

**MINUTES  
TOWN OF HUDSON - BOARD OF TRUSTEES  
REGULAR MEETING  
MAY 19, 2010 - 7:00 P.M.**

**CALL TO ORDER AND ROLL CALL**

Mayor Neal Pontius called the meeting to order at 7:02 p.m.

**ROLL CALL**

Mayor, Neal Pontius - Present  
Trustee, Barb Baker - Present  
Trustee, Isidro Guardado - Present  
Trustee, John Honnold - Present  
Trustee, Matt Cole - Present  
Trustee, Tammy McCain - Present  
Trustee, Raymond Patch - Present

Town Clerk Linnette Barker took roll call, and a quorum of the Mayor and (6) Trustees were present.

Town Staff Present:

Town Administrator – Joe Racine  
Deputy Clerk / Treasurer – Judy McGill  
Town Attorney – Corey Hoffmann  
Town Clerk – Linnette Barker  
Public Works Director – Tim Hopwood

**ADDITIONS TO AGENDA**

Purchasing policy discussion.

Trustee McCain made a motion, seconded by Trustee Guardado to add the purchasing policy discussion to the agenda.

The vote was as follows:

Aye: Trustees McCain, Guardado, Cole, Patch, Honnold, Baker and Mayor Pontius

Nay - None

Mayor Pontius declared the motion carried.

**CITIZEN'S COMMENTS**

1) **CONSENT AGENDA**

(Consent Agenda Items are considered routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda Items unless a Board member or Citizen so requests, in which case the item may be removed from the Consent Agenda and considered at the end of the Regular Agenda.)

- a. Board of Trustees Minutes – May 5, 2010
- b. Payment of Bills

Trustee Patch made a motion, seconded by Trustee McCain to approve the Consent Agenda.

The vote was as follows:

Aye: Trustees Patch, McCain, Cole, Guardado, Honnold, Baker and Mayor Pontius

Nay - None

Mayor Pontius declared the motion carried.

**2) GENERAL BUSINESS**

- a. Resolution 10-17, A Resolution accepting the petition for Annexation and establishing July 7, 2010 as the date of Public Hearing on the requested Annexation of a Parcel of Unincorporated Territory located in the County of Weld (Western Sugar Property Annexation)

Trustee Patch declared the owners of the Western Sugar Property are friends of his.

Trustee Honnold made a motion, seconded by Trustee Patch to approve Resolution 10-17, A Resolution accepting the petition for Annexation and establishing July 7, 2010 as the date of Public Hearing on the requested Annexation of a Parcel of Unincorporated Territory located in the County of Weld (Western Sugar Property Annexation).

The vote was as follows:

Aye: Trustees Honnold, Patch, Cole, Baker, McCain, Guardado and Mayor Pontius

Nay - None

Mayor Pontius declared the motion carried.

- b. Approval Drainage License Agreement with BNSF Railway Company / Railroad Protective Liability Insurance (Construction Policy).

Joe Racine, Town Administrator, explained this agreement is the standard agreement for any work to be done on Railroad Property. The agreement is for the dirt work for the drainage on 4th and Dahlia to the culvert under the railroad. The license agreement is \$2,500.00 and the construction insurance is \$500.00

Trustee Patch made a motion, seconded by Trustee Honnold to approve the license agreement with BNSF Railway Company and the Railroad Protective Liability Insurance for \$3,000.00.

The vote was as follows:

Aye: Trustees Patch, Honnold, Cole, McCain, Guardado, Baker and Mayor Pontius

Nay - None

Mayor Pontius declared the motion carried.

- c. Resolution 10-19, A Resolution approving the USDA Loan/Grant Agreement for the Wastewater Treatment Facility.

Joe Racine, Town Administrator, explained this Resolution is the standard Federal form for a USDA Loan. Bond Council is confident they can work through some concerns they have but would like the time to talk to USDA. The Resolution is a necessary step toward closing. The grant amount is almost \$1.5 million and the loan amount is almost \$3.5 million. The loan/grant will enable the Town to build the plant, refinance the \$1.6 million loan from Water & Power Authority for phase 1, and reimburse the Town for expenses to

date for design and easements for phase 2. The USDA loan will require a construction loan, when this loan is exhausted; we will be able to refinance phase 1 and draw on the grant funds. This loan includes running the lateral line into the Industrial Park. Per the BNSF Agreement, the \$375,000 in escrow from the Industrial Park can be used for the lateral, \$250,000 to \$300,000 for design and construction. The lateral line is part of the USDA loan, and reimbursable from the Industrial Park escrow. Between the reimbursement of design and easement expenses for phase 2 and the escrow funds from the Industrial Park, this will reimburse the wastewater fund in excess of \$500,000.

