



**703 Weld County Road 37  
BOARD OF TRUSTEES  
REGULAR MEETING  
December 5, 2023  
6:30 p.m.**

**This meeting will be held in the Town Hall Board Room, 703 WCR 37 and via Zoom. Residents are welcome to join us in the Board Room to view or participate in the meeting, during Public Comment or Public Hearings. Public access to this meeting can be found on the website no later than 24 hours prior to the meeting.**

**Minutes**

**CALL TO ORDER**

Mayor Mahoney called the meeting to order at 6:31 PM.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Present: Mayor Mahoney  
Mayor Pro Tem Jeffery  
Trustee Wescott  
Trustee Coen  
Trustee White  
Trustee Bristow  
Trustee Tapey

**APPROVAL OF AGENDA**

*Motion made by Trustee White seconded by Mayor Pro Tem Jeffery to approve the agenda. Motion carried 7-0.*

**PUBLIC COMMENT**

None

**CONSENT AGENDA**

Any item listed on the Consent Agenda can be removed upon request from any member of the Town Board. For the benefit of our audience, the mayor will read the items remaining on the Consent Agenda prior to the Board's vote.

- a.** Payment Approval Report (\$108,919.61)
- b.** November 21, 2023 Minutes
- c.** Board Meeting Calendar 2024
- d.** Resolution 2023-51 Amending The Procedures Regarding The Payment Of Bills Without Prior Approval Of The Board of Trustees Under Certain Circumstances
- e.** Resolution 2023-52 Authorizing The Town Administrator To Execute Agreements Necessary To Complete Purchase Of Motor Grader From Weld County In An Amount Not To Exceed \$100,000
- f.** Emergency Repairs to Well Number 6

*Motion made by Mayor Pro Tem Jeffery seconded by Trustee Bristow to approve the consent agenda. Motion carried 7-0.*

### **ACTION ITEMS**

- a. Public Hearing for the Elevated Storage Tank at Silver Peaks to gather input as part of a loan application process.

Mayor Mahoney opened the public hearing at 6:34 PM.

Chris Larmon, Public Works Director, stated that this project is nearing the home stretch. Tonight's public hearing is more of a public forum to present the project and solicit public comment. There is no formal action to be taken tonight. Mandy Rasmussen and Shane White, of JVA Consulting Engineers, are here to present and answer any questions.

Mandy Rasmussen and Shane White, JVA Consulting Engineers, provided an update on the elevated storage tank project. The project is currently out to bid, and the public hearing tonight is to satisfy the requirements for the State Revolving Fund Loan funding. They inquired if the public had any feedback, questions, or concerns regarding the Environmental Analysis that was completed.

There were no public comments.

Mayor Mahoney closed the public hearing at 6:43 PM.

- b. Public Hearing on the 2024 Budget: Public hearing to be opened and immediately continued to January 2, 2024, at 6:30 PM at Town Hall, 703 Weld County Road 37, Lochbuie, Colorado, 80603

Mayor Mahoney opened the public hearing at 6:43 PM.

Maureen Juran, Town Attorney, stated that notice was posted of this public hearing tonight. With the special session of the State Legislature before Thanksgiving, property tax valuation deadlines changed this year, so we will not have final numbers from the state until late December. The public hearing is opened tonight as noticed, but will be continued to January 2, 2024, at 6:30 PM.

*Motion made by Mayor Pro Tem Jeffery seconded by Trustee Bristow to open the public hearing and continue to January 2, 2024. Motion carried 7-0.*

Mayor Mahoney closed the public hearing at 6:45 PM.

- c. Presentation of development impact fee study and consideration of Ordinance 2023-686 Amending The Lochbuie Municipal Code By (A) The Addition Of A New Article VI Of Chapter 4 Entitled "Development Impact Fees And Funds" To Impose Regional Transportation Impact Fees, Parks And Trails Impact Fees, And Municipal Facilities Impact Fees And (B) Amending Section 4-2-70(C) Regarding The Development Impact Fee Special Fund

Christopher Kennedy, Community Development Director, stated that is a request for approval of the impact fee study and implementation of the impact fee schedule. Impact fees are one-time payments charged to developers to address the impacts of the new developments on facilities that typically serve the entire community. Lochbuie has some minimal fees which are charged that come from old development agreements. The Town has not adopted impact fees or a schedule that would apply to any impact fees for new developments.

Todd Cristiano, Raftelis Financial Consultants, Inc, and another consultant on the project, Duane Guthrie, shared a presentation on the legal requirements and fundamental concepts of the impact fee study. They showed the proposed impact fees for Lochbuie, which include fees for parks, open space, trails, municipal facilities, and transportation.

