



## TOWN BOARD REGULAR MEETING

October 24, 2011 - 7:00 P.M.

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

The Town of Windsor will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with **disabilities**. Please call (970) 674-2400 by noon on the Thursday prior to the meeting to make arrangements.

### MINUTES

#### A. CALL TO ORDER

1. Roll Call

Mayor John Vazquez  
Mayor Pro-Tem Matthew O'Neill  
Robert Bishop-Cotner  
Mike Carrigan  
Kristie Melendez  
Don Shanfelt  
Don Thompson

Also present: Town Manager  
Town Attorney  
Director of Planning  
Director of Parks & Recreation  
Director of Finance  
Director of Engineering  
Director of Public Works  
Business Development Manager  
Chief of Police  
Town Clerk  
Management Intern

Kelly Arnold  
John Frey  
Joe Plummer  
Melissa Chew  
Dean Moyer  
Dennis Wagner  
Terry Walker  
Stacy Johnson  
John Michaels  
Patti Garcia  
Lindsey Haggerty

2. Pledge of Allegiance

Town Board Member Thompson led the Pledge of Allegiance.

3. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration by the Board

**Town Board Member Thompson motioned to approve the agenda as presented; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Bishop-Cotner, Carrigan, O'Neill, Melendez, Shanfelt, Thompson, Vazquez  
Nays – None. Motion carried.**

4. Board Liaison Reports

- Town Board Member Bishop-Cotner – Historic Preservation Commission; Planning Commission Alternate  
Town Board Member Bishop-Cotner reported he had attended the Planning Commission meeting the previous week and items of discussion were included on the Town Board agenda with the exception of chickens, which will be discussed on November 7.
- Town Board Member Carrigan – Water & Sewer Board  
Town Board Member Carrigan stated he had been unable to attend the last meeting of the Water & Sewer Board but would get caught up to speed with Director of Engineering Wagner and report in two weeks.

- Mayor Pro-Tem O'Neill – Library Board; Planning Commission; North Front Range/MPO Alternate  
Mayor Pro-Tem O'Neill reported the Library Board would be meeting tomorrow night at 5:30 p.m. Mr. O'Neill thanked Town Board Member Bishop-Cotner for attending the Planning Commission meeting while he was out of town.
- Town Board Member Melendez – Chamber of Commerce; Cache La Poudre Trail Board; Downtown Development Authority  
Town Board Member Melendez stated the Chamber Windsor Bucks had arrived and the program would be introduced to business owners. Information regarding the program should be in the newspaper shortly. The Downtown Development Authority and the Chamber were promoting the downtown Halloween festivities and will be partnering on the Winter Wonderland event at Boardwalk Park on December 3, 2011.
- Town Board Member Thompson – Parks & Recreation Board; Great Western Trail Board; Tree Board  
Town Board Member Thompson reported that the Parks & Recreation Board would be meeting in two weeks and the Tree Board would be meeting Tuesday night. The Great Western Trail Board discussed the 2012 budget and grant opportunities. Andy Nagle of the Great Western Trail Board was on the agenda and would be addressing the Town Board. Mr. Thompson also noted that Jim Campbell's term on the Great Western Trail Board was up and the vacancy needed to be posted.
- Mayor Vazquez – North Front Range/MPO; Student Advisory Leadership Team (SALT Report on 4<sup>th</sup> Monday of the month)  
Mayor Vazquez was unable to attend the MPO meeting; no report.

5. Public Invited to be Heard

Mayor Vazquez opened the meeting for items of concern not on the agenda; hearing none, Mayor Vazquez moved on to the next agenda item.