Presentation at the next meeting regarding the financing and mechanics involved for the USDA Loan/Grant Agreement.

Mayor Pontius made a motion seconded by Trustee Honnold to approve Resolution 10-19, A Resolution approving the USDA Loan/Grant Agreement for the Wastewater Treatment Facility, subject to the Town Attorney and Bond Council approval.

The vote was as follows:

Aye: Trustees Honnold, Baker, Guardado, Cole, Patch, McCain and Mayor Pontius

Nay - None

Mayor Pontius declared the motion carried.

d. Discussion – Highway 52 Speed limits.

Joe Racine, Town Administrator explained that he requested CDOT to look at lowering the speed limits on Highway 52 at Hickory Street. CDOT conducted a study and proposed changing the 35mph speed limit sign on eastbound Hwy 52 at Hickory, continuing the 45 mph past Hickory to the frontage road and to replace the 25 mph sign on eastbound Hwy 52 at the frontage road with 35 mph. This will increase the speed limit over the I-76 Bridge to 35 mph. We were hoping CDOT would lower the speed limits coming around the curve. We have requested a meeting with CDOT, the sheriff's department and Jim Jones Engineering to discuss the recommendations.

e. Discussion – Advertising Sign Entryway Town of Hudson

Joe Racine, Town Administrator explained that as requested from the previous meeting a map was provided to show the amount of land owned off Highway 52 and Hudson Drive, explaining depending on the size of the sign this site would have enough room. Other discussion regarding placing the sign where the current Town of Hudson sign is located would require approval from CDOT and a plan for submittal. Further discussion to be scheduled during a work session.

f. Discussion – Purchasing Policy

Joe Racine, Town Administrator explained that the current purchasing policy is from 1991. The Board would like samples of other purchasing policies to discuss at a work session.

### **STAFF REPORTS**

Joe Racine, Town Administrator explained that he is working on a Commercial/Industrial rate study for sewer rates. The residential rates are increased/decreased based on CPI adjustments. The current sewer

rates for Commercial/Industrial is based on water consumption, should be based on concentration and type of business.

Joe Racine, Town Administrator inquired about the Hudson Hills Subdivision, per the Subdivision Improvement Agreement a \$3,000 impact fee payable at building permit. This was prior to the impact fees adopted by the Town, would they be subject to both fees? The Board consensus is for PHASE 1 of Hudson Hills only assesses the flat \$3,000 impact fee. The regular town impact fee and not the flat \$3,000 will be charged for future phases.

Joe Racine, Town Administrator inquired about events sponsored by the Town for this year. The Board would like to refer to the Events Committee for discussion.

Corey Hoffmann, Town Attorney, reported that Boulder Scientific has agreed to convey the water rights per the Annexation Agreement.

Corey Hoffmann, Town Attorney, reported that House Bill 1284 has passed effect July 1, 2010. This will require an Amendment to the Town of Hudson Ordinance that regulates Medical Marijuana Dispensaries, now called Medical Marijuana Centers. The current Ordinance has a prohibition on cultivation, under the new law cannot have a Medical Marijuana Center without cultivation. The new law requires Medical Marijuana Centers to acquire 70% of product from a cultivation operation in the same jurisdiction. The location of a cultivation operation is private record and not an open public record. Mr. Hoffmann will work on a draft amendment with distant limitation.

Tim Holbrook, P.E., IFE Project Manager, reported the design work for the Industrial Park and the lagoon closure will be rolled into phase 2. Meeting with CDOT and Weld County to run sewer line under I-76 and Weld County Road 49.

Joe Racine, Town Administrator, explained that Linnette Barker, Town Clerk, has been working with the CIRSA Claims Department regarding the theft in the public works trailer. The Town will have to pay \$1,000.00 deductible the rest should be covered. She is also working with the security/alarm company to get quotes for the trailer, RO, sewer plant and shop to be set-up with alarms.

**ADJOURNMENT**

The meeting adjourned at approximately 8:38 p.m.

TOWN OF HUDSON, COLORADO

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Mayor

ATTEST

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Town Clerk