



TOWN BOARD REGULAR MEETING

April 8, 2013 - 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.

AGENDA

A. CALL TO ORDER

1. Roll Call
2. 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
4. Board Liaison Reports
 - Town Board Member Baker – Parks, Recreation & Culture Advisory Board; Cache La Poudre Trail Board Alternate
 - Town Board Member Thompson – Planning Commission; Tree Board; Great Western Trail Authority
 - Mayor Pro-Tem Melendez – Downtown Development Authority; Chamber of Commerce; North Front Range/MPO Alternate
 - Town Board Member Rose – Water & Sewer Board; Windsor Housing Authority, Planning Commission Alternate
 - Town Board Member Bishop-Cotner – Historic Preservation Commission; Clearview Library Board
 - Town Board Member Adams – Cache La Poudre Trail Board; Student Advisory Leadership Team (SALT)
 - Mayor Vazquez – North Front Range/MPO
5. Arbor Day Proclamation
6. National Library Week Proclamation
7. Economic Development Council of Colorado – Small Community of the Year Award
8. Public Invited to be Heard

Individuals wishing to participate in Public Invited to be Heard (non-agenda item) are requested to sign up on the form provided in the foyer of the Town Board Chambers. When you are recognized, step to the podium, state your name and address then speak to the Town Board.

*Individuals wishing to speak during the Public Invited to be Heard or during Public Hearing proceedings are encouraged to be prepared and individuals will be limited to three **(3) minutes**. Written comments are welcome and should be given to the Town Clerk prior to the start of the meeting.*

B. CONSENT CALENDAR

1. Minutes of the March 25, 2013 Regular Town Board Meeting – P. Garcia
2. Liquor License Renewal – Los Compadres, Inc. dba Sol de Jalisco, Hotel & Restaurant License – P. Garcia
3. Resolution No. 2013-19 - Vacating a twenty-five foot access easement located parallel to the southern boundary of Lot 2 of the Westwood Village Subdivision, Third Filing in the Town of Windsor, Colorado – J. Olhava
4. Resolution No. 2013-20 – A Resolution Approving an Intergovernmental Agreement Between the Town of Windsor, Colorado, and the Larimer County Department of Human Services with Respect to Protocols for the Investigation of Child Abuse and Neglect and Authorizing the Mayor to Execute the Same – J. Michaels

5. Report of Bills March 2013 –D. Moyer

C. BOARD ACTION

1. Short Form Grant Request – DiGGers Demonstration (Treasure Island) Garden
 - Staff introduction: Melissa M. Chew, CPRP, Director of Parks, Recreation & Culture
 - Agency presentation: Bill Pratt
2. Ordinance No. 2013-1448 - An Ordinance Prohibiting the Operation of any Marijuana Business Enterprise Within the Meaning of Article XVIII, Section 16 of the Colorado Constitution Within the Town of Windsor, Colorado
 - Second reading
 - Legislative action
 - Staff presentation: Ian McCargar, Town Attorney
3. Ordinance No. 2013-1449 - An Ordinance Prohibiting the Establishment and Operation of Private Marijuana Clubs Within the Town of Windsor, Colorado
 - Second reading
 - Legislative action
 - Staff presentation: Ian McCargar, Town Attorney
4. Ordinance No. 2013-1450 - An Ordinance Prohibiting the Establishment and Operation of Certain Marijuana Cultivation Facilities Within the Town of Windsor, Colorado
 - Second reading
 - Legislative action
 - Staff presentation: Ian McCargar, Town Attorney
5. Ordinance No. 2013-1451 - An Ordinance Amending Chapters 10 and 11 of the Windsor Municipal Code with Respect to Regulations Applicable to the Conduct of Persons Within Town-Owned Parks and Open Space Areas
 - Second reading
 - Legislative action
 - Staff presentation: Melissa M. Chew, CPRP, Director of Parks, Recreation & Culture and John Michaels, Chief of Police
6. Ordinance No. 2013-1453 - An Ordinance Amending the Windsor Municipal Code to Increase the Per-Acre Value of Land for Purposes of Calculating School District Payments in Lieu of Land Dedication with Respect to Land Development within the Town of Windsor, Colorado
 - First reading
 - Legislative action
 - Staff presentation: Ian McCargar, Town Attorney

D. COMMUNICATIONS

1. Communications from the Town Attorney
2. Communications from Town Staff
3. Communications from the Town Manager
4. Communications from Town Board Members

E. ADJOURN

Arbor Day Proclamation

Whereas, 141 years ago J. Sterling Morton proposed a special day be set aside for the planting of trees, and

Whereas, this holiday, called Arbor Day, is now observed throughout the United States and the world, and

Whereas, this being the thirty-second year the town of Windsor, Colorado has been awarded the Tree City USA award, and

Whereas, trees can reduce erosion, cut energy bills, clean the air, produce oxygen, provide habitat for wildlife, and are a renewable resource giving us fuel, lumber and numerous wood products, and

Whereas, trees enhance the value of our community and are a source of joy and beauty,

NOW THEREFORE, I, JOHN VAZQUEZ, MAYOR OF THE TOWN OF WINDSOR, COLORADO,
DO HEREBY PROCLAIM, APRIL 19TH, 2013, AS

Arbor Day

IN THE TOWN OF WINDSOR, COLORADO, AND I URGE ALL CITIZENS TO CELEBRATE ARBOR DAY AND TO SUPPORT EFFORTS TO PROTECT AND PLANT TREES FOR THIS AND FUTURE GENERATIONS.

Dated this _____ day of _____ 2013

Mayor

National Library Week 2013
Proclamation

WHEREAS, libraries are the heart of their communities, campuses and schools;

WHEREAS; librarians work to meet the changing needs of their communities, including providing resources for everyone and bringing services outside of library walls;

WHEREAS, libraries and librarians bring together community members to enrich and shape the community and address local issues;

WHEREAS, librarians are trained, tech-savvy professionals, providing technology training and access to downloadable content like e-books;

WHEREAS, libraries offer programs to meet community needs;

WHEREAS, libraries continuously grow and evolve in how they provide for the needs of every member of their communities; and

WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Library Week.

NOW, THEREFORE, be it resolved that I, John S. Vazquez, Mayor of the Town of Windsor, Colorado, proclaim April 14-20, 2013 as National Library Week. I encourage all residents to visit the library that week to take advantage of the wonderful library resources available through the Clearview Library District at the Windsor Severance Library and the Bookmobile. Communities matter @ your library.

Dated this 8th day of April, 2013

John S. Vazquez, Mayor



EDIE AWARD NOMINATION FORM:

Individual providing the nomination: Stacy Johnson

Email Address: sjohnson@windsor.gov.com

Phone: 970.674.2414

Submitting a nomination for:

Small Community of the Year

Large Community of the Year

Volunteer of the Year

Company of the Year

Rookie of the Year

Partnership Award

Economic Development Achievement Award

Legislator of the Year

Statesman of the Year

Name: Stacy Johnson

Organization: Town of Windsor

Contact Information: 970.674.2414 sjohnson@windsor.gov.com

Reason for being nominated: (Please use additional paper if necessary and include in pertinent backup information)

** See separate sheet.*

**EDCC – EDIE Awards
2013 Spring Conference**

Small Community of the Year

I would like to nominate the Town of Windsor for Small Community of the Year. The Town has most recently invested in an Economic Development Department, infrastructure improvements, regional participation and community strategic planning.

The Town of Windsor implemented and funded the first ever Economic Development Department for the town starting in April of 2011. 2012 was the first full year of funding for the department which includes one full time Economic Development Manager and support from several other departments.

Focus for the Economic Development Manager is primary employment, retail and being a business ombudsman/advocate for the business community. Emphasis on both attracting and retaining primary employers is a high priority for the department. Through existing prospect management, strategic partnerships and process improvements the department expects to continue to attract such national and international companies like Woodward, Tolmar, Titan Machinery and Halliburton. Windsor is also one of a handful of communities that has created and published a primary employer incentive guideline.

Since the department's inception, 473 jobs have been created with average salary of \$61,429 and total payroll of over \$32 million. There has been 339,384 sq. ft. of commercial space built or occupied including nearly \$44 million of investment into the community.

The Town of Windsor has also been proactive in building infrastructure for future development. In March 2006, the City of Fort Collins and the Town of Windsor entered into an intergovernmental agreement (IGA) which focused on cooperation, land use and development at the I-25/SH392 interchange. One of the largest infrastructure projects in the region was completed in the fall of 2012. The I-25 & Hwy 392 interchange was a \$20 million dollar project which quadrupled the size of the interchange and increased capacity for development in both communities.

Not only is the Town of Windsor working with surrounding communities in Economic Development efforts, the Town is involved in local, regional and state level economic development activities as well.

The town financial supports/belongs to the following Economic Development agencies or organizations:

- Economic Development Council of Colorado
- International Council of Shopping Centers
- International Economic Development Council
- Larimer County Small Business Development Center
- Metro Denver Economic Development Organization-Professionals
- Northern Colorado Commercial Association of Relators
- Windsor Chamber of Commerce
- Northeast - East Central Small Business Development Center
- Northern Colorado Business Assistance Consortium
- Northern Colorado Economic Development Organization
- State Office of Economic Development and International Trade
- Upstate Colorado Economic Development Organization

The Windsor Economic Development Manager is also a board member for the Front Range Community College Business Advisory Board, the Northeast-East Central Small Business Development Center and the Northern Colorado Board Representative for Colorado Lending Source. The town Economic Development Manager has also been heavily involved with the State Office of Economic Development and International Trade Region 2 Blueprint Plan.

Economic Development is a key element to the community strategic plan in Windsor. In 2012 the strategic plan was updated to include four goals & priorities with an action plan. One of the goals is solely focused on Economic Development: *Diversify, Grow & Strengthen the Local Retail & Industrial Economy*. The priorities of the plan are to implement business attraction tools and promote the business retention and expansion program, implement a retail strategy for all commercial corridors and to promote opportunities for primary employment.

Thank you for considering the Town of Windsor for the EDCC's Small Community of the year, the Town has really focused their efforts on Economic Development for today, tomorrow and years to come.



TOWN BOARD REGULAR MEETING

March 25, 2013 - 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

Mayor Pro-Tem Melendez called the regular meeting to order at 7:02 p.m.

1. Roll Call

Absent:		Mayor Pro-Tem Kristie Melendez Myles Baker Don Thompson Jeremy Rose Ivan Adams Mayor John Vazquez Robert Bishop-Cotner
---------	--	--

Also present:	Town Manager Town Attorney Town Clerk Director of Planning Chief Planner Director of Public Works Director of Parks, Recreation & Culture Economic Development Manager Chief of Police	Kelly Arnold Ian McCargar Patti Garcia Joe Plummer Scott Ballstadt Terry Walker Melissa Chew Stacy Johnson John Michaels
Absent:	Director of Finance Director of Human Resources Director of Engineering	Dean Moyer Mary Robins Dennis Wagner

2. Pledge of Allegiance

Town Board Member Baker 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 Adams seconded the motion. Roll call on the vote resulted as follows:

Yeas – Baker, Rose, Melendez, Thompson, Adams

Nayes – None. Motion passed.

4. Board Liaison Reports

- Town Board Member Baker – Parks, Recreation, and Culture Advisory Board; Cache La Poudre Trail Board Alternate
Town Board Member Baker stated the next meeting of the Parks, Recreation and Culture Advisory Board would be held Tuesday, April 2, 2013.
- Town Board Member Thompson – Planning Commission; Tree Board; Great Western Trail Authority

Town Board Member Thompson reported the Arbor Day poster contest winners were selected at the last Tree Board meeting; the winners will be recognized at the April 22 Town Board meeting. Their next meeting will focus on Arbor Day events and the tree sale. The Planning Commission reviewed a request for off-street parking for a proposed family entertainment center that would be located southeast corner of Fairgrounds Avenue and Steeplechase Drive; the Planning Commission accepted the parking configuration as presented.

- Mayor Pro-Tem Melendez – Downtown Development Authority (DDA); Chamber of Commerce; North Front Range/MPO Alternate
Mayor Pro-Tem Melendez stated the Chamber of Commerce did not hold a meeting this month but reported that their Annual Dinner was well attended. Several local businesses and citizens were recognized for their service at the event. Ms. Melendez reported at the DDA meeting on March 20 a sponsorship was approved for the Swing Dance event being held in August, Ron Lauer was present and stated he was looking at requirements for investment purposes for his property, and underground preliminary design for undergrounding between 4th and 5th Streets was brought forward. The Marketing Committee would be meeting on Wednesday and would be discussing event options for the DDA during the Pro Cycling Challenge. Ms. Melendez also reported on the MPO and noted that the April 4 meeting would be held in Windsor. The MPO has invited the Colorado Congressional Delegation to the VanGo Vanpool Services press conference which will be held at 5 pm at the Windsor Community Recreation Center. Ms. Melendez encouraged the Town Board members to attend the event. The regular meeting of the MPO has a presentation from CDOT regarding funding for railway projects. Additional items that will be discussed include the reconstruction of their personnel policies, managed lane information and stated the CDOT RAMP pre-applications are available and due to CDOT regions by May 1.
- Town Board Member Rose – Water & Sewer Board; Windsor Housing Authority, Planning Commission Alternate
Town Board Member Rose stated the Windsor Housing Authority held a ground breaking last Monday night for the work force housing they have been working on. Mr. Rose also attended the Clearview Library Board meeting at which there was a presentation on adult programming. Mr. Rose noted that there is a range of diverse programs offered at the local library.
- Town Board Member Bishop-Cotner – Historic Preservation Commission; Clearview Library Board
No report.
- Town Board Member Adams – Cache La Poudre Trail Board; Student Advisory Leadership Team (SALT)
Town Board Member Adams stated the Cache La Poudre Trail Board had met and discussed land acquisition, mostly in the Greeley area along with the May 11 Poudre Trail-a-thon. The Board also discussed memorials and how they should be taken care of. The SALT group will be hosting an Easter egg hunt; the group has continued with the clean-up of the Poudre Trail along with the tutoring program. SALT is currently looking at fundraising ideas in order to defray the costs of prizes being distributed at the Easter egg hunt.

- Mayor Vazquez – North Front Range/MPO
No report.

5. Public Invited to be Heard

Individuals wishing to participate in Public Invited to be Heard (non-agenda item) are requested to sign up on the form provided in the foyer of the Town Board Chambers. When you are recognized, step to the podium, state your name and address then speak to the Town Board.

*Individuals wishing to speak during the Public Invited to be Heard or during Public Hearing proceedings are encouraged to be prepared and individuals will be limited to three **(3) minutes**. Written comments are welcome and should be given to the Town Clerk prior to the start of the meeting.*

Mayor Pro-Tem Melendez opened the meeting for public comment to which there was none.

B. CONSENT CALENDAR

1. Minutes of the February 25, 2013 Regular Town Board Meeting – P. Garcia
2. Liquor License Renewal – Angkor Liquors, Inc. dba Angkor Liquors, Retail Liquor License – P. Garcia
3. Liquor License Renewal – Picasso and Wine, Inc. dba Picasso and Wine, Beer & Wine License – P. Garcia
4. Liquor License Renewal – Windsor Concepts, LLC, dba Stuft a Burger Bar, Hotel & Restaurant License – P. Garcia
5. Liquor License Renewal – Vanmoo Co dba Sala Thai Restaurant, Beer & Wine License – P. Garcia
6. Advisory Board Appointments – P. Garcia
7. Resolution No. 2013-14 - A Resolution Approving and Accepting an Easement for Access, Egress and Utilities within the Great Western Industrial Park Subdivision, Fourth Filing, Lot 1, Block 3 – I. McCargar
8. Resolution No. 2013-15 - A Resolution Reappointing Kimberly A. Emil as Windsor Town Prosecutor, Appointing Scott Patton as Deputy Town Prosecutor, extending the Professional Services Agreement between the Town of Windsor and Kimberly A. Emil, Attorney at Law – I. McCargar
9. Cancellation of May 27, 2013 Town Board meeting – P. Garcia
10. Report of Bills, February 2013 – D. Moyer

Town Board Member Thompson motioned to approve the Consent Calendar as presented; Town Board Member Baker seconded the motion. Roll call on the vote resulted as follows:

Yeas – Baker, Rose, Melendez, Thompson, Adams

Nays – None. Motion passed.

C. BOARD ACTION

1. Short Form Grant Application – Northern Colorado Energy Star Homes

- Applicant presentation: Vicki Wagner

Vicki Wagner, Director, Northern Colorado Energy Star Homes addressed the Town Board and provided an overview of the purpose of the program. Energy Star was introduced by the U.S. Environmental Protection Agency in 1992 as a voluntary partnership with builders to reduce greenhouse gas emissions through increased energy efficiency. It was noted that Windsor had been part of the program for several years. The goals of Energy Star Homes include the opportunity to provide training and mentoring for builders, HVAC contractors, and trade allies on

ways to increase energy efficiency in homes. Ms. Wagner requested the \$1,000 sponsorship so the Energy Star Program can continue to be offered.

Town Board Member Thompson stated he was not clear why communities are expected to pay for the program as opposed to funding from the industry. Ms. Wagner noted the funding from communities shows support for the energy star program.

Mayor Pro-Tem Melendez asked how many hits the Northern Colorado Energy Star Homes gets on their website to which Ms. Wagner reported approximately 1,000 hits per month. Ms. Melendez stated that the Town Board had heard from a SAFEbuilt representative who noted that many builders are very energy conscience. She believes the program is a good cause but is not sure how it supports builders in Windsor.

Town Board Member Baker commented that the Town of Windsor vision statement states that the Town will be a good environmental steward and that this program is evidence of that.

Town Board Member Rose stated that he appreciates the fact that the program is voluntary; it meets all the stated requirements for funding and supports the request.

Town Board Member Thompson stated that this should be an industry endeavor.

Town Board Member Baker motioned to approve the funding request of \$1,000 to Northern Colorado Energy Star Homes; Town Board Member Adams seconded the motion. Roll call on the vote resulted as follows:

Yeas – Baker, Rose, Adams,

Nayes – Melendez, Thompson. Motion passed.

2. Short Form Grant Application – Relay for Life (American Cancer Society)

- Applicant presentation: Megan Clarkson, Relay for Life Chairperson
Special Event Coordinator Porter reviewed the application and noted the request for funding due to the show stage not being available for their event and the need to rent other equipment. As a town-partnered event, the use of the show stage has been provided in the past at no charge.

Megan Clarkson representing Relay for Life addressed the Town Board and made the request for the funding to cover the expenses of renting tents, etc. since the show stage was unavailable for their event.

Mayor Pro-Tem Melendez stated that she has participated in the Relay for Life event and supports their endeavor.

Town Board Member Thompson motioned to approve the funding request of \$1,000 to Relay for Life (American Cancer Society); Town Board Member Adams seconded the motion. Roll call on the vote resulted as follows:

Yeas – Baker, Rose, Melendez, Thompson, Adams

Nayes – None. Motion passed.

3. Long Form Grant Application – Harvest Fest

- Applicant presentation: Casey Johnson, Harvest Festival Chairman
Special Event Coordinator Porter provided an overview of the request noting that Harvest Fest is a long standing event for Windsor. As in the past, the Harvest Festival Committee is seeking

support above and beyond the standard partnership package, requesting items that require a long form grant application. Their request does not include anything it has not included in the past. Within the completed grant application, a list of additional items requested by the Harvest Festival Committee was included which total \$10,720 of additional funding. Staff has evaluated those items and made suggestions as to which requests they believe should be accommodated and others that should be the responsibility of the organizer; the funding recommended by staff is \$9,760 and is itemized in the Town Board packet under “Amended Additional Requests for Harvest Festival 2013”.

The Town Board discussed the Grant Application request noting the value of the standard sponsorship package is \$1,750 and reviewed the additional items being requested. Director of Parks, Recreation and Culture Chew reported that sales tax generated from the event in 2012 was just under \$2,700. The Town Board noted that this request is about Windsor and part of Windsor’s history; it is the use of Windsor funds and investing them back into Windsor.

Town Board Member Adams motioned to approve the sponsorship request of \$9,760 for items as noted in “Amended Additional Requests for Harvest Festival 2013”; Town Board Member Thompson seconded the motion. Roll call on the vote resulted as follows:

Yeas – Baker, Rose, Melendez, Thompson, Adams

Nays – None. Motion passed.

4. Special Event Partnership Request – Windsor Severance Library Foundation Board - Clearview Library District

- Applicant presentation: Carol Heinkel, Library Book Sale Chair

Special Event Coordinator Porter reported on the request and stated the Library Foundation Board will be conducting a book sale in the common area at the Community Recreation Center. The Board is seeking a partnership with the Town regarding the fair, using the Community Recreation Center common areas without cost, and using the marquee signs for announcing the book fair to the community. Carol Heinkel was in attendance representing the Library Board and stated the proceeds from the book sale go into an endowment fund that will support the library.