**B. CONSENT CALENDAR**

1. Minutes of the October 10, 2011 Regular Town Board Meeting – P. Garcia
2. Liquor License Renewal – Bungalow Ice Cream & Coffee House, Tavern Liquor License – P. Garcia
3. Liquor License Renewal – Windsor Arena Sports, Beer & Wine License – P. Garcia
4. Liquor License Renewal – Kung Food Kitchen Inc. dba Simply Thai, Beer & Wine License – P. Garcia
5. Liquor License Renewal – Windsor Discount Liquor, Retail Liquor Store License – P. Garcia
6. Liquor License Renewal – 7-Eleven, Inc., Retail 3.2% Beer Off-Premises License – P. Garcia
7. Advisory Board Appointments – P. Garcia

**Town Board Member Carrigan motioned to approve the Consent Calendar as presented; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Bishop-Cotner, Carrigan, O'Neill, Melendez, Shanfelt, Thompson, Vazquez  
Nays – None. Motion carried.**

**C. BOARD ACTION**

1. Public Hearing – Windsor Highlands Eleventh Annexation – Martin Lind, Raindance Aquatic

Investments, LLC, applicant/Pat McMeekin, Water Valley Land Company, applicant's representative

- Legislative action
- Staff presentation: Scott Ballstadt, Chief Planner

**Town Board Member Melendez motioned to open the Public Hearing; Town Board Member Thompson seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Bishop-Cotner, Carrigan, O'Neill, Melendez, Shanfelt, Thompson, Vazquez  
Nays – None. Motion carried.**

Chief Planner Ballstadt reported on the annexation petition and zoning request and noted the subject property consists of portions of the right-of-way for Crossroads Boulevard between Weld County Line Road 13 and County Road 15. The Water Valley West property was annexed with the Windsor Highlands Annexations No. 1 and No. 2 in 1996 at which time the adjacent right of way for Crossroads Boulevard and County Road 15 were not included. Mr. Ballstadt explained that the annexation is a housekeeping item to annex the road right-of-way which will serve the Water Valley West properties when it develops.

Staff requested that all application materials, staff memorandum, supporting documentation and recommendation and all testimony from the public hearing be entered into the record. Mr. Ballstadt noted the Planning Commission recommended the Town Board approve the annexation ordinance subject to the following conditions and staff concurred with the recommendation:

1. Any remaining comments be addressed prior to recording the annexation plat.
2. All annexation requirements shall continue to be met.

Mayor Vazquez opened the meeting for public comment, to which there was none.

**Town Board Member Thompson motioned to close the Public Hearing; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Bishop-Cotner, Carrigan, O'Neill, Melendez, Shanfelt, Thompson, Vazquez  
Nays – None. Motion carried.**

2. Ordinance No. 2011-1419 - Ordinance Annexing Certain Territory known as the "Windsor Highlands Eleventh Annexation" to the Town of Windsor, Colorado – Martin Lind, Raindance Aquatic Investments, LLC, applicant/Pat McMeekin, Water Valley Land Company, applicant's representative

- Legislative Action
- First Reading
- Staff presentation: Scott Ballstadt, Chief Planner

**Town Board Member Bishop-Cotner motioned to approve Ordinance No. 2011-1419, Ordinance Annexing Certain Territory known as the "Windsor Highlands Eleventh Annexation" to the Town of Windsor, Colorado on First Reading; Town Board Member Carrigan seconded the motion.**

Chief Planner Ballstadt did not have any additional information.

Pat McMeekin, applicant's representative, noted there were no concerns from Water Valley Land Company relative to the conditions set forth by the Planning Commission.

**Roll call on the vote resulted as follows:**

**Yeas – Bishop-Cotner, Carrigan, O'Neill, Melendez, Shanfelt, Thompson, Vazquez  
Nays – None. Motion carried.**

3. Public Hearing – Request to exceed the maximum building height for a structure in the Limited Industrial (I-L) zoning district in accordance with Section 16-10-50(c) of the Windsor Municipal Code – 750 Automation Drive - Dan Dolegowski, American Tower, applicant

- Quasi-judicial action
- Staff presentation: Diana Aungst, Associate Planner

**Town Board Member Bishop-Cotner motioned to open the Public Hearing; Town Board Member Carrigan seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Bishop-Cotner, Carrigan, O’Neill, Melendez, Shanfelt, Thompson, Vazquez  
Nays – None. Motion carried.**

Associate Planner Aungst addressed the Town Board and reported that Dan Dolegowski of American Tower was requesting approval of a proposed height extension to the monopole at 750 Automation Drive. The monopole that currently exists is 101 feet in height; the proposal is for a monopole of 111 feet with an 8 foot lightening rod attached for a total of 119 feet. The monopole is located in the Limited Industrial zoning district where the maximum height is 75 feet; additionally, Section 16-30-50 regarding telecommunications towers states that towers are not to exceed 50 feet in height as measured from the natural grade. The 101 foot monopole has been in existence since 1999 the requested addition does not greatly impact the views or shadows.