*Motion made by Mayor Pro Tem Jeffery seconded by Trustee Coen to approve Ordinance 2023-686 Amending The Lochbuie Municipal Code By (A) The Addition Of A New Article VI Of Chapter 4 Entitled "Development Impact Fees And Funds" To Impose Regional Transportation Impact Fees, Parks And Trails Impact Fees, And Municipal Facilities Impact Fees And (B) Amending Section 4-2-70(C) Regarding The Development Impact Fee Special Fund. Motion carried 7-0.*

- d. Resolution 2023-53 Setting The Amount Of The Regional Transportation Impact Fee, Parks and Trails Impact Fee, And Municipal Facilities Impact Fee As Authorized by Article VI Of Chapter 4 Of The Lochbuie Municipal Code

*Motion made by Mayor Pro Tem Jeffery seconded by Trustee Bristow to approve Resolution 2023-53 Setting The Amount Of The Regional Transportation Impact Fee, Parks and Trails Impact Fee, And Municipal Facilities Impact Fee As Authorized By Article VI Of Chapter 4 Of The Lochbuie Municipal Code. Motion carried 7-0.*

- e. Consideration and Action on Resolution 2023-54 Approving A Third Amendment To Annexation And Development Agreement For Blue Lake And A First Amendment To Subdivision Improvement And Water Dedication Agreement Blue Lake Filing No. 2.

Christopher Kennedy shared that one of the proposed amendments is to delay the widening of County Road 37, as required by the development agreement. The developer is willing to complete the work, but staff is recommending delaying construction. Currently, parts of County Road 37 are in poor condition and may need to be demolished and reconstructed, in which case this new road would need to be torn out. Delaying the widening would allow staff and consultants to further investigate the road and make the best decision on how to proceed with widening it. Also, there has been little development in the area, and widening the road is not warranted by existing traffic conditions. The second action is to remove a fee that is no longer needed. The fee is imposed under the annexation agreement to benefit the Blue Lake Metro District, but the district is no longer in need of collecting that fee. The third amendment clarifies existing language in the annexation agreement regarding the impact fees. The 194 existing platted lots would be exempt from the impact fees. The fees would apply to the remaining 700 lots that will be developed in the future.

*Motion made by Trustee White seconded by Trustee Bristow to approve Resolution 2023-54 Approving A Third Amendment To Annexation And Development Agreement For Blue Lake And A First Amendment To Subdivision Improvement And Water Dedication Agreement Blue Lake Filing No. 2. Motion carried 7-0.*

### **STAFF AND ATTORNEY UPDATES**

Maureen Juran shared that she and Mr. Euckert are having a conversation with Kim Seter, the library attorney, and she will update the Board of Trustees after the conversation.

AJ Euckert, Town Administrator, reminded everyone that the holiday party is next Thursday. He recognized Heather Bowen for receiving her Master Municipal Clerk certification this week.

Chris Larmon shared that the new F600 is parked in the back of town hall if anyone wants to see it.

### **MAYOR AND TRUSTEE COMMENTS**

Trustee Coen shared updates from Department Accountability Committee for the RE-3J school district. On December 20, at 6:30 PM at Meadow Ridge Elementary, there will be a community meeting to allow the district to ask for feedback on the proposal of creating space for middle school students in the schools in Lochbuie. A survey will occur after the meeting before a final decision is made. She also provided updates from the CML Policy Committee regarding several bills that are being discussed which could impact Lochbuie. There is a property tax bill identifying housing goals for transportation-oriented communities, a bill regarding short term rentals, and a bill proposing changes to current landscape practices.

Trustee White shared that at the CML conference last summer, she spoke with a vendor who showed her that there were three Airbnb properties in Lochbuie.

Trustee Bristow stated that she had a ride along with Sergeant Ramirez and highly suggests all trustees to take one. She gained a good outlook on how the police officers work and how they are involved in the community.

Trustee Wescott thanked staff and consultants for all the work that went into the items that were discussed tonight.

Mayor Mahoney thanked staff and consultants for the work in preparing presentations that were informative and easy to follow. He wished everyone a happy holiday season!

**ADJOURN**

*Motion made by Trustee Bristow seconded by Trustee Coen to adjourn the meeting. Motion carried unanimously.*

Mayor Mahoney adjourned the meeting at 7:26 PM.

*The Board may convene a lawfully called executive session at any time during a regular or special meeting of the Board.*



Heather Bowen  
Town Clerk



Michael Mahoney  
Mayor