Mayor Pro-Tem Melendez stated that there is no monetary request; it is a partnership request in order to use the marquee.

Town Board Member Rose motioned to approve the Special Event Partnership Request for the Windsor Severance Library Foundation Board; Town Board Member Thompson seconded the motion. Roll call on the vote resulted as follows:

Yeas – Baker, Rose, Melendez, Thompson, Adams

Nays – None. Motion passed.

5. Ordinance No. 2013-1447 - An Ordinance Approving an Intergovernmental Agreement Amending Certain Provisions of the First Amended Intergovernmental Agreement Pertaining to the Development of the Interstate 25/State Highway 392 Interchange

- Second reading
- Legislative action
- Staff presentation: Ian McCargar/John Frey, Town Attorney

Town Attorney McCargar reported on the ordinance stating that the ordinance approves an Intergovernmental Agreement (IGA) with Fort Collins further amending the First Amended IGA approved by the Town Board in November, 2012. Under the terms of the former agreement, the base for property tax and sales tax increment that would be shared with Fort Collins going

forward was set in years when the corridor activity center were reduced due to construction in 2011 and 2012. The ordinance sets the base at 2010 which provide a more accurate reflection of tax revenues.

Mayor Pro-Tem Melendez opened the meeting for public comment to which there was none.

Town Board Member Rose motioned to approve Ordinance No. 2013-1447, An Ordinance Approving an Intergovernmental Agreement Amending Certain Provisions of the First Amended Intergovernmental Agreement Pertaining to the Development of the Interstate 25/State Highway 392 Interchange on second reading; Town Board Member Adams seconded the motion. Roll call on the vote resulted as follows:

Yeas – Baker, Rose, Melendez, Thompson, Adams

Nayes – None. Motion passed.

6. Resolution No. 2013-16 - A Resolution Adopting the Town of Windsor 2012 Parks and Open Space Regulations with Respect to The Conduct of Persons Within Town-Owned Recreational Facilities

- Legislative action
- Staff presentation: Melissa M. Chew, CPRP, Director of Parks, Recreation & Culture and John Michaels, Chief of Police

Director of Parks, Recreation & Culture Chew reviewed the proposed parks regulations. The regulations prohibit charcoal grills, provide specifications as to the size of propane grills that can be used at the parks, removal of tents by 6 pm along with minor exceptions for glass bottles, hours of operations and certain types of motor vehicles that could be authorized by the Town of Windsor for specific events. Ms. Chew noted the regulations would be adopted by resolution and then incorporated into an ordinance so they would be included in the Municipal Code.

Town Board Member Thompson motioned to approve Resolution No. 2013-16; Town Board Member Adams seconded the motion. Roll call on the vote resulted as follows:

Yeas – Baker, Rose, Melendez, Thompson, Adams

Nayes – None. Motion passed.

7. Ordinance No. 2013-1451 - An Ordinance Amending Chapters 10 and 11 of the Windsor Municipal Code with Respect to Regulations Applicable to the Conduct of Persons Within Town-Owned Parks and Open Space Areas

- First reading
- Legislative action
- Staff presentation: Melissa M. Chew, CPRP, Director of Parks, Recreation & Culture and John Michaels, Chief of Police

Director of Parks, Recreation & Culture Chew stated the ordinance for consideration takes the rules and regulations that were approved in the previous resolution and adds them to the Municipal Code.

Town Board Member Thompson inquired about Section 11-8-120 of the ordinance regarding the limitations on cooking devices and recommended that the ordinance clarify that charcoal grills are prohibited and that specific sizes of propane cooking devices are permitted. Town Attorney McCargar concurred with the request and will submit an amended ordinance for second reading which will be published in full.

Town Board Member Baker motioned to approve Ordinance No. 2013-1451, An Ordinance Amending Chapters 10 and 11 of the Windsor Municipal Code with Respect to Regulations Applicable to the Conduct of Persons Within Town-Owned Parks and Open Space Areas on first reading; Town Board Member Thompson seconded the motion. Roll call on the vote resulted as follows:

**Yeas – Baker, Rose, Melendez, Thompson, Adams
Nays – None. Motion passed.**

8. Public Hearing – Ordinance Adopting by Reference the 2012 International Building Code; 2012 International Existing Building Code; 2012 International Residential Code; 2012 International Mechanical Code; 2012 International Plumbing Code; 2012 International Fuel Gas Code; 2012 International Property Maintenance Code; 2009 International Energy Conservation Code, as Amended by the Town of Windsor, Colorado; and the 2011 National Electrical Code, as Amended by the Town of Windsor, Colorado

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

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

**Yeas – Baker, Rose, Melendez, Thompson, Adams
Nays – None. Motion passed.**

Director of Planning Plummer reported that the Town Board had reviewed the recommended updates to the building code at their March 18, 2013 work session. Russ Weber, Building Official for SafeBuilt, was present at the work session and had provided a power point presentation regarding the proposed codes and amendments. Mr. Weber was present at the meeting and provided the presentation again for public information; the power point was included in the Town Board packet. Mr. Weber noted that minimum standards would have to be adopted related to any items adopted by the Energy Office.

Mr. Plummer requested that items included in the Town Board packet related to this agenda item be included as part of the record.

Mayor Pro-Tem Melendez opened the meeting for public comment.

Jeff Schneider, Chair, Homebuilders Association of Northern Colorado, addressed the Town Board stating they support what has been presented. The one caveat they would like to see revised is the need or necessity for per lot bore test holes to determine water elevation or they would entertain a friendly amendment to use a subdivision bore test or look at the proximity of homes; the cost is \$400 - \$500 per test for each lot and gets cost prohibitive particularly for production builders.

Jon Turner, Windsor developer, stated that nothing is more reassuring than a builder doing a test hole on each lot.

J.D. Roybal, Windsor resident, provided an overview of his concerns and experience regarding the proposed dryer vent length.

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

Yeas – Baker, Rose, Melendez, Thompson, Adams

Nayes – None. Motion passed.

9. Ordinance No. 2013-1452 - An Ordinance Adopting by Reference the 2012 International Building Code; 2012 International Existing Building Code; 2012 International Residential Code; 2012 International Mechanical Code; 2012 International Plumbing Code; 2012 International Fuel Gas Code; 2012 International Property Maintenance Code; 2009 International Energy Conservation Code, as Amended by the Town of Windsor, Colorado; and the 2011 National Electrical Code, as Amended by the Town of Windsor, Colorado

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

Director of Planning Plummer stated at their March 7, 2013 Planning Commission recommended approval of the proposed codes and amendments as presented; staff concurs.

Town Board Member Baker inquired as to the 35' dryer venting hose length to which Mr. Weber noted that for every 90 degree elbow a deduction of five feet is required which alleviates fire concerns provided the vent is cleaned on a regular basis.

Town Board Member Thompson motioned to approve Ordinance No. 2013-1452, An Ordinance Adopting by Reference the 2012 International Building Code; 2012 International Existing Building Code; 2012 International Residential Code; 2012 International Mechanical Code; 2012 International Plumbing Code; 2012 International Fuel Gas Code; 2012 International Property Maintenance Code; 2009 International Energy Conservation Code, as Amended by the Town of Windsor, Colorado; and the 2011 National Electrical Code, as Amended by the Town of Windsor, Colorado on first reading; Town Board Member Adams seconded the motion. Roll call on the vote resulted as follows:

**Yeas – Baker, Rose, Melendez, Thompson, Adams
Nayes – None. Motion passed.**

10. Resolution No. 2013-17 - A Resolution Approving the First Amendment to the Windsor Highlands Ninth Annexation Agreement, and Authorizing the Mayor to Execute the same on behalf of the Town of Windsor

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

Chief Planner Ballstadt reported on the resolution noting the applicant is proposing to amend the existing Windsor Highlands 9th Annexation agreement in order to replace the existing design criteria and development standards attached to the agreement as Exhibit B with the Town's Commercial Corridor Plan. Use of the Commercial Corridor Plan (CCP) will provide for more consistency throughout town. Mr. Ballstadt reviewed Exhibit B and noted the differences between it and the CCP. The CCP is more flexible than the current standards in the current Exhibit B and will allow the applicant more design options as site plans are submitted to the Town.

Staff recommends approval of the resolution as presented.

Town Board Member Thompson motioned to approve Resolution No. 2013-17; Town Board Member Baker seconded the motion. Roll call on the vote resulted as follows:

**Yeas – Baker, Rose, Melendez, Thompson, Adams
Nayes – None. Motion passed.**

11. Resolution 2013-18 - Approving an Intergovernmental Agreement Between the Town of Severance, Colorado and the Town of Windsor, Colorado, with Respect to Land Use Cooperation in the Vicinity of the Intersection of Colorado State Highway 257 and Weld County Road 74, and Authorizing the Mayor to Execute Same

- Legislative action
- Staff presentation: Joe Plummer, Director of Planning/Ian McCargar, Town Attorney
Director of Planning Plummer reviewed the agenda item and also submitted a letter into the packet which was received from a property owner that would be affected by the terms of the Intergovernmental Agreement (IGA). The proposed use by the property owner is closed storage units.

Mr. Plummer provided an overview of the process that was undertaken with the Town of Severance which included work sessions between the two boards and planning commissions. Mr. Plummer reviewed Exhibit A, Intersection Cooperative Planning and Revenue Sharing Area map along with the list of land uses. The land uses listed in Exhibit B which were reviewed and recommended for approval by both planning commissions would be the only permitted uses without further review by both boards. The Windsor Planning Commission recommended approval of the resolution and IGA as presented. The Severance Board of Trustees approved the resolution and exhibits on March 4, 2013.

The Town Board discussed the proposed land uses with Town Board Member Thompson noting that closed storage units were brought up and that they were excluded from the list. Mr. Plummer reported that the list of proposed uses is similar to other IGA's that are in place. He also indicated that property owners were contacted but cannot state specifically that this particular owner was contacted and on what date or time.

Town Board Member Thompson motioned to approve Resolution No. 2013-18; Town Board Member Adams seconded the motion. Roll call on the vote resulted as follows:

**Yeas – Baker, Rose, Melendez, Thompson, Adams
Nays – None. Motion passed.**

12. February Financial Report

- Staff Presentation: Kelly Arnold, Town Manager
Town Manager Arnold provided an overview of the financial report noting that revenue and collections are strong. The February 2013 sales tax collection was the second highest gross sales tax collection for the single month of February. Construction use tax is 19.87% over year to date 2012 and property tax is similar to last year due to assessed valuations being unchanged. Mr. Arnold reported that the economy is healthy in Windsor and that the population growth is evident in the number of building permits that have been issued. Mr. Arnold will also ask Director of Finance Moyer to do a cost of living analysis for Town Board review. . highest KA – report by dean and staff. Revenue/collections are strong. ST collections we are at 1.2M for Feb – construction use tax, property tax same as last year due to assessed valuation not changing.

D. COMMUNICATIONS

1. Communications from the Town Attorney
Town Attorney McCargar stated that a metropolitan district inclusion and exclusion may come before the Town Board for action. Mr. McCargar offered to host a Metro District 101 for interested Town Board members.
2. Communications from Town Staff

Police Chief Micheals states that he had included two graphs in the Communications portion of the packet; one graph is related to calls for service and another is related to traffic issues. Chief Michaels also reported that on April 27 the police department would be hosting the 5th annual National Drug Take Back Day.

3. Communications from the Town Manager

Town Manager Arnold reported the heat pump in the ceiling above the finance department had sprung a leak and that the damage was being assessed.

4. Communications from Town Board Members

The Town Board discussed the Outside Agency Fund and its purposes. Town Manager Arnold offered that the name of the fund might need to be changed as the funds should be for purposes needed as directed by the Town Board.

Mayor Pro-Tem Melendez requested that the Town Board members that had attended the Congressional City Conference relay the information they had received during the next work session.

E. ADJOURN

Town Board Member Thompson motioned to adjourn the regular meeting at 9:15 p.m.; Town Board Member Adams seconded the motion. Roll call on the vote resulted as follows:

Yeas – Baker, Rose, Melendez, Thompson, Adams

Nayes – None. Motion passed.

Patti Garcia, Town Clerk



MEMORANDUM

Date: April 8, 2013
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Patti Garcia, Town Clerk
Re: Liquor License Renewal – Los Compadres, Inc. dba Sol de Jalisco,
Hotel/Restaurant liquor license
Item #: B.2.

Background / Discussion:

Sol de Jalisco has submitted a hotel & restaurant liquor license renewal application. The current license has an expiration date of March 19, 2013 and the application was received by the Town of Windsor prior to the expiration date. The application has been reviewed by the Town Clerk's office and the respective license fees have been submitted.

The application was turned over to the Windsor Police Department for investigation. The Department's review did not find any issues that would affect the consideration of the renewal.

The application was also provided to the Finance Department. The Department's review did not present any unfavorable information which would affect the status of the license.

Financial Impact:

None

Relationship to Strategic Plan (optional):

3.A.

Recommendation:

Staff recommends approval of the liquor license renewal.

Attachments:

None.



MEMORANDUM

Date: April 8, 2013
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
Joseph P. Plummer, AICP, Director of Planning
From: Josh Olhava, Associate Planner
Re: Resolution 2013-19 vacating a twenty-five foot (25') access easement located parallel to the southern property line of Lot 2 of Westwood Village Subdivision Third Filing in the Town of Windsor, Colorado
Item #: B.3

Background / Discussion:

As depicted on the enclosed materials, the applicant, Robert Wilson of Windsor Real Estate LLC, owner of Lot 2 of the Westwood Village Subdivision, Third Filing, is requesting that the twenty-five foot (25') access easement located parallel to the southern property line of Lot 2 be vacated to accommodate the expansion of the property and construction of additional parking and a maintenance garage.

Finally, the Town's Engineering and Public Works Departments have signed the enclosed Exhibit B, disclaiming the Town's interest in the access easement. Additionally, the vacation of this access easement does not require approval by the other utility providers.

Fiscal Impact: None

Relationship to Strategic Plan: N/A

Recommendation: Approval of Resolution

Attachments: Resolution, petition and exhibits

pc: Robert Wilson (Windsor Real Estate LLC.), applicant

TOWN OF WINDSOR

RESOLUTION NO. 2013-19

A RESOLUTION VACATING A TWENTY-FIVE FOOT ACCESS EASEMENT LOCATED PARALLEL TO THE SOUTHERN BOUNDARY OF LOT 2 OF THE WESTWOOD VILLAGE SUBDIVISION, THIRD FILING IN THE TOWN OF WINDSOR, COLORADO

WHEREAS, the Windsor Town Board has received a petition to vacate the twenty-five foot (25') access easement located parallel to the southern boundary of Lot 2 of the Westwood Village Subdivision, Third Filing, with said access easement being more fully described on Exhibit "A", attached hereto and incorporated herein by this reference; and

WHEREAS, the Town has disclaimed any interest in the future use or continued maintenance of said access easement; and

WHEREAS, the Town Board has concluded that said access easement is of no continuing use or benefit to the Town and therefore can be vacated without injury to the health, safety or welfare of the public.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

1. The twenty-five foot (25') access easement located parallel to the southern boundary of Lot 2 of the Westwood Village Subdivision, Third Filing is without present or future value to the Town and should be vacated.
2. The Town utility providers have disclaimed any interest in the future use or continued maintenance of said access easement.
3. The Town hereby vacates said access easement, as more fully described on Exhibit "A", attached hereto and incorporated herein by this reference as if set forth fully.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 8th day of April, 2013.

TOWN OF WINDSOR, COLORADO

By: _____
John S. Vazquez, Mayor

ATTEST:

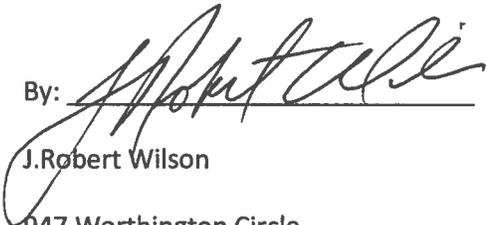
Patti Garcia, Town Clerk

Petition to Vacate Easement

I Robert Wilson, Windsor Real Estate LLC. (Owner), being the owner of the property located in the Town of Windsor legally described as a portion of Lot 2, Westwood Village 3rd Filing Located in the Northwest Quarter of Section 20, Township 6 North, Range 67 West of the 6th P.M., Town of Windsor, County of Weld, State of Colorado, hereby request that Windsor vacate a 25' access Easement as Shown in the attached exhibit.

In furtherance Thereof, Owner hereby submits this petition.

Windsor Real Estate LLC.

By: 

J. Robert Wilson

947 Worthington Circle

Fort Collins, Co. 80526

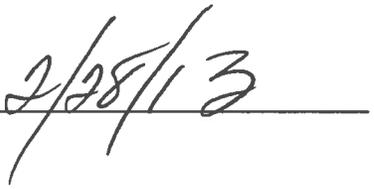
Date: 

EXHIBIT A (1 of 2)



**NORTHERN
ENGINEERING**

ADDRESS:
200 S. College Ave. Suite 10
Fort Collins, CO 80524

PHONE: 970.221.4158
FAX: 970.221.4159

WEBSITE:
www.northernengineering.com

DESCRIPTION:

A portion of an Access Easement to be vacated being located in Lot 2, Westwood Village 3rd Filing located in the Northwest Quarter of Section 20, Township 6 North, Range 67 West of the 6th P.M., Town of Windsor, County of Weld, State of Colorado being more particularly described as follows:

Considering the East line of said Lot 2 as bearing North 00°17'03" West and with all bearings contained herein relative thereto:

COMMENCING at the Southeast corner of said Lot 2; thence along the East line of said Lot 2, North 00°17'03" West, 20.00 feet to the **POINT OF BEGINNING**; thence departing said East line, South 89°42'57" West, 265.85 feet to a point on the West line of said Lot 2; thence along said West line, North 00°17'03" West, 25.00 feet; thence departing said West line, North 89°42'57" East, 265.85 feet to a point on the East line of said Lot 2; thence along said East line, South 00°17'03" East, 25.00 feet to the **POINT OF BEGINNING**, containing 6,646 square feet, more or less.

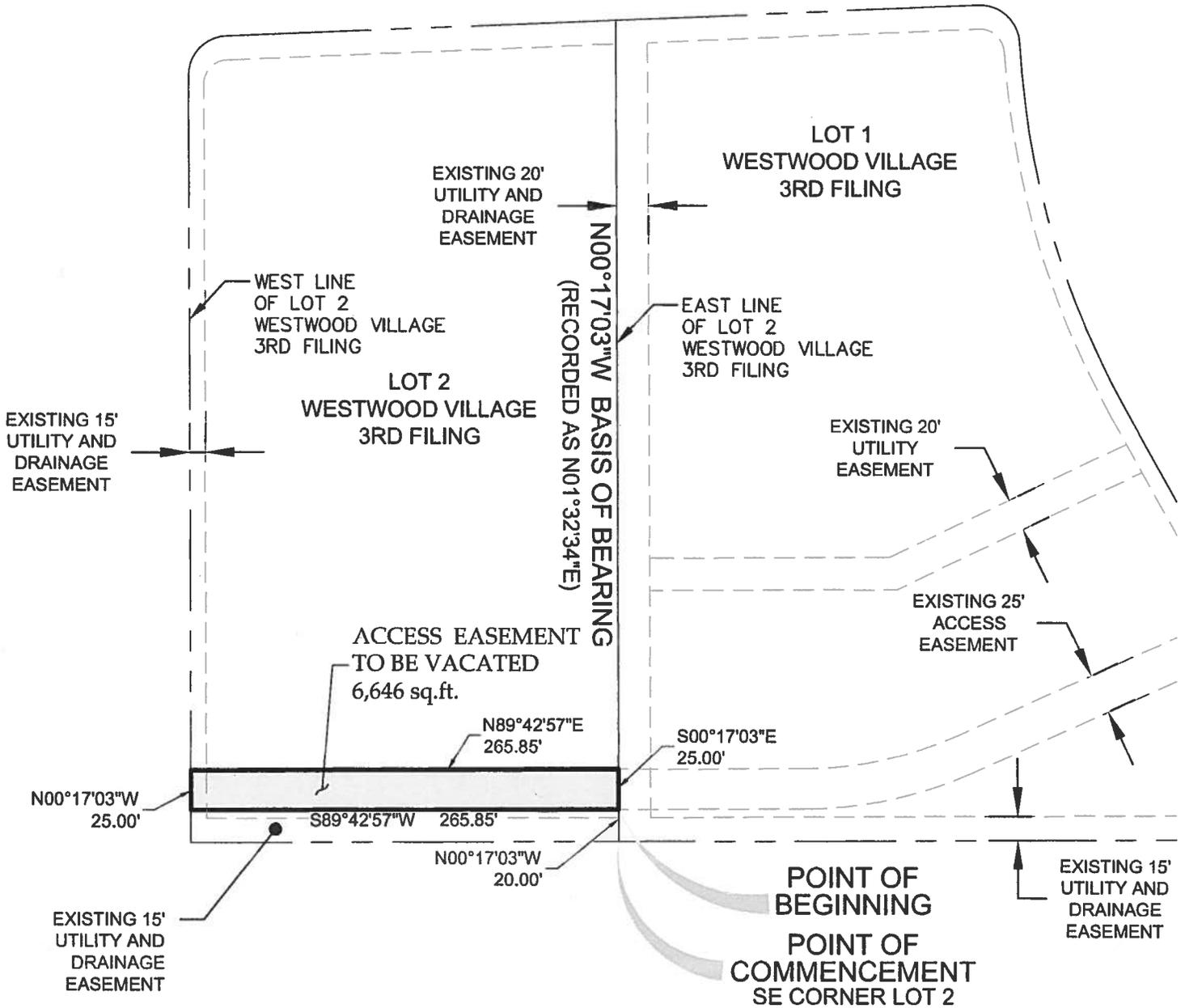
CNS

August 15, 2012

D:\Projects\837-001\Dwg\Exhibits\837-001 Vacation Description.doc

EXHIBIT A (2 of 2)

A PORTION OF AN ACCESS EASEMENT TO BE VACATED BEING LOCATED IN LOT 2, WESTWOOD VILLAGE 3RD FILING LOCATED IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 6 NORTH, RANGE 67 WEST OF THE 6TH P.M., TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO



SCALE
1" = 100'



**NORTHERN
ENGINEERING**

200 S College Avenue, Suite 10
Fort Collins, Colorado 80524

PHONE: 970.221.4158 FAX: 970.221.4159
www.northernengineering.com

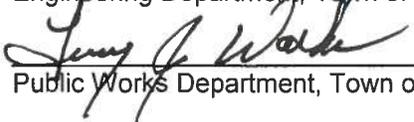
EXHIBIT B

The following hereby disclaim by written acknowledgement any interest in the future use or continued maintenance of the twenty-five (25) foot access easement located upon Lot 2, Westwood Village Subdivision Third Filing as described and shown in "Exhibit A" pages 1 and 2.



