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

MEETING MINUTES

Wednesday, August 24, 2016

Call to Order

The Town of Milliken Board of Trustees convened a regular session on Wednesday, August 24, 2016 at 7:00 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, Public Works Director Bill Landwehr and Town Attorney Linda Michow. Absent:

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 Kidd asked for Action Item #4 to be moved to the Consent Agenda.

All in favor, none opposed.

Citizen Comments

Lois Ann Onorato with the Milliken Historical Society addressed the Town Board and audience about the Heritage House Museum. She spoke about some of the items that are placed on display in the Museum and that a Pump Organ is being donated to the Museum.

She announced that there will be music on the back porch of the Heritage House Museum on Saturday evening in which a Rag Time Band will be playing. This is a free event.

Mayor and Town Trustees

Public Works Director Bill Landwehr presented the Town Board with a card from Town of Milliken Staff, thanking them for the Employee Appreciation Day at Elitches, which took place on Friday, August 19, 2016.

Minutes of Previous Meeting

- August 10, 2016

Minutes approved as distributed.

Trustee Austin Motioned to approve the minutes as distributed. Trustee Burack seconded.

All in favor, none opposed.

Acknowledgement of the Paid List of Bills

- August 2016 List of Bills.

Trustee LeRon Ehrlich asked about the Home Depot Credit Card payment. Accounting Technician Diller will send the breakdown of the bill to the Town Board.

Mayor Pro Tem Measner asked about the restitution payment. Diller responded that the person paying the restitution submits the funds to the Town, then the Town submits payment to the victim.

Trustee Austin had questions that she submitted in writing via email to Administrator Brown. One of the questions was in regard to the Town's annual audit and how that is conducted. Diller responded that the Town has an outside auditing firm conduct the audit and then the audited Financial Statements are submitted to the State.

CONSENT AGENDA

1. **Consideration and Approval of the Building Inspection Code Board of Appeals Applications**

Building Official Jonathan Gesick, ProCode asked the Town Board to approve the five (5) applications received to serve on the Building Inspection Code Board of Appeals. He explained that the Board will most likely meet twice a year. He spoke about the 2018 International Building Code (IBC) and that the newly formed Board could review it and provide the Town Board with their

recommendation.

Mayor Pro Tem Measner motioned to approve the applications for the Building Inspection Code Board of Appeals. 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.

ACTION AGENDA

1. **Consideration and Approval of Resolution 16-18, an Agreement with FEI Engineers, Inc. for a Surface Water Supply Feasibility Study**

Town Administrator Kent Brown asked the Town Board to approve a services agreement with FEI Engineers, Inc., which authorizes FEI to undertake a surface water supply feasibility study. The proposal is focused on the Town and Johnstown working together and FEI's evaluation will be to see whether a joint-use sharing arrangement with Johnstown is viable. He reminded the Town Board that this had been discussed at a previous Work Session. There were two alternatives and the Board recommended to conduct a joint-use study.

Mayor Pro Tem Measner responded that in her opinion, conducting this study with Johnstown would not be something she agrees with. Her feeling is that Johnstown would not be a good partner in this project. Measner explained that earlier this evening during the Town Board Work Session, the Milliken Housing Authority indicated that they are in need of funding for their program. Measner indicated that in her opinion that would be a better investment than the Feasibility Study.

Trustee Nick Ehrlich responded that he has reviewed the agreement and in his opinion, everything that needs to be addressed is in the study. He recommends moving forward with the Feasibility Study. He also indicated that some discussion has already occurred with the Mayor of Johnstown.

Town Administrator Brown responded that whether Milliken partners with Johnstown or another entity, it is still the route to take to find out what the cost would be to have the water supply from the mountain to the Town.

Trustee LeRon Ehrlich wanted to know if this study could help obtain funding for the Reverse Osmosis (R.O.) Plant. Brown explained that there is a possibility that this could be used in combination with the funding.

Trustee Nick Ehrlich explained that the goal is to treat our own surface water much like Greeley and Central Weld does for the Town currently. In the long run, it will be more economically feasible for the Town.

Trustee LeRon Ehrlich explained that the Town has shares of Hillsborough water that could be treated.

Trustee Kidd motioned to approve Resolution 16-18 approving a services agreement with FEI Engineers, Inc. to conduct a focused joint-use infrastructure feasibility evaluation, and delegating authority to the Town Administrator to execute the agreement on behalf of the Town. 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 – no, Mayor Woodcock – yes, Trustee Kidd – yes. Motion carried.

