



Town Board of Trustees

Tuesday, August 8, 2023 at 7:00 pm

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

1. Meeting Information

207 Muegge Way, Bennett, CO 80102

For a live stream of the meeting use the information below:

<https://us02web.zoom.us/j/82969043900>

Meeting ID: 829 6904 3900

Passcode: 166365

One tap mobile

+13462487799

2. Call to Order

Royce D. Pindell, Mayor

a. Roll Call

3. Pledge of Allegiance

Royce D. Pindell, Mayor

4. Approval of Agenda

Royce D. Pindell, Mayor

5. Consent Agenda

Royce D. Pindell, Mayor

a. July 25, 2023 - Regular Meeting Minutes

Attachments:

- **July 25, 2023 - Regular Meeting Minutes** (2023-07-25_Draft_Minutes.pdf)

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. Action/Discussion Items

a. Report from Front Range Waste Diversion and Technical Assistance Service Provider (TASP)

Denise Taylor, Assistant to the Town Manager

Laura Levesque, TASP Consultant / Eco-cycle Campaigns Manager

Attachments:

- **Staff Report Front Range Waste Diversion and Technical Assistance Service Provider (TASP)** (0_-_TownofBennett_Staff_Report_TASP__1_.pdf)
- **PowerPoint Presentation from Technical Assistance Service Provider (TSAP)** (TASP_presentation_for_Bennett.pdf)

b. Acknowledgement of Town Staff

Royce D. Pindell, Mayor

Attachments:

- **Town of Bennett Proclamation** (TownofBennettProclamation_Christina_Hart.pdf)

7. Town Manager Report

Trish Stiles, Town Manager

8. Trustee Comments and Committee Reports

Mayor and Trustees

9. Executive Session

Attachments:

- **Executive Session Script** (2023-08-02_Bennett_Exec_Session_Script__clean_.pdf)

- For the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators under C.R.S. Section 24-6-402(4)(e) regarding (1) Town Attorney Proposals and Contract; and (2) Potential Contract Claim**
- Return to Open Meeting**
- Report from Executive Session**

10. Adjournment

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.

Contact: Christina Hart (chart@bennett.co.us 1303-644-3249 X1001) | Agenda published on 08/04/2023 at 9:48 AM



DRAFT

Town Board of Trustees

Minutes

Tuesday, July 25, 2023 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
Whitney Oakley, Mayor Pro Tem
Kevin Barden, Trustee
Steve Dambroski, Trustee
Denice Smith, Trustee
Donna Sus, Trustee
Larry Vittum, Trustee

Staff Present:

Trish Stiles, Town Manager
Rachel Summers, Deputy Town Manager
Taeler Houlberg, Administrative Services Director
Denise Taylor, Assistant to the Town Manager
Tiffany Chaput, Communications Coordinator
Steve Hebert, Planning Manager
Steven Hoese, Planning Manager
Greg Thompson, Community and Economic Development Director
Melinda Culley, Town Attorney
Christina Hart, Town Clerk

Public Present:

Kathy Smiley
Pat Siegman

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3. Pledge of Allegiance

Royce D. Pindell, Mayor

4. Approval of Agenda

Royce D. Pindell, Mayor

Minutes:

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

Ayes: Dambroski, Oakley, Pindell, Smith, Sus, Vittum, Barden

Nays: None

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

5. Consent Agenda

Royce D. Pindell, Mayor

Minutes:

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

Ayes: Oakley, Pindell, Smith, Sus, Vittum, Barden, Dambroski

Nays: None

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote. **1. Action:** Approval of July 11, 2023, Regular Meeting Minutes **2. Action:** Approval of Resolution No. 981-23 - A Resolution Supporting the Memorandum of Understanding (MOU) with the Colorado Energy Office (CEO)

PUBLIC COMMENTS NOT ON THE AGENDA

There were no public comments presented.

a. July 11, 2023 - Regular Meeting Minutes

b. Memorandum of Understanding (MOU) with Colorado Energy Office (CEO)

Resolution No. 981-23 - A Resolution Supporting the Memorandum of Understanding (MOU) with the Colorado Energy Office (CEO)