The Planning Commission recommended approval of the request at their October 19, 2011 meeting subject to five conditions:

1. The applicant shall submit evidence demonstrating that the proposed increased tower height above the maximum allowed by the Municipal Code is necessary for current and future co-location of additional service providers.
2. In accordance with Section 16-30-30(10) of the Municipal Code, the tower shall be designed to allow for the current proposal and additional future co-location of additional service providers to the maximum extent possible.
3. The applicant shall comply with all requirements of the 2006 International Building Code, the 2008 National Electrical Code and any other applicable building or fire code requirements.
4. The applicant shall maintain compliance with all requirements of Article XXX Wireless Telecommunications Facilities of the Municipal Code at all times.
5. The applicant shall enter into a telecommunications provider agreement with the Town in accordance with Section 16-30-120 of the Municipal Code prior to issuance of the building permit, if applicable.

Staff concurs with the recommendation. Ms. Aungst requested the application materials, staff memorandum, supporting documents, recommendation and all testimony presented at the public hearing be entered into the public record.

Lance Belisle, applicant representative, responded to questions from the Town Board regarding the proposed tower height extension. It was noted that the need to extend the monopole height was related to a new carrier and meeting their needs and requirements to provide service.

Mayor Vazquez opened the meeting for public comment, to which there was none.

**Town Board Member Melendez motioned to close the Public Hearing; Town Board Member Shanfelt seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Bishop-Cotner, Carrigan, O’Neill, Melendez, Shanfelt, Thompson, Vazquez  
Nays – None. Motion carried.**

4. Resolution No. 2011-39 - Resolution approving a request in accordance with Section 16-10-50 of the Windsor Municipal Code from American Tower to exceed the maximum building height for a structure in a an I-L, Limited Industrial zoning district in the Town of Windsor – 750 Automation Drive - Dan Dolegowski, American Tower, applicant

- Quasi-judicial action
- Staff presentation: Diana Aungst, Associate Planner

**Town Board Member Bishop-Cotner motioned to approve Resolution No. 2011-39; Town Board Member Carrigan seconded the motion.**

Associate Planner Aungst stated there was no additional information and noted that staff recommended approval.

**Roll call on the vote resulted as follows:**

**Yeas – Bishop-Cotner, Carrigan, O’Neill, Melendez, Shanfelt, Thompson, Vazquez  
Nays – None. Motion carried.**

5. Resolution No. 2011-40 - Resolution approving modifications to the 2008 Road Impact Fee Schedule, as amended, of Ordinance No. 2008-1318 based upon the most recent two-year average of the Colorado Construction Cost Index published by the Colorado Department of Transportation

- Legislative action
- Staff presentation: Joe Plummer, Director of Planning

**Town Board Member Thompson motioned to approve Resolution No. 2011-40; Town Board Member Melendez seconded the motion.**

Director of Planning Plummer reported on the resolution. Mr. Plummer noted the adopting ordinance of the road impact fee refers to modifications that may be made to the road impact fee schedule based upon the most recent two-year moving average of the Colorado Construction Cost Index (CCCI) and related adjustments that are a result of the average must be approved by the Town Board. Mr. Plummer reported the two previous reviews resulted in a decrease of road impact fees; 12.3% decrease implemented in 2010 and a 4.3% decrease that was implemented for 2011. Staff’s analysis of the most recent two-year moving average of the CCI was based on the construction cost figures from the 3<sup>rd</sup> quarter of 2009 through the third quarter of 2011 which results in an increase of 7.1% in the current road impact fees. Additionally, Mr. Plummer noted that Ordinance No. 2008-1318 states that every five years the Town Board is to review the road impact fee schedule and determine if any changes should be made to that schedule. Those changes are to be recommended by the Road Impact Fee Administrator, who is the Director of Planning at this time. Next year is the end of the five-year cycle.