Engineering Department, Town of Windsor, Colorado

3-6-2013
Date



Public Works Department, Town of Windsor, Colorado

3-6-2013
Date



MEMORANDUM

Date: April 8, 2013
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: John E. Michaels, Chief of Police
Re: Larimer County Department of Human Services Intergovernmental Agreement
Item #: B.4.

Background / Discussion:

The Larimer County Department of Human Services agreement before you has been developed as required by State Law, CRS 19-3-308 (5.5). It outlines the duties and responsibilities of each agency, law enforcement and DHS in the area of investigations that we are involved in concerning family matters and possible criminal activity. The agreement helps in the flow of communications between our departments and will help to improve efficiency in our processes.

The Loveland and Fort Collins Police Departments and their staff have already reviewed and approved this agreement.

In order to satisfy state law regarding the approval of intergovernmental agreements, this agreement is presented for official action by the Town Board.

Financial Impact: None.

	Budget	Proposed	Note
Revenue	\$0	\$	
Expense	\$0	\$	
Net		\$	

Relationship to Strategic Plan: N/A

Recommendation: Approval of the IGA.

Attachments:

Resolution No. 2013-20
Intergovernmental Agreement between the Larimer County Department of Human Services, Larimer County, Colorado (hereinafter referred to as "DHS") and the Law Enforcement Agencies of Larimer County

TOWN OF WINDSOR

RESOLUTION NO. 2013-20

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF WINDSOR, COLORADO, AND THE LARIMER COUNTY DEPARTMENT OF HUMAN SERVICES WITH RESPECT TO PROTOCOLS FOR THE INVESTIGATION OF CHILD ABUSE AND NEGLECT, AND AUTHORIZING THE MAYOR TO EXECUTE SAME

WHEREAS, the Town of Windsor (“Town”) is a Colorado home rule municipality with all powers and authority provided by Colorado law; and

WHEREAS, portions of the Town lie within Larimer County; and

WHEREAS, the Town and Larimer County have a long history of cooperation and mutual assistance with respect to law enforcement; and

WHEREAS, the Larimer County Department of Human Services is statutorily required to investigate allegations of child abuse and neglect, and to rely upon law enforcement in cases of apparent criminal conduct; and

WHEREAS, in order to fairly and predictably allocate responsibility for investigation of child abuse and neglect in those portions of Windsor that fall within Larimer County, the Town and Larimer County have negotiated the attached Agreement, the terms of which are incorporated herein by this reference as if set forth fully; and

WHEREAS, the Chief of Police and Town Attorney have participated in the negotiations and have reviewed the attached Agreement on the Town’s behalf; and

WHEREAS, the Town Board wishes to approve the attached Agreement, and to authorize the Mayor to execute it on the Town’s behalf.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

1. The attached Agreement between the Town of Windsor and the Larimer County Department of Human Services is hereby approved by the Windsor Town Board.
2. The Mayor is hereby authorized to execute the attached Agreement on behalf of Windsor.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 8th day of April, 2013.

TOWN OF WINDSOR, COLORADO

By: _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

THIS Agreement, made and entered in this 1st day of December, 2012, BY AND BETWEEN The Larimer County Department of Human Services, Larimer County, Colorado (hereinafter referred to as "DHS") and the Law Enforcement Agencies of Larimer County.

WHEREAS, DHS is a governmental agency which exists for several purposes including investigation and intervention with regard to allegations of child abuse and neglect within the territorial limits of Larimer County, Colorado; and

WHEREAS, the Law Enforcement Agencies exist for the purposes of providing law enforcement protection services within the geographical limits of Larimer County, Colorado, as a whole, which services include investigation and referral of allegations of child abuse and neglect; and

WHEREAS, the General Assembly, as stated in CRS 19-3-308(5.5), expects that social service and law enforcement agencies develop and implement cooperative agreements to coordinate the investigation of child abuse and neglect cases; and

WHEREAS, DHS and the Law Enforcement Agencies have previously entered into an Intergovernmental Agreement, in which they have agreed to cooperate with one another in providing mutual aid and assistance in investigation and intervention concerning allegations of child abuse and neglect occurring within the territorial limits of Larimer County; and

WHEREAS, DHS and the Law Enforcement Agencies now desire to enter into this Intergovernmental Agreement and intend for it to supersede in all respects and revoke their previous intergovernmental Agreements related to child abuse investigations.

NOW THEREFORE, in consideration of the mutual covenants herein contained and any other good and valuable consideration the receipt and adequacy of which are hereby acknowledged, the parties hereto agree as follows:

I. GUIDELINES FOR THE INVESTIGATION OF INTRA-FAMILIAL ABUSE OR NEGLECT

A. Mandated Referrals by Law Enforcement Agencies – DHS shall be responsible for coordination of all investigations of all reports of suspected intra-familial abuse or neglect.

1. Law Enforcement Agencies shall contact DHS in order to refer a case for investigation by contacting an Intake Specialist at the Hub to make an intake report. The Hub operates twenty-four (24) hours a day, seven (7) days a week, accessible via (970) 498-6990 or law enforcement line (970) 498-6999.
2. If a Law Enforcement Agency is investigating a case without DHS and it becomes aware of an intra-familial abuse or neglect situation, including domestic violence situations as such is defined in CRS 18-6-800.3 during which a child was present, the Law Enforcement Agency shall immediately report such to DHS as set forth in Section I A.1. above.

B. Intake Reports and Assignment

Differential Response – Pursuant to CRS 19-3-308.3, DHS has been designated a Differential Response Pilot Site. Participation in this pilot allows for County Departments to use more than one approach to addressing reports of alleged child abuse or neglect. Response assignment is determined by: presence of imminent danger, level of risk, number of previous reports, and presenting case characteristics such as type of alleged maltreatment and age of alleged victim.

1. Investigation Response Approach - is required for circumstances alleging allegations of serious harm, sexual abuse, suspicious child fatality or homicide, or institutional abuse/neglect. Intake reports assigned for investigation will be conducted jointly in accordance with this Agreement. All intake reports that meet DHS requirements for investigation assignment will be assigned to an intake child protection caseworker, who must coordinate the investigation with the appropriate Law Enforcement Agency. Prior to making contact with family, the caseworker must make direct contact with the Law Enforcement Agency to discuss coordination of the investigation. The caseworker will contact the appropriate Law Enforcement Agency's dispatch by phone and Dispatch will route the call to the appropriate unit for response. DHS, in collaboration with the Law Enforcement Agency, will utilize, when deemed necessary by the lead agency, services offered through the Larimer County Child Advocacy Center (hereinafter, "CAC"). The parties recognize that the Law Enforcement Agencies may not be able to immediately respond, but DHS will make all efforts to coordinate its investigation with the Law Enforcement Agency.

DHS is required by state regulation to respond to reports of abuse and neglect, which includes face to face contact with the alleged victim(s), within the following time frames: (Response time begins at the point of referral being called into the Hub):

- a. Immediate (response within 8 hours)** – Child is considered to be in imminent danger and there is a significant and clearly observable threat to child safety that is actively occurring and will likely result in severe harm to child.
- b. 72 Hours** – Threats to child are not occurring presently, but likely to occur in near future and likely to result in severe harm to child.
- c. 5 Working Days** – Maltreatment or risk of maltreatment indicating an absence of present or impending danger

2. Assessment Response Approach – will be initiated for family circumstances involving low to moderate risk and includes a family risk assessment, service need determination and non-court involved case services.

The Law Enforcement Agency will be notified on a daily basis of all intake reports and the designated child protection response within that Law Enforcement Agency's jurisdiction. The notification will include a daily report of all referrals and it will be forwarded to Sergeant assigned to the Crimes Against Persons Unit or a person specifically identified by the Law Enforcement Agency.

C. Child Fatality Cases – If the Law Enforcement Agency is investigating a child fatality case, immediate notification shall be made to DHS. DHS shall respond and coordinate their efforts on cases when the death of a child is suspected to be the result of non-accidental trauma or there are suspicious circumstances surrounding the death and there is surviving sibling in the home.

In the event there is a child death with no surviving siblings, DHS will, through the records custodian, provide all known information of the immediate family to the Law Enforcement Agency.

The Law Enforcement Agency will make available to DHS an investigation report of the child fatality case when the child has died due to abuse or neglect. DHS will review the information to determine whether or not the report should be filed with the State in accordance with CRS 19-308.5.3., which report, upon such determination shall be filed with the State within sixty days of the receipt of the report by DHS. The report may be mailed or scanned as a pdf file attention to the Hub Manager at DHS.

D. Sexual Child Abuse Victim Interviews

1. Minimal Facts: Minimal facts should be obtained from someone other than the child victim, whenever possible. Multiple “minimal facts” interviews with a child victim should be avoided. The main forensic interview of the child shall be conducted as provided below.
2. Pursuant to CRS 19-3-308.5, sexual child abuse victim interviews are strongly encouraged to be videotaped and shall be conducted by a competent interviewer, preferably at the CAC. Only one interview is required so long as both DHS and the Law Enforcement Agency have the opportunity to be present.
3. DHS and the Law Enforcement Agency shall give notice to the other agency prior to scheduling the interview at the CAC, or alternative location, so that both parties can be present for the interview. Each agency will use their best efforts to schedule the interview so that both agencies are present at the interview. However, if scheduling conflicts occur, the lead agency shall make the final scheduling decision. Each party shall receive a copy of the interview, if recorded.
4. If additional interviews are deemed necessary, they should be done by the same interviewer whenever possible. DHS and the Law Enforcement Agency shall give notice to the other prior to scheduling additional interviews. Each party shall receive a copy of the additional interview, if recorded.

E. Investigation and Assessment of Risk

1. DHS will be responsible for the investigation and assessment of risk to the child, the capacity of the parents to properly care for the child, and the need for filing of a Petition in Dependency and Neglect with the Juvenile Court. DHS may request the issuance of a protective custody or “police hold” (hereinafter a “Hold”) which will be placed pursuant to the criteria set forth in CRS 19-3-401 and remain at the discretion of the Law Enforcement Agency. If necessary, DHS shall be responsible for arranging out-of-home placement for the child. DHS may request the Law Enforcement Agency conduct a criminal history check on persons in whose custody emergency placement of a child may be placed pursuant to CRS 19-3-406. The Law Enforcement Agency will provide DHS a verbal response regarding the person’s criminal history.
2. The Law Enforcement Agency will conduct criminal history checks in compliance with CRS 19-3-406. DHS will be responsible for having the person with whom the child is placed satisfy the fingerprinting requirement; the fingerprinting may be done at Larimer County Sheriff’s Office, the HUB, or if done at another location, ensure that Larimer County Sheriff’s Office is notified that the fingerprinting was accomplished. The cost of the fingerprinting and submittal to CBI will not be borne by the Law Enforcement Agency. DHS is responsible for submitting fingerprint cards to CBI regardless of where they are completed.

F. Criminal Investigations – The Law Enforcement Agency will be responsible for conducting any criminal investigation; determining if cases should be referred to the District Attorney’s office for prosecution; and providing, when law enforcement resources are available, security in situations where the parents or alleged perpetrators are threatening or dangerous.

G. Law Enforcement Agency Reports – Upon request of DHS, the Law Enforcement Agency shall provide a copy of its investigative report to DHS pursuant to applicable law.

II. GUIDELINES FOR THE INVESTIGATION OF INSTITUTIONAL ABUSE OR NEGLECT

General Guidelines – The procedural guidelines for the investigation of cases involving allegations of institutional abuse or neglect shall be the same as those delineated for investigation of allegations of intra-familial abuse or neglect. In addition, DHS will be responsible for coordinating any investigation with the licensing authority responsible for the specific child care facility. DHS will make all decisions and recommendations and/or any corrective action plan regarding the specific child care facility. DHS is required to respond to these referrals within 24 hours and requires face to face contact with alleged victim. In certain cases the response time can be extended to 72 hours or 5 working days consistent with applicable rules and regulations.

III. GUIDELINES FOR THE INVESTIGATION OF THIRD-PARTY ABUSE OR NEGLECT

- A. **Completed Investigations** – The Law Enforcement Agency shall be responsible for coordination and investigation of all reports of third-party abuse or neglect by persons ten years of age or older. Upon the completion of an investigation, the Law Enforcement Agency shall forward a copy of its investigative report to the Hub Manager at DHS in compliance with the requirements of state records release laws, for its review to determine whether the report should be filed with the State in accordance with CRS 19-3-308.(5.3)(a), which report, upon such determination, shall be filed with the State within sixty days of the receipt of the report by DHS.
- B. **DHS Reports of Crimes to Law Enforcement** – If DHS is investigating a case without law enforcement and during such investigation it becomes aware of incidents of criminal child abuse or neglect, or any other criminal conduct, perpetrated by an individual ten years of age or older, DHS shall immediately report such incidents by contacting the dispatch unit of the appropriate Law Enforcement Agency.
- C. **Requests for Services or Referrals by Law Enforcement** – A Law Enforcement Agency may request that DHS provide services or referrals for appropriate services for the child and/or family in third-party cases. Such requests will be initiated by either the Law Enforcement Agency or the parents by contacting the Intake Specialist at the Hub. Services shall be contingent upon service and funding availability, and family eligibility.
- D. **Requests for Assistance by Law Enforcement** – The Law Enforcement Agency may request assistance from DHS in the investigation of certain third-party abuse or neglect cases. All such requests will be given serious consideration and prioritized based upon the need for DHS involvement in order to ensure the success of the investigation, however DHS participation shall be at the discretion of DHS.

IV. LAW ENFORCEMENT GUIDELINES FOR TAKING A CHILD INTO PROTECTIVE CUSTODY.

- A. **Notification by DHS** – If DHS believes that a child is in need of protective custody, the DHS caseworker shall provide all relevant facts to the Law Enforcement Agency in order for them to determine whether to sign the requested Hold.
- B. **Notification by Law Enforcement** – The parties acknowledge that, pursuant to CRS 19-3-401, Hold decisions are at the sole discretion of the Law Enforcement Agency. However, whenever practicable, the Law Enforcement Agency shall notify DHS prior to taking a child into protective custody to allow DHS to provide input regarding the need for protective custody. When prior notification is not possible, the Law Enforcement Agency shall, as soon as practicable, notify DHS of the Hold and the grounds for it. The names and ages of the children shall be given to DHS, as well as any information regarding potential out-of-home placements. The guidelines contained in Section I.E. Investigation and Assessment of Risk set forth above will then be implemented.
- C. **Release Conditions** – On each Hold, the Law Enforcement Agency shall specify under what conditions or to whom the child may be released. Such release does not terminate the Hold, but simply specifies conditions regarding the child's care during the 72 hour hold period.

- D. **To Rescind Holds** – At times, DHS or the Law Enforcement Agency may deem it necessary to rescind the Hold. A rescission is a termination of the Hold. A rescission must be indicated on the written form placing the Hold and may only be rescinded by the issuing peace officer, the peace officer's supervisor, or anyone else superior in the Law Enforcement Agency's chain of command. Appendix A: Police Hold/Temporary Protective Custody

VI. GUIDELINES FOR INVESTIGATION OF SUSPECTED DRUG ENDANGERED CHILDREN

Investigations involving the Northern Colorado Drug Task Force that demonstrate risks to children due to drug manufacturing, processing, distribution, or use will be conducted in accordance with an agreement between the Northern Colorado Drug Task Force and DHS.

VI. MUTUAL TRAINING OF LAW ENFORCEMENT AND CHILD PROTECTION

Responsibility for Training – It is the responsibility of each party to train their investigators and other staff of their respective responsibilities. In order to assure training opportunities and to facilitate mutual understanding, DHS and the Law Enforcement Agency may coordinate, plan, and implement joint trainings. The organizing agency shall be responsible for funding such training.

VII. RELEASE OF REPORTS, DOCUMENTS, EVIDENCE AND RECORDINGS

Release of Records – Shall be governed by this Agreement and CRS 19-1-303 and 307 and the appropriate sections of the Colorado Criminal Justice Records Act regarding confidentiality.

The Official Custodian – The official custodian for purposes of the release of information of any Law Enforcement Agency reports referred to in this Agreement (and all accompanying documents, recordings, and evidence) is the Law Enforcement Agency's Records Custodian.

1. **Requests to a Law Enforcement Agency for DHS records** – Requests for any DHS materials, including reports, documents, recordings and evidence, shall be referred to the DHS Records Custodian or released to persons authorized by state statute or court ruling.
2. **Requests to DHS for Law Enforcement Records** – The parties acknowledge and agree that records DHS possess may contain criminal justice records of a Law Enforcement Agency. These criminal justice records are confidential and may only be released to persons authorized by state statute or by court ruling. In recognition of the limited circumstances when criminal justice records of a law enforcement agency may be released, the Law Enforcement Agency will provide to DHS a redacted summary report of the criminal investigation. Requests to DHS for any other criminal justice records of a Law Enforcement Agency, including reports, documents, recordings and evidence, shall be referred to the Law Enforcement Agency's Records Custodian.
3. **Requests to DHS for Third Party Records** – Requests for any DHS materials, including reports, documents, recordings, and evidence, that were created by a third party and not DHS or the Law Enforcement Agency shall be referred to that third party's records custodian.

VIII. GUIDELINES FOR PROBLEM SOLVING AND EVALUATION OF THIS AGREEMENT

- A. **Conflict Resolution** – The Law Enforcement Agency's Officer and DHS Caseworker may at any time request assistance of a Supervisor to discuss differing opinions on cases and to obtain clarification on departmental policies and procedures. Supervisors of respective agencies are committed to resolving disputes.
- B. **Modification** – Any party to this Agreement may at any time request a meeting of respective supervisors and/or administrators to discuss modifications to this Agreement. Any modification must be in writing and approved by both agencies.

C. **Termination** – This Agreement shall remain in effect until terminated by either party. Termination shall become effective immediately upon notification being received in writing by the other party. Notice must be sent to the chief law enforcement officer for the law enforcement agency and the Director of DHS.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date and year first above written.

Larimer County Department of Human Services

Ginny Riley, Director of Human Services

Date

Approved as to Form

Senior County Attorney

Law Enforcement Agencies on following pages.