Public Comments on Items Not Scheduled for Public Hearing

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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 - Amendments to Chapter 16 of the Bennett Municipal Code

a. Ordinance No. 772-23 - Updates to Chapter 16, Article III Regarding Sign Regulations

Ordinance No. 772-23 - An Ordinance Amending Chapter 16, Article III of the Bennett Municipal Code Regarding Sign Regulations

Minutes:

Royce D. Pindell, Mayor, called the matter of updates to Chapter 16, Article III of the Bennett Municipal Code concerning sign regulations, adding a definition for Teacherages and to designate Teacherages a Conditional Use in Public zoning district to order.

The public hearing was opened at 7:03 p.m.

Christina Hart, Town Clerk, stated in accordance with the Colorado state statute, it was duly posted and published in the Eastern Colorado News on Friday, June 30, 2023. Legal #2842.

Steve Hebert, Planning Manager, presented the proposed updates to Chapter 16, Article III of the Bennett Municipal Code regarding sign regulation to the Commission.

Denise Taylor, Assistant to the Town Manager, presented the proposed updates to Chapter 16 of the Bennett Municipal Code Teacherages and to designate Teacherages a Conditional Use in Public Zoning.

The public hearing was closed at 7:21p.m.

MAYOR PRO TEM OAKLEY MOVED, TRUSTEE VITTUM SECONDED to approve Ordinance No. 772-23 - An ordinance amending Chapter 16, Article III of the Bennett Municipal Code regarding sign regulations. The voting was as follows:

Ayes: Pindell, Smith, Sus, Vittum, Barden, Dambroski, Oakley

Nays: None

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

MAYOR PRO TEM OAKLEY MOVED, TRUSTEE SMITH SECONDED to approve Ordinance No. 773-23 - An ordinance amendment Chapter 16 of the Bennett Municipal Code concerning Teacherages. The voting was as follows:

Ayes: Smith, Sus, Vittum, Barden, Dambroski, Oakley, Pindell

Nays: None

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

b. Chapter 16.2.210 - Teacherages Definitions

Ordinance No. 773-23 - An Ordinance Amending Chapter 16 of the Bennett Municipal Code Concerning Teacherages

7. Action/Discussion Items

a. Chapter 8 Parking, Storage and Vehicle Weight Changes

Ordinance No. 771-23 - An Emergency Ordinance Amending Chapter 8 of the Bennett Municipal Code Concerning Overweight Vehicle Parking and Restrictions

Minutes:

Trish Stiles, Town Manager, presented an emergency ordinance regarding parking, storage and vehicle weight changes in Chapter 8 of the Bennett Municipal. The Board discussed the item.

TRUSTEE VITTUM MOVED, MAYOR PRO TEM OAKLEY SECONDED to approve Ordinance No. 771-23 - An emergency ordinance amending Chapter 8 of the Bennett Municipal Code concerning overweight vehicle parking and restrictions. The voting was as follows:

Ayes: Sus, Vittum, Barden, Dambroski, Oakley, Pindell, Smith

Nays: None

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

b. Professional Services Discussion and RFP

Minutes:

Melinda Culley, Town Attorney, reported that Kelly PC has made the difficult decision to resign as the Town's attorney. Ms. Culley expressed her gratitude for serving as the Town's attorney for the past 20 years. Kelly PC will be transitioning out in 60 days.

Trish Stiles, Town Manager, presented a Request for Proposal (RFP) for the professional service for a Town Attorney.

8. Town Manager Report

Minutes:

- Ms. Stiles introduced the Town's new planning manager, Steven Hoese.
- Steve Hebert, Planning Manager, was the recipient of the DRCOG Outstanding Service Award.
- Christina Hart, Town Clerk, received her CMC (Certified Municipal Clerk) designation.
- Marketplace Drive Intersection Update: • CDOT Region 1 Traffic was onsite today. • Pedestrian crossing striping will ensue after the light is flashing. • The traffic light is anticipated to start flashing on Monday, July 31st. The light will flash yellow for north and southbound traffic and flash red for east and westbound traffic. The light will become fully operational on August 4th at 7:00 a.m. CDOT will then own and maintain the signal.
- An event calendar was provided to the Trustees.