Mr. Plummer reviewed five options regarding the 7.1% increase:

1. Adopt Resolution at current meeting, publish new fees on website, and send notifications about the new fees immediately being in effect to development community, homebuilders' association, etc.
2. Adopt Resolution at current meeting with new fees becoming effective on January 1, 2012, publishing new fees on website, and sending notices of new fees and January 1, 2012 effective date to development community, homebuilders' association, etc.
3. Postpone action on Resolution until a future meeting with notices about the new fees being sent to development community, homebuilders' association, etc. for their input.
4. Postpone action on Resolution and schedule a work session with notices about the work session and new fees being sent to development community, homebuilders' association, etc.

5. Not adopt Resolution, thereby keeping the current road impact fees intact.

Director of Planning Plummer stated that staff recommended option #2; the road impact fees have been decreased by 12.3% and 4.5% since 2008, with the 7.1% proposed increase the fees will still not be as high as they were when first established in 2008.

Town Manager Arnold supported staff's recommendation in noting the reason when the program was adopted in 2007 was to evaluate the road impact fee on a regular basis and keep the integrity of the fee intact.

Town Board Member Melendez noted that the Town is not falling into the red while following the current road impact fee schedule. Ms. Melendez stated she understood the reasoning behind the 7.1% proposed increase, but is not sure if the CCCI is balanced with the current environment in Windsor and economy of this region. Ms. Melendez inquired if the 7.1% increase was needed by the Town to operate or if there was a lesser amount that could be assessed.

Town Attorney Frey provided background related to the initial Road Impact Fee schedule and noted that a study had been provided that a range of numbers had been recommended by a consultant. Those numbers were reduced when the fee schedule was brought forward for initial consideration in 2007 which the Board felt was more reflective of what was happening in Windsor at the time.

Town Manager Arnold noted that road impact fees are to charge a fee and growth pays its way; since growth has slowed in Windsor, the accumulation of the fees have slowed. The fee is related to growth. Mr. Arnold also noted that trends are showing costs are going up to build roads which is based on the cost of construction, not a fee schedule.

Town Board Member Melendez stated that the development community will be very sensitive to any fee increase during these economic times and did not find any information substantiating the proposed increase.

Mayor Vazquez stated he believes the development community pays their way already and does not support the road impact fee increase. The Town's revenue surpass what is needed for fees and believes part of the reason the Town has so many building permits is related to the current fee schedule. He inquired when we will be responsible for our own infrastructure and questioned why we are not working towards a solution where the Town takes care of our own obligation to take care of roadways as opposed to assessing fees.

Town Board Member Thompson commented that he does not want to see the Town get behind in the evaluation of the fee and then find that we are even more behind next year. Mr. Thompson provided support of option #2 and bringing the resolution forward.

Town Board Member Shanfelt agreed with Mr. Thompson and noted that there is no way to project where this will go next year.

Town Manager Arnold noted the Town Board determines the cost of doing business; in discussions with Director of Engineering Wagner it is has been estimated the cost of completing road projects will probably go up 7-10% next year.

Both Mayor Vazquez and Town Board Member Melendez noted they don't question that business development should pave its own way, they question the timing of the fee increase during the difficult economic times.

Town Board Member Thompson stated he didn't understand the continued referral to tough economic times when he keeps hearing how things are booming in northern Colorado. He stated support in tabling the item for six months but does not want to wait another year to review the road impact fee schedule.

Town Board Member Carrigan noted he didn't understand why the Town Board would only approve the change in fees when they go down, but not when they go up.

After Town Board discussion, it was determined the best course of action would be to table the topic and bring it back for a future work session during the first quarter of 2012.

