



TOWN BOARD MEETING
Town Board Chamber
3 S. Timber Ridge Parkway, Severance, CO 80550

MINUTES
REGULAR MEETING 2017-11
Monday, June 19, 2017
6:00 p.m.

Present:

Mayor:

Don Brookshire

Mayor Pro-Tem

Trustees:

Bruce Florquist

Matt Gordon

Mike Kinney

Alison Koster

Don McLeod

Absent:

Dennis "Zeke" Kane

Staff:

John Holdren, Town Administrator

Nicholas Wharton, Assistant Town Administrator

Betty Mauch, Town Clerk

Greg Bell, Town Attorney

Mitch Nelson, Town Planner

Audience: Julie Stout, Zach Goodell, Brenda Rangel, Rod Simpson, Michelle Hatcher, Nathan Alburn, Kim Bowdish, Greg Bowdish

A. CALL TO ORDER

Mayor Brookshire called the meeting to order at 6:00 p.m.

1. Roll Call

Trustee Dennis Kane was absent.

2. Pledge of Allegiance

3. Approval of Agenda

MOTION WAS MADE BY TRUSTEE McLEOD second by Trustee Gordon to approve the agenda. All members present voting **YES**,

MOTION CARRIED

4. **Public Comment:** There were none.
5. **Consent Agenda**
 - a. Minutes – June 5, 2017 Regular Meeting
 - b. Accounts Payable – May 2017
 - c. Financial Reports – May 2017

MOTION WAS MADE BY TRUSTEE McLEOD second by Trustee Florquist to approve the consent agenda. All members present voting **YES**,

MOTION CARRIED

WORK SESSION

1. Draft Water Conservation Plan

Michelle Hatcher, Clear Water Solutions, Windsor, stated that municipalities need to have a state approved plan on file so they can receive grant money. She reviewed the five planning steps, projected water demands, seasonal water demands and water activity efficiency data prior to the current plan.

Nathan Oliver, Clear Water Solutions, Windsor, covered trends, current benefits and goals for planning efforts, initial water efficiency goals, selection of activities, Severance's screening criteria, overall water reduction goals and the benefits of conservation. He noted they are presenting the plan today, will notice the plan, bring it back for Board approval on September 18th, then they will submit it to the state for approval.

B. REGULAR MEETING

1. Water/Sewer Rates

Town Administrator John Holdren stated that we went over these at a previous meeting and there is one change. When we got to the final numbers Town Engineer Mike Ketterling reviewed them and John had the 10% we are required to give North Weld Water to supply the water to us, included. They took that out and the cutoff went from 228 to 205. He reviewed the changes in the fees.

Discussion followed.

- **Action**
 - Resolution 2017-15R – a Resolution increasing fees for water and sanitary sewer to provide for debt service.

MOTION WAS MADE BY TRUSTEE McLEOD second by Trustee Gordon to adopt Resolution 2017-15R – a Resolution increasing fees for water and sanitary sewer to provide for debt service. All members present voting **YES**,

MOTION CARRIED

2. Fee Schedule

Assistant Town Administrator Nick Wharton reported that a few other changes are in red in the packet which included a fee schedule with changes proposed. He reviewed the fees that changed. He noted that state fees for Liquor Licenses change randomly so he put in a contact to the Colorado State Liquor License Department. He stated that overall, we are still lower than most towns.

Discussion followed.

- **Action**
 - Resolution 2017-16R – A Resolution establishing the Town of Severance fee schedule

MOTION WAS MADE BY TRUSTEE McLEOD second by Trustee Koster to adopt Resolution 2017-16R – A Resolution establishing the Town of Severance fee schedule. All members present voting YES,

MOTION CARRIED

3. G5 Brewery Easement

Assistant Town Administrator Nick Wharton stated he brought this to the Board a while back. The G5 Brew Pub, LLC is requesting a five-year easement agreement on the property at 1018 Mahogany Way behind the building to the south. There is a 3-foot easement behind the building that encroaches onto the Town's land. The easement would grant the right to construct a concrete pad on the easement property, along with the right to fence or erect barriers or gates around the easement area. In return G5 Brew Pub LLC, will be responsible for maintaining the landscaping, mowing and erosion control on the entire slope within fifty (50) feet of the easement area.

Discussion followed.

MOTION WAS MADE BY TRUSTEE FLORQUIST second by Trustee McLeod to approve the G5 Brewery easement agreement. All members present voting YES,

MOTION CARRIED

4. Buffalo Creek Annexation and Zoning Amendment

Town Attorney Greg Bell stated that a year ago, in June, Buffalo Creek came in for a hearing and the Board adopted Resolution 2017-07 findings of fact and determinations regarding the eligibility for annexation into the Town of Severance. Timnath filed suit for an overlapping area of County Road (CR) 78. Timnath asserts they have the right to require an election due to a very limited portion of the CR 78 right-of-way, to which they claim a competing annexation interest with the Town of Severance. After detailed review with the survey, legal and planning consultants for Stars & Stripes 3Q, LLC, they have determined that the limited area of overlapping annexation claims is not geographically necessary for the legal annexation of their Buffalo Creek project into the Town of Severance, pursuant to C.R.S. 31-12-114(10). The Developer has come back under statute and elected to proceed. He read the statute to the Board. The Board now needs to determine whether the proposed annexation, exclusive of the disputed overlap area, still meets all requirements for annexation and whether annexation of that parcel as revised is desired by the Town.

Discussion followed.

Joel Tew, Attorney for the Buffalo Creek project, stated they hope this new path will eliminate all the objections and are hopeful the Board will see fit to approve it so they can stop spending money on senseless litigation and eliminating that segment that Timnath is opposing.