9. Trustee Comments and Committee Reports

Mayor and Trustees

Minutes:

Kevin Barden, Trustee, reported on the following:

- Shout out to Staff for organizing the State of the Town. It was a great event.

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

- Congratulations to Steve Hebert and Christina Hart on their accomplishments. • Thank you to Staff for all of their hard work on projects accomplished. • Thank you to Staff for a fun and memorable State of the Town.

Donna Sus, Trustee, reported on the following:

- Met with Bennett School District 29J Superintendent Robin Purdy and CFO Keith Yaich regarding crossing guards.

Larry Vittum, Trustee, reported on the following:

- Attended DRCOG on July 19th.

Royce D. Pindell, Mayor, called for a recess at 8:12 p.m.

The meeting resumed at 8:23 p.m.

10. Executive Session

a. For the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators under C.R.S. Section 24-6-402(4)(e); Bennett Crossing Pearl Street

Minutes:

TRUSTEE SMITH MOVED, TRUSTEE DAMBROSKI SECONDED to go into executive session for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators under C.R.S. 24-6-402(4)(e); Bennett Crossing Pearl Street. Voting was as follows:

Ayes: Vittum, Barden, Dambroski, Oakley, Pindell, Smith, Sus,

Nays: None

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

The Board went into executive session at 8:27 pm.

b. Return to Open Meeting

Minutes:

The Board came out of the executive session at 9:12 pm.

Royce D. Pindell, Mayor, announced that the Board has been in executive session and the following persons participated: Trustee Barden, Trustee Dambroski, Trustee Vittum, Christina Hart, Greg Thompson, Rachel Summers, Trish Stiles, Trustee Smith, Trustee Sus, Mayor Pro Tem Oakley, Mayor Pindell and Melinda Culley. 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 concerns be stated for the record.

c. Report from Executive Session

Minutes:

Direction was provided to Town Staff to proceed accordingly for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators under C.R.S. Section 24-6-402(4)(e); Bennett Crossing Pearl Street.

11. Adjournment

Minutes:

TRUSTEE VITTUM MOVED, TRUSTEE DAMBROSKI SECONDED to adjourn the meeting. The meeting was adjourned at 9:12 p.m. Voting was as follows:

Ayes: Barden, Dambroski, Oakley, Pindell, Smith, Sus, Vittum

Nays: None

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

Minutes Approved:

Royce D. Pindell, Mayor

Christina Hart, Town Clerk CMC

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Contact: Christina Hart (chart@bennett.co.us 1303-644-3249 X1001) | Minutes published on 08/02/2023 at 8:16 AM

STAFF REPORT



welcome neighbors.

TO: Mayor and Town of Bennett Board of Trustees
FROM: Denise Taylor, Assistant to the Town Manager
DATE: August 8, 2023
SUBJECT: Report from Front Range Waste Diversion and Technical Assistance Service Provider (TASP)

Background

The Front Range Waste Diversion (FRWD) is charged with reducing the amount of waste that is going to Colorado landfills. The FRWD Technical Assistance Service Provider (TASP) program helps local governments seeking to increase waste diversion, recycling and composting in their communities. As the residents of the Town of Bennett have a desire for recycling and waste diversion options, conversations were held with TASP staff.

TASP is able to provide free technical assistance to local governments and have done regional assessments and a quick survey of waste haulers in Bennett. They are also available to assist with recycling initiatives, the single use bag remittance fee and organics diversion/composting.

Town Staff submitted a request for assistance with a composting feasibility study. The FRWD Board of Directors gave initial approval and a recommendation for approval to the Colorado Department of Public Health and Environment (CDPHE).

Laura Levesque from the TASP team is here to present information about this newly created 'no cost' consultancy program that supports Front Range governments with waste diversion initiatives. She will also provide an overview of local waste diversion programs as well as state-wide policies including the Producer Responsibility law which will make access to recycling free for all Colorado residents in 2026.