**Town Board Member Bishop-Cotner motioned to table action on Resolution 2011-40 for a future work session during the first quarter of 2012; Mayor Pro-Tem O'Neill seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Bishop-Cotner, Carrigan, O'Neill, Melendez, Shanfelt, Thompson, Vazquez  
Nays – None. Motion carried.**

6. Resolution No. 2011-41 - A Resolution Authorizing the Town's Director of Finance to Pursue Refinancing of Revenue Bonds Issued for the Construction of the Town of Windsor Community Recreation Center

- Legislative action
- Staff presentation: Dean Moyer, Director of Finance

**Town Board Member Melendez motioned to approve Resolution No. 2011-41; Town Board Member Carrigan seconded the motion.**

Director of Finance Moyer reported on the resolution and noted the topic had been presented at the October 10, 2011 work session regarding the refinancing of the community recreation center construction bonds. The revenue bonds were issued in 2002 with an average coupon rate 4.5% and had pledged repayment at .2% sales and use tax collection which had been anticipated to increase over the years. The Town currently collects about \$375,000 per year from the sales tax dedication for the repayment of the revenue bonds; the current debt service is approximately \$425,000 per year. This difference is made up by other sources of revenue. Various options for refinancing were provided at the work session with Plan C being the option chosen. This will reduce the payments to around \$375,000 annually beginning in 2012 and payments will be stretched out to 2024 from 2022 unless we are in a position to pay them off earlier.

Mr. Moyer noted that staff recommended approval of the resolution as presented.

**Roll call on the vote resulted as follows:**

**Yeas – Bishop-Cotner, Carrigan, O'Neill, Melendez, Shanfelt, Thompson, Vazquez  
Nays – None. Motion carried.**

7. Resolution No. 2011-42 - A Resolution Approving an Agreement under which the Town of Windsor will Receive Easement Rights for the Construction, Use and Maintenance of a Water Pipeline

- Legislative action
- Staff presentation: Dennis Wagner, Director of Engineering

**Town Board Member Thompson motioned to approve Resolution No. 2011-42; Town Board Member Melendez seconded the motion.**

Director of Engineering Wagner reported on the agreement and noted it was for a water line

easement for construction of a transmission line that would connect Windsor to the North Weld County Water District. Mr. Wagner stated the easement agreement has been in the works for several years. Pursuant to the outcome of eminent domain action by the City of Greeley with the Hill property owners; the Town approached the property owners and negotiated an agreement which resulted in pipeline easement agreement. The Town will pay the property owners \$58,000 (not \$59,000 as stated in staff memo) and anticipates the project to start in late 2012 and completed in early 2013.

Mr. Wagner stated that staff recommended approval of the resolution and related agreement.

**Roll call on the vote resulted as follows:**

**Yeas – Bishop-Cotner, Carrigan, O’Neill, Melendez, Shanfelt, Thompson, Vazquez  
Nays – None. Motion carried.**

8. Resolution No. 2011-43 - A Resolution Approving and Adopting the Town of Windsor 2012 Primary Employer Incentive Guidelines

- Legislative action
- Staff presentation: Stacy Johnson, Business Development Manager

**Town Board Member Melendez motioned to approve Resolution No. 2011-43; Town Board Member Thompson seconded the motion.**

Business Development Manager Thompson addressed the Town Board regarding the proposed primary employer incentive guidelines. Ms. Thompson noted that pursuant to discussions with the Town Board at the October 3, 2011 work session, the requested changes and modifications had been made and included in the document submitted for consideration.

The Town Board discussed private activity bonds with Ms. Thompson commenting it was an option for a municipality or a county to acquire bonds for a residential or industrial project; it is a conduit for a developer to obtain bonds. Town Manager Arnold noted that it is the investor, or private entity, that buys the bonds, the Town is not the investor.

Ms. Johnson noted the Guidelines are a document that is required to move forward; it is a tool to show that the Town is ready to do business.

Mayor Vazquez stated that hopefully this document will give Ms. Thompson the ability to go into negotiations knowing she has support and does not want to restrict her opportunities. Mr. Vazquez noted that everything still needs to come back to Town Board for final approval but wants to assure that Ms. Thompson has the flexibility needed to move forward. He noted he would like to see the Town targeting the service and retail industries.

Town Board Member Carrigan requested the document be brought back for review on a yearly basis with Town Board Member Melendez stating she hopes it would be brought back sooner to advise the Town Board on how the policy is working.

