



**Garden
Spot of
Colorado**

MEETING MINUTES OF THE TOWN BOARD

**Town Board Room
807 Mountain Avenue
Town of Berthoud, Colorado
Tuesday, March 28, 2023, 6:30 p.m.**

I. REGULAR MEETING CALLED TO ORDER – Mayor William Karspeck

Mayor Karspeck called the meeting to order.

II. PLEDGE OF ALLEGIANCE – Mayor William Karspeck

Mayor Karspeck led the Pledge of Allegiance.

III. ROLL CALL – Mayor William Karspeck

The following Board Members were present:

William Karspeck, Mayor
Mike Grace, Mayor Pro-Tem
Sean Murphy, Trustee
Tim Hardy, Trustee
Jeff Butler, Trustee
May Soricelli, Trustee
Karl Ayers, Trustee

The following were also present:

Chris Kirk, Town Administrator
Christian Samora, Town Clerk
Erin Smith Town Attorney
Michelle Adams, Deputy Town Clerk
Anne Johnson, Community Development Director
Walt Elish, Business Development Director

IV. CITIZEN PARTICIPATION

John Keller and David Luck spoke regarding the Ludlow Farm development.

Eric Ryplewski spoke regarding broadband in Berthoud.

V. SCHEDULED ITEMS and ESTIMATED TIMES FOR DISCUSSION

1. Consent Agenda

(Christian Samora) (5 Min)

Consent Agenda items are considered to be routine by the Town Board and will be enacted with a single vote. There will be no separate discussion of these items. If discussion is deemed necessary, that item should be removed from the Consent Agenda and considered separately.

- a) March 28, 2023, Meeting Agenda
- b) March 14, 2023, Meeting Minutes
- c) January 2023 Financial Information

Trustee Ayers moved to combine and approve the items on the Consent Agenda. Trustee Hardy seconded the motion. In a 7-0 Roll Call vote, THE MOTION CARRIED.

2. Water Rights Acquisition – Purchase of 50 C-BT Units

(Chris Kirk)

(5 Min)

Kirk gave an introduction and provided background information.

Trustee Murphy moved to approve the Agreement for Sale and Purchase of C-BT Units and direct staff to allocate additional funds for the purchase in the 2023 Annual Budget during the mid-year budget amendment process. Trustee Butler seconded the motion. In a 7-0 roll call vote, THE MOTION CARRIED.

3. Sale of Old Town Hall – Public Hearing (Walt Elish) (10 Min)

Ordinance 1317 – An ordinance of the Town of Berthoud, Colorado, regarding uses of the property located at 328 Massachusetts Avenue, Berthoud, Colorado.

Elish gave an introduction and provided background information.

Mayor Karspeck opened the Public Hearing.

Jerry Tracy asked if the old Town Hall building would be preserved.

Mayor Karspeck closed the public hearing.

Kirk clarified that the historic brick portion of the building would be preserved.

Mayor Pro-Tem Grace moved to approve ordinance 1317, an ordinance of the Town of Berthoud, Colorado, regarding uses of property located at 328 Massachusetts Avenue. Trustee Hardy seconded the motion. In a 7-0 roll call vote, THE MOTION CARRIED.

4. Ludlow Neighborhood Master Plan and Rezoning – Hearing Continuance (Anne Johnson) (10 Min)
Hearing is expected to be continued to April 25, 2023

Johnson gave an introduction and provided background information.

Trustee Hardy moved to approve the applicant's request to continue the public hearing to consider the Change of Zoning and Neighborhood Master Plan from March 28, 2023 to April 25, 2024. Trustee Murphy seconded the motion. In a 7-0 roll call vote, THE MOTION CARRIED.

5. Harvest West Annexation Substantial Compliance (Anne Johnson) (10 Min)
Resolution 2023-05 – A resolution regarding petition for annexation filed by HT Land Partners, LLC and setting the matter for a Public Hearing

Johnson gave an introduction and provided background information.

Will Charles provided additional information, followed by Jim Birdsall with a presentation from the applicant.

Trustee Butler moved to approve Resolution 2023-05, a resolution of the Town of Berthoud, Colorado, regarding petition for annexation filed by HT Land Partners, LLC, accepting such petition as being substantially compliant with CRS 31-12-107 and 31-12-108 as well as Sections 30-8-103 and 30-8-104 of the Berthoud Municipal Code and setting May 23, 2023 as a Public Hearing Date to evaluate the Annexation, Change of Zone, and the Neighborhood Master Plan. Trustee Murphy seconded the motion. In a 7-0 roll call vote, THE MOTION CARRIED.