Attachments

1. TASP Power Point Presentation



FRWD
Front Range
Waste Diversion

TECHNICAL ASSISTANCE SERVICE PROVIDER (TASP) PART OF FRWD (FRONT RANGE WASTE DIVERSION)

BENNETT PRESENTATION

Presented by TASP Consultants Randy Moorman & Laura Levesque
August 8, 2023



AGENDA

- TASP Program Overview
- Diversion in Bennett and regional communities
- Colorado State Policies
 - Plastic Pollution Reduction Act
 - Producer Responsibility
- TASP Resources

THE TASP TEAM



Juri Freeman
RRS
Managing Principal



Tay Dunklee
RRS
Consultant



Randy Moorman
Eco-Cycle
Director Policy and Community
Campaigns



Laura Levesque
Eco-Cycle
Campaigns Manager



Established in 1986, the nation's largest consultancy focused on materials management. RRS staffs nearly 70 recycling professionals including MRF engineers, communications specialists, economists, recycling practitioners, and others.



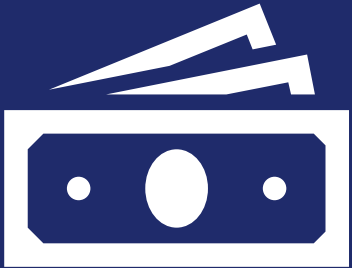
Non-profit with 46 years of hands-on experience developing innovative recycling, composting, and waste reduction services and infrastructure in Colorado.

AIM OF TASP (TECHNICAL ASSISTANCE SERVICE PROVIDER PROGRAM)



Provide communities with resources and ‘no cost’ technical assistance needed to achieve waste diversion and reduction goals.