**Roll call on the vote resulted as follows:**

**Yeas – Bishop-Cotner, Carrigan, O’Neill, Melendez, Shanfelt, Thompson, Vazquez  
Nays – None. Motion carried.**

9. Resolution No. 2011-44 – A Resolution Approving an Oil and Gas Lease, and Related Terms, Between the Town of Windsor, Colorado, and Patriot Energy, LLC, and Authorizing the Mayor to Execute the Same

- Legislative action

- Staff presentation: John Frey, Town Attorney and Ken Lind, Special Counsel  
**Town Board Member Carrigan motioned to approve Resolution No. 2011-44; Town Board Member Thompson seconded the motion.**

Town Manager Arnold addressed the Town Board and noted that previous oil and gas lease request that had come forward for consideration were on privately owned properties, as far as drill units. The lease before the Town Board would put the drilling units and wells on an unimproved site south of the Poudre River at Eastman Park. Mr. Arnold noted the property was acquired in 1999 with no deed restrictions. It was noted on Mr. Arnold's memo that finances related to the lease could provide a bonus as high as \$210,000 and up to 16.5% in royalties. Related expenses include the time associated to go through the next steps, which if approved, would be negotiating surface use agreements that would be done in conjunction with a Conditional Use Grant (CUG). The Town would not pay for any expenses related to the surface use agreement, those expenses would be incurred by Patriot Energy who is the company the lease is with.

Special Counsel Ken Lind noted the lease request is different from prior leases the Town Board has seen, mostly due to its location. Mr. Lind stated the lease in this case is simple; the major consideration is the Conditional Use Grant and part of that is the surface use agreement which is an agreement between the company that is drilling and the owner of the surface. The Town has more control and input due to the surface use agreement as opposed to the leases that were not on Town owned property.

Mr. Lind reviewed the lease and noted it is a three-year term lease with a royalty of 16.5%. The bonus is paid on a per-well basis and is \$10,000 per well. Patriot Energy is proposing a three well drilling commitment and due to current negotiations the bonus has doubled. Mr. Lind reported on the 1% overriding royalty for any well drilled in Windsor in which Windsor does not have a revenue interest.

Special Counsel Lind reviewed Exhibit B in the Town Board packet and noted the potential bottom hole locations that could be drilled from the proposed drill site, or Pad. The proposed Pad site has the potential to have bottom hole locations for 21 wells which equates to \$210,000 to the Town over the life of the lease but is dependent on wells being drilled and how the first three wells being drilled produce and perform. The surface use agreement and CUG provide the Town to have input and quite a bit of control; the lease specifically references the surface use agreement that will be incorporated in to the CUG.

If the Town Board decided not to enter into a lease, Patriot Energy could enter into a forced pooling agreement with the Colorado Oil & Gas Commission and the Town would then only receive a 12.5% royalty. There are other locations to drill other than on the park site, which may need to be considered. During negotiations, Mr. Lind stated he was looking to get the best deal for the Town.

Mayor Vazquez noted the site may have been master planned as a part site, but he sees it as open-space on town property and an undeveloped site.

Town Manager Arnold stated the entire parcel is in a flood plain. Anything built on the site has to go through a floodway study, including this process.

There are possibly two alternative drilling sites, one potential site being on the golf course win another being to the west of the proposed location.

Martin Lind, representing Patriot Energy, stated if the Town does not approve the lease his company will not be active in force pooling. Mr. Lind noted that this would be a good opportunity for the town to capture the mineral rights.

Town Board Member Thompson inquired about the royalty payments with Special Counsel Lind noting he considered this to be a very good royalty due to the location and lack of desirability.

Town Board Member Melendez asked if this would affect the gardens. Special Counsel Lind stated it would not.

Town Manager Arnold asked if the lease was transferrable; Special Counsel Lind stated it was transferrable which is normal in the industry. All terms and conditions are part of the package and can't be changed or reassigned or sold.

**Roll call on the vote resulted as follows:**

**Yeas – Bishop-Cotner, Carrigan, O'Neill, Melendez, Shanfelt, Thompson, Vazquez  
Nays – None. Motion carried.**

10. Authorize Traffic Study for the Intersection of CR 15 and 74 (Harmony Road)

- Legislative action
- Staff presentation: Dennis Wagner, Director of Engineering

Director of Engineering Wagner addressed the Town Board and noted the discussion is related to comments by Mr. Mike Mitchell regarding the intersection of Weld County Road 15 and 74 at the September 12, 2011 Town Board meeting. Research found that a 2008 impact study had been submitted in conjunction with a preliminary plat northwest of the intersection which predicted that by 2012 traffic volumes could be high enough to warrant a traffic signal. Weld County is willing to partner on updating the traffic study which is estimated to be \$3,000. Windsor would be responsible for paying 50% of the study, or approximately \$1,500. If the study indicates that a signal is warranted, future options could be discussed.

