

**TOWN OF MILLIKEN
BOARD OF TRUSTEES
MILLIKEN MEETING HOUSE, 1201 BROAD STREET**

MEETING MINUTES

Wednesday, June 29, 2016

Call to Order

The Town of Milliken Board of Trustees convened a regular session on Wednesday, June 29, 2016 at 8:00 P.M. Those present: Mayor Beau Woodcock, Mayor Pro Tem Linda Measner. Trustees: Elizabeth Austin, Katy Burack, LeRon Ehrlich, Nick Ehrlich and Ken Kidd. Also Present: Town Administrator Kent Brown, Town Clerk Cheryl Powell, Community Development Director Martha Perkins, Accounting Technician Courtney Diller, Community Engagement Specialist/Planner Seth Hyberger and Town Attorney Linda Michow. Absent: Parks Director Josh Roseberry, and Public Works Director Bill Landwehr.

Pledge of Allegiance

Mayor Woodcock called the meeting to order.

Roll Call

Trustee's: Austin, L. Ehrlich, Burack, N. Ehrlich and Kidd, Mayor Pro Tem Measner and Mayor Woodcock.

Agenda Approval

Staff had no changes to the Agenda.

Trustee LeRon Ehrlich motioned to approve the agenda. Trustee Burack seconded.

All in favor, none opposed.

Swearing-in Ceremony

Chief Garcia provided the Town Board with background information on Officer Rick Jandegian and Officer Kate Lines. Town Clerk Cheryl Powell swore-in the new Milliken Police Officers, Kate Lines and Rick Jandegian.

Citizen Comments

None.

Minutes of Previous Meeting

- June 8, 2016

Minutes approved with correction.

Mayor Pro Tem Measner motioned to approve the minutes as corrected. Trustee Kidd seconded.

All in favor, none opposed.

Acknowledgement of the Paid List of Bills

- June 2016 List of Bills.

Trustee Kidd has a question on the Royal T Rooter charge. Accounting Tech Diller explained it was for an after hour call. Diller explained that Director Landwehr will be able to answer why the Town's Jet Vac Truck could not perform this service. Trustee Kidd also asked about the purchase of the Donuts for the Public Works meeting.

Mayor Pro Tem Measner motioned acknowledgment of the paid List of Bills. Trustee Burack seconded.

CONSENT AGENDA

1. Binder Family Farms Water Lease

To review and consider for approval a lease of 1.0 shares of Consolidated Hillsborough Ditch Water to Binder Family Farms.

2. Mark Spaur Water Lease

To review and consider for approval a lease of 1.0 shares of Consolidated Hillsborough Ditch Water to Mark Spaur.

Trustee Austin moved to approve the Consent Agenda. Trustee Nick Ehrlich seconded.

Roll Call Vote: Trustee Austin – yes, Trustee L. Ehrlich – yes, Trustee Burack – yes, Trustee N. Ehrlich – yes, Mayor Pro Tem Measner – yes, Mayor Woodcock – yes, Trustee Kidd – yes. Motion carried.

ACTION AGENDA

1. Consideration and Approval of Ordinance 730, Amending Chapter 2 of the Town of Milliken Municipal Code Concerning Membership of the Board of Adjustment

Community Development Director Perkins asked the Town Board to consider for approval an addition of Article XI "Board of Adjustment" to Chapter 2 of the Towns Municipal Code establishing a Board of Adjustment to hear and decide appeals and consider variances under Chapter 16 of the Municipal Code.

Perkins explained that currently the Municipal Code references the Board of Adjustment (BOA) to grant variances and to hear and decide appeals from and review any requirement, decision, or determination made by any administrative official charged with the enforcement of the Towns zoning regulations. However, there is no provision in Chapter 2 "Administration and Personnel" that creates the Board of Adjustment, its powers and purpose, and membership. Historically, based on the actions that have been taken in the past and documented in the Board of Trustees minutes, the Board has served as the Board of Adjustment. Ordinance 730 codifies and creates the Board of Adjustment with seven (7) members as the Board of Trustees in accordance with C.R.S. 31-23-307.

Mayor Pro Tem Measner asked if the Board of Adjustment makes decisions on Planning Commission items. Director Perkins responded mostly in regard to variances. Attorney Michow explained that the BOA's primary function is to hear variances to specific zoning chapter requirements, for example someone needs to adjust their setback due to the layout of the property.

Perkins explained that this is one of the areas in the Code that needs to be cleaned up.

Trustee LeRon Ehrlich is concerned that this process will extend the time of the process. Attorney Michow explains that this does not extend the period, it merely clarifies it.

