

**TOWN OF MILLIKEN  
BOARD OF TRUSTEES  
MILLIKEN MEETING HOUSE, 1201 BROAD STREET**

**MEETING MINUTES**

**Wednesday September 28, 2011 - 7:00 P.M.**

**Call to Order**

The Town of Milliken Board of Trustees convened a regular session on Wednesday, September 28, 2011 at 7:00 p.m. Those present: Mayor Janie Lichtfuss, Mayor Pro Tem Julie Cozad. Trustees: Bob Carnahan, Ted Chavez, Doug Kehr, Lois Ann Onorato and Peggy Wakeman. Also present: Town Administrator/Police Chief Jim Burack, Town Attorney Bruce Fickel, Public Works Operations Mngr. & Water/Wastewater Superintendent Jason Fowler, Community Development Director Steve House, Finance Director Mitzi McCoy and Co-Clerk Betty Rangel. Absent: Co-Clerk Cheryl Powell.

**Pledge of Allegiance**

Mayor Lichtfuss called the meeting to order.

**Agenda Approval**

Town Administrator Jim Burack responded there were no staff additions or deletions to the agenda.

**Citizens Comments**

There were none.

**Minutes of Previous Meeting** – September 14, 2011 meeting.

Minutes approved as distributed.

**CONSENT AGENDA**

**1. List of Bills**

List of Bills for September 14, 2011.

Trustee Onorato moved to approve the consent agenda. Mayor Pro Tem Cozad seconded the motion.

Vote: All in favor, none opposed.

## **ACTION AGENDA**

### **1. For Consideration and Approval of Appointments of New Directors of the Platte River Village Metropolitan District and for the Dissolution of the Platte River Village Metropolitan District**

Town Attorney Fickel explained to the Board that the Town of Milliken must formally appoint new directors to serve on the Board of the Metro District since the Board positions have been vacant for more than sixty (60) days. He went on to explain that McGeady Sisneros, Attorney's for the Districts are also asking that the Town Board give its consent to the dissolution of the Metro District. The property has gone into foreclosure and the lender does not have the capacity or intent to develop the property. The lender has found a prospective buyer for the property who is requiring that the lender initiate dissolution of the District as a condition to closing.

Mayor Pro Tem Cozad moved "Because there have been no members serving on the board of the Platte River Metropolitan District for more than sixty days and the owner of the real estate does not wish to have the property included in a metropolitan district, I move to appoint Timothy B. Walsh, Timothy D. Wiens and Joseph L. Zepeda to the Board of the Platte River Village Metropolitan District and to approve the dissolution of the Platte River Village Metropolitan District." Trustee Carnahan seconded the motion.

Discussion: There was none.

Vote: All in favor, none opposed.

### **2. For Consideration and Approval of a Proposed Amendment to the Centennial Crossing Metropolitan District Service Plan**

Town Attorney Fickel introduced Michael Job of Hall-Irwin and Lot Holding Investments, also representing the Centennial Crossing Metropolitan Districts.

Michael Job, 301 Centennial Drive, Milliken, representing Hall-Irwin/Lot Holding Investments and Manager of the Centennial Crossing Metropolitan Districts one (1) through eight (8), explained that the Centennial Crossing Metropolitan District Service Plan was originally approved by the Town of Milliken Board of Trustees on September 13, 2006. Manager Job explained the Centennial Crossing Metropolitan District consists of eight (8) separate districts and the current Service Plan does not allow expenses incurred in one of the metro districts to be paid by the income generated from another metro

district. This amendment would allow improvements in one district to be paid by all other districts which presumably would still be beneficiaries of the improvements made in another district. This amendment will allow the Metro District to utilize funds within the district as a whole, in order to obtain financing.

Town Attorney Fickel explained historically the purpose of having separate districts is because each district has its own different need. An example Attorney Fickel gave was CAP Farms/Boulder Scientific which has the need for sewer service versus District Eight (8) which might have a different need. However, Town Attorney Fickel commented the Town should not be involved in the District decisions.

Trustee Kehr asked if Mr. Job had asked for legal advice from their attorneys in regard to the proposed amendment. Michael Job replied the process has included a review with their attorneys.

Trustee Chavez moved to approve the proposed amendment to the Centennial Crossing Consolidated Service Plan. Trustee Kehr seconded the motion.

Discussion: There was none.

Vote: All in favor, none opposed.

3. **For Consideration and Approval of Resolution 11-15, a Resolution Authorizing the Municipal Judge to Act as the Hearing Officer on Alleged Liquor Violations**

Town Attorney Fickel explained that at the September 14, 2011 Board meeting, the Board had directed Town Attorney Fickel to bring back two (2) resolutions which would authorize the Municipal Judge to