Berthoud Police Department

Glenn Johnson, Chief, Berthoud Police Department

Date

Colorado State Patrol

Colonel James M. Wolfinbarger, Colorado State Patrol

Date

Colorado State University Police Department

Wendy Rich-Goldschmidt, Chief, CSU Police Department

Date

Estes Park Police Department

Wes Kufeld, Chief, Estes Park Police Department

Date

Fort Collins Police Services

John Hutto, Chief, Fort Collins Police Services

Date

Approved as to Form

Assistant City Attorney

Larimer County Sheriff

Justin Smith, Sheriff, Larimer County

Date

Approved as to Form

Senior County Attorney

Loveland Police Department

Luke Hecker, Chief, Loveland Police Department

Date

Approved as to Form

Assistant City Attorney

Windsor Police Department

John Michaels, Chief, Windsor Police Department

Date

TOWN OF WINDSOR

REPORT OF BILLS

March 1, 2013

At the regular meeting of the Town Board of the Town of Windsor,
Colorado, held in the Town Hall Board Room on April 8, 2013
the following claims were presented, examined, and approved by the Windsor Town Board.

VENDOR	DESCRIPTION	FUND	AMOUNT
1st Bank of Northern Colorado	bi-weekly employee payroll deductions	GF	7,593.32
1st Bank of Northern Colorado	bi-weekly employee payroll deductions	GF	7,530.55
1st Bank of Northern Colorado	bi-weekly employee payroll deductions	GF	7,597.96
ABSO	background screenings Jan 2013	GF	1,061.50
ABSO	background screenings Feb 2013	GF	1,411.59
Adams, Ivan	per diem NLC conference	GF	248.00
Adams, Ivan	airfare reimburse for Congress Citites conf	GF	477.80
Adams, Ivan	NLC conf expense reimbursemnt	GF	262.17
Adamson Police Products	holster	GF	99.00
Aecom technical svcs	392/I-25 interchg-Jan Feb split	CIF	2,377.50
AFLAC	employee payroll deduct Feb 2013	GF	796.10
AFLAC	employee payroll deduct Mar 2013	GF	796.10
Agfinity	fuel	FMF	6,105.08
Air Comfort	service contract	FS	3,600.00
Alder, Jillian	water refund	WF	21.02
Alder, Jillian	water refund	SF	20.00
Alder, Jillian	water refund	SDF	4.59
Ameresco Inc	power inverter for CP storage	GF	575.00
Americinn Lodge	aqua aerobics classes	GF	118.00
Americinn Lodge	lodging for prospective employee	GF	64.90
Amersco Inc	monthly monitoring	FS	375.00
Anderson Consulting Engineers	West Trib Master channel/Davis Drain rehab-prelim design	SDF	4,542.50
Apex Legal Svc	will maker class	GF	414.00
Apex Legal Svc	will maker class	GF	414.00
Aqua Engineering	WV irrigation Consulting	CIF	120.00
Arapahoe Rental	propane fill	GF	17.91
Arnold, Kelly	per diem NLC conference	GF	319.00
Arrow Security	security services	CRCF	503.25
AT&T Mobility	utilities	GF	67.40
AT&T Mobility	utilities	GF	84.88
Auto-Chlor Systems of Co	CRC dishwasher Svc	FS	22.05
Baker, Myles	per diem NLC conference	GF	248.00
Banner Occupational Health Svcs	employee biometric screenings	GF	3,381.00
Barnes Dist	cleaner	FMF	15.69
BH Eaton Co	parshal flume at Eastman Park	KERN	2,881.00
BHA Design Inc	392/I-25 Commercial Identification	CIF	1,255.85
Big R of Greeley	uniform/return	GF	190.77
Bizlibrary	training lending library	GF	2,203.00
Bobcat of the Rockies	parts	FMF	443.65
Bomgaars	uniforms/tools	GF	260.81
Bomgaars	uniforms/tools	WF	49.98
Bomgaars	uniforms	SF	79.65
Bowen, Ronald & Sue Ann	water refund	WF	47.17
Bowen, Ronald & Sue Ann	water refund	SF	40.00
Bowen, Ronald & Sue Ann	water refund	SDF	8.94
Bunting Disposal	trash service	GF	666.60
Bunting Disposal	trash service	CRCF	92.00
Bunting Disposal	trash service	SF	28.75
Business Park 1 of 392 LLC	water/sewer refund	SF	40.00
Business Park 1 of 392 LLC	storm drain refund	SDF	15.46
Canteen Refreshment svcs	coffee supplies	GF	189.14
Carrier Corp	HVAC repairs	FS	498.58

VENDOR	DESCRIPTION	FUND	AMOUNT
Cash-Wa Dist	CRC supplies	GF	364.60
Cash-Wa Dist	CRC supplies	CRCF	344.75
CEM Sales & Svc	ADA pool lifts	CIF	7,790.00
Century Link	Telephone service	GF	492.99
Century Link	Telephone service	SF	424.64
Century Link	Telephone service	GF	615.56
Century Link	Telephone service	GF	147.98
Century Link	Telephone service	CRCF	615.60
Century Link	Telephone service	CRCF	4.41
Century Link	Telephone service	WF	0.44
Century Link	Telephone service	GF	402.36
Century Link	Telephone service	CRCF	475.03
Century Link	Telephone service	SF	103.32
Century Link	Telephone service	FS	47.26
Chematox Labs	kits/drug screen	GF	342.99
Chematox Labs	drug screen	GF	42.50
Chematox Labs	blood test	GF	17.50
CIRSA	workman's comp	GF	528.78
City of Ft. Collins	Poudre River data report	SF	874.00
City of Greeley	water purchased	WF	20,729.96
City of Greeley	water purchased	WF	187.43
Clear Water Solutions	decree acctg/general water services, non pot water	KERN	5,087.08
Clear Water Solutions	gen water svcs/decree acctg	KERN	7,528.75
CMS Mechanical Svcs	furnace inspection	SF	345.75
Coca-cola Entp	concession supplies	GF	1,211.40
Coet, Eric & Jennifer	water refund	WF	26.62
Coet, Eric & Jennifer	water refund	SF	20.00
Coet, Eric & Jennifer	water refund	SDF	5.78
Cohen, Ira	water refund	SDF	9.30
Colorado Analytical Lab	lab test	SF	171.00
Colorado Asphalt Svcs	bag of asphalt	GF	895.00
Colorado Coach Transportation	senior trip transportation	GF	250.00
Colorado Code Publishing Co	Hosting of code April-June 2013	GF	120.00
Colorado Dept of Public Health	blood screen	GF	20.00
Colorado Dept of Public Health	toxicology screen	GF	305.00
Colorado Dept of Transportation	392/I-25 interchg-Jan Feb split	CIF	3,895.59
Colorado Designscape Inc	Winter Farm/Northern Lights park	PIF	79,737.21
Colorado Equipment	grease	FMF	94.50
Colorado Parks and Rec Assoc	Rockies Skill challenge registration	GF	30.00
Colorado Parks and Rec Assoc	dues	GF	72.00
Coloradoan Media Group	job ad	GF	761.70
Coloradoan Media Group	public notices	GF	121.84
Coloradoan Media Group	legal ad	CIF	34.76
Comcast Cable Comm	CRC cable/music	CRCF	240.68
Comcast Cable Comm	internet svcs	ITF	14.38
Comcast Cable Comm	internet svcs	ITF	206.95
Comcast Cable Comm	internet svcs	ITF	6.16
Concentra	physicals/drug screens	GF	449.00
Concentra	blood screen	GF	150.00
Concentra	rapid panel/DOT physical	GF	280.00
Coren Printing	printing/name badges/stamps	GF	2,990.00
Coren Printing	business cards	SDF	37.00
Coren Printing	business cards	FMF	64.00
Coren Printing	business cards	FS	37.00
Coren Printing	printing services	GF	952.00
Country Johns	portable restroom svcs	GF	700.00
CSTMA	membership renewal	GF	35.00
Dale's Environmental Svcs	sewer line inspection	SF	300.00
Dale's Environmental Svcs	manhole rehab	SF	12,700.00
Dana Kepner Co	parts	SF	29.43
Data West Corp	system care/billmaster	ITF	1,200.00
Dataprint	outsource water billing	WF	1,395.26
Dataprint	outsource water billing	SF	1,395.26
Dataprint	outsource water billing	SDF	1,395.27

VENDOR	DESCRIPTION	FUND	AMOUNT
Dataprint	outsource water billing	WF	334.56
Dataprint	outsource water billing	WF	1,404.37
Dataprint	outsource water billing	SF	1,404.35
Dataprint	outsource water billing	SDF	1,404.35
Davidson Gebhardt Chevrolet	part	FMF	24.23
Davinci Sign systems	CRC/CPP signs	CIF	2,588.50
Dean Contracting	gate at brush site	GF	280.00
Debaere, Richard	water refund	WF	46.92
Debaere, Richard	water refund	SF	40.00
Debaere, Richard	water refund	SDF	9.12
Digi-Pix signs	CRC panels	GF	1,149.00
DLT Solutions	autodesk software maint	ITF	2,783.60
Dominoes	meeting refreshments	GF	49.98
Dominoes	teen night staf dinner	GF	56.00
DXP Enterprises	parts	FMF	10.34
Eaton Sales & Service	vehicle life inspecitons	FMF	558.50
Eckstinek, Shawna	water refund	WF	21.75
Eckstinek, Shawna	water refund	SF	20.00
Eckstinek, Shawna	water refund	SDF	5.30
Egbert, Stephanie	senior footcare Feb 2013	GF	150.00
Elite Awards	ABB league trophies	GF	492.00
Emil, Kimberly	legal services-town prosecutor	GF	4,515.00
Enviropest	pest control	GF	46.00
Enviropest	pest control	WF	75.00
Enviropest	pest control	FS	66.00
Evident	supplies	GF	216.50
Ewing Irrigation Prod	chemicals	GF	82.24
Ewing Irrigation Prod	irrigation parts	GF	1,737.73
Family Support Registry	Wage Assignment	GF	51.69
Family Support Registry	Wage Assignment	GF	356.11
Family Support Registry	Wage Assignment	GF	51.69
Family Support Registry	Wage Assignment	GF	356.11
Family Support Registry	Wage Assignment	GF	356.11
Family Support Registry	Wage Assignment	GF	356.11
Family Support Registry	Wage Assignment	GF	51.69
Faris Machinery Group	part	FMF	290.56
Farnsworth Group	WWTP headworks constr admin	SF	12,009.34
Fastenal	part	SF	32.92
Fastenal	Hex keys	FS	17.02
Fedex	fedex charges	GF	14.47
Foster Valuation Company	392/I-25 interchg	GF	625.00
Frachetti Engineering	engineering svcs SCADA	KERN	3,335.00
Frey McCargar Plock & Root	legal services	GF	24,000.00
Frey McCargar Plock & Root	legal services-litigation	GF	1,079.00
Front Range Fire Protection	fire suppress service TH	FS	2,777.24
Ft Collins-Loveland Water Dist	water purchased	GF	18.08
Ft Collins-Loveland Water Dist	water purchased	WF	27,226.41
Galeton Gloves	econ safety vests	GF	59.70
Galls, LLC	parts	GF	112.46
Garretson's	supplies	GF	87.30
Garretson's	supplies	GF	36.95
Golf & Sport Solutions, LLC	infield mix	CIF	2,390.00
Grainger	parts	FMF	197.04
Great Western Oil & Gas	rental equipment refund	CRCF	25.00
Hach Environmental	lab supplies	SF	409.54
Hamilton Linen	linen rental	CRCF	106.00
Hansen, Trent	coaching certification reimbursement	GF	20.00
Hensley Battery	batteries	FMF	405.15
Highland Park Lanes	adaptive bowling fees Jan 2013	GF	224.00
Hillyard Inc	supplies/renatal	FS	933.33
Hillyard Inc	supplies	FS	2,067.56
Hines Inc	consultant Review	PIF	425.00
Hirschfeld Backhoe & Pipeline	water vault 1st payment	WF	7,422.35
Home Depot	parts/supplies	GF	652.46
Hyland, Nancy	aquatics refund	GF	150.00

VENDOR	DESCRIPTION	FUND	AMOUNT
Indian Peaks Girls Softball Association	Registration	GF	200.00
Indian Peaks Girls Softball Association	League Registration	GF	450.00
Internat'l Institute of Municipal Clerks	membership renewals x 2	GF	255.00
Jaudon, Michael	water refund	SDF	25.41
Jax Inc	uniform allowance	GF	436.94
Johnson, Stacy	EDCC Conf per diem	GF	99.00
Johnston, Shane	water refund	WF	25.29
Johnston, Shane	water refund	SF	20.00
Johnston, Shane	water refund	SDF	5.42
Jones, Karen	scrapbook Conservation consult=balance	CIF	462.52
JVD Leasing	water refund	WF	24.64
JVD Leasing	water refund	SF	25.18
JVD Leasing	water refund	SDF	21.25
King Buick	supplies	FMF	229.56
King Soppers	supplies/meeting refreshments	GF	352.30
King Soppers	cake for room rental party	CRCF	26.24
King Surveyors	survey for 2013 CIP	CIF	12,043.00
Landrail	railroad right of way entry	CTF	3,150.00
Larimer County Sales & Use Tax	tax collections Feb 2013	GF	8,746.02
Lawrence Jones Custer Grasmick	legal services	GF	3,496.86
Lawson Products	blades	CIF	104.29
Lawson Products	supplies	FMF	127.09
Leach, Dale	lost crop revenue/field restoration	SF	8,534.53
Lewan & Associates	server project software/equipment	ITF	5,166.25
Lewan & Associates	server project software/equipment	ITF	435.41
Lil' Flower Shop	staff development	GF	201.85
Liley, Rogers & Martell	legal svcs DDA Feb 2013	DDA	423.00
Longmont Baseball League	baseball registration fee	GF	525.00
Loveland Ford Lincoln Inc	window repair	FMF	49.93
Mac Equipment	vacuum	FMF	1,943.16
Mail N Copy	fedex charges	GF	25.85
Mail N Copy	office supplies	SF	189.62
Manweiler's Hardware	parts/supplies	GF	719.90
Manweiler's Hardware	parts	CIF	19.19
Manweiler's Hardware	keys	WF	3.56
Manweiler's Hardware	supplies	SF	13.37
Manweiler's Hardware	batteries	FMF	7.38
Manweiler's Hardware	supplies	FS	5.56
Melendez, Kristie	per diem/airfare reimb NLC conference	GF	833.80
Melendez, Kristie	NLC conf expense reimbursemt	GF	244.14
Michael Manning	municipal court judge	GF	1,400.00
Michael Todd & Co	signs	GF	1,917.85
Michael Todd & Co	signs	GF	263.86
Militello, Joseph	water refund	WF	26.16
Militello, Joseph	water refund	SF	20.00
Militello, Joseph	water refund	SDF	2.20
Mines & Associates	employee assistance program fees	GF	226.80
Mines & Associates	employee assistance program fees	CRCF	12.96
Mines & Associates	employee assistance program fees	WF	9.72
Mines & Associates	employee assistance program fees	SF	9.72
Mines & Associates	employee assistance program fees	SDF	3.24
Mines & Associates	employee assistance program fees	FMF	9.72
Mines & Associates	employee assistance program fees	ITF	6.48
Mines & Associates	employee assistance program fees	FS	22.68
Mines & Associates	employee assistance program fees	GF	226.80
Mines & Associates	employee assistance program fees	CRCF	12.96
Mines & Associates	employee assistance program fees	WF	9.72
Mines & Associates	employee assistance program fees	SF	9.72
Mines & Associates	employee assistance program fees	SDF	3.24
Mines & Associates	employee assistance program fees	FMF	9.72
Mines & Associates	employee assistance program fees	ITF	6.48
Mines & Associates	employee assistance program fees	FS	22.68
Moore, Kelly	sing/dance classes Jan/Feb 2013	GF	539.00
Morey's Glass & Metals	rock chip repair	FMF	35.00

VENDOR	DESCRIPTION	FUND	AMOUNT
Muhic, Tamara	water refund	SDF	15.98
Napa	part	GF	18.68
Napa	parts/credit	FMF	700.72
NAPC	two year subscription	GF	140.00
National Alliance for Youth Sports	start smart bball supplies	GF	596.00
National Alliance for Youth Sports	NYSCA coach certifications	GF	180.00
National Meter & Automation	meters for new construction	WF	12,075.99
National Research center	citizen survey	GF	650.00
NCCG-Northern Colo Communication Group	job ad	GF	282.77
New Cache La Poudre Irrigation	water assessment	KERN	1,040.00
Newegg	flash drives	ITF	109.90
Newegg	hardware/printer/shipping/fax machine	ITF	731.13
North Colorado Medical Center	Blood draw	GF	72.10
North Weld County Water dist	water purchased	WF	44,029.83
Northern Colorado Water	Assessment for 60 units	WF	1,586.40
Ochoa, Richard	Teen night March 8	GF	250.00
Office Depot	office supplies	GF	397.51
Office Depot	office supplies	WF	1,395.82
Office Depot	office supplies	SF	335.71
Office Depot	office supplies	GF	236.13
Office Depot	office supplies	GF	377.94
Office Depot	office supplies	CRCF	1.61
Office Depot	office supplies	ITF	2.41
Office Depot	office supplies	FS	4.83
Office Depot	office supplies	GF	210.02
Office Depot	office supplies	CRCF	1.67
Office Depot	office supplies-return	SF	-152.15
Office Depot	office supplies	ITF	2.50
Office Depot	office supplies	FS	5.01
Office Depot	office supplies	GF	263.68
Old National Bank	Energy efficiency lease purchase Feb-Mar 2013	FS	6,910.82
Ordonez, Rogelio	water refund	WF	12.57
Ordonez, Rogelio	water refund	SF	20.00
Ordonez, Rogelio	water refund	SDF	4.65
O'Rielly Auto parts	parts	FMF	9.69
Otero, Laurie	water refund	WF	23.32
Otero, Laurie	water refund	SF	20.00
Otero, Laurie	water refund	SDF	4.66
Patterson, Thomas	water refund	WF	19.34
Patterson, Thomas	water refund	SF	20.00
Patterson, Thomas	water refund	SDF	4.72
Payflex systems	employee deductions-dependent care/medical spend acct	GF	331.50
Payflex systems	March FSA	GF	325.00
PC Mall Gov	keyboard	ITF	57.55
Peak Media	support svcs	ITF	3,945.06
Pederson, Elva	Baton classes	GF	492.80
Peters, William	water refund	WF	26.04
Peters, William	water refund	SF	20.00
Peters, William	water refund	SDF	4.56
Petty Cash	reimburse petty cash fund-P	GF	67.99
Petty Cash	reimburse petty cash fund-Judy	GF	71.91
Petty Cash	reimbursement	FMF	50.17
Petty Cash	reimbursement	FS	6.45
Pierce, Doris	Sales Tax refund	GF	112.70
Pierce, Doris	Sales Tax refund	CIF	75.13
Pierce, Doris	Sales Tax refund	CRCF	12.51
Pioneer Sand	pea gravel	GF	259.11
Pioneer Sand	mulch	GF	50.95
Pitney Bowes	postage meter rental	GF	237.60
Pitney Bowes	postage meter rental	CRCF	14.85
Pitney Bowes	postage meter rental	WF	29.70
Pitney Bowes	postage meter rental	SF	14.85
Pitney Bowes	equipment maintenance	GF	789.60
Pitney Bowes	equipment maintenance	CRCF	49.35

