

**Town of Mead  
Minutes of the Regular Meeting  
Board of Trustees  
April 11, 2011  
7:00 p.m.**

The Board of Trustees for the Town of Mead met for a regular meeting on April 11, 2011. The meeting began at 7:00 p.m.

**REGULAR MEETING**

**Members Present:**

Mayor Richard W. Macomber  
Trustee Robert J. Acker  
Trustee Debra Brodhead  
Trustee Richard E. Kraemer  
Trustee Kim Heard

**Members Absent:**

Trustee Liz Knapp  
Trustee Penni Zelinkoff

**Staff Present**

Town Manager Dan Dean, Town Attorney Rick Samson, Town Planner Steve Stamey, Town Engineer Trent Marshall, Public Works Director Dan Dennison and Town Clerk Charlene Reed.

**Pledge of Allegiance to the Flag**

The assembly pledged allegiance to the flag.

**Consent Agenda**

Board members considered the consent agenda consisting of the minutes of the regular meeting held on March 28, 2011 and the bills list dated April 5, 2011.

Motion by Trustee Acker, seconded by Trustee Heard, to approve the minutes of the regular meeting held on March 28, 2011. The motion passed unanimously.

Motion by Trustee Acker, seconded by Trustee Kraemer, to approve the bills list dated April 5, 2011. The motion passed with a 5-0 vote.

**Audience Participation**

Janet Torres thanked the Board for supporting the 9Health Fair, which was held on Saturday, April 9, 2011 at the Mead High School. There were over 300 participants at the Fair, and the

event will be held again in 2012. She also thanked those Board members and others who volunteered and helped with the event.

Mayor Macomber commended Ms. Torres and Ms. Rademacher for their efforts and thanked those who volunteered for the health fair. Ms. Torres said a special thanks to the Mountain View Fire Protection District, who assisted with the event.

### **Reports/Presentations**

#### **Mountain View Fire Protection District**

Chief Mark Lawley was present to review the incident list from March 1-31, 2011 with the Board.

Mayor Macomber presented Chief Lawley with a 9News Health Fair Certificate of Appreciation in appreciation for their help with the fair.

Weld County Sheriff's Deputy Sean Standridge reviewed the Mead Area Crime Report Summary and the Mead High School Crime Report Summary for March 2011.

Mayor Macomber closed the public meeting and convened a meeting of the Mead Liquor Authority at 7:15 p.m.

#### **Mead Liquor Authority**

##### **Liquor License Public Hearing – Gokarna, LLC & 7-Eleven, Inc.- 3.2% Beer Off Premises License**

Kevin Coates of Dill, Dill, Carr, Stonbraker & Hutchings, PC addressed the Board, representing Gokarna, LLC and 7-Eleven, Inc. He asked if anyone in the audience was in opposition to the license and there were none.

Mayor Macomber issued the oath to the witnesses.

Carol Johnson of Esquire Petitioning Services presented information regarding the process and the results of the petitioning done in Mead. There were 111 residents and 42 businesses who signed in support of the requested liquor license.

Bijaya Thapa of Gokarna LLC addressed the Board. Mr. Thapa is the 100% owner of Gokarna LLC, and has entered into an agreement with 7-Eleven, Inc. to operate 7-Eleven Store 39451A at 4301 State Highway 66, Mead, Colorado. Mr. Thapa presented information regarding his background, and his investment in the store. He also provided information on the training that he received from 7-Eleven to sell alcohol. He also noted that his employees will be required to take the same training before they can sell alcohol.

Motion was made by Trustee Acker, seconded by Trustee Brodhead, that the liquor authority find that the applicants are of good moral character, the inhabitants of the neighborhood desire

that the license be granted, the license will meet the reasonable requirements of the neighborhood, that all town requirements and the requirements of state law have been met and that, based on these findings, the Local Licensing Authority approve issuance of the license applied for and direct the Chair to execute the findings and order. The motion carried with a 5-0 vote.

Mayor Macomber closed the Liquor Authority Hearing and reconvened the regular meeting at 7:50 p.m.

### **Reports (Continued)**

Cathi Boles, Regulatory Analyst from Encana Oil & Gas (USA), Inc. did a presentation on the drilling process for oil and gas wells.

Ms. Booles presented a video explained the fracking process, and Board members asked about the chemicals that are used. Ms. Boles agreed to provide the information regarding the chemicals used for fracking wells.

Board members thanked Ms. Boles for the presentation.

### **New Business**

#### **Public Hearing – Special Use Permit Application - Douthit 32-26HZ Well**

Mayor Macomber opened the public hearing to consider a special use permit application for the Douthit 32-26HZ Well.

Mr. Stamey reviewed the staff report with the Board.

Brett Torina, Landman for Kerr-McGee Oil & Gas Onshore, LP addressed the Board, presenting information regarding the well and its location. He explained that they will be expanding existing production facilities to add on this well.

Board members asked what is used in the fracking fluids. Terry Enright of Kerr-McGee explained that the chemical composition of the fracking fluids is provided to the Colorado Oil and Gas Commission. He offered to ask for permission to release the information to the Town.

Trustee Acker suggested this be postponed to allow Mr. Enright to ask if Kerr-McGee was willing to release the information.

Mr. Samson noted that the Town is not allowed to impose conditions on technical requirements. The Town is limited to imposing condition on land issues. He explained that the Board has three options; to approve the application, to approve the application with conditions, or to continue the hearing for a brief period of time.

Mayor Macomber opened the floor for public comment.

Daryl Oster of 5425 County Road 32 asked questions about the distance where cracks are drilled in the concrete and was advised that is typically from 200-500 feet. He also asked if there is a way to control the cracking to prevent it from going further. He was advised that the amount of sand and the pressure of pumping can be used to control the fracturing.

There were no further comments and Mayor Macomber closed the public comment portion of the hearing.

Motion was made by Trustee Acker, seconded by Trustee Kraemer, to defer Resolution 7-R-2011 to allow Mr. Enright to provide information regarding the composition of the fracking solution. Trustees Kraemer and Acker voted YES and Mayor Macomber and Trustees Heard and Brodhead voted NO. The motion failed.

Motion was made by Trustee Kraemer, seconded by Trustee Heard to approve Resolution 7-R-2011, a resolution of the Town of Mead, Colorado, granting a special use permit for the Douthit 32-26HZ Well, located in the NESE, Section 26, T3N, R68 West of the 6<sup>th</sup> PM. The motion passed with Mayor Macomber and Trustees Brodhead, Heard and Kraemer voting YES and Trustee Acker voting NO.

Trustee Brodhead left the meeting at 8:30 p.m.

Board members asked Mr. Dean to contact the Colorado Oil and Gas Commission to determine if it is possible to obtain information regarding the components of the fracking solution that will be used in the Douthit 32-26HZ Well.

### Pool Cars

Board members were concerned with whether a pool car would be utilized enough to pay for itself by reducing employee mileage reimbursement. Mr. Dean noted that even if the vehicle was used to the maximum, it would be a number of years before a new vehicle would pay for itself.

Mayor Macomber noted at the last meeting the Board was asked to pay a deductible for an employee whose vehicle was damaged in an accident. Trustee Acker noted that the Board set policy at that meeting that no further deductible reimbursement would be paid to employees using their vehicles for company business. Mayor Macomber noted not having employees using their vehicles may have an impact on the constituents.

Motion was made by Trustee Acker, seconded by Trustee Kraemer, not to purchase a pool car at this time.

Mr. Dean noted that staff is in favor of the purchase and are not willing to use their personal vehicles for company business. For that purpose the vehicle would be a good purchase. He noted the vehicle could be used to go to conferences, such as CML, but if the participants are not willing to carpool, it would not provide as big a benefit. He suggested a used vehicle would serve the same purpose, and not be as expensive to purchase.

Board members voted and the motion passed unanimously.

Board members asked Mr. Dean to investigate used vehicles and bring the information to the next meeting.

### **Reports and Comments**

#### **Dan J. Dean, Town Manager**

Board members reviewed Mr. Dean's activity report.

Liberty Ranch - Board members asked the status of the meeting Blake Carlson held with the property owners from Liberty Ranch regarding increasing the size of the park. Mr. Dean discussed this with Mr. Carlson and the residents are receptive to the idea. Mr. Carlson asked if there was an opportunity to share the funds in escrow, and Mr. Dean explained that those funds were set aside for park improvements, and sharing is not an option.

#### Health Insurance/Flex Benefit Renewals

Motion was made by Trustee Acker, seconded by Trustee Kraemer, to approve option one for funding the employee health savings accounts. Employees without dependents will receive \$50 per paycheck and employees with dependents will receive \$100 per paycheck. Employees will be required to match the Town's contribution to receive the contribution. The motion passed unanimously.

Board members commended Mr. Dean for working on the health fair and the bike race over the weekend. Mr. Dean reported on the events, noting that the organizer of the bike race has already asked to come back next year. There were 678 registered riders in the event.

Mr. Dean noted a meeting was held with Norris Design regarding the Parks, Open Space and Trails plan, and tentative dates have been set for meetings.

Mayor Macomber asked for copies of the emergency plan to be distributed. Mr. Dean agreed to make the copies and provide one for Mr. Dennison, for the Mayor and one for Town Hall.

#### **Richard Samson, Town Attorney**

Board members reviewed Mr. Samson's status report.

Mr. Samson noted the Annexation Agreement for the Haley Annexation will be on the agenda for May 31.

Mr. Samson reported that the front of the blacksmith shop was removed over the weekend.

#### **Steve Stamey, Town Planner**

Board members reviewed Mr. Stamey's activity report for the April 11 Board meeting.

Mr. Stamey reported that he anticipates Mead Village will be resubmitted for the initial staff review.

Mr. Stamey noted initial comments were provided for the Liberty Ranch Resubdivision map.

Mr. Stamey also prepared and sent out the initial review of the Encana Frederiksen well site, which will be presented to the Board in the near future.

#### Trent Marshall, Town Engineer

Board members reviewed Mr. Marshall's staff report.

Mr. Marshall reported that the trail plans have been sent to CDOT for approval, and once they are returned, it will be appropriate to advertise for bids for the trail.

Mr. Marshall reported a meeting was held with Troy Campbell and Mr. Dean regarding the Main Street plans. A meeting will be held next week with Mr. Stamey and representatives of Design Studios West to finalize the plans for the downtown renovation. Trustee Kraemer noted Mr. Campbell was asked to review the project and provide input to the Board. Mr. Dean noted Mr. Campbell will provide a report to the Board at the meeting on April 25, 2011.

Board members discussed the problems with traffic from the bridge on Third Street (Highway 7) to Highway 66 and asked Mr. Marshall to see what improvements can be made in the area. It was suggested that the street be widened to accommodate a turn lane. Mr. Marshall noted any improvements to Highway 66 in this area would be a CDOT project and he will contact them to determine what can be done.

#### Dan Dennison, Public Works Director

Board members thanked Mr. Dennison for the help from the Public Works staff for the events over the weekend.

Board members asked Mr. Dennison to make improvements to the stop signs at the intersections of Highway 66 and CR 3 and CR 5. Mr. Dennison noted the sign at Highway 66 and CR 5 has been replaced and he will make the same change at CR 3 and Highway 66.

#### Mayor Macomber

Mayor Macomber noted the Board received invitations for several events. Upstate Colorado is hosting their annual meeting and luncheon on April 28, 2011 at 11:30 a.m. in Windsor. Weld County is hosting a joint dinner with Larimer County in Evans the evening of the 28<sup>th</sup>. The Chamber of Commerce annual dinner is Thursday, April 14, 2011 from 6:00 to 10:00 at the Red Rooster. Mayor Macomber asked members to notify staff if they want to attend any events.

## **Town Trustees**

Trustee Kraemer noted he plans to attend the United Power meeting at 6:30 p.m. on Wednesday, April 13, 2011. He explained his purpose in attending is to tell the United Power Board that they were not particularly helpful in embracing green technology during negotiations for a franchise renewal with the Town of Mead. He explained that his intent is to make a motion that they be more open to green technologies and solar usages.

Trustee Acker asked staff to take action to get clear title to the property given to the Town by the Westridge Development. Mr. Dean noted the Town did a survey of the property that was initially selected, and the developer asked the Town to move the location. The new location allows the developer to line up a road across from Welker Farms. Mr. Dean suggested that the new location be surveyed. Board members instructed J. R. Engineering to resurvey the property and prepare the preliminary plat for the new location. Mr. Dean noted the preliminary plat will need to be approved by the Planning Commission and the Board instructed Mr. Dean to go forward with the process.

## **Adjournment**

Motion was made by Trustee Kraemer, seconded by Trustee Acker, to adjourn. The motion passed unanimously.

With no further business before the Board, the meeting adjourned at 9:40 p.m.

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Charlene Reed, CMC, Town Clerk

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Richard W. Macomber, Mayor