the meeting. Roll call was taken and the motion passed unanimously. Meeting adjourned at 8:45pm.

ATTEST:

Cynthia Sullivan, CMC
Deputy Town Clerk