VENDOR	DESCRIPTION	FUND	AMOUNT
Pitney Bowes	equipment maintenance	WF	98.70
Pitney Bowes	equipment maintenance	SF	49.35
Poudre Valley Health Care Inc	blood screen	GF	472.00
Poudre Valley Medical Fitness	Jan PVMF lease agreement	GF	180.00
Poudre Valley Medical Fitness	Feb 2013 lease agree	GF	180.00
Poudre Valley REA	utilities	GF	2,134.95
Poudre Valley REA	utilities	WF	32.17
Poudre Valley REA	utilities	SF	14,362.96
Poudre Valley REA	utilities	GF	3,435.63
Poudre Valley REA	utilities	WF	1,498.51
Poudre Valley REA	utilities	SF	72.56
Poudre Valley REA	utilities	GF	3,337.77
Poudre Valley REA	utilities	GF	322.63
Poudre Valley REA	utilities	WF	31.33
Poudre Valley REA	utilities	SF	2,137.43
Power Systems	fitness equip-dumbell	GF	60.93
Power Systems	fitness equip-dumbell	CRCF	1,950.00
Power to Play sports	spring ball league registration	GF	1,600.00
Powers Products	preventative maint/inspection	FS	722.00
Prairie Mountain Publishing	job ad	GF	500.00
QA Balance Services Inc	Service on balance equip	SF	170.00
R & S Builders	water refund	WF	15.00
Random House Digital Inc	Sales Tax refund	GF	959.28
Random House Digital Inc	Sales Tax refund	CIF	639.52
Random House Digital Inc	Sales Tax refund	CRCF	106.59
Reveille Entertainment LLC	deposit -SCS performance	GF	750.00
Rex Oil	supplies	FMF	44.94
Richard Ochoa	teen night DJ	GF	250.00
Richard Ochoa	Mother/son dance DJ	GF	175.00
RTN Roofing	roof repair	FS	1,190.00
Ryan, Michael	rec refund	GF	50.00
Safebuilt	permit fees	GF	62,057.02
Safeway	board meeting food/senior coffee club refresh	GF	142.63
Safeway	cake for room rental party	CRCF	24.99
Safeway	refreshments	WF	4.99
Sall, Aaron	water refund	WF	43.17
Sall, Aaron	water refund	SF	20.00
Sall, Aaron	water refund	SDF	4.54
Sam's Club	supplies	GF	83.94
Schwartz, Jana	water refund	WF	358.53
Schwartz, Jana	water refund	SF	120.00
Schwartz, Jana	water refund	SDF	32.28
Scott Hook Snap On Tools	tools	FMF	260.91
Scott's Electric & Bucket Truck	Locates	GF	99.00
Scott's Electric & Bucket Truck	replace stop sign at water dispenser	WF	230.16
Sean Grogan	officiating	GF	2,180.00
Sentry Fire & Safety	fire suppression inspection	FS	330.00
SESAC	music licensing fee 2013	GF	327.00
Sill-Terhar Motors, Inc.	Ford Interceptor SUV	FMF	26,749.00
Specter Instruments	annual software maint/support	KERN	395.00
Stalker Radar	radar	GF	141.00
Standard Ins	monthly premium	GF	3,293.77
Staples	office supplies	GF	286.84
Staples	office supplies	ITF	739.83
Steve Schmidt trucking	ice slicer	GF	446.25
Steve Schmidt trucking	hauling ice slicer	GF	425.00
Summit Supply Co	parts	FS	426.98
Swank Motion Pictures	movies	GF	2,668.00
T & T Tire	flat repair	FMF	25.00
T & T Tire	alignment	FMF	49.95
Terracon Consultants	Geotechnical Svcs-Northern Lights Park	PIF	1,166.25
The Greeley Publishing Co	job ad	GF	563.80
The Pawnee Group	car wash tokens	FMF	117.00
The Pin Center	TOW pins	GF	520.00

VENDOR	DESCRIPTION	FUND	AMOUNT
Thomas Eckrich	plaques	GF	40.00
Thomas Eckrich	plaques	ITF	40.00
Thomas Eckrich	plaque	GF	40.00
Timberline Electric and Control	training for new employee	SDF	800.00
Timberline Electric and Control	2012 drafting add compact plc	SF	4,995.00
Timble, Mitchell	water refund	WF	130.32
Timble, Mitchell	water refund	SDF	19.68
Tire Centers	flat repair	FMF	35.00
Town of Windsor Planning Dept	permit fees	PIF	940.29
Trane US inc	HVAC repairs	FS	16,086.61
Tri-Tech Security	alarm svc-CRC	FS	25.00
Tri-Tech Security	monitoring fee	FS	262.50
Tri-Tech Security	quarterly system monitoring	GF	144.00
UMB Bank	bond pymt fee	CRCF	200.00
UMB Purchasing Cards	Denver history tours	GF	140.00
UMB Purchasing Cards	Symantec maint contract refund/seminar pkg	GF	16.00
UMB Purchasing Cards	American payroll membership renewal	GF	219.00
UMB Purchasing Cards	meeting refreshments/coffee with Mayor	GF	261.15
UMB Purchasing Cards	2013 Tree workshop x 3, planner	GF	185.49
UMB Purchasing Cards	Interview team lunches/staff mtg lunch	GF	118.15
UMB Purchasing Cards	news subscription/CCCMA memb/meeting meal	GF	130.22
UMB Purchasing Cards	CC Conf fee/Board dinner/frames/wkshp registration	GF	197.37
UMB Purchasing Cards	Coffee w Mayor/airfare for CC conf	GF	982.03
UMB Purchasing Cards	pkg/CWAM membershps/supplies/meals	GF	592.95
UMB Purchasing Cards	Adaptive trips/train supplies	GF	777.39
UMB Purchasing Cards	science kit	GF	24.00
UMB Purchasing Cards	dance /easter event/SALT supplies	GF	560.00
UMB Purchasing Cards	employee lunch/cards/event supplies/shade	GF	189.10
UMB Purchasing Cards	broker lunch/annual mtg/group mtg refreshments	GF	158.33
UMB Purchasing Cards	conf reg/parking/mtg meals	GF	322.02
UMB Purchasing Cards	class fees/lunches during classes	GF	456.19
UMB Purchasing Cards	supplies/meetings/HRCI certif/shade/lunches	GF	470.64
UMB Purchasing Cards	movie tickets/supplies (snowshoes/bean bag chairs)	GF	938.16
UMB Purchasing Cards	fingerprint pad/gun cleaner	GF	202.29
UMB Purchasing Cards	seniors meal	GF	9.89
UMB Purchasing Cards	ASFPM membership	GF	110.00
UMB Purchasing Cards	adaptive trips/tickets/training	CRCF	50.00
UMB Purchasing Cards	movie tickets/supplies (snowshoes/bean bag chairs)	CRCF	474.01
UMB Purchasing Cards	meeting lunches	SDF	39.60
UMB Purchasing Cards	pkg/tax chg refund/esels/GISCO annual dues	ITF	-106.68
UMB Purchasing Cards	business lunch	FS	24.90
United Way of Weld Cty	employee donation	GF	15.00
United Way of Weld Cty	employee donation	GF	15.00
United Way of Weld Cty	employee donation	GF	15.00
University of Colorado at Boulder	classes	GF	75.00
University of Colorado at Boulder	classes	WF	75.00
USA Blue Book	parts	WF	178.31
USA Blue Book	sulfuric acid	SF	33.35
USA Mobility Wireless	on call pager service	GF	13.31
Utility Notification Center	locate transmissions	WF	259.17
Vasquez, John	per diem Congressional Cities conference	GF	390.00
Verizon Wireless	utilities	GF	1,231.83
Verizon Wireless	utilities	CRCF	31.97
Verizon Wireless	utilities	SF	40.01
Verizon Wireless	utilities	ITF	40.01
Victory Sales	universal jerseys	GF	5,437.50
Victory Sales	uniform/cara swim team shirts/embroidery	GF	370.55
Vision Service plan	employer's share of vison ins Mar 2013	GF	1,678.94
Waste management	recycle site	GF	981.30
Waste management	recycling	FS	183.25
Watson Equipment	part/cutting edge	FMF	186.16
Weld County	911 communication charge	GF	17,143.00
Weld County Clerk & Recorder	deed of deduct/license agreement	GF	78.00
Weld County Clerk & Recorder	Windsor West Sub fifth filing	GF	11.00

VENDOR	DESCRIPTION	FUND	AMOUNT
Weld County Dept of Public Health	water sampling test	WF	643.50
Weld County Drug Task Force	municipal court collections Feb 2013	GF	1,204.00
Weld County Extension	public relations/advertising	DDA	500.00
Weld county Treasurer	property taxes	GF	26.91
Weld Couty clerk & recorder	filing fees	GF	11.00
Weld Couty clerk & recorder	filing fees	GF	11.00
West & Associates	water refund	WF	24.53
West & Associates	water refund	SF	20.00
West & Associates	water refund	SDF	5.29
Windsor Chamber of Commerce	Windsor Bucks	GF	1,800.00
Windsor Chamber of Commerce	annual member dinner	GF	700.00
Windsor Chamber of Commerce	Windsor Bucks	GF	100.00
Windsor Hardware (ACE)	parts/supplies	GF	66.78
Windsor Hardware (ACE)	parts/supplies	SF	58.50
Windsor Hardware (ACE)	supplies/parts	FS	255.98
Windsor Hardware (ACE)	parts	CIF	37.26
Windsor Hardware (ACE)	part	WF	6.99
Windsor Hardware (ACE)	supplies	SF	2.78
Windsor Hardware (ACE)	keys	FMF	4.98
Windsor Hardware (ACE)	supplies/parts	FS	132.29
Windsor Performance & Exhaust	air helper spring kit	FMF	548.00
Windsor Performance & Exhaust	air bag susp install	GF	548.00
Windsor Valley Auto Wash	car wash tokens	FMF	40.00
Winter Equipment Co	plow blades kit	FMF	2,544.70
Wireless Advanced communications	battery, speaker/siren amp	GF	347.86
Wireless Advanced communications	installations	FMF	6,274.52
Xcel Energy	utilities	GF	3,024.54
Xcel Energy	utilities	SF	35.47
Xcel Energy	utilities	GF	3,348.34
Xcel Energy	utilities	SF	207.24
Xcel Energy	utilities	KERN	47.44
Xcel Energy	utilities	GF	30,403.08
Xcel Energy	utilities	CRCF	7,522.37
Xcel Energy	utilities	SF	572.71
Xcel Energy	utilities	GF	19.41
Xcel Energy	utilities	SF	297.48
Xerox Corp	copier maintenance agreement	ITF	2,728.05
Zep Sales	cleaner	FMF	143.63
Zexhags	Bldg attendant contract	CRCF	432.00
	TOTAL CASH DISBURSED		<u>\$728,566.15</u>
	PAYROLL (wages/ 3 pay periods)		<u>\$468,906.21</u>
	TOTAL		<u>\$1,197,472.36</u>



MEMORANDUM

Date: April 8, 2013
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Melissa M. Chew, CPRP, Director of Parks, Recreation & Culture
Re: Grant Request – The DiGGers
Item #: C.1.

Background / Discussion:

The Parks, Recreation & Culture Department / Forestry program has partnered with the DiGGers for the past several years. The DiGGers installed and maintain a demonstration garden in the undeveloped area of Eastman Park south of the Poudre River, and in return for use of the site, occasional staff support and minimal landscape materials, they conduct provide educational opportunities and offer a variety of public programming. In addition to the attached Grant Application, I have attached an agreement that staff had once initiated indicating this arrangement, as well as some documentation showing support estimated at about \$1200 in 2012. Also attached are pages from the 2012 and 2013 Link brochure showing the programs they offer as part of the former partnership.

With the recent implementation of the “Grant Application Form”, the DiGGers are now submitting their request more formally before the Town Board.

If Town Board is so inclined, you might consider this request as a “partnership”. In such an arrangement, as long as the DiGger’s request did not exceed the estimated value of normal park partnerships for events (approx. \$1,750), they would not be required to request grant funding through Town Board each year, but rather the funds would be allocated through the Forestry O&M budget.

Financial Impact:

Short Form Grant Application request of \$1,000, or partnership value not to exceed \$1,750.

Relationship to Strategic Plan:

N/A

Recommendation:

For discussion and provide direction to staff.

Attachments:

- b. Short Form Grant Application – DiGGers
- c. Agreement – DiGGers and PRC Staff
- d. 2012 Financial estimate of support
- e. Program presentations by DiGGers in the Link brochure



Short Form Grant Application

ORGANIZATION NAME: THE DIGGERS (DEMONSTRATION GARDEN GROUP)
MAILING ADDRESS: 548 LAKEWOOD COURT, WINDSOR, COLORADO 80550
PHYSICAL ADDRESS: SEVENTH STREET AT LAKE LAKE ROAD, WINDSOR, CO
ORGANIZATION DIRECTOR/PRESIDENT: BILL PRATT
GRANT CONTACT: BILL PRATT
DAYTIME PHONE: 970 686-7319 CELL PHONE: 970 222-9051
FAX: EMAIL: WLPRATT726@GMAIL.COM
WEBSITE ADDRESS:
FEDERAL IDENTIFICATION NUMBER:
IS THE ORGANIZATION TAX EXEMPT UNDER THE PROVISIONS OF SECTION 501(c)(3) OF THE INTERNAL REVENUE CODE?

PURPOSE OF GRANT:

- Agency Support as a whole
Marketing Support
Special Program or Projects
Capital Expenditure
Seed, start-up or development costs
Technical assistance

TYPE OF AGENCY:

- Arts & Culture
Health & Human Services
Education
Environment
Sports/Recreation
Other: PARKS, RECREATION & CULTURE

AMOUNT OF REQUEST: \$ 1000.00 FISCAL YEAR END: 2013

BRIEF DESCRIPTION OF REQUEST:

FUNDS WILL BE ALLOCATED TO MAINTENANCE AND REPLACEMENT OF SUPPLIES AND CONSUMABLES NEEDED TO MAINTAIN AND ENHANCE THE DEMONSTRATION GARDEN KNOWN AS TREASURE ISLAND DEMONSTRATION GARDEN.

2012 Actual Revenues: \$ 943.00
2013 Budgeted Revenues: \$ 1600.00

2012 Actual Expenses: \$ 1301.00
2013 Budgeted Expenses: \$ 2000.00

Signature, Director/President

Date: 25 MARCH, 2013

TOWN OF WINDSOR COMMUNITY GRANT PROGRAM
TREASURE ISLAND DEMONSTRATION GARDEN
25 MARCH, 2013

Treasure Island Demonstration Garden exists on land owned by the Town of Windsor. The garden operates as a partnership between the Town of Windsor Department of Parks, Recreation and Culture and the DiGGers (Demonstration Garden Group), a group of local gardeners, for the purpose of enhancing the lives of Windsor residents by:

- (1) demonstrating the beauty of a garden in town open space for the enjoyment of the people of Windsor.
- (2) providing examples of plants which can be grown successfully in private landscapes in the high plains/foothills area of Northern Colorado.
- (3) providing education about water-wise gardening.
- (4) serving as a venue for educational programs relating to gardening.
- (5) providing a garden location where the people of Windsor can contribute to the project under the direction of master gardeners.
- (6) educating the public about the importance of eating healthy, locally grown foods that support sustainability.

Since the garden's beginning in 2008, the Town of Windsor has provided the non-potable water supply, wood mulch from the Town's supply, and other important support services. The DiGGers and community volunteers provide the gardening expertise and care. Flowers, grasses, trees, and shrubs are grown to demonstrate their beauty; vegetables are grown for distribution to the Windsor Food Pantry. In 2012, more than 2,300 pounds of fresh produce were delivered for distribution in the community.

Treasure Island Demonstrations Garden is an official Plant Select® Demonstration Garden. Plant Select® is a program designed to seek out and distribute the very best plants for gardens from the High Plains to the intermountain region. Plant Select® is a cooperative program administered by Denver Botanic Gardens and Colorado State University together with landscape and nursery professionals from throughout the Rocky Mountain region and beyond. One requirement for acceptance by the Plant Select® program is availability of funds for ongoing maintenance. Since the garden was accepted into the Plant Select® program in 2009, that requirement has been satisfied through available funding by the Town of Windsor.

Items purchased for the garden by the Town of Windsor have included irrigation equipment, insect control, plant materials, and hardscape. As the garden grows and as the volunteer gardeners reach toward a higher standard, continued support from the Town of Windsor will be needed in order to improve the pathways for easier and safer access to the garden, to enable purchase of additional plant specimens, and to maintain the integrity of the water delivery system.

It is hoped that the Town of Windsor will continue to support development of Treasure Island Demonstration Garden. Over the first five years of its existence, the garden has become a destination for local gardeners, a notable attraction for pedestrians and cyclists using the Poudre River Trail, a venue for professional photographers, and a major supporter of the Windsor Food Pantry. It is estimated that more than 1,500 hours of volunteer time are donated to the project each year by master gardeners and community volunteers.

In 2012, the garden brought recognition to the community when news articles about the garden were published in Zone 4, a quarterly magazine published in Bozeman, Montana, which focuses on gardening interests in Colorado, Wyoming, Montana, Idaho, and Utah ("Volunteers Beautify Windsor, Colorado" Fall 2012 edition). Other articles about the garden have appeared in The Greeley Tribune and in Windsor Now.



Letter of Understanding

Treasure Island Demonstration Garden Partnership

February 15, 2012

William L. Pratt
Treasure Island Demonstration Garden Group
548 Lakewood Court
Windsor, CO 80550

Dear Mr. Pratt:

This letter will serve as a letter of understanding between the Treasure Island Demonstration Garden Group, a group of Weld County Colorado Master Gardeners, hereinafter referred to as "DiGGers", and the Town of Windsor, Colorado, hereinafter referred to as "Town" concerning the use and the maintenance of the land at Eastman Park south of the Poudre River on the west side of the Poudre River Trail, hereinafter referred to as the "Property". The responsibilities of each entity are defined below. Attachment A includes the goals of the various entities related to the Treasure Island Demonstration Garden Partnership.

The following are conditions of agreement for this partnership.

The DiGGers agree to provide:

1. Design, planning, and maintenance of the landscape; tree, shrub, perennial, and annual flower selections as well as plant selections for the vegetable garden.
2. Design assistance to the Town for the irrigation system.
3. Coordination of volunteers and implementation of planting and installation of the landscape.
4. Coordination of volunteers for basic labor for ongoing plant and landscape maintenance.
5. Publicity for the project. All publicity pieces require mention of Town partnership. All promotional pieces require Town logo.
6. Coordination and development of community involvement with adult and youth organizations and clubs.
7. Educational opportunities at the site for the public by providing a venue for hands-on learning.
8. Submittal of an annual report which is due at the end of each growing season.

The Town agrees to:

1. Allow the DiGGers to use the property for purpose of planting a demonstration garden as outlined in the document submitted by the DiGGers on October 10, 2011 (attachment A).
2. Provide irrigation water and the maintenance of the water supply system to the property. The DiGGers shall be responsible for irrigating the plants as needed and maintaining the sprinklers and other watering devices used for irrigation of the property.
3. Provide supplies, materials and in kind donations and services as requested not to exceed one thousand dollars (\$1,000.00) annually subject to appropriation.

4. Promote DiGGers events in the Link recreational brochure subject to timely submittals.
5. Any use other than what is agreed upon at this time will require approval by the Town.
6. The Town will notify the DiGGers if the existing use on the adjacent town owned site changes.
7. Permanent landscaping and trees of any species or structures will require approval from the Town.
8. Provide Community Wayfinding Sign at the entrance to the property on Seventh Street.
9. Terms and usage are subject to annual review. Having presented the concept to both the Tree Board and the Parks and Recreation Advisory Board, it is the intent that this agreement be reviewed annually, subject to Town Board goals and priorities.

By signing below we do hereby acknowledge and agree to all of the terms and conditions outlined above.

Signed:  Date: 3-1-12

Mr. William L. Pratt,
Treasure Island Demonstration Garden Group

Witnessed:  Date: 3/1/12

Ken Kawamura, Town Forester
Town of Windsor, Colorado

Attachment A

Treasure Island Demonstration Garden Partnership Goals

Master Gardeners at Treasure Island Garden will promote the goals of Colorado State University Extension by delivering research-based information to the public by:

1. Demonstrating the beauty of a garden in town open space for enjoyment of the people of Windsor.
2. Providing examples of native Colorado plants and grasses, xeriscape plants, and the many other plants that can be grown in the high plains/foothills area of Northern Colorado - plants which can thrive in private landscapes.
3. Providing education about water-wise gardening and demonstrating how these plants can be grown in an environment that focuses on water conservation while demonstrating beauty.
4. Serving as a venue for lectures and workshops relating to gardening and horticulture for the citizens of Windsor.
5. Providing a garden location where the people of Windsor can contribute to the project through financial donations for trees, garden plots, and benches that honor or memorialize loved ones, and through volunteer projects of youth groups and other organizations under the direction of master gardeners.
6. Educating the importance of eating healthy, locally-grown foods that support sustainability.

Note: The group of master gardeners responsible for this project is committed to three years of planning, installation, and maintenance of the garden, coordination of volunteers, and responsibility for publicity. We envision that this project will attract new participants to the master gardener program, and that new master gardeners as well as other current master gardeners will commit to continuing the project into the foreseeable future. The three-year period covered by this agreement expires at the end of calendar year 2014.

Treasure Island Budget Request 2012

Materials

Irrigation Repairs		\$44.33
Plant Material		\$293.55
Rocks		\$503.78

Staff in Kind Services

Hours	25.75	\$381.27
Equipment Cost		\$121.31

Total		\$1,344.24
--------------	--	-------------------

Treasure Island Garden



Located adjacent to Laku Lake Road, along the Poudre River Trail, south of Eastman Park.

Treasure Island Garden is a cooperative effort between the Town of Windsor and the Colorado Master Gardeners of Weld County.

Weld County Colorado Master GardenersSM from Treasure Island Garden will be discussing the topics listed below and answering questions. Please join us for classes designed to meet the needs of local gardeners. Classes will be held at Treasure Island Garden. Watch the Wednesday newspaper for additional information, or call 686-2999. Classes will be outside so be prepared for the weather. Bring you chair and sunscreen.