FUNDING

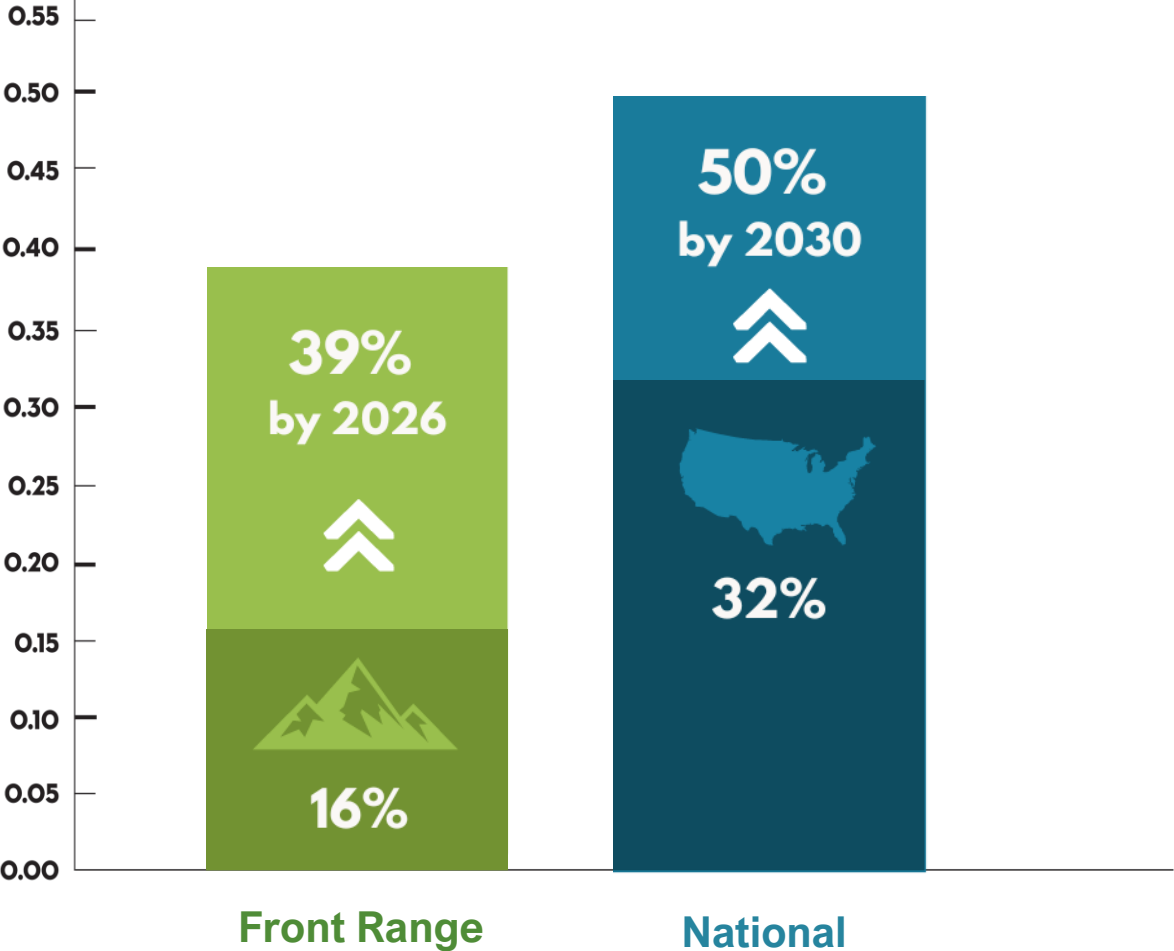


- Provided by FRWD enterprise grant fund, administered by CDPHE
- No cost for communities to participate
- Not a grant, TASP is technical assistance only
- Does not provide capital funding

FRONT RANGE WASTE DIVERSION GOALS

MSW (Municipal Solid Waste)