- **Action**

- Resolution 2017-17R – The Board of Trustees of the Town of Severance setting forth findings of fact and determinations regarding the eligibility for annexation of the Buffalo Creek Annexation pursuant to C.R.S. 31-12-114(10)

MOTION WAS MADE BY TRUSTEE McLEOD second by Trustee Koster to adopt Resolution 2017-17R – The Board of Trustees of the Town of Severance setting forth findings of fact and determinations regarding the eligibility for annexation of the Buffalo Creek Annexation pursuant to C.R.S. 31-12-114(10) All members present voting **YES**,

MOTION CARRIED

- Ordinance 2017-12 – The Town of Severance annexing property known as the Buffalo Creek Annexation to the Town of Severance, Colorado after deletion of disputed overlap area

MOTION WAS MADE BY TRUSTEE KINNEY second by Trustee Florquist to adopt Ordinance 2017-12 – The Town of Severance annexing property known as the Buffalo Creek Annexation to the Town of Severance, Colorado after deletion of disputed overlap area. All members present voting **YES**,

MOTION CARRIED

- Ordinance 2017-13 – An Ordinance amending the zoning map of the Town of Severance to establish the zoning of property known as the “Buffalo Creek Annexation”, newly annexed to the Town of Severance

MOTION WAS MADE BY TRUSTEE GORDON second by Trustee McLeod to adopt Ordinance 2017-13 – An Ordinance amending the zoning map of the Town of Severance to establish the zoning of property known as the “Buffalo Creek Annexation”, newly annexed to the Town of Severance. All members present voting **YES**,

MOTION CARRIED

FIVE MINUTE RECESS

5. Hunters Crossing Amended Concept Plan

Larry Buckendorf, Journey Homes, reported they worked with Mitch and staff on the requested changes to the Concept Plan. They have reconfigured lot sizes to add an additional one between 70 foot and 150 foot. They made no changes to the platted tract along County Road 21 as that is owned by the Linds and will remain there. There is nothing they can do about views there except maybe on the very end. They investigated and found that most of the people who live along there now are second and third time home owners. They have addressed the Lot layout, added significant setbacks along County Roads 21 & 74 and significant walking trails, including the ones requested to the south, that will be connected to the Great Western Trail in the future. They will stub out to the edge of the property for future connections.

Trustee Mcleod asked about the gun range.

Administrator John Holdren stated that staff is working with Larry to address that issue. Tonight is just the concept plan, then they need to come back with a preliminary plan if it is annexed.

Brenda Rangel, 35466 CR 19, shared her concerns on the project and noted that prime views are their main goal.

Rod Simpson, 95 Flat Iron, stated that the original owners didn't pay for a guarantee, they paid a premium for lots along CR 21. He noted that if it is possible to have ranch style houses across the road that would be good.

Discussion

- **Action**

MOTION WAS MADE BY TRUSTEE KINNEY second by Trustee McLeod to approve the Hunters Crossing Amended Concept Plan.

RECORDED VOTE:

AYES: Trustees McLeod, Kinney, Florquist, Koster, Mayor Brookshire	5
NAYS: Trustee Gordon	1
ABSTAIN: None	0
ABSENT: Trustee Kane	1

MOTION CARRIED

C. STAFF REPORTS

Board approval may be sought for administrative actions in association with staff reports.

- **Town Administrator**
 - **Monthly Water Report**

John stated the report is in the packet. April has been extremely high the last couple of years, but in May it dropped back down and we used 2000 gallons less. Overall we are doing well for the year so far.

- **Miscellaneous Reports**

John reported that last week we had a valve stick in the water tank that didn't allow it to fill. The tank went down to 2-foot, lowering pressures in Town. It was taken care of and is back up to normal. We had our annual inspection on our second tank. It is chlorinated, we are draining the disinfected water out and by the middle of next week we will have both tanks up and running. North Weld Water helped with additional flows to keep the pressure up.

John stated that several years ago the Garza property was condemned and the house taken down. We had a lien put on, it went to tax sale, sold a couple of times and now is back in tax sale. We have a gentleman who wants to buy the lot. Through the process they lost the tap. It is two 25-foot lots, kind of an oddball size, in old town. Our ordinance says he has to buy new taps, but the taps are there and the water has been dedicated. He is proposing to pay the back water and sewer bills from when the property was abandoned which amounts to \$6000 plus interest. He wants to build a bungalow with a front porch etc. We don't know if he plans to rent it out or what. Our ordinance reads they have three years to pay the back bills. Right now that lot is empty and this would improve that area. He asked if the Board would be interested in allowing him to buy the property and pay the back bills as he is proposing.

- **Assistant Town Administrator**
 - **May Building Permits Report** - In the packet
 - **May CEO/ACO Report** - In the packet
 - **May Sheriff's Report** - In the packet
 - **Miscellaneous Reports**
Nick showed the new street signs.
Next meeting - July 17, 2017

- **Mayor** - No Report
- **Town Attorney**

Greg stated you have seen most of what he is working on and asked if the Board wants him to look at an ordinance on abandoning taps.

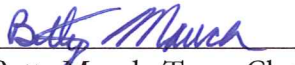
- **Town Planner**

Mitch reported they held their community park meeting last Thursday and will bring the results to the next meeting in July.

D. ADJOURN


Meeting adjourned at 7:35 p.m.

ATTEST:


Betty Mauch, Town Clerk



TOWN OF SEVERANCE


Donald R. Brookshire, Mayor