Senior Tuesdays: please see page 7 for details about these guided tours

Second Saturday Classes:

Sat Apr 14 **Preparing the Soil** – *Jen Ottenhoff* – Learn about benefits and pitfalls of tilling; addition of soil amendments; providing for proper drainage in your garden; use of mulches; benefits of soil testing. (CSU Soil Test Kits will be available.)

Sat May 12 **Your Vegetable Garden** – *Ron Sterling and Dean Koehler* – Choosing which vegetables to plant; deciding when to plant; tips on how to plant; companion planting; soil temperature; irrigation methods; common garden problems; choice of fertilizers.

Sat Jun 9 **Ornamental Grasses in Your Landscape** – *Bill Pratt* – Choosing and using ornamental grasses to enhance your landscape.

Sat Jul 14 **Landscaping Design** – *Paul Gregg* – Tools for landscape design; factors to consider in creating a long-term landscape design for your property.

Sat Aug 11 **Garden Tour** – Treasure Island Garden will be participating in the annual Kiwanis Club Garden Tour.

Sat Sep 8 **Ending the Season** – *Janene Willey* – Preserving the harvest, cleaning up, saving seeds, fall bulbs and preparing for spring.

Group Garden Tours and Treasure Island Garden Speakers: If your group or club would like a free tour, or if you would like to schedule a speaker for your group, please call 686-2999.

Help Wanted: Treasure Island Garden volunteers to pick produce for the Windsor Food Pantry on Tuesday and Thursday mornings starting in July. If you would like to help, meet us at the garden at 8am. Produce needs to be delivered as soon as possible.

Mother's Day at Treasure Island Garden

May 13 at 1:30 p.m.

Bring Mom to the garden to tour the flowers.

Sick Tree Day

Each year, the Town of Windsor Tree Board and the Windsor Forestry staff hosts "Sick Tree Day". A group of horticulture experts will be making the rounds in Windsor to look at sick or dying trees and offer their advice. This is a FREE, once-a-year event. Please call 970-674-2422 to schedule a visit or if you have any questions.

Sick Tree Day: Tue Jun 26 FREE!



Brush Recycling Site

New Entrance / New Regulations

The Town of Windsor Brush Recycling Site is now being operated by the Facilities Division of the Public Works Department.

LOCATION:

The Brush Recycling Site is still located at 801 Diamond Valley Dr., however a new entrance has been created for the site. Access to this entrance is available from Diamond Valley Dr.

PERMITS:

Annual brush permits are available for Windsor residents. Load fees will apply at the site. Please see fee information below. Permits were mailed to all Windsor residents.

Brush permits are available at:

Town Hall, 301 Walnut Street and Windsor Community Recreation Center, 250 N. 11th Street.

To obtain a permit, please bring:

- Drivers License
- Proof of Residency: (*TOW Utility Bill, Property Tax, or Lease Agreement*)

HOURS:

March–October
Wednesday–Sunday
10am–12pm; 12:30pm–6pm

November–February
Wednesday–Sunday
12pm–4pm

Accepted Items:

- Grass Clippings
- Leaves
- Garden Trimmings
- Branches under 18" Diameter

Items NOT Allowed:

- Branches Over 18" Diameter
- Sod
- Lumber of any kind
- Trash

FEES:

Windsor Residents with Permit:
• \$2 / load

Non-Residents & Commercial:
• \$6 / Cubic Yard (*Minimum Charge \$6*)

Forestry

Treasure Island Garden

Located adjacent to Laku Lake Road, along the Poudre River Trail, south of Eastman Park.

Treasure Island Garden is a cooperative effort between the Town of Windsor and the Colorado Master Gardeners of Weld County.

Weld County Colorado Master GardenersSM will be discussing the topics listed below and answering questions at Treasure Island Demonstration Garden. Call 970-686-2999 for additional information. Classes will be outside so be prepared for the weather. Bring your chair, water bottle, and sunscreen.

Second Saturday Classes:

Apr 13 **Seed Starting** – *Serapio Ayala*, Getting a jump on the season, starting plants for the garden.

May 11 **Garden Journaling** – *Jen Ottenhoff*, A discussion of the value of garden journaling and different methods you can use, find one that fits your style.

Jun 8 **Iris** – *Weld County Master Gardener*, One of the Garden's most beautiful xeric plants. Learn more about them.

Jul 13 **Keeping It Neat** – *Weld County Master Gardener*, Dead heading, mulch, and water, keeping all the essentials in line.

Aug 10 **Garden Tour** – Treasure Island Garden will be participating in the annual Kiwanis Club Garden Tour. Get your tickets early, get several for friends!

Sep 14 **Wait and See!** – *Weld County Master Gardener*, Topic TBA. Join us to close down the garden for winter.

Mother's Day at Treasure Island Garden

May 12 at 1:30pm Bring Mom to the garden to tour the flowers.

Group Garden Tours & Treasure Island Demonstration Garden Speakers: If your group or club would like a tour or if you would like to schedule a speaker for your group, please call 970-686-2999

Help Wanted: Treasure Island Garden volunteers pick produce for the Windsor Food Pantry on Tuesday and Thursday mornings starting in July. Plus...if you want to pull weeds, label plants, dig, pick veggies, preen plants, haul rocks or just play in the dirt, we have just the spot for you. No experience needed! Call 970-686-2999.

New Treasure Island Demonstration Garden Newsletters: Check the information boards for the latest newsletter, April/May, June/July and August/September issues.

Keep Windsor Tree-rific! Arbor Day Tree Sale

Each year, the Town of Windsor offers a great selection of trees to Windsor residents at discount prices. These trees grow well in the Windsor area and are to be planted within town limits (*for clarification on residency, please check your property tax statement*). Order forms and information packets available at the CRC. Please call 674-3500 or 674-2422.

Pick-up Date: Sat Apr 20 10am-12pm Location: 630 Ash Street, Windsor

Sick Tree Day



Each year, the Town of Windsor Tree Board and the Windsor Forestry staff hosts "Sick Tree Day". A group of horticulture experts will be making the rounds in Windsor to look at sick or dying trees and offer their advice. This is a FREE, once-a-year event. Please call 970-674-2422 to schedule a visit or if you have any questions.

Sick Tree Day: Tue Jun 25 FREE!

Arbor Day 5K Run/Walk

The Town of Windsor Tree Board will host the 8th Annual Arbor Day 5K Run/Walk on Saturday, April 20th. The race will start and finish at Boardwalk Park and follow the Windsor Lake Trail. Proceeds will go towards planting trees throughout the community. Leashed dogs are welcome. Pre-register and save money or register on day-of beginning at 7am. Fee includes a t-shirt (while supplies last). Awards will be given to the top runners/walkers.

Pre-register by: Apr 19, 12pm

Day-of-Registration: Apr 20

Ages: all ages welcome #145010.01

\$15/person – pre-registration

\$20/person – day-of-registration

Sat Apr 20 race begins at 8am
(7am check-in and day-of-race registration)
Boardwalk Park

Brush Recycling Site

The Town of Windsor Brush Recycling Site is operated by the Facilities Division of the Public Works Department. **For more info visit www.windsorgov.com/recycle.**

LOCATION:

801 Diamond Valley Dr.

PERMITS:

Annual Brush permits are available at:

- Town Hall, 301 Walnut Street,
- CRC, 250 N. 11th Street
- Brush Site, 801 Diamond Valley Drive

To obtain a permit, please bring:

- Drivers License
- Proof of Residency: (*TOW Utility Bill, Property Tax Statement, or Lease Agreement*)

HOURS:

March–October

Wed–Sun 10am–12pm; 12:30pm–6pm

*CLOSED on Town Holidays

FEES:

Windsor Residents with Permit:

- \$2 / load

Non-Residents & Commercial:

- \$6 / Cubic Yard (*Minimum Charge \$6*)

TOWN OF WINDSOR

ORDINANCE NO. 2013-1448

AN ORDINANCE PROHIBITING THE OPERATION OF ANY MARIJUANA BUSINESS ENTERPRISE WITHIN THE MEANING OF ARTICLE XVIII, SECTION 16 OF THE COLORADO CONSTITUTION WITHIN THE TOWN OF WINDSOR, COLORADO

WHEREAS, the Town of Windsor (“Town”) is a Colorado home rule municipality with all powers and authority vested under Colorado law; and

WHEREAS, on November 6, 2012, Colorado voters approved the adoption of “Amendment 64”, which has since been codified at Article XVIII, Section 16 of the Colorado Constitution (“Amendment 64”); and

WHEREAS, Amendment 64 decriminalizes certain activity with respect to the use, possession, cultivation, transportation and distribution of marijuana, and contains requirements for the Colorado Department of Revenue (“DOR”) to formulate policy for the regulation of business enterprises authorized under Amendment 64; and

WHEREAS, Amendment 64 requires that the DOR approve its policies by July 1, 2013, and further calls for the issuance of state-level licenses to qualifying marijuana business enterprises on and after October 1, 2013; and

WHEREAS, Amendment 64 expressly grants the Town the authority to establish its own regulatory regimen, and further expressly grants the Town the authority to prohibit the operation of marijuana business enterprises by resolution or ordinance; and

WHEREAS, the Town Board is aware that the use, possession, transportation, cultivation and distribution of marijuana remains criminal under federal law, such that the Town’s legal authority to permit regulated marijuana business enterprises is in question; and

WHEREAS, the Town Board believes that the establishment marijuana business enterprises carries the potential for abuse, financial mismanagement, regulatory complications not yet entirely clear, injury to the public health, and damage to the Town’s reputation; and

WHEREAS, on at least three specific occasions, the Town’s voters have expressed their overwhelming opposition to both the establishment and operation of marijuana enterprises within the Town’s corporate limits and to the relaxation of Colorado law with respect to the use, possession, cultivation, distribution and transportation of marijuana; and

WHEREAS, the Town Board has concluded that a clear and firm policy prohibiting the establishment and operation of marijuana enterprises is necessary to assure the preservation of the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, as follows:

Section 1. The foregoing recitals are hereby adopted by the Town Board as findings in support of the adoption of this Ordinance. The Town Board expressly finds that the within Ordinance is within its powers under the following authority: Article XX of the Colorado Constitution; the Town’s Home Rule Charter; the Local Land Use Enabling Act; Part Three of Article 23 of Title 31, C.R.S.; Section 31-15-103, C.R.S.; Section 31-14-401, C.R.S., and Section 31-15-501, C.R.S.

Section 2. Chapter 10 of the Windsor Municipal Code is hereby amended by the addition of a new Article VIII, which shall read as follows:

**ARTICLE VIII
MARIJUANA ENTERPRISES**

Sec. 10-8-10. Marijuana Enterprises Prohibited.

- (a) It shall be unlawful for any person to establish or operate the following business enterprises:
 - 1. A retail marijuana store, as defined in Article XVIII, Section 16 of the Colorado Constitution;
 - 2. A marijuana cultivation facility, as defined in Article XVIII, Section 16 of the Colorado Constitution;
 - 3. A marijuana product manufacturing facility, as defined in Article XVIII, Section 16 of the Colorado Constitution; and
 - 4. A marijuana testing facility, as defined in Article XVIII, Section 16 of the Colorado Constitution.
- (b) Any person found to be in violation of this Article shall, upon conviction, be fined up to the maximum penalty permitted for municipal courts of record. Each day such violation continues shall be considered a separate offense.

Sec. 10-8-20. Liberal Construction.

The within Article shall be liberally construed to prevent and prohibit the establishment, operation and continuation of any activity identified in Section 10-8-10 (a) above.

Sec. 10-8-30. Town Civil Remedies

The establishment, operation and continuation of any activity in violation of the terms of this Article is specifically determined to constitute a public nuisance, may be abated by the Town as

a nuisance and may be enjoined by the Town in an action brought in a court of competent jurisdiction in the county in which such activity occurs. The provisions of Chapter 7, Article I of this Code shall apply to any nuisance declared pursuant to this Article and shall entitle the Town to any rights, remedies and powers provided therein with respect to the abatement of nuisances declared under this Article. The remedies set forth in this Section shall not be exclusive, shall be cumulative and shall be in addition to any other remedy available at law or in equity.

Section 3. Nothing herein shall be construed as promoting, encouraging, facilitating or condoning any violation of federal law with respect to the use, possession, cultivation, transportation or distribution of marijuana.

Introduced, passed on first reading, and ordered published this 25th day of February, 2013.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

Introduced, passed on second reading, and ordered published this 8th day of April, 2013.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

TOWN OF WINDSOR

ORDINANCE NO. 2013-1449

AN ORDINANCE PROHIBITING THE ESTABLISHMENT AND OPERATION OF PRIVATE MARIJUANA CLUBS WITHIN THE TOWN OF WINDSOR, COLORADO

WHEREAS, the Town of Windsor (“Town”) is a Colorado home rule municipality with all powers and authority vested under Colorado law; and

WHEREAS, on November 6, 2012, Colorado voters approved the adoption of “Amendment 64”, which has since been codified at Article XVIII, Section 16 of the Colorado Constitution (“Amendment 64”); and

WHEREAS, Amendment 64 decriminalizes certain activity with respect to the use, possession, cultivation, transportation and distribution of marijuana; and

WHEREAS, Amendment 64 contains requirements for the Colorado Department of Revenue (“DOR”) to formulate policy for the regulation of business enterprises authorized under Amendment 64; and

WHEREAS, Amendment 64 requires that the DOR approve its policies by July 1, 2013, and further calls for the issuance of state-level licenses to qualifying marijuana business enterprises on and after October 1, 2013; and

WHEREAS, Amendment 64 expressly grants the Town the authority to establish its own regulatory regimen, and further expressly grants the Town the authority to prohibit the operation of marijuana business enterprises by resolution or ordinance; and

WHEREAS, Amendment 64 does not clearly instruct DOR to adopt regulations pertaining to the establishment and operation of what have been referred to in the media as “private marijuana clubs”; and

WHEREAS, the establishment and operation of private marijuana clubs, although superficially “private”, involves the consumption of marijuana by assemblies of persons which by its very nature diminishes its character as non-public activity; and

WHEREAS, to the extent a private marijuana club involves activity that generates profit or pecuniary gain to its members or management, the private marijuana club is an unregulated class of business enterprise;

WHEREAS, the establishment of private marijuana clubs presents a situation where the use of marijuana by an assembly of persons could take place in commercial and industrial structures within the Town, but not be subject to reasonable land use and police powers regulation; and

WHEREAS, the Town Board believes that the establishment of private marijuana clubs carries the potential for abuse, financial mismanagement, regulatory complications not yet entirely clear, injury to the public health, underutilization of commercial and industrial building space, uses inconsistent with existing surrounding uses, and damage to the Town's reputation; and

WHEREAS, the Town Board is aware that the use, possession, transportation, cultivation and distribution of marijuana remains criminal under federal law, such that the Town's legal authority to condone, permit or even regulate private marijuana clubs is in question; and

WHEREAS, the Town Board has concluded that the establishment of private marijuana clubs within the Town represents a circumstance requiring clear and firm action to assure preservation of the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, as follows:

Section 1. The foregoing recitals are hereby adopted by the Town Board as findings in support of the adoption of this Ordinance. The Town Board expressly finds that the within Ordinance is within its powers under the following authority: Article XX of the Colorado Constitution; the Town's Home Rule Charter; the Local Land Use Enabling Act; Part Three of Article 23 of Title 31, C.R.S.; Section 31-15-103, C.R.S.; Section 31-14-401, C.R.S., and Section 31-15-501, C.R.S.

Section 2. Chapter 10, Article IV of the Windsor Municipal Code is hereby amended by the addition of a new Section 10-4-210, which shall read as follows:

Sec. 10-4-210. Private Marijuana Clubs Prohibited.

(a) It shall be unlawful for any person or association of persons to operate any private marijuana club, which shall for purposes of this Ordinance be defined as follows:

The consumption of marijuana by persons assembled within a commercial or industrial structure, where such consumption is permitted, encouraged, promoted, enabled, or condoned by persons assembled therein, whether such consumption is the primary intended purpose or an intended purpose incidental to other reasons for assembly therein.

(b) For purposes of this Ordinance, "marijuana" shall have the same meaning as defined in Article XVIII, Section 16, sub-section (2) (f) of the Colorado Constitution.

(c) The within ordinance shall be liberally construed to prevent and prohibit the establishment, operation and continuation of any activity identified in Section

(a) above, but shall not be construed to criminalize lawful activity under Article XVIII, Section 16 of the Colorado Constitution.

(d) The establishment, operation and continuation of any activity in violation of the terms of this Section is specifically determined to constitute a public nuisance, may be abated by the Town as a nuisance and may be enjoined by the Town in an action brought in a court of competent jurisdiction in the county in which such activity occurs. The provisions of Chapter 7, Article I of this Code shall apply to any nuisance declared pursuant to this Section and shall entitle the Town to any rights, remedies and powers provided therein with respect to the abatement of nuisances declared under this Section. The remedies set forth in this Section shall not be exclusive, shall be cumulative and shall be in addition to any other remedy available at law or in equity.

Section 3. Nothing herein shall be construed as promoting, encouraging, facilitating or condoning any violation of federal law with respect to the use, possession, cultivation, transportation or distribution of marijuana.

Introduced, passed on first reading, and ordered published this 25th day of February, 2013.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

Introduced, passed on second reading, and ordered published this 8th day of April, 2013.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

TOWN OF WINDSOR

ORDINANCE NO. 2013-1350

AN ORDINANCE PROHIBITING THE ESTABLISHMENT AND OPERATION OF CERTAIN MARIJUANA CULTIVATION FACILITIES WITHIN THE TOWN OF WINDSOR, COLORADO

WHEREAS, the Town of Windsor (“Town”) is a Colorado home rule municipality with all powers and authority vested under Colorado law; and

WHEREAS, on November 6, 2012, Colorado voters approved the adoption of “Amendment 64”, which has since been codified at Article XVIII, Section 16 of the Colorado Constitution (“Amendment 64”); and

WHEREAS, Amendment 64 decriminalizes certain activity with respect to the use, possession, cultivation, transportation and distribution of marijuana; and

WHEREAS, Amendment 64 contains requirements for the Colorado Department of Revenue (“DOR”) to formulate policy for the regulation of business enterprises authorized under Amendment 64; and

WHEREAS, Amendment 64 requires that the DOR approve its policies by July 1, 2013, and further calls for the issuance of state-level licenses to qualifying marijuana business enterprises on and after October 1, 2013; and

WHEREAS, Amendment 64 expressly grants the Town the authority to establish its own regulatory regimen, and further expressly grants the Town the authority to prohibit the operation of marijuana business enterprises by resolution or ordinance; and

WHEREAS, Amendment 64 does not clearly instruct DOR to adopt regulations pertaining to the establishment and operation of marijuana cultivation sites, although Amendment 64 requires that any non-commercial cultivation of marijuana must take place in an “...enclosed, locked space, ... not conducted openly or publicly, and ... not made available for sale”; and

WHEREAS, while the establishment and operation of non-commercial marijuana cultivation sites is not prohibited under Amendment 64, the Town Board believes that reasonable regulations addressing the size of any such cultivation sites falls within the Town’s land use and police powers authority; and

WHEREAS, to the extent a non-commercial marijuana cultivation facility exceeds certain size limitations, the Town Board believes such a facility raises the risk of fire, electrical system malfunction, mold and fungal health risks, and the risk of criminal activity; and

WHEREAS, the Town Board has previously regulated the size of medical marijuana cultivation facilities, codified in *Windsor Municipal Code* Chapter 6, Article IV, for reasons similar to those set forth herein; and

WHEREAS, the Town Board desires to respect the intent and privileges expressed in Amendment 64, while preserving the public health, safety and welfare; and

WHEREAS, the Town Board has concluded that regulation of non-commercial marijuana cultivation facilities requires clear and firm action to assure preservation of the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, as follows:

Section 1. The foregoing recitals are hereby adopted by the Town Board as findings in support of the adoption of this Ordinance. The Town Board expressly finds that the within Ordinance is within its powers under the following authority: Article XX of the Colorado Constitution; the Town’s Home Rule Charter; the Local Land Use Enabling Act; Part Three of Article 23 of Title 31, C.R.S.; Section 31-15-103, C.R.S.; Section 31-14-401, C.R.S., and Section 31-15-501, C.R.S.

Section 2. Chapter 10, Article IV of the Windsor Municipal Code is hereby amended by the addition of a new Section 10-4-220, which shall read as follows:

Sec. 10-4-220. Large Non-commercial Marijuana Cultivation Facilities Prohibited.

(a) It shall be unlawful for any person or association of persons to operate any large marijuana cultivation facility, which shall for purposes of this Section be defined as follows:

Any location wherein more than four-hundred (400) cubic feet of space is devoted to the growing or marijuana plants at any time, or where more than twenty-four (24) mature marijuana plants are found within a single address at any time.

(b) For purposes of this Section, “marijuana” shall have the same meaning as defined in Article XVIII, Section 16, sub-section (2) (f) of the Colorado Constitution.