2. **Consideration and Approval for a Town Hall Use Agreement**

Town Attorney Linda Michow asked the Town Board to consider authorizing the continuation of the Thompson River Parks and Recreation District (TRPR) to use a portion of Town Hall known as the Community Center for the purpose of TRPR to provide nutrition services and a congregate meal site under Weld County's Senior Nutrition Program to Weld County senior citizens. TRPR will provide a Program Administrator who shall be TRPR's representative for implementing the program. The Program has been in operation for years, but the former Agreement did not accurately reflect what is now occurring. The new Agreement indicates that TRPR is the program administrator which limits the Town's obligations, liabilities and responsibilities.

Trustee Austin asked if the meals could be expanded to include additional days, other than the current Mondays and Fridays. Lois Ann Onorato, who is on the County's Committee, explained that there currently is not enough attendance in the Milliken program to expand the days.

Trustee LeRon Ehrlich motioned to authorize the Mayor to sign the Milliken Town Hall Use Agreement between the Town, the Thompson River Parks and Recreation District and Weld County. 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.

3. **Consideration and Approval of an Agreement between the Town and Pinnacle Consulting Group for Finance/Accounting Services**

Town Administrator Kent Brown asked the Town Board to consider for approval an agreement with Pinnacle Consulting Group to provide limited Finance/Accounting Services on an as needed basis.

Brown explained that during the hiring process for a Finance Director, it became apparent that staff would need to look at a different model. Brown's suggestion is to hire a Firm on an as needed basis to provide oversight and additional expertise to assist current staff. Pinnacle would also be used to provide services in preparing quarterly financial reports, review budgets and prepare financial information for the annual audit process in coordination with staff.

Mayor Pro Tem Measner moved to approve the agreement by and between the Town of Milliken and Pinnacle Consulting Group, Inc. for finance/accounting services for 2016. 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.

4. **Consideration and Approval of a Standard Utility Agreement with CDOT for the Utility Relocation Design on the HWY 257 Bridge Design**

Town Administrator Kent Brown asked the Town Board to approve a Standard Utility Agreement with the Colorado Department of Transportation (CDOT) for the utility relocation design on the Hwy 257 Bridge design. He provided the Town Board with CDOT's Standard Utility Agreement. He explained that the improvements to the Water System for the Highway System will be fully reimbursed by CDOT. The costs incurred by Lamp Rynearson for the engineering design will be included in this refund. The maximum cost is $78,000.

Trustee Austin asked what would occur if the costs go over. Brown explained that the estimate was provided by the Town's contract engineering firm, Lamp Rynearson. Brown indicated that if the costs go over the mentioned amount, it would be a discussion between Lamp Rynearson and CDOT and the Agreement would need to be amended.

Trustee LeRon Ehrlich motioned to approve the Standard Utility Agreement with CDOT for the utility relocation design on the Hwy 257 Bridge design. 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

DISCUSSION AGENDA

1. **Home Rule**

Town Attorney Michow discussed the steps to take in order to change the type of governing structure for the Town by going Home Rule versus the current

Statutory governing structure. Attorney Michow explained that this discussion is mainly to see if there is interest among the Town Board. She explained that there are two (2) elections in this process. First an Ordinance from the Town Board indicating their desire would need to be adopted. Michow explained that an election would need to be held to establish a Charter Commission. The Charter Commission would be comprised of residents that are registered voters. This Commission would then draft a Charter. The second election would be to adopt the Charter that the Commission drafted. She explained that there are pros and cons in going Home Rule.

Discussion among the Town Board was the cost and if Attorney Michow could do an open forum explaining Home Rule. Attorney Michow explained that Sam Mamet with the Colorado Municipal League (CML) would be a good person to speak to the Town Board regarding this. The Board indicated that they would like to have it presented to them first during a Work Session prior to having a Public Session so they have a better understanding. Attorney Michow will contact Sam Mamet for a schedule.

Truck Parking

Mayor Woodcock mentioned to the Town Board that there is approximately 2.3 acres that the Town owns in Frontier Commercial, which is located east of Town in the Industrial area. The Mayor suggested allowing people who own semi-trailers to park on this lot, since the Town does not allow semi-trailers to park in Town. He explained that a fee could be charged, since the Town would need to put road base on this parcel to create a harder surface. A liability waiver would need to be signed indicating that the Town would not be held liable for any damage.

Discussion from the Board was what size vehicle, how long the vehicle can stay without being moved, etc.

This will be a placed on a future agenda and staff will provide the Town Board with information.

INFORMATIONAL AGENDA

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

Future Agenda Items for the Work Session and the Regular Meeting

Adjournment

Trustee Austin moved to adjourn. Trustee Burack seconded.

All in favor, none opposed.

Hearing no further business, the Mayor adjourned the meeting at: 7:57 P.M.

Prepared by:

Cheryl L. Powell, Town Clerk

Approved by:

Beau Woodcock, Mayor