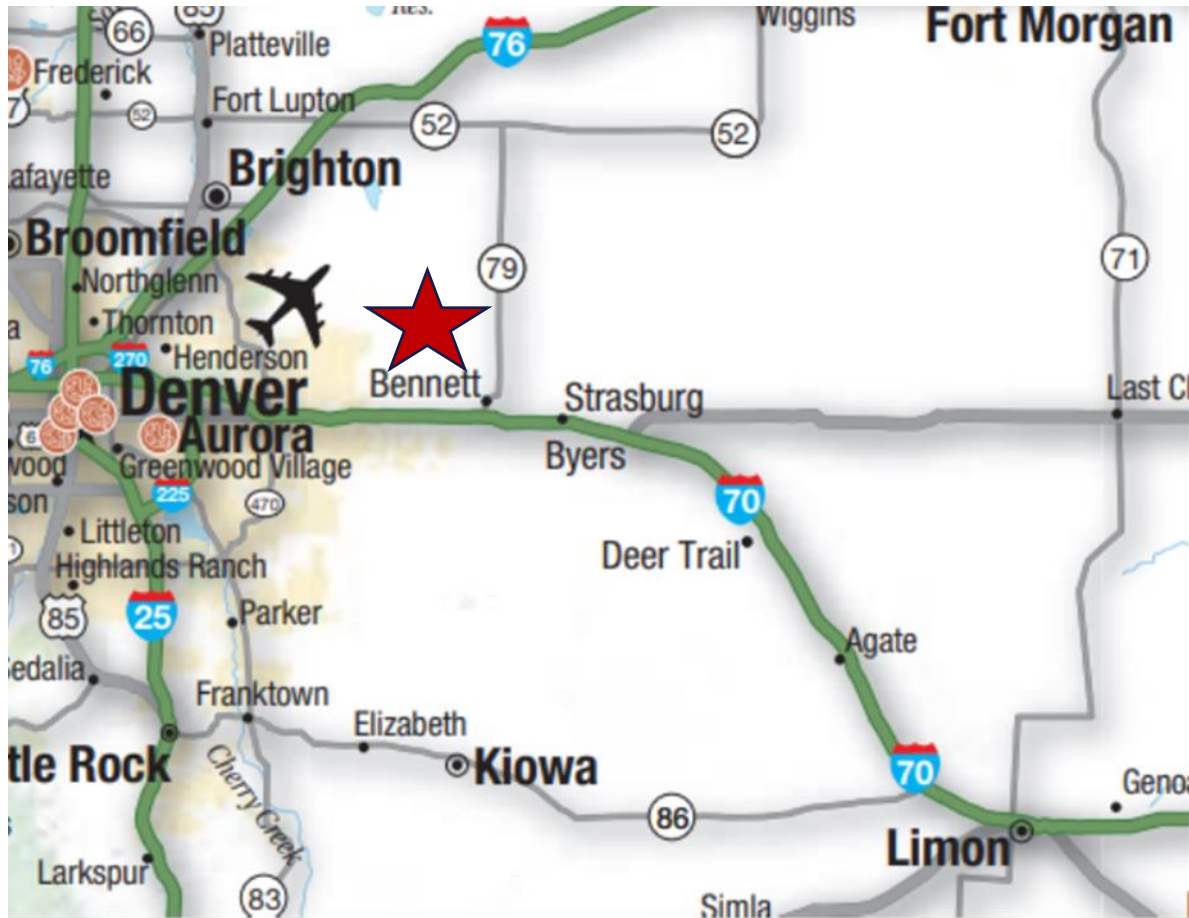
**Recycling +
Composting Goals**



BENNETT & REGIONAL WASTE DIVERSION



REGIONAL WASTE DIVERSION



Community	Residential Recycling Program
Denver	Universal Recycling Collection – all residents
Aurora	Open Market, Opt-in (exploring options)
Brighton	Open Market, Opt-in (considering Single Hauler)
Strasburg	No Recycling Hauler available
Byers	No Recycling Hauler available
Deer Trail	No Recycling Hauler available
Bennett	No Recycling Hauler available

ADAMS COUNTY INITIATIVES



Adams County received a grant from the CDPHE Front Range Waste Diversion Program to support its Waste Diversion Improvement Project (WDIP). The WDIP aims to **increase recycling & waste diversion rates across unincorporated Adams County to 40% by 2034.**

Actively working on:

- Considering a waste hauler licensing ordinance with municipal solid waste (MSW) haulers and non-MSW haulers to get their input, insights, and ideas
- Data reporting requirement



OPPORTUNITIES

Photo credit: Town of Bennett Facebook page



NEW COLORADO POLICIES



Plastic Pollution Reduction Act (reduces single–use plastics)

Fund available from retailers submitting 60% of single-use plastic and paper bag fees can be used by local governments to offset administrative costs and for other waste diversion initiatives.



Producer Responsibility: Free recycling coming for all Coloradans

Producer Responsibility for recyclable packaging materials (plastics, aluminum cans, glass bottles, cardboard, and printed paper) will provide free recycling for all Coloradans, including those living in apartments and in rural areas in 2026.



Through a Producer Responsibility policy for containers, packaging, and printed paper, Colorado can:

INCREASE RECYCLING, REDUCE UNNECESSARY PACKAGING, & STRENGTHEN SUPPLY CHAINS

PR – Producer Responsibility

WHAT CO's PR LAW WILL DO



Develop a convenient, cost-effective statewide recycling system with free recycling to all residents that funds ALL aspects of the recycling process



Be funded and managed by producers who sell packaging and paper in and into the state



Set up an industry-run program with appropriate government oversight and advisory board of key stakeholders

A PRODUCER RESPONSIBILITY SYSTEM FOR CONTAINERS, PACKAGING, AND PAPER WILL:



Increase our recycling rate and reduce climate pollution.



Provide free recycling for all Coloradans, including those living in apartments and in rural areas.



Develop a clear common list of what can be recycled statewide.

WHY PRODUCER RESPONSIBILITY MATTERS



Save local governments money by reimbursing their costs to run recycling programs.



Support Colorado businesses by creating a more resilient domestic supply of raw materials to make new products.



Create financial incentives for companies to reduce unnecessary packaging and use greener, more recyclable materials.