6. Heron Lakes 17th Filing Preliminary Plat – Public Hearing (Anne Johnson) (30 Min)

Johnson gave an introduction and provided background information.

Mayor Karspeck opened the Public Hearing.

Linda Wilson asked if the filing would provide an additional access to County Road 14.

Mayor Karspeck closed the public hearing.

Kirk clarified that there would not be an additional access.

**Trustee Murphy moved to approve the Preliminary Plat for Heron Lakes 17th Filing with the following conditions:
a. The applicant shall construct curb and gutter along County Road 14E prior to the issuance of first building permit for**

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Heron Lakes 17th Filing.

b. County Rd 14E construction plans shall be submitted with the final plat submittal for review.

c. The Applicant shall apply for and receive approval of Rezoning prior to approval of a Final Plat.

Mayor Pro-Tem Grace seconded the motion. In a 7-0 roll call vote, THE MOTION CARRIED.

7. Oil and Gas Tranche II

(Mike Foote)

(60 Min)

Foote provided a presentation and update following the last meeting that the Board discussed oil and gas regulations.

Foote will take feedback received and prepare for the next phase of the process to draft and establish oil and gas regulations.

Trustee Murphy moved to extend the meeting to 10:30 P.M. Trustee Ayers seconded the motion. In a 7-0 roll call vote, THE MOTION CARRIED.

VI. ELECTED OFFICIAL REPORTS

(10 Min)

1. Town Board – Tim Hardy, May Soricelli, Mike Grace, Sean Murphy, Karl Ayers, and Jeff Butler.

Trustee Soricelli:

Soricelli asked about the possibility of having Hilltop speak to the Board.
The Board was supportive of discussing broadband at the 5-9 study session.
Hilltop Broadband and Loveland Pulse will be invited to the meeting on the 9th.

Trustee Murphy:

Murphy had citizens approach him about trash service and rates.
The Arbor Day celebration is approaching.
March 29th is a meeting held by CML regarding SB 23-123 regarding the middle housing issue. CML is holding a stance against the bill to address how municipalities approach the issue.

Trustee Butler:

Butler has also been approached regarding trash issues.
Butler requested more regular high-level updates regarding ongoing projects.
Trustee Butler indicated that he will be absent at the next meeting.

Trustee Hardy:

Hardy stated that the next HPC meeting is Monday, May 8th. History Colorado will be providing an overview on grants and how tax credits work.
There is a big meeting at Four Square Church for a Preservation Workshop on April 9th.
Hardy thanked staff for the Jim Anderson event.

Trustee Ayres:

Ayers thanked staff for clearing the snow on the streets.

Mayor Pro-Tem Grace:

Grace indicated that the Youth Advisory Commission will be meeting the morning of the 29th to discuss Scorch Fest.
Grace asked if there are any updates regarding the left hand turn arrows at HWY 287 and Berthoud Parkway, or the Spartan crossing. There are no updates.

2. Mayor – William Karspeck

Mayor Karspeck indicated that the Justin Bauer Memorial Highway sign was removed with the work being completed at the I-25 intersection. Kirk stated that he would reach out for the project engineer to follow up.

Karspeck asked in ProCode could come in and present how they conduct inspections. Kirk stated that it could be schedule and would likely be a 10-minute presentation. The MPO meeting is next Thursday at 6:00 P.M. in the Board Room. Karspeck shared a reminder that the LCSO Open House is on April 15th and any who wish to attend need to RSVP. Karspeck thanked staff for beginning to address the tree issues in Hammond Farm. Karspeck asked regarding a requirement for developers to place fiber optic conduit. Kirk indicated that PULSE recommended the Town not allow developers to decide where the conduit goes, but rather to collaborate with the fiber provider to identify locations like electric and gas companies would.

3. Staff – Town Administrator, Attorney

Administrator Kirk Reported:

The next Joint Board Meeting with the school district will occur on April 19th from 5-6:00 P.M. at the High School. The meeting will be a Joint Session with Planning Commission. Planning Commission will be having training regarding Quasi-Judicial hearings. Kirk indicated that a similar training will occur the beginning of June for the Board of Trustees.

VII. EXECUTIVE SESSION

Trustee Ayers moved to enter into Executive Session pursuant to C.R.S. Section 24-6-402(4)(f) for discussion of a personnel matter and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body of any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. And the following details are provided: Town Administrator Annual Evaluation. Mayor Pro-Tem Grace seconded the motion. In a 7-0 roll call vote, THE MOTION CARRIED.

VIII. ADJOURN

The meeting adjourned at 11:05 P.M.

Town Clerk or Deputy Town Clerk

William Karspeck, Mayor