Trustee L. Ehrlich motioned to adopt Ordinance 730, amending the Town of Milliken's Land Use Code, Chapter 2 of the Town of Milliken Municipal Code Concerning Membership of the Board of Adjustment. Trustee Austin seconded.

Roll Call Vote: Trustee Austin – yes, Trustee L. Ehrlich – yes, Trustee Burack – yes, Trustee N. Ehrlich – yes, Mayor Pro Tem Measner – yes, Mayor Woodcock – yes, Trustee Kidd – yes. Motion carried.

2. Consideration and Approval of Ordinance 731, Amending Chapter 2 of the Town of Milliken Municipal Code Section 2-7-20 and Section 2-70-30 Concerning Membership and Terms of Appointment for the Planning Commission

Director Perkins asked the Town Board to consider an amendment to the Town's Municipal Code and Terms of Appointment for the Planning Commission to allow for one additional alternate member appointed by the Board of Trustees to participate in the Commission meeting and vote in the absence of a regular Commission member.

Perkins explained that the addition of an alternate member enables a better chance of obtaining a quorum of the Commission, so land development applications can be processed in a timely manner. If a regular Commission member resigns, is removed, or is not re-appointed by the Board of Trustees, the alternate member shall be immediately considered to fill the vacancy. The additional alternate member allows continuity on the Commission, which is invaluable given the learning curve associated with serving on this volunteer Board.

Mayor Pro Tem Measner commented that she is in favor of this change. It provides volunteers to become involved in the Planning Commission which requires an extensive learning curve to get new members up to speed on what is taking place.

Mayor Pro Tem Measner motioned to adopt Ordinance 731, amending Chapter 2 of the Town of Milliken Municipal Code Section 2-7-20 and Section 2-7-30 concerning membership and terms of appointment for the Planning Commission. Trustee Burack seconded.

Roll Call Vote: Trustee Austin – yes, Trustee L. Ehrlich – yes, Trustee Burack – yes, Trustee N. Ehrlich – yes, Mayor Pro Tem Measner – yes, Mayor Woodcock – yes, Trustee Kidd – yes. Motion carried.

DISCUSSION AGENDA

1. Eastside Water Loop Project

Troy Spraker who is with the Town's contract engineering firm Lamp Rynearson spoke to the Town Board about the Eastside Water Loop project and presented a mapping of the project. He provided the Board with a description of the project explaining the change in the project by adding a sewer line due to the cost savings of a 12- inch waterline that was already in place.

Mayor Woodcock asked if there have been any problems in regard to this project. Troy provided the Board with a timeline of the project from the conception of the

grant application being submitted to the Department of Local Affairs in October of 2014 to the award of the Grant in April 2015.

Trustee L. Ehrlich asked why the permits were not obtained prior to the project.

Troy explained that the project needed to be underway as soon as possible.

Trustee L. Ehrlich asked if there is anything else missing that needs to be obtained. An easement needed to be obtained from Marilyn Schneider and from Bayou Wells Services. These were obtained in April and approved in May 2016. There were also an Irrigation Ditch crossings and an approval from Weld County in regard to WCR 25.

Troy explained there may be an additional cost for a remobilization for the boring under the ditch.

Mayor Pro Tem Measner asked what the projected project finish date will be.

Troy explained that currently the end date is in the middle of October.

Mayor asked if the work can begin on WCR 25. Troy explained that Amy Joseph with Weld County needed to take this agreement to the Weld County Commissioners. They had an issue with the line going down the middle of WCR 25, the line is being adjusted. Troy explained the aggregate that is required by Weld County is specific and that Bestway Concrete is attempting to create the mixture, but there are other companies that currently have this aggregate mixture.

Mayor Pro Tem Measner asked what the size of the sewer and water line are. The Sewer line is 21 to 30 inch. The Waterline is a 16-inch line with the exception of an eight (8) line that will run under the railroad.

Trustee LeRon Ehrlich explained that some of these crossings could potentially cost additional funds due to these entities knowing that we have to cross these areas since we are already under construction.

Community Engagement Specialist/Planner Seth Hyberger explained that there is a grant completion timeline of November 2016. This is the reason that the project needed to be started prior to all the permitting.

Mayor Woodcock asked how many easements and crossings that need to happen. Troy explained 4 ditch crossings and 4 railroad crossings and 2 easements.

INFORMATIONAL AGENDA

There were not any items.

Summary of Meeting (Review of Action Items, Staff Assignments & Schedule)

Adjournment

Trustee Austin moved to adjourn. Trustee Burack seconded.

All in favor, none opposed.

Hearing no further business, the Mayor adjourned the meeting at: 8:46 P.M.

Prepared by:

Approved by:

Cheryl L. Powell, Town Clerk

Beau Woodcock, Mayor