(c) This Section shall be liberally construed to prevent and prohibit the establishment, operation and continuation of any activity identified in sub-section (a) above, but shall not be construed to criminalize lawful activity under Article XVIII, Section 16 of the Colorado Constitution.

(d) Nothing in this Section shall affect the limitations and regulations found in Chapter 6, Article IV of the *Windsor Municipal Code* with respect to medical marijuana cultivation facilities, as defined therein.

(e) The establishment, operation and continuation of any activity in violation of the terms of this Section is specifically determined to constitute a public nuisance, may be abated by the Town as a nuisance and may be enjoined by the Town in an action brought in a court of competent jurisdiction in the county in which such activity occurs. The provisions of Chapter 7, Article I of this Code shall apply to any nuisance declared pursuant to this Section and shall entitle the Town to any rights, remedies and powers provided therein with respect to the abatement of nuisances declared under this Section. The remedies set forth in this Section shall not be exclusive, shall be cumulative and shall be in addition to any other remedy available at law or in equity.

Section 3. Nothing herein shall be construed as promoting, encouraging, facilitating or condoning any violation of federal law with respect to the use, possession, cultivation, transportation or distribution of marijuana.

Introduced, passed on first reading, and ordered published this 25th day of February, 2013.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

Introduced, passed on second reading, and ordered published this 8th day of April, 2013.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk



MEMORANDUM

Date: April 8, 2013
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: John Michaels, Chief of Police
Melissa M. Chew, CPRP, Director of Parks, Recreation & Culture
Re: Park Rules and Regulations
Item #: C.5.

Background / Discussion:

This Ordinance was approved on First Reading on March 25, 2013. Town Board directed clarification on the “specifications for portable grills”. Please note the wording has changed as we consider second reading, although the intent has remained the same.

Also on March 25, 2013, Town Board approved Resolution 2013-16 adopting the proposed 2013 Park Rules and Regulations.

Staff will begin a public communications plan of changing signs, posting notices, press releases and articles to communicate these changes. Below are the strategic operations for increasing visibility and effectiveness of enforcement as previously discussed and approved:

- Cross training Parks, Recreation & Culture staff to assist in “educating” the public about various rules and regulations
- Additional 3 weekends June – July patrol hours (2 officers) by Windsor Police Department (included in PD overtime budget)
- Additional 7 weekends June – July patrol hours (2 officers) Weld County Sheriff Reserves (included in PD contractual budget)
- Greeley Police Department Gang Unit assisted Windsor PD with training on what to watch for and how to interact with gang members.
- The Department of Parole will continue to assist with a presence in parks to identify parole violators and implement further restrictions or jail for violation.
- The Weld County Warrant Division will continue to assist with monitoring individuals who have outstanding warrants. These non-uniformed officers know the wanted suspects.
- Establishing a protocol to indicate that when an individual commits a crime in Windsor parks (such as disorderly conduct, disturbing the peace, or assault) and is arrested, notation on the bonding form requests to exclude that person from the park until the case has reached a disposition.

- Implementing a Park Ambassador volunteer program that puts extra eyes and ears in the park and assists in “educating” the public about various rules and regulations.

Financial Impact:

Re-printing approximately 30 rules and regulations signs at \$50 each = **\$1,500**. As previously indicated, extra patrol costs are in the Police Department general fund budget.

Relationship to Strategic Plan:

Goal 1.A., Goal 1.B.

Recommendation:

Move to adopt Ordinance 2013 – 1451 supporting Resolution 2013 – 16 adopting Town of Windsor 2013 Parks and Open Space Regulations

Attachments:

- b. Ordinance 2013 - 1451

TOWN OF WINDSOR

ORDINANCE NO. 2013-1451

AN ORDINANCE AMENDING CHAPTERS 10 AND 11 OF THE WINDSOR MUNICIPAL CODE WITH RESPECT TO REGULATIONS APPLICABLE TO THE CONDUCT OF PERSONS WITHIN TOWN-OWNED PARKS AND OPEN SPACE AREAS

WHEREAS, the residents of the Town of Windsor (“Town”) consistently place high value on the availability of quality parks and open space; and

WHEREAS, in the past, the Town has administratively adopted and enforced standards of conduct applicable to parks and open space visitors, which standards have been administered by the Director of Parks, Recreation and Culture; and

WHEREAS, since the administrative adoption of parks and open space standards of conduct, the use of the Town’s parks and open space has intensified to the point where administrative protocols cannot adequately address public safety and public health; and

WHEREAS, public safety, public health and public welfare require that the Town’s Police Department have a role in enforcing standards of conduct for park and open space visitors, including the ability to cite offenders into the Municipal Court for prosecution; and

WHEREAS, at present, the administratively-adopted standards of conduct for visitors to Town parks and open space cannot be enforced by the issuance of criminal citations, as the current standards are not adopted as Code provisions; and

WHEREAS, there is a need to give the Town more tools for effectively addressing non-compliance with Town-approved standards of conduct for visitors to Town parks and open space; and

WHEREAS, the Town’s Director of Parks, Recreation and Culture has worked cooperatively with the Town’s Chief of Police to arrive at standards of conduct which, if adopted within the *Windsor Municipal Code* pursuant to this Ordinance, will be enforceable in the Municipal Court; and

WHEREAS, the Town’s Director of Parks, Recreation and Culture and the Town’s Chief of Police have recommended the within revisions to the *Windsor Municipal Code*, in order that the experience for all visitors to Town parks and open space will be safe, secure and comfortable; and

WHEREAS, attached hereto is a true and correct copy of the 2013 Parks and Open Space Regulations (“Regulations”) developed by the Director of Parks, Recreation and Culture and Chief of Police; and

WHEREAS, the Town's Parks, Recreation and Culture Advisory Board has reviewed the attached Regulations, and has recommended approval of them; and

WHEREAS, the Town Board has studied the attached Regulations, as well as the increased powers afforded to the Town as set forth therein; and

WHEREAS, the Town Board has concluded that the within Ordinance is necessary and proper for the preservation of the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD FOR THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

Section 1. Chapter 10 of the Windsor Municipal Code is hereby amended by the addition of a new Article VIII, which shall read as follows:

ARTICLE VIII

REGULATIONS APPLICABLE TO CONDUCT OF PERSONS IN TOWN-OWNED PARKS AND OPEN SPACE

Sec. 10-8-10. Applicability of 2013 Parks and Open Space Regulations.

The conduct of persons within Town-owned parks and open space shall be governed by the 2013 Parks and Open Space Regulations approved by Town Board Resolution No. 2013-16, and shall be maintained by the Town's Director of Parks, Recreation and Culture. The Director of Parks, Recreation and Culture shall post, circulate and otherwise make the 2013 Parks and Open Space Regulations, together with any amendments thereto, available for inspection by the public.

Sec. 10-8-20. Non-compliance with 2013 Parks and Open Space Regulations.

It shall be unlawful for any person to violate any provision of the 2013 Parks and Open Space Regulations, as well as any amendments thereto. Upon conviction, any person so convicted shall be subject to a fine not to exceed the limits established under *Windsor Municipal Code* Section 1-4-20. Each day during which a violation takes place shall be deemed a separate offense.

Section 2. Section 11-8-20 of the Windsor Municipal Code is hereby repealed, amended and readopted to read as follows:

Sec. 11-8-20. Possession of glass containers prohibited, exceptions.

It shall be unlawful for any person to bring, or to have in his or her possession, any glass beverage container in any park, recreational facility or on any trail within the Town, unless otherwise authorized by the Town of Windsor for programs or events.

Section 3. Section 11-8-10 (a) of the Windsor Municipal Code is hereby repealed, amended and readopted to read as follows:

Sec. 11-8-10. Hours of closure.

(a) General park closure hours. Except as provided in this subsection and in subsection (b) below, all public parks, recreational facilities and trails within the Town shall be closed to the public between the hours of 10:00 p.m. and 5:00 a.m. It shall be unlawful for any person to be in any park or recreational facility or to use any trail within the Town during those hours, unless otherwise authorized by the Town of Windsor for programs or events.

Section 4. Chapter 11, Article VIII of the Windsor Municipal Code is hereby amended by the addition of a new Section 11-8-110, which shall read as follows:

Sec. 11-8-110. Tents and portable shelters prohibited.

It shall be unlawful for any person to erect any tent or portable shelter, or to keep any tent or portable shelter standing, in any park or open space area within the Town after 6 p.m., unless otherwise authorized by the Town of Windsor for programs or events.

Section 5. Chapter 11, Article VIII of the Windsor Municipal Code is hereby amended by the addition of a new Section 11-8-120, which shall read as follows:

Sec. 11-8-120. Limitations on Portable Cooking Devices.

- (1) Unless otherwise authorized by the Town of Windsor for programs or events, it shall be unlawful for any person to bring any charcoal-fueled portable cooking device into any park or open space within the Town.
- (2) Unless otherwise authorized by the Town of Windsor for programs or events, it shall be unlawful for any person to bring any portable cooking

device into any park or open space within the Town which exceeds or conflicts with the following specifications:

- (a) Propane-fueled cooking devices with a total cooking surface exceeding 200 square inches; and
- (b) Propane fueled cooking devices served by a fuel tank exceeding 16.4 ounces of capacity.

Section 6. Section 8-5-20 of the Windsor Municipal Code is hereby repealed, amended and readopted to read as follows:

Sec. 8-5-20. Operation of MUVs authorized.

Except as otherwise provided by the terms of this Article or Article VIII of Chapter 11 of this Code, the operation of MUVs within the Town shall be prohibited. MUVs shall be operated within the Town only by the Town, the local school district, any local special districts, any local metropolitan districts and other private property owners with significant commercial property maintenance duties. MUVs shall be used only for the property maintenance-related functions of the Town, the local school district, any local special districts, any local metropolitan districts and other private property owners with significant commercial property maintenance duties, or unless otherwise authorized by the Town of Windsor for programs or events. MUVs may be operated on any trail owned or operated by the Town or any duly-constituted trail authority for the purpose of maintaining property owned or operated by the Town or any such trail authority.

Section 7. Section 11-8-90 of the Windsor Municipal Code is hereby repealed, amended and re-adopted to read as follows:

Sec. 11-8-90. Operation of motor vehicles prohibited.

It shall be unlawful for any person to operate any motor vehicle including, but not limited to, Golf Cars, Motorized Utility Vehicles, all-terrain vehicles, snow mobiles, off-road vehicles, automobiles, trucks, motorcycles, motorbikes, motorscooters, go-carts or motor homes in any public park, recreational facility, public open space or on any trail within the Town. This provision shall not apply to duly authorized employees of the Town in the performance of work activities in the scope of their employment or unless otherwise authorized by the Town of Windsor for programs or events.

Introduced, passed on first reading, and ordered published this 25th day of March, 2013.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

Introduced, passed on second reading, and ordered published this 8th day of April, 2013.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk



MEMORANDUM

Date: April 8, 2013
To: Mayor and Town Board
Via: Regular meeting materials, April 8, 2013
From: Ian D. McCargar, Town Attorney
Subject: School District Payments-in-Lieu of Land Dedication (PILO) reports
Item #: C.6.

Background / Discussion:

In 1999, the Town entered into IGA's with each of the school districts having overlapping boundary areas with the Town (Poudre, Thompson and Weld RE-4). These agreements call for the Town to confirm that either school land is dedicated or fees-in-lieu thereof are paid to each District by land developers as part of the land development process. The provisions implementing the requirements of these agreements are found in Chapter 17, Article XIV of the *Windsor Municipal Code*.

Periodically, the Districts evaluate the impact fees to assure that they align with a fair valuation of land within each District. In the past, the Town has adjusted the fee-in-lieu provisions of our Code in response to District re-evaluations. In 2011, the Poudre School District (PSD) proposed a reduction of the per-acre value of land from the previous \$100,000 to \$89,000 for payments-in-lieu of land dedication. The Town Board approved an Ordinance which amended our Code accordingly. At that time, the other two districts left their land valuations unchanged.

Attached are the 2012/2013 PILO reports from each of the Districts. The Thompson and Weld RE-4 Districts are once again leaving their land valuations unchanged. However, PSD has presented us with a report that supports a land valuation increase from the former \$89,000 per acre to a new \$95,000 per acre. In keeping with our IGA with PSD, staff has prepared the attached Ordinance for your consideration. The Municipal Code requires a legislative public hearing prior to consideration of the Ordinance.

The attached Ordinance contains recitals explaining its purpose, and then goes on to incorporate Exhibits A and B. These exhibits were provided to us by PSD, and fit the existing format of the Municipal Code. If adopted, this Ordinance will have the effect of changing the per-acre rate from \$89,000 to \$95,000, which will translate to an increase in per-dwelling unit fees paid to PSD by developers. The Town does not receive or retain any of this revenue; we simply require confirmation of compliance as a condition of development approval.

The Ordinance also specifically provides that it does not affect the assessments for the other two Districts. Developers in these areas of Windsor will see no change in their school district land dedication and fee assessments.

Financial Impact: NONE - no revenue or expense associated with District fees

Relationship to Strategic Plan: Community Spirit and Pride

Recommendation: Conduct legislative public hearing. Following the public hearing, consider attached Ordinance on first reading. Simple majority required for referral to second reading.

Attachments:

Annual Reports on PILO from Poudre, Thompson and Weld RE-4 school districts;

Ordinance Amending the Windsor Municipal Code to Increase the Per-Acre Value of Land For Purposes of Calculating School District Payments In Lieu of Land Dedication With Respect to Land Development Within the Town Of Windsor, Colorado

Notification:

Notice of April 8, 2013 Town Board public hearing published in March 22, 2013 Windsor Beacon; Notice of both public hearings posted on Town website

TOWN OF WINDSOR

ORDINANCE NO. 2013-1453

AN ORDINANCE AMENDING THE *WINDSOR MUNICIPAL CODE* TO INCREASE THE PER-ACRE VALUE OF LAND FOR PURPOSES OF CALCULATING SCHOOL DISTRICT PAYMENTS IN LIEU OF LAND DEDICATION WITH RESPECT TO LAND DEVELOPMENT WITHIN THE TOWN OF WINDSOR, COLORADO

WHEREAS, the Town of Windsor (“Town”) is a Colorado home rule municipality, with all powers and authority attendant thereto; and

WHEREAS, the Town has entered into intergovernmental agreements with each of the three school districts within whose boundaries the Town’s corporate limits lie (“Districts”); and

WHEREAS, the intergovernmental agreements between the Town and each of the Districts calls for the Town to serve as the conduit through which the developers of land are required to address the impact of land development on each District’s finances and facilities; and

WHEREAS, as a result of the said intergovernmental agreements, the *Windsor Municipal Code* (“Code”) was amended in 1999 by the addition of Article XIV to Chapter 17, under which the Town requires land developers to come to terms with the Districts regarding the impact of land development on the Districts’ finances and facilities; and

WHEREAS, the aforementioned provisions within Chapter 17, Article XIV of the Code call for the developer to by formula either dedicate land for school sites or, in lieu thereof, pay impact fees based on a per-acre land valuation determination by each District; and

WHEREAS, the impact fees assessed pursuant to Chapter 17, Article XIV of the Code are not received by the Town, but are instead received and retained by each District in accordance with the terms of the intergovernmental agreements with each District; and

WHEREAS, pursuant to the intergovernmental agreements and Code requirements, each District is expected to periodically examine the valuation of land for school site and payment-in-lieu purposes, to assure that the assessment of impact fees in this context is fair in relation to the value of land within each District; and

WHEREAS, the Town Board has in the past amended the land valuation calculations found within the aforementioned Chapter 17, Article XIV, upon re-evaluation by each of the Districts; and

WHEREAS, the Poudre School District (“PSD”) has presented the Town with a valuation report which includes the attached Exhibits A and B, which exhibits are incorporated herein by this reference as if set forth fully; and

WHEREAS, Exhibits A and B contain the methodology and planning standards relevant to the calculation of PSD's per-acre land valuation at present; and

WHEREAS, Exhibits A and B support an increase of the per-acre value for payments in lieu of land dedication to PSD under the provisions of Chapter 17, Article XIV of the Code; and

WHEREAS, the Town Board has conducted a public hearing on this question as required by the Code, and has received all input necessary to make the determination; and

WHEREAS, in keeping with the provisions of the intergovernmental agreement between the Town and PSD, the Town Board wishes to increase the per-acre valuation of land for PSD payments in lieu of land dedication while leaving unchanged the valuation of land within the other two school districts.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

Section 1. Section 17-14-230 of the *Windsor Municipal Code* is hereby repealed, amended and readopted to read as follows:

Sec. 17-14-230. Fees initially established.

(a) The Town Board has reviewed and hereby approves the School District Planning Standards and methodology for calculating land dedication requirements and cash-in-lieu payments proposed by Poudre School District and reflected in Exhibits A and B below.

(b) Based on the School District Planning Standards contained in Exhibit A, calculation of land dedication or in-lieu payments uses the following procedures:

(1) The student yield is determined by the number of attached dwelling units (*e.g.*, Category A, Elementary School = 0.35).

(2) The amount of land required per student is calculated by dividing the acreage by the capacity (*e.g.*, Elementary School = 15 acres/525 students = 0.029).

(3) The acreage per dwelling unit is determined by multiplying the student yield by the per student land requirement (*e.g.*, 0.35 yield x 0.029 acres = 0.010).

(4) To convert the land dedication requirement into in-lieu payments, the acreage per dwelling unit is multiplied by the developed land value (e.g., 0.010 acres x \$95,000.00 = \$950.00).

Section 2. Exhibit A attached hereto (including its three numbered footnotes) shall appear in table format immediately below sub-section (b) (4) of the foregoing amendments to Section 17-14-230.

Section 3. Exhibit B attached hereto (including its single numbered footnote) shall appear in table format immediately below the footnotes segment of Exhibit A, except that the single numbered footnote within Exhibit B shall appear immediately below the table in Exhibit B and immediately above the paragraph that begins with “To determine the land or in-lieu payments...”.

Section 4. The within Ordinance shall not in any way affect land dedication requirements or the formula for payments in lieu thereof for any District other than PSD.

Introduced, passed on first reading, and ordered published this 8th day of April, 2013.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

Introduced, passed on second reading, and ordered published this 22nd day of April, 2013.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

Poudre School District Board of Education Meeting Cover Sheet

February 26, 2013 Meeting

 Print

Agenda Item: Approval of the Land Dedication or Payment in Lieu Agreement Update

Summary:

Type of Communication:

Type of Action Requested: Other Action

Policy Facts: EL 2.8.9 submit to the Board all matters regarding which Board action is required by law, along with the Superintendent's recommendations and required policy compliance assurances.

Background: Poudre School District currently has intergovernmental agreements regarding school site land dedication with Larimer County, the City of Fort Collins, the Town of Windsor, and the Town of Wellington. In even years, the District reviews the data used in determining land dedication and in-lieu payments described in these agreements. Board action is required to approve any recommended changes to the agreement. The only change being recommended is to increase the developed land value from \$89,000 per acre to \$95,000 per acre. All other criteria will remain unchanged. If approved, the current in-lieu payment of \$1,600 per dwelling unit will increase to \$1,710 for the next two years.

Recommendation: The Superintendent recommends the Board of Education approve updating the School District Planning Standards and Methodology as presented in the attached Exhibits A & B for use in 2013 and 2014 for Intergovernmental Agreements concerning Land Dedications or Payments in Lieu of Land Dedications.

ATTACHMENTS:

Name:	Description:	Type:
<input type="checkbox"/> Insight with Exhibits A and B- Payment in Lieu of Land Agreement Update.docx	Insight -Payment In Lieu of Land Update	Cover Memo

POUDRE SCHOOL DISTRICT INSIGHT

TO: Nancy Wright, Superintendent of Schools
FROM: Mike Spearnak, Director of Planning Design and Construction
SUBJECT: Land Dedication or Payment in Lieu Agreements
DATE: January 15, 2013

Executive Summary

Poudre School District currently has school site land dedication agreements with Larimer County, the City of Fort Collins, the Town of Windsor, and the Town of Wellington. As part of these agreements, land is dedicated or a payment in lieu of land is paid based on "School District Planning Standards" adopted by the Board of Education. These standards include such factors as: student yields, enrollment capacities, site acreage requirements, and developed land costs. These standards are reviewed every two years, and were last updated in December of 2010. Based on the appraisal of developed land valuation supplied by Shannon and Associates, the 2010 update resulted in Board approval of the in-lieu payment of \$1,800 per dwelling unit being reduced to \$1,600 per dwelling unit.