PRODUCERS PAY FOR THE PROGRAM

- Producers = Brand owners (name on the packaging)
- Dues are based on amount and type of packaging
- Lower dues for easy to recycle packaging to drive better design
- Exemptions for small businesses



NO COST TO CONSUMERS

20+ years of similar policies have shown no price increases due to Producer Responsibility

Dues are fractions of a penny per product

Households currently paying for recycling will save money on services

Local governments will save tens to hundreds of thousands of dollars on recycling programs and drop-off centers

Current inflation is driven by supply chain shortages, increase in labor costs, transportation challenges ☐☐ Producer Responsibility may lower material costs by strengthening supply chains

PRODUCERS PROVIDE RECYCLING REIMBURSEMENTS

Companies selling packaging and paper join nonprofit Producer Responsibility Organization (PRO)

PRO contracts with private and public service providers that will meet recycling goals

Reimbursement for 100% of net costs for recycling providers

No requirement for local governments to be service providers



AIM OF TASP (TECHNICAL ASSISTANCE SERVICE PROVIDER PROGRAM)



Provide communities with resources and ‘no cost’ technical assistance that is locally appropriate for their waste diversion goals.

TASP - BENNETT FEASIBILITY STUDY FOR COMMUNITY COMPOST PROGRAM

- TASP GOAL: help communities advance waste diversion
- Potential TASP project: Assist Bennett town staff in exploring the feasibility of working with a local regenerative farmer on a community compost program.



Photo credit GYF FB page

TASP ASSISTANCE & RESOURCES

WEBSITE: www.coloradofrwd.org/tasp



Technical Assistance Service Provider
(TASP)



THANK YOU & QUESTIONS

EMAIL

FrontRangeTASP@recycle.com

PHONE: 720.213.6619



TOWN OF BENNETT
Proclamation

WHEREAS, the office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

WHEREAS, the office of the Municipal Clerk provides the professional link between Bennett’s citizens, its local governing bodies and agencies of government at other levels; and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the office of the Municipal Clerk through participation in education, annual state and federal meetings and by obtaining certified clerk credentialing; and

WHEREAS, Christina Hart, Town Clerk, received her Certified Municipal Clerk designation on July 24, 2023 from the International Institute of Municipal Clerks.

NOW, THEREFORE, WE PROCLAIM that the Town of Bennett wishes to congratulate Christina Hart on this substantial accomplishment and thank her for her dedication to Bennett and her significant contribution as Town Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Bennett, Colorado to be affixed this 8th day of August 2023.

Royce D. Pindell, Mayor



EXECUTIVE SESSION SCRIPT

(Note: Two-thirds of the quorum present must vote yes; the session may only occur at a regular or special meeting of the Board)

I MOVE TO GO INTO EXECUTIVE SESSION:

For the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators under C.R.S. Section 24-6-402(4)(e) regarding (1) Town Attorney Proposals and Contract; and (2) Potential Contract Claim.

BEGIN THE EXECUTIVE SESSION:

It's August 8, 2023, and the time is _____. For the record, I am the presiding officer, Mayor, Royce D. Pindell. As required by the Open Meetings Law, this executive session is being electronically recorded.

Also present at this executive session are the following persons:

As a reminder, everyone participating in the executive session has a duty to maintain the confidentiality and privacy of this executive session.

ANNOUNCEMENT NO. 1

This is an executive session for the following purpose:

For the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators under C.R.S. Section 24-6-402(4)(e) regarding (1) Town Attorney Proposals and Contract; and (2) Potential Contract Claim.

I caution each participant to confine all discussion to the stated purpose of the executive session, and that no formal action may occur in the executive session.

If at any point in the executive session any participant believes that the discussion is going outside the proper scope of the executive session, please interrupt the discussion and make an objection.

ANNOUNCEMENT NO. 2

ANNOUNCEMENT TO BE MADE BY THE PRESIDING OFFICER
BEFORE CONCLUDING THE EXECUTIVE SESSION
(WHILE THE TAPE RECORDER IS STILL ON)

I hereby attest that this recording reflects the actual contents of the discussion at the executive session and has been made in lieu of any written minutes to satisfy the recording requirements of the Open Meetings Law.

The recording will be retained for a 90-day period.

The time is now _____, and we now conclude the executive session and return to the open meeting.

(turn off tape and return to open meeting)

ANNOUNCEMENT NO. 3

STATEMENT TO BE MADE BY THE PRESIDING OFFICER
UPON RETURNING TO THE OPEN MEETING

The time is now _____, and the executive session has been concluded. The participants in the executive session were:

For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record.

Seeing none, the next agenda item is...