



# Town Board of Trustees

Minutes

Tuesday, August 9, 2022 at 7:00 pm

**PLEASE SILENCE ALL CELL PHONE AND ELECTRONIC DEVICES.  
THANK YOU.**

## 1. Meeting Information

207 Muegge Way, Bennett, CO 80102

## 2. Call to Order

Royce D. Pindell, Mayor

### a. Roll Call

#### **Minutes:**

#### **Present:**

Royce D. Pindell, Mayor

Darvin Harrell, Mayor Pro Tem

Kevin Barden, Trustee

Steve Dambroski, Trustee - *excused*

Whitney Oakley, Trustee

Denice Smith, Trustee - *excused*

Donna Sus, Trustee

#### **Staff Present:**

Trish Stiles, Town Administrator

Rachel Summers, Deputy Town Administrator

Taeler Houlberg, Administrative Services Director

Chad Bunger, Community and Economic Development Director

Steve Hebert, Planning Manager

Alison Belcher, Communications and IT Director

Dan Giroux, Town Engineer

Mike Heugh, Town Traffic Engineer

Adam Meis, IT and Communications Manager

Melinda Culley, Town Attorney

Christina Hart, Town Clerk

#### **Public Present:**

Kathy Smiley

Robert Russo  
Dan Grinnah  
Steve Walters  
Michelle Gayeski

### 3. Pledge of Allegiance

Royce D. Pindell, Mayor

**Minutes:**

The Pledge of Allegiance was led by Royce D. Pindell, Mayor.

### 4. Approval of Agenda

Royce D. Pindell, Mayor

**Minutes:**

**MAYOR PRO TEM HARRELL MOVED, TRUSTEE OAKLEY SECONDED** to approve the agenda as presented. The voting was as follows:

Ayes: Harrell, Oakley, Pindell, Sus, Barden

Nays: None

Excused: Dambroski, Smith

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

### 5. Consent Agenda

Royce D. Pindell, Mayor

**Minutes:**

**TRUSTEE OAKLEY MOVED, TRUSTEE BARDEN SECONDED** to approve the consent agenda as presented. The voting was as follows:

Ayes: Oakley, Pindell, Sus, Barden, Harrell

Nays: None

Excused: Dambroski, Smith

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote. **1. Action:**

Approval of July 26, 2022 Regular Meeting Minutes

#### a. July 26, 2022 - Regular Meeting Minutes

### Public Comments on Items Not Scheduled for Public Hearing

The Board of Trustees welcomes you. Thank you for joining us for our Town of Bennett Board of Trustees Meeting. If you are not speaking, we ask that you please mute your microphone. For public comment please sign up on the provided sheet or in the chat box. If you are on the phone, once we get through the sign-up sheet and chat box we will call for any other comments for items not on the agenda.

Your comments will be limited to three (3) minutes. The Board may not respond to your comments this evening, rather they may take your comments and suggestions under advisement and provide direction to the appropriate member of Town staff for follow-up. Thank you.

## Regular Business

### 6. Public Hearing

#### a. Tri-Valley Veterans of Foreign Wars (VFW) Post 8449 Special Events Liquor License

**Minutes:**

Royce D. Pindell, Mayor, opened the public hearing on an application for a Special Events Permit for the Tri-Valley Veterans of Foreign Wars Post 8449.

The public hearing was opened at 7:06 p.m.

Christina Hart, Town Clerk, stated that in accordance with Colorado State Statute, notice of the public hearing was properly posted and published in the Eastern Colorado News on July 29, 2022. Legal #2685.

Christina Hart, Town Clerk, presented the Tri-Valley VFW Post 8449 Special Events Permit to the Licensing Authority. The requested dates for the Special Events Permit include September 9th and 10th, November 11th and December 10th, 2022.

**PUBLIC COMMENTS**

No public comments were presented.

The public hearing was closed at 7:14 p.m.

**TRUSTEE BARDEN MOVED, TRUSTEE SUS SECONDED** to adopt the written Findings and Decision prepared by the Clerk and approve issuance of a special events permit for the Tri-Valley Veterans of Foreign Wars Post 8449 for August, 13, September 9, September 10, November 11 and December 10, 2022. The voting was as follows:

Ayes: Pindell, Sus, Barden, Harrell, Oakley

Nays: None

Excused: Dambroski, Smith

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

#### b. Case No. 22.22 - Love's Filing No. 1 Subdivision Final Plat

Resolution No. 927-22 - A Resolution Approving a Final Plat for Love's Filing No. 1

**Minutes:**

Royce D. Pindell, Mayor, opened the public hearing on Case No. 22.22 - Love's Filing No. 1 Subdivision Final Plat, Case No. 22.24 - Love's Conditional Use Permit for Expanded Parking and Case No. 22.23 - Love's Final Development Plan, Amendment No. 4.

The public hearing was opened at 7:16 p.m.

Christina Hart, Town Clerk, stated that in accordance with Colorado State Statute, notice of the public hearing was properly posted and published in the Eastern Colorado News on June 24, 2022. Legal #2663.

Steve Hebert, Planning Manager, reported to the Trustees the applicant has submitted a final plat creating a 10.96-acre lot near the northwest corner of I-70 and CO Highway 79, immediately west of the current Love's facility. The applicant is requesting the addition of 114 off-street truck parking spaces and the addition of three new fueling stations. The landscaping at the current Love's facility will be updated.

**PUBLIC COMMENTS**

No public comments were presented.

The public hearing was closed at 7:51 p.m.

**TRUSTEE OAKLEY MOVED, TRUSTEE SUS SECONDED** to approve Resolution No. 927-22 - A resolution approving a final plat for Love's Filing No. 1 subject to the conditions set forth on Exhibit A. The voting was as follows:

Ayes: Sus, Barden, Harrell, Oakley, Pindell

Nays: None

Excused: Dambroski, Smith

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

**c. Case No. 22.24 - Love's Conditional Use Permit for Expanded Truck Parking**

Resolution No. 928-22 - A Resolution Approving the Love's Conditional Use Permit for Expanded Truck Parking

**Minutes:**

**TRUSTEE OAKLEY MOVED, TRUSTEE SUS SECONDED** to approve Resolution No. 928-22 - A resolution approving the Love's Conditional Use Permit for expanded truck parking. The voting was as follows:

Ayes: Barden, Harrell, Oakley, Pindell, Sus

Nays: None

Excused: Dambroski, Smith

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

**d. Case No. 22.23 - Love's Truck Stop Final Development Plan, Amendment No. 4, for Expanded Truck Parking, Fuel Station Additions and Landscape Changes**

Resolution No. 929-22 - A Resolution Approving the Love's Final Development Plan, Amendment No. 4

**Minutes:**

**TRUSTEE OAKLEY MOVED, TRUSTEE SUS SECONDED** to approve Resolution

No. 929-22 - A resolution approving the Love's Final Development Plan, Amendment No. 4 subject to the conditions set forth on Exhibit A. The voting was as follows:

Ayes: Harrell, Oakley, Pindell, Sus, Barden

Nays: None

Excused: Dambroski, Smith

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

**e. Ordinance No. 754-22 - An Ordinance Amending Chapter 16 of the Bennett Municipal Code Concerning Wireless Communication Facilities**

Ordinance No. 754-22 - An Ordinance Amending Chapter 16 of the Bennett Municipal Code Concerning Wireless Communication Facilities

**Minutes:**

Royce D. Pindell, Mayor, opened the public hearing on the following: An ordinance amending Chapter 16 of the Bennett Municipal Code concerning wireless communication facilities.

The public hearing was opened at 8:08 p.m.

Christina Hart, Town Clerk, stated that in accordance with Colorado State Statute, notice of the public hearing was properly posted and published in the Eastern Colorado News on June 24, 2022. Legal #2664.

Steve Hebert, Planning Manager, reported to the Trustees the current regulations for telecommunication facilities, within Chapter 16 of the Bennett Municipal code require service providers to secure a conditional use permit approved by the Board of Trustees.

**PUBLIC COMMENTS**

No public comments were presented.

The public hearing was closed at 8:27 p.m.

