

MINUTES  
TOWN OF HUDSON - BOARD OF TRUSTEES  
REGULAR MEETING  
September 7, 2011 - 7:00 P.M.

CALL TO ORDER AND ROLL CALL

Mayor Pontius called the meeting to order at 7:07 p.m.

ROLL CALL

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

Town Clerk, Linnette Barker took roll call, and a quorum of the Mayor and (5) Trustees were present.

Town Staff Present:

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

ADDITIONS TO AGENDA

CITIZEN'S COMMENTS

Mark Kinnear, President of the Hudson Area Chamber of Commerce, reported on that the Hudson Harvest Festival scheduled for September 24, 2011 some of the scheduled events this year are:

Vintage Baseball game  
Enchanted Gypsies, will have a climbing wall, slide, and obstacle course. A \$200.00 prize will be offered to a successful wall climber.  
The School and Cub Scouts will offer games and activities  
High School Choir will be performing  
Tractor display  
Parade

**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 – August 17, 2011
- b. Payment of Bills

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

The vote was as follows:

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

Nay - None

Mayor Pontius declared the motion carried.

## **2) GENERAL BUSINESS**

- a. 2010 Audit, Financial Report – Raymond Derr, C.P.A.

Raymond Derr, C.P.A. presented to the 2010 audited Financial Report for the Town of Hudson.

Trustee Patch made a motion, seconded by Trustee Cole to accept the 2010 Audit.

The vote was as follows:

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

Nay - None

Mayor Pontius declared the motion carried.

- b. Resolution 11-20, A Resolution Accepting the Petition for Annexation and Establishing October 19, 2011 as the date of Public Hearing on the requested Annexation of a Parcel of Unincorporated Territory located in the County of Weld (Ritchey/Roy Property Annexation)

Joe Racine, Town Administrator, reported that this resolution finds that the annexation in compliance with the requirements of Colorado statute, and sets a public hearing date of October 19, 2011.

Trustee Baker made a motion, seconded by Trustee Honnold to approve Resolution 11-20, A Resolution accepting the petition for annexation and establishing October 19, 2011 as the date of public hearing on the requested annexation of a parcel of unincorporated territory located in the County of Weld (Ritchey/Roy Property Annexation).

The vote was as follows:

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

Nay - None

Mayor Pontius declared the motion carried.

- c. Discussion: GEO Group, Property Valuation Appeal

Joe Racine, Town Administrator, reported that Cornell Companies filed appeals of the property valuation for the Hudson Correctional Facility with the County Assessor, and with the Weld County Commissioners acting as the Board of Equalization. Both appeals were denied. GEO Group has decided to appeal the earlier county denials of the Cornell appeal. The Colorado Board of Assessment Appeals will conduct the

hearing sometime in November. The valuation set by the Assessor is based on construction costs, comparable properties and income.

The County Assessor currently values the Hudson Correction Facility at \$61 million. A fiscal impact model prepared by the University of Northern Colorado for Cornell, presented to the Board of Trustees in 2007 and based on a 750-inmate facility, indicated \$64 million valuation. Cornell presented an update in 2008 for a 1,250-inmate facility with approximately \$80 million valuation. A copy of an invoice from Miron Construction indicated the contract price for the prison facility at \$82,408,480 although the value declared by Cornell on their building permits was about \$61 million. The Town granted concessions, approvals, and incentives based in part on Cornell's representation of value. Parties to the state hearing are GEO and the County Assessor. We can attend the hearing as an observer.

The Board consensus is that the Hudson Correctional Facility has not addressed the grease problem at the wastewater facility. They had agreed to reimburse the town for the expense of hauling away the grease, but the town has not received payment and they are in violation of their discharge permit for not correcting the grease problem. Between the grease and the assessed valuation appeal, this could affect concessions and incentives for phase 2 of the Correctional Facility.

- d. Discussion – A Bill for an Ordinance Amending Article 3 of Chapter 8 of the Hudson Municipal Code regarding Vehicle Weight and Size Limits and Creating a Permit for Overweight and Oversized Vehicles.

Corey Hoffmann, Town Attorney, reported that he needs clarification on this proposed ordinance to either:

Provide permits for all large vehicles, including those currently covered by the Town's restrictions that are not directly conducting business within the Town.

Or

Leave the current ordinance in place, and only deal with very large loads that are using town streets.

The Board consensus was to proceed with the Ordinance as proposed.

- e. Resolution 11-23, Intergovernmental Agreement with Colorado Division of Wildlife for the Fishing Pond Grant.

Trustee Patch made a motion, seconded by Trustee Cole to approve Resolution 11-23, A Resolution approving a contract with the State of Colorado, Department of Natural Resources, Division of Wildlife, for a matching grant pursuant to the Federal aid in Sport Fish Restoration Act of 1950, subject to the contract final review by the Town Attorney.

The vote was as follows:

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

Nay - None

Mayor Pontius declared the motion carried.

- f. Resolution No. 11-24, IGA with Weld County and with CDOT for realignment of the I-76 Frontage Road.

Mayor Pontius made a motion, seconded by Trustee Honnold to table this Resolution until the next regular meeting.

The vote was as follows:

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

Nay - None

Mayor Pontius declared the motion carried.

#### **4) STAFF REPORTS**

Joe Racine, Town Administrator, reported that the Colorado Division of Wildlife would like to name the fishing pond.

The Board consensus was to have a contest to name the pond after the construction is complete.

Ron Allen, Public Works Director, reported that the Public Works department is testing a 1997 Grader, asking price of \$54,000.00.

Ron Allen, Public Works Director, reported that the chip seal project on Road 49 is being completed and the overlay project on Beech Street is complete. Working on price quotes for striping for these projects.

Tim Holbrook, P.E., IFE Project Manager, reported on the progress for phase 2 of the wastewater treatment project. The sewer main is complete at the Industrial Park. The landscaping at CMI is complete. Reynolds has started the de-watering under the bridges of the I-76 Frontage Road and the railroad.

#### **5) EXECUTIVE SESSION**

- a. To hold a conference with the Town's Attorney to receive legal advice on specific legal questions, pursuant to C.R.S. 24-6-402(4)(b) – Quality Paving

Trustee Honnold made a motion, seconded by Trustee Patch to enter into executive session to hold a conference with the Town's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. 24-6-402(b) Quality Paving litigation. Motion carried unanimously.

Mayor Pontius asked to let the record show that the motion passed. The board entered into Executive Session at 8:33 p.m.

Mayor Pontius reconvened the regular meeting of the Hudson Town Board of Trustees at 8:53 pm.

Trustee Patch made a motion, seconded by Trustee Honnold to authorize the Town Attorney to settle the Quality Paving litigations.

The vote was as follows:

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

Nay - None

Mayor Pontius declared the motion carried.

**6) ADJOURNMENT**

The meeting adjourned at approximately 8:56 p.m.

TOWN OF HUDSON, COLORADO

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Mayor

ATTEST

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Town Clerk