Town Board Member Melendez stated she believes the study should wait until after the I25/SH392 interchange project is complete as the readings may not be complete due to the current construction.

Town Board Member Bishop-Cotner recommended waiting a minimum of six months after completion of the interchange project before embarking on a traffic study.

11. Great Western Trail Authority Presentation and Request

- Presentation: Andy Nagel, Great Western Trail Authority

Andy Nagel, Great Western Trail Authority (GWTA), introduced himself and the three Windsor representatives; Tom Jones, Jim Campbell and Don Thompson. Mr. Nagel noted the items submitted in the Town Board packet and noted his appreciation of the interaction with the Windsor and Severance elected officials. The GWTA was present to provide a presentation of their operations along with a 2012 funding request of \$7,500 for operations and a \$5,000 in-kind request for a grant application. The grant is a \$100,000 construction grant from Colorado State Trails/GOCO.

Mr. Nagel reviewed the GWTA Stakeholder Report which identified 2011 highlights and 2012 goals for the Authority. The GWTA requested \$7,500 from each town that is part of the Authority which includes Windsor, Severance and Eaton. Staff noted that \$7,500 was included in the 2012 Parks Budget. In addition to the cash request, the GWTA is requesting each town commit to \$5,000 in-kind support such as staff labor, equipment, or construction materials.

Information supporting the in-kind contribution would be included in the grant proposal that is due next Tuesday. Mr. Nagel requested a letter of support from the Town of Windsor. He has received approval from the Town of Severance and has made the request to the Town of Eaton. Eaton has not been participating in funding the past few years; if they don't participate this year, the GWTA budget would need to be reviewed.

The Town Board authorized approval of a letter of support for grant funding.

#### **D. COMMUNICATIONS**

1. Communications from the Town Attorney

No communications.

2. Communications from Town Staff

- Engineering – Mr. Wagner noted that the northeast portion of the lake trail would be closed starting Monday for the rip rap project.
- Parks & Recreation – Director of Parks & Recreation Chew reported that Diamond Valley Park construction was underway. She also noted that Cemetery Field is being worked on with the fence now down and the project will continue with removal of the building, scoreboard and bleachers. Ms. Chew also reported on the ADA access audit that is required by the federal government with interdepartmental teams documenting the ADA access audit.
- Public Works – Director of Public Works Walker commented that it is snow season and offered the Town Board Member the opportunity to ride along in snow plows.

3. Communications from the Town Manager

Town Manager Arnold reported that the Greeley City Council scheduled a special meeting tomorrow night regarding future water service to the Eastman Kodak property. Kodak has a potential buyer that has a timeline that is moving quickly. The City of Greeley will be considering a resolution to continue to serve water at Kodak, the Town of Windsor would continue to provide sewer. The Town of Windsor has taken the view that any development in and around that area should be under development review and annexed. When developed, it would be annexed and developed under town guidelines and standards just as all the other properties in the area have. The prospective buyer wants assurance that water is available immediately and not through annexation; they had received an agreement from Greeley that water would be available by another user other than Kodak.

Town Manager Arnold provided a summary of the resolution that was going before the Greeley City Council and what had been approved by their Water & Sewer Board. These documents have been included in Town Board packet.

Town Manager Arnold noted he would keep the Town Board apprised of any further developments.

4. Communications from Town Board Members

Town Board Member Melendez reported that she attended Coffee with the Mayor and that citizens expressed concern about the Mill. Ms. Melendez stated they are becoming very impatient with the fact that there has been no progress.

#### **E. ADJOURN**

**Town Board Member Thompson motioned to adjourn; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Bishop-Cotner, Carrigan, O’Neill, Melendez, Shanfelt, Thompson, Vazquez  
Nays – None. Motion carried.**

  
\_\_\_\_\_  
Patti Garcia, Town Clerk