In November of this year, Shannon & Associates was again asked to review current data and provide an updated opinion regarding developed land valuation. The report concluded: *"Based on this information and interviews with market participants, it is our opinion that residential land values are slowly appreciating. Based on the current information, it is reasonable to increase the existing \$89,000 "interior tract land value per acre" to \$95,000 per acre."* If approved, this will result in an increase from the current in-lieu payment of \$1,600 per dwelling unit to \$1,710 per dwelling unit. Since this review and update only happens once every two years, Staff recommends that the in-lieu payment adjustment, though minor, be approved to avoid a larger adjustment in the future.

Staff Recommendation

It is recommended that the Board of Education approve updating the School District Planning Standards and Methodology as presented in the attached Exhibits A & B for use in 2013 and 2014 for Intergovernmental Agreements concerning Land Dedications or Payments in Lieu of Land Dedications.

Exhibit A

Poudre School District

2013/14 School District Planning Standards

i. Student Yield Per Dwelling Unit¹

	Category A 1 to 4 attached dwelling units	Category B 5 or more attached dwelling units
Elementary School	0.35	½ Category A
Middle School	0.10	½ Category A
High School	0.09	½ Category A
Total	0.54 students	

ii. School Facility Enrollment Capacities²

Elementary School	525	students
Middle School	750	students
High School	1,800	students

iii. School Site Acreage Requirements²

Elementary School	15	acres
Middle School	30	acres
High School	80	acres

iv. Developed Land Value for 2012³

\$95,000

¹Average student yields for elementary, middle school, and high school based on information collected by Western Demographics, Inc. includes all residential dwelling types within the School District.

²Based on Poudre School District's current educational specifications

³Average land value based on report prepared by Shannon and Associates dated March 14, 2006 and updated August 13, 2008, December 29, 2010, and November 16, 2012. **Adjustments to occur every 2 years in the even year based on changes to the Larimer County Assessor's "Residential Lot Classification".**

Exhibit B

Poudre School District

2012/13 School District Methodology

Based on the School District Planning Standards contained in Exhibit A, calculation of land dedication or in-lieu payments uses the following procedures:

1. The student yield is determined by the number of attached dwelling units.
 (e.g. *Category A, Elementary School = 0.35*).
2. The amount of land required per student is calculated by dividing the acreage by the capacity.
 (e.g. *Elementary School = 15 acres / 525 students = 0.029*).
3. The acreage per dwelling unit is determined by multiplying the student yield by the per student land requirement.
 (e.g. *0.35 yield x 0.029 acres = 0.010*)
4. To convert the land dedication requirement into in-lieu payments, the acreage per dwelling unit is multiplied by the developed land value.
 (e.g. *0.010 acres x \$95,000 = \$950.00*)

Summary

The total land dedication or in-lieu payment per dwelling unit is:

	Category A <i>1 to 4 attached units</i>		Category B <i>5 or more attached units</i>	
	<u>Land</u>	<u>PILO</u> ¹	<u>Land</u>	<u>PILO</u> ¹
Elementary School	0.0100 acres	\$ 950	0.005 acres	\$475
Middle School	0.0040 acres	\$ 380	0.002 acres	\$190
High School	0.0040 acres	\$ 380	0.002 acres	\$190
Total	0.0180 acres	\$1,710	0.009 acres	\$855

To determine the land or in lieu payments for a proposed residential development, the per dwelling unit totals above would be multiplied by the total number of dwelling units in the development.

(e.g. *300 single family units = 0.0180 x 300 = 5.4 acre dedication or
 \$1,710 x 300 = \$513,000 PILO*)

¹ PILO means "payment-in-lieu-of" land dedication

Exhibit A

Poudre School District

2013/14 School District Planning Standards

i. Student Yield Per Dwelling Unit¹

	Category A <i>1 to 4 attached dwelling units</i>	Category B <i>5 or more attached dwelling units</i>
Elementary School	0.35	½ Category A
Middle School	0.10	½ Category A
High School	0.09	½ Category A
Total	0.54 students	

ii. School Facility Enrollment Capacities²

Elementary School	525	students
Middle School	750	students
High School	1,800	students

iii. School Site Acreage Requirements²

Elementary School	15	acres
Middle School	30	acres
High School	80	acres

iv. Developed Land Value for 2012³

\$95,000

¹Average student yields for elementary, middle school, and high school based on information collected by Western Demographics, Inc. includes all residential dwelling types within the School District.

²Based on Poudre School District's current educational specifications

³Average land value based on report prepared by Shannon and Associates dated March 14, 2006 and updated August 13, 2008, December 29, 2010, and November 16, 2012. Adjustments to occur every 2 years in the even year based on changes to the Larimer County Assessor's "Residential Lot Classification".

Exhibit B

Poudre School District

2012/13 School District Methodology

Based on the School District Planning Standards contained in Exhibit A, calculation of land dedication or in-lieu payments uses the following procedures:

1. The student yield is determined by the number of attached dwelling units.
(e.g. *Category A, Elementary School = 0.35*).
2. The amount of land required per student is calculated by dividing the acreage by the capacity.
(e.g. *Elementary School = 15 acres / 525 students = 0.029*).
3. The acreage per dwelling unit is determined by multiplying the student yield by the per student land requirement.
(e.g. *0.35 yield x 0.029 acres = 0.010*)
4. To convert the land dedication requirement into in-lieu payments, the acreage per dwelling unit is multiplied by the developed land value.
(e.g. *0.010 acres x \$95,000 = \$950.00*)

Summary

The total land dedication or in-lieu payment per dwelling unit is:

	Category A 1 to 4 attached units		Category B 5 or more attached units	
	<u>Land</u>	<u>PILO</u> ¹	<u>Land</u>	<u>PILO</u> ¹
Elementary School	0.0100 acres	\$ 950	0.005 acres	\$475
Middle School	0.0040 acres	\$ 380	0.002 acres	\$190
High School	0.0040 acres	\$ 380	0.002 acres	\$190
Total	0.0180 acres	\$1,710	0.009 acres	\$855

To determine the land or in lieu payments for a proposed residential development, the per dwelling unit totals above would be multiplied by the total number of dwelling units in the development.

(e.g. *300 single family units = 0.0180 x 300 = 5.4 acre dedication or \$1,710 x 300 = \$513,000 PILO*)

¹ PILO means "payment-in-lieu-of" land dedication

2012 ANNUAL REPORT ON PILO (*Payments-In-Lieu-Of*)

The Thompson School District has intergovernmental agreements (IGAs) with the City of Loveland, City of Fort Collins, Town of Berthoud, Town of Johnstown, and Town of Windsor for land dedication or payments-in-lieu-of school sites (PILO). The District receives similar funds from Larimer County and Weld County, but without an IGA. These PILO funds are a vital part of the District's ability to provide sites for new schools when and where growth occurs.

PURPOSE

In our state statutes, the counties, and subsequently local governments, have the *authority to require the reservation or dedication of sites and land areas for schools or the payment of moneys in lieu of.* (C.R.S.30-28-133 (4) (a)). The concept of PILO is the direct result of a desire to ensure development bears a proportionate share of the capital costs necessary to build new schools in response to growth or overcrowding. It is this requirement of a *rational nexus* (a direct link between cause and need) that mandate funds be spent in the same high school feeder group as it is collected.

The statutes limit PILO expenditures, however, to the acquisition and/or development of the land only – construction of buildings or funding of staff are excluded. Included in site acquisition are items of due diligence and closing such as: Colorado Geological Surveys; site surveys; Phase I Environmental Studies; title searches; and legal reviews. Included in site development are capital facilities planning, code review, and infrastructure needs such as: sidewalk, curb, and ½ road development; utility services stubbed to the site; raw water dedication requirements, and over lot grading.

HISTORY

The District's first PILO IGA was signed in 1996 with the City of Loveland. Since that time over \$9 million has been collected. To date, PILO expenditures have been associated with:

- infrastructure at Mountain View High School,
- CBT shares of water (as part of the infrastructure requirements) for Coyote Ridge Elementary School and Ponderosa elementary School,
- the purchase of a future middle/high school site between Fort Collins and Loveland,
- the purchase of additional land to support growth at Turner Middle School in Berthoud,
- the due diligence and closing costs associated with Ponderosa Elementary dedication,
- infrastructure and due diligence costs related to a water retention pond at Berthoud High
- infrastructure and site development costs associated with the expansion of the early childhood program to additional school sites,
- routine due diligence costs associated with the acquisition of additional elementary school sites, and
- the purchase of water shares to allow development of acquired sites.

THE PROCESS & VALUE

The process begins whenever a new development comes through a jurisdictions' review and approval process. The District is asked to submit an impact report. This impact report states what the proposed residential growth will do to the District's school capacities. At the same time, the District also requests the dedication of a school site or payment of PILO.

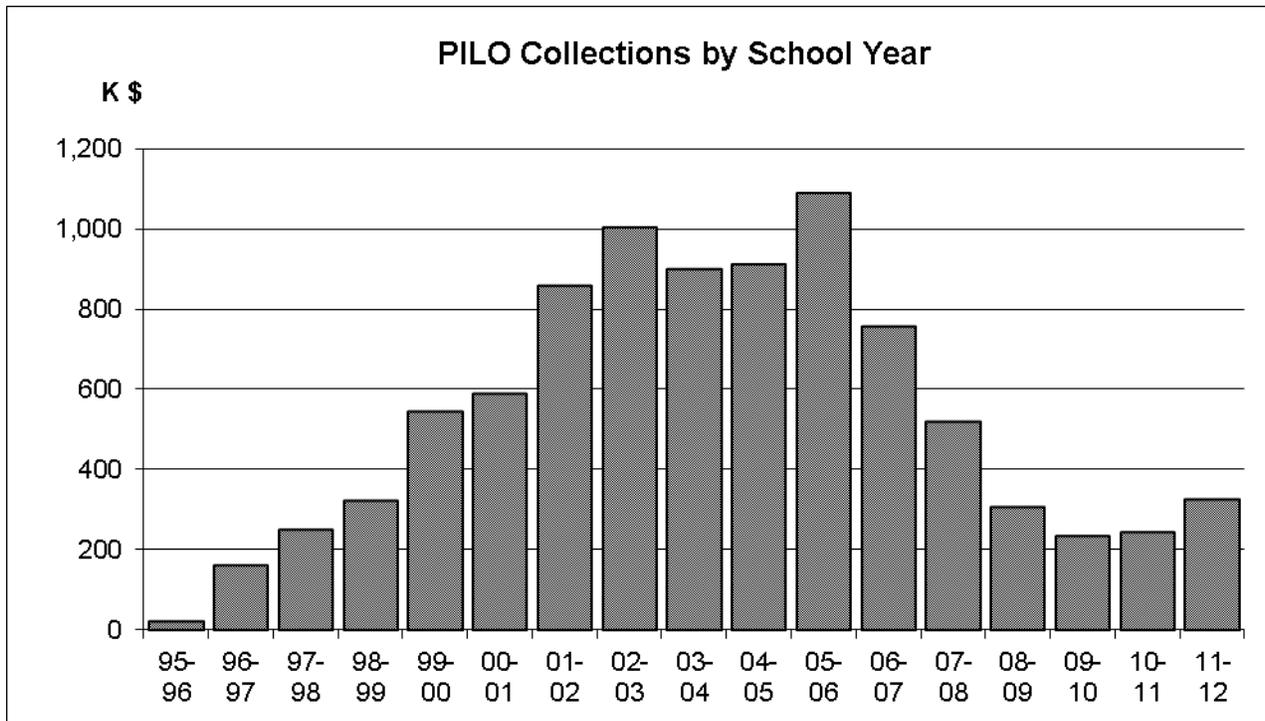
The District has received title for a middle school site dedication as part of this process. Both the Coyote Ridge Elementary and Ponderosa Elementary sites were dedications. Other discussions regarding elementary site dedications have been initiated, but are still in the planning/negotiation stages. (*Master Plan 2012-13*, page 112 provides a location map.)

On March 15, 2006, the Board of Education passed Action Item 5.4 to increase the PILO fee from \$688 to \$1382 (for 1 to 4 attached dwelling units) and \$946 (for 5 or more attached dwelling units). The City of Loveland voted to collect the increased fees at their April 4, 2006 City Council meeting and implementation began July 1, 2006. The City of Fort Collins voted to collect the increased fees at their October 3, 2006 meeting and the Larimer County Commissioners voted to collect the increased fees at their October 9, 2006 meeting with both jurisdictions implementing on January 1, 2007. The Town of Berthoud adopted the new fee amounts effective January 7, 2007. The Town of Windsor has also implemented the new PILO rate. Johnstown still collects the \$688 fee.

The District expects the collections for the City of Loveland to continue to dominate while the City of Fort Collins and Windsor will continue to have a diminishing role. Conversely, the District expects Johnstown to have a growing impact on the collections in the future – even though they continue to use the pre-2006 PILO rate. Staff does not anticipate any change to the PILO fee in the coming year.

Collecting Entity	2008-2009	2009-2010	2010-2011	2011-2012	% of Total (since 1996)
Berthoud	\$ 17,966	\$ 9,674	\$ 11,056	\$ 27,640	2%
Fort Collins	43,055	45,705	22,852	24,196	14%
Johnstown	25,456	50,224	47,472	75,680	3%
Loveland	202,074	118,852	146,542	174,264	65%
Larimer County	10,832	8,124	14,894	24,372	4%
Weld County	0	0	0	0	0%
Windsor	0	0	0	0	6%
Interest	6,429	1,996	1,535	1,371	5%
Total	\$ 305,812	\$ 234,574	\$ 244,351	\$ 327,523	

During the 2010/11 school year, PILO fees totaled \$327,523 (including interest), which is equal to 4% of the total collected since 1996 and a 34% increase over 2010/11. Staff expects new residential construction to be similar during the 2012-13 school year and that the majority of that construction will be in the same areas as in 2011-12 (northwest Loveland and areas east of I25 served by the district). The District must spend any single payment within 10 years of when it is collected (or return it to the payee with interest).



SUMMARY

As of June 30, 2012, just over \$1.3 million remains in the combined PILO accounts. Planning considers it prudent to maintain a minimum \$250K reserve for unexpected due diligence and infrastructure costs. This means currently there is \$1 million available for acquiring water shares to allow development of sites owned by the District.

Weld County School District RE-4

6/30/2012 ANNUAL REPORT ON PILO (Payments-In-Lieu of Land Dedication)

The District has intergovernmental agreements (IGAs) with the Town of Windsor and the Town of Severance concerning land dedications or payments in lieu for school purposes. The District receives similar funds from Weld County, but without a formal agreement. The District currently doesn't have an agreement with the City of Greeley, but has received land dedications from several developers.

HISTORY

The District's first intergovernmental agreement relative to payments in lieu of land dedication was signed in 1999 with the Town of Windsor. The first payment was received through Weld County in July 2000. The District has collected a total of approximately \$2.93 million, including interest earnings, since the first agreement. To date, two land purchases have been made, which include a middle school site and a high school site for a total of \$2.75 million.

THE PROCESS AND VALUE

The process begins when new developments are presented to the respective planning departments for review. The District submits an impact statement that includes the expected number of students to be generated from the development, the capacity of the buildings currently serving the area, as well as if the District requests cash-in-lieu funds or a land dedication for a future school site.

Since the beginning of the agreements, the District has been dedicated a total of seven elementary sites for approximately 70 acres, one middle school site for approximately 20 acres, and one high school site for approximately 50 acres. This totals roughly 140 acres since the inception of the agreements.

In the summer of 2006, the land value was increased to reflect current market values within the District. The current per-unit amount collected is \$2,240 per single family unit and \$520 per multi-family unit. These amounts have been adopted by all of the entities as noted above. We are not requesting a change in land value at this time.

During fiscal year 2012, the District collected a total of \$21,364 in PILO. Because of the current state of the local economy and decline in local development activity, the amounts collected in PILO are seeing annual declines. Additionally, interest rates are at a record-low level.

The following table details the amounts collected from each entity for the past five years as well as the amount of interest earned.

ENTITY	2007-08	2008-09	2009-10	2010-11	2011-12	% SINCE INCEPTION
Severance	\$ 41,115	\$ 84,094	\$ 53,948	\$ 25,854	\$ 14,654	36.32%
Weld County	\$ 32,575	\$ 6,720	\$ 2,240	\$ 8,970	\$ 6,710	9.40%
Windsor	\$ 333,371	\$ 1,215	\$ -	\$ -	\$ -	43.13%
Interest	\$ 103,091	\$ 15,707	\$ 182	\$ 228	\$ 205	11.15%
TOTAL	\$ 510,151	\$ 107,735	\$ 56,370	\$ 35,052	\$ 21,569	100.00%

Weld County School District RE-4

6/30/2012 ANNUAL REPORT ON PILO (Payments-In-Lieu of Land Dedication)

The District has intergovernmental agreements (IGAs) with the Town of Windsor and the Town of Severance concerning land dedications or payments in lieu for school purposes. The District receives similar funds from Weld County, but without a formal agreement. The District currently doesn't have an agreement with the City of Greeley, but has received land dedications from several developers.

HISTORY

The District's first intergovernmental agreement relative to payments in lieu of land dedication was signed in 1999 with the Town of Windsor. The first payment was received through Weld County in July 2000. The District has collected a total of approximately \$2.93 million, including interest earnings, since the first agreement. To date, two land purchases have been made, which include a middle school site and a high school site for a total of \$2.75 million.

THE PROCESS AND VALUE

The process begins when new developments are presented to the respective planning departments for review. The District submits an impact statement that includes the expected number of students to be generated from the development, the capacity of the buildings currently serving the area, as well as if the District requests cash-in-lieu funds or a land dedication for a future school site.

Since the beginning of the agreements, the District has been dedicated a total of seven elementary sites for approximately 70 acres, one middle school site for approximately 20 acres, and one high school site for approximately 50 acres. This totals roughly 140 acres since the inception of the agreements.

In the summer of 2006, the land value was increased to reflect current market values within the District. The current per-unit amount collected is \$2,240 per single family unit and \$520 per multi-family unit. These amounts have been adopted by all of the entities as noted above. We are not requesting a change in land value at this time.

During fiscal year 2012, the District collected a total of \$21,364 in PILO. Because of the current state of the local economy and decline in local development activity, the amounts collected in PILO are seeing annual declines. Additionally, interest rates are at a record-low level.

The following table details the amounts collected from each entity for the past five years as well as the amount of interest earned.

ENTITY	2007-08	2008-09	2009-10	2010-11	2011-12	% SINCE INCEPTION
Severance	\$ 41,115	\$ 84,094	\$ 53,948	\$ 25,854	\$ 14,654	36.32%
Weld County	\$ 32,575	\$ 6,720	\$ 2,240	\$ 8,970	\$ 6,710	9.40%
Windsor	\$ 333,371	\$ 1,215	\$ -	\$ -	\$ -	43.13%
Interest	\$ 103,091	\$ 15,707	\$ 182	\$ 228	\$ 205	11.15%
TOTAL	\$ 510,151	\$ 107,735	\$ 56,370	\$ 35,052	\$ 21,569	100.00%



April 2, 2013

David O'Leary, Esq.
DUFFORD & BROWN, PC
1700 Broadway, Suite 2100
Denver, CO 80290-2101

Re: Windshire Park Metropolitan District No. 2 – Exclusion of Property
Windsor Housing Authority District Boundary Modification

Dear Mr. O'Leary:

In accordance with Chapter 1, Section A (3) of the May, 2005, Consolidated Service Plan for the above-referenced Metropolitan District, the Town of Windsor hereby notifies you that your request for exclusion of Lots 1 and 2, Block 32, of the Windshire Park Subdivision Third Filing ("Property") has been approved. Specifically, the Town has reviewed your request dated March 21, 2013, and with Town Board concurrence is prepared to affirm the exclusion of the Property from District No. 2.

We understand that the District's Board of Directors will take formal action with respect to the Property owner petition for exclusion. Please provide me with written confirmation of the Board's action on this matter.

If you have any questions or concerns, please contact the Town Attorney, Ian D. McCargar.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelly Arnold", is written over a horizontal line.

Kelly Arnold, Town Manager

pc: Windsor Town Board
Ian D. McCargar, Esq.



MEMORANDUM

Date: April 2, 2013
To: Town Board
From: Amy Porter, Special Events Coordinator
Re: March Special Event Monthly Report

Events in Planning:

- Farmers Market- 8 Hours
- Harvest Festival- 2 Hours
- USA Pro Cycling Challenge- 3 Hours
- Relay for Life- 6 Hours
- End of Year Banquet-1 Hour
- Office Work (includes phone, email, processing applications, correspondence, posting data, etc.)-70.5 Hours
- Administrative Meetings- 4.5 Hours
- Special Event Application Reviews- 9 Hours
- Training- 1 Hour
- Town Board Presentations-1 Hour

Events Conducted:

- None

Monthly Fiscal Implications/Sales Tax:

Sales Tax:

\$0

Town-Generated Revenue:

\$0

Comments: