

TOWN OF BENNETT, COLORADO
BOARD OF TRUSTEES
Regular Meeting
December 2, 2019

1. CALL TO ORDER

The Board of Trustees of the Town of Bennett met in regular session on Tuesday, December 2, 2019 at the Bennett Town Hall, 207 Muegge Way, Bennett, Colorado. Mayor Royce Pindell called the meeting to order at 7:04 p.m. The following persons were present upon the call of the roll:

Mayor: Royce Pindell

Trustees Present: Darvin Harrell - *Excused*
Charles Bayley
Neal Mancuso
Rich Pulliam
Larry Vittum - *Excused*
Phyllis Webb

Staff Present: Melinda Culley, *Town Attorney*
Dan Giroux, *Town Engineer*
Steve Hebert, *Planning & Economic Development Manager*
Deb Merkle, *Community Development Manager*
Trish Stiles, *Town Administrator*
Lynette White, *Town Clerk*

Public Present: Steven Vetter, Doug Hahn, Evan Roberts, Taylor Roberts, Sheriff Rick Rrigenborn, Commander Karl Smalley

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Royce Pindell

3. APPROVAL OF AGENDA

TRUSTEE PULLIAM MOVED, TRUSTEE MANCUSO SECONDED to **Move 6. Action/Discussion Item A. Adams County Sheriff 2020 Intergovernmental Agreement for Law Enforcement Services for discussion prior to the Public Hearing.** The agenda was approved as amended. The Mayor declared the motion carried by unanimous vote.

4. CONSENT AGENDA

TRUSTEE MANCUSO MOVED, TRUSTEE PULLIAM SECONDED to approve the consent agenda as presented. Voting was as follows;

YES: Bayley, Mancuso, Pindell, Pulliam, Webb
NO: None
EXCUSED: Harrell, Vittum

The Mayor declared the motion carried by unanimous vote.

A. Approval of Minutes

1. Action: Approval of November 12, 2019 Regular Meeting Minutes
2. Action: Approval of November 4, 2019 Special Meeting Minutes

B. Resolution(s)

1. Action: Approval of Resolution No. 785-19, a resolution approving an Open Space Grant Agreement between the Town of Bennett and County of Adams – Trupp Park Phase IV Amenity Improvements Project
2. Action: Approval of Resolution No. 786-19, a resolution approving an Open Space Grant Agreement between the Town of Bennett and County of Adams – Purple Pipe Sustainable Parks & Open Space Irrigation Project

3. Action: Approval of Resolution No. 787-19, a resolution approving an Open Space Grant Agreement between the Town of Bennett and County of Adams – Community Garden in Brothers Four Project
4. Action: Approval of Resolution No. 792-19, a resolution approving the 2019 Capital Asset Inventory Master Plan

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

There were no comments presented on item not on the agenda

5. PUBLIC HEARING

A. Case No. 19.16FDP – Intermountain Rural Electric Association Final Development Plan

Mayor Royce Pindell opened Case No. 19.16FDP, a public hearing to consider a Final Development Plan for Intermountain Rural Electric Association (“IREA”) Bennett District Operations Facility. The public hearing was opened at 7:05 p.m.

Lynette White, Town Clerk, stated that in accordance with State statute, notice of the public hearing was properly posted and published in the Eastern Colorado News, November 1, 2019 as Legal No. 2285.

There were no disclosures presented by the Board of Trustees.

Steve Hebert, Town Planner, introduced the applicant, Doug Hahn, Owners Representative and presented the application, to consider a final development plan for a development of IREA’s Regional Operations and Maintenance Facility on a 14 acre site at Bennett Crossing. The site will be located at 1092 Cedar Street at the northeast corner of Marketplace Drive and Cedar Street. The proposed facility will include administrative offices, a training room, maintenance shop, warehouse, vehicle storage and wash bay, covered storage, and an outdoor storage yard.

Staff finds the proposed FDP:

1. is consistent with the Town of Bennett Comprehensive Plan;
2. is in compliance with the provisions of Chapter 16 – Land Use and Development, of the Bennett Municipal Code;
3. is consistent with the Bennett Crossing Outline Development Plan; and,
4. conforms to the Town of Bennett Development Design Guidelines.

Staff recommends the Board of Trustees approve the IREA Final Development Plan, subject to the following conditions:

1. Fire Department approval is required for all FDC, fire hydrant locations and fire apparatus setbacks.
2. Prior to final approval of the FDP and prior to the issuance of the first building permit for the property, the applicant shall execute a water service agreement.
3. Make other minor modifications as directed by Town Staff, Attorney, and Engineer.

Additional discussion by the Board of Trustees included landscaping, walkability, hazardous waste mitigation, and fencing.

Doug Hahn, LKA Partners and Evan Roberts, IREA, responded to questions presented by the Board of Trustees.

All materials related to the public hearing were admitted into the record by Mayor Pindell. There were no objections presented.

Mayor Royce Pindell closed the public hearing on Case No. 19.16FDP, a public hearing to consider a Final Development Plan for Intermountain Rural Electric Association (“IREA”) Bennett District Operations Facility at 8:15 p.m.

Resolution No. 781-19 – A Resolution Approving a Final Development Plan for the IREA Bennett District Operations Facility

TRUSTEE BAYLEY MOVED, TRUSTEE PULLIAM SECONDED to approve Resolution No. 781-19, a resolution approving a Final Development Plan for the IREA Bennett District Operations Facility. Voting was as follows;

YES: Pindell, Pulliam, Webb, Bayley, Mancuso
NO: None
EXCUSED: Harrell, Vittum

The Mayor declared the motion carried by unanimous vote.

6. ACTION/DISCUSSION ITEMS

A. Adams County Sheriff 2020 Intergovernmental Agreement for Law Enforcement Services

Sheriff Richard Reignborn presented the 2020 Intergovernmental Agreement for Law Enforcement Services to the Board of Trustees and reviewed the cost increase of 10%

Resolution No. 780-19 – A Resolution Approving an Intergovernmental Agreement with the County of Adams for the Provision of Law Enforcement Services for the Town of Bennett

TRUSTEE BAYLEY MOVED, TRUSTEE PULLIAM SECONDED to approve Resolution No. 780-19, a resolution approving an Intergovernmental Agreement with the County of Adams for the Provision of Law Enforcement Services for the Town of Bennett. Voting was as follows;

YES: Mancuso, Pindell, Pulliam, Webb, Bayley
NO: None
EXCUSED: Harrell, Vittum

The Mayor declared the motion carried by unanimous vote.

B. Town of Bennett Water Fund Reimbursement

Resolution No. 784-19 – A Resolution of the Board of Trustees Declaring its Official Intent to Reimburse Itself with the Proceeds of a Tax Exempt Financing for Certain Expenditures Undertaken or to be Undertaken by the Town; Identifying Such Expenditures; and Providing Certain Other Matters in Connection Therewith

TRUSTEE MANCUSO MOVED, TRUSTEE PULLIAM SECONDED to approve Resolution No. 784-19, a resolution of the board of trustees declaring its official intent to reimburse itself with the proceeds of a tax exempt financing for certain expenditures undertaken or to be undertaken by the town; identifying such expenditures; and providing certain other matters in connection therewith. Voting was as follows;

YES: Pulliam, Bayley, Mancuso, Pindell
NO: Webb
EXCUSED: Harrell, Vittum

The Mayor declared the motion carried by a vote of four (4) to one (1).

C. Amending Bennett Municipal Code to Raise the Age for Possession and Purchase of Tobacco and E-Cigarette Products from 18 to 21 Years of Age and to Prohibit the Sale of Flavored Tobacco Products

Ordinance No. 705-19 – An Ordinance Amending Bennett Municipal Code to Raise the Age for Possession and Purchase of Tobacco and E-Cigarette Products from 18 to 21 Years of Age and to Prohibit the Sale of Flavored Tobacco Products

Trustee Phyllis Webb introduced Taylor Roberts of Tri-County Health; Mr Roberts provided information and an overview of legislation regarding youth vaping, methods of intervention and also enforcement.

After discussion, the Board directed Town Staff to work on drafting an ordinance to remove the prohibition on the sale of flavored products and schedule discussion for a meeting in January.

7. TOWN STAFF COMMUNICATION

Trish Stiles

Trish Stiles, Town Administrator, provided information on the following;

- 1.8 million in Grant Funding
- Townof Bennett Bond Rating
- Attendance at CGFOA Conference, November 21, 2109

Lynette White

Lynette White, Town Clerk, provided the following summary;

- Breakfast with Santa, Saturday, December 7, 2019, 8:00 – 11:00 am
- Election Information Meeting, December 10, 2019

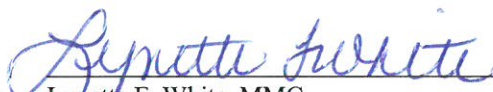
8. TRUSTEE COMMENTS AND COMMITTEE REPORTS

Neal Mancuso

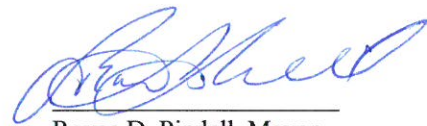
Trustee Mancuso provided a review of REAP Meeting attendance.

9. ADJOURNMENT

TRUSTEE PULLIAM MOVED, TRUSTEE BAYLEY SECONDED to adjourn the meeting. The Mayor declared the motion carried by unanimous vote. The meeting was adjourned at 10:00 pm.



Lynette F. White, MMC
Town Clerk



Royce D. Pindell, Mayor