**TRUSTEE SUS MOVED, TRUSTEE OAKLEY SECONDED** to approve Ordinance No. 754-22 - An ordinance amending Chapter 16 of the Bennett Municipal Code concerning wireless communication facilities. The voting was as follows:

Ayes: Oakley, Pindell, Sus, Barden, Harrell

Nays: None

Excused: Dambroski, Smith

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

**7. Action/Discussion Items**

**a. Request for Proposal (RFP) 22-010 - Stormwater Drainage Master Plan**

**Minutes:**

Taeler Houlberg, Administrative Services Director, presented RFP 22-22-010 Stormwater Drainage Master Plan to the Board.

**MAYOR PRO TEM HARRELL MOVED, TRUSTEE BARDEN SECONDED** to authorize the Mayor and the Town of Bennett to enter into a standard Town contract agreement with Ayres Associates, Inc. in an amount not to exceed \$125,796 for a stormwater drainage master plan. The voting was as follows:  
Ayes: Pindell, Sus, Barden, Harrell, Oakley  
Nays: None  
Excused: Dambroski, Smith  
Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

## 8. Town Administrator Report

### Minutes:

- Ms. Stiles gave a "shout-out" to Gerilynn Scheidt, Town Safety Officer, in response to the CIRSA loss control audit. The Town scored 100% and received 8 bonus points as a result of Town safety efforts.
- The annual CORE Electric Cooperative is scheduled for August 13th in Sedalia.

## 9. Trustee Comments and Committee Reports

Mayor and Trustees

### Minutes:

#### **Donna Sus, Trustee, reported on the following:**

- Attended the Bennett Recreation District board meeting.

#### **Whitney Oakley, Trustee, reported on the following:**

- Attended the Adams County Grant Awards with Trustee Kevin Barden.

#### **Royce D. Pindell, Mayor, reported on the following:**

- Attended the Adams County TIP Cycle meeting.
- Attended the Arapahoe County Boots not Suits event.

## 10. Executive Session

### Minutes:

Royce D. Pindell, Mayor, called for a recess at 9:03 p.m.

The meeting resumed at 9:09 p.m.

- Discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or 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 - SWOT (Strength, Weakness, Opportunity, and Threat) Analysis**

**Minutes:**

**TRUSTEE OAKLEY MOVED, MAYOR PRO TEM HARRELL SECONDED** to go into executive session for the purpose of discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or 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 - SWOT (Strength, Weakness, Opportunity, and Threat) Analysis. Voting was as follows:

Ayes: Sus, Barden, Harrell, Oakley, Pindell

Nays: None

Excused: Dambroski, Smith

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

The Board went into executive session at 9:11 p.m.

**b. Return to Open Meeting**

**Minutes:**

The Board came out of executive session at 10:31 p.m.

Royce D. Pindell, Mayor, announced that the Board has been in executive session and the following persons participated via hybrid in that session: Trustee Oakley, Trustee Barden, Trustee Sus, Mayor Pro Tem Harrell, Mayor Pindell, and Trish Stiles. Royce D. Pindell, Mayor, asked if there were any matters not included in the motion for an executive session or violations of the Open Meetings Law, and if so, that these concern be stated for the record.

No concerns were presented.

**c. Report from Executive Session**

**Minutes:**

There was no further direction provided.

**11. Adjournment**

**Minutes:**

**MAYOR PRO TEM HARRELL MOVED, TRUSTEE BARDEN SECONDED** to adjourn the meeting. The meeting was adjourned at 10:32 p.m. Voting was as follows:

Ayes: Barden, Harrell, Oakley, Pindell, Sus


Nays: None

Excused: Dambroski, Smith

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

**Minutes Approved:**

Royce D. Pindell, Mayor

DocuSigned by:  
  
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Christina Hart, Town Clerk

DocuSigned by:  
  
00366DAA7ED248D...

Individuals with disabilities who need auxiliary aids in attending the meeting may request assistance by contacting the Town Hall at 207 Muegge Way, Bennett, CO 80102-7806, (303) 644-3249. Please give notice at least 48 hours in advance of the meeting to allow for enough time in making the necessary arrangements.

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Contact: Christina Hart (chart@bennett.co.us 1303-644-3249 X1001) | Minutes published on 08/16/2022, adopted on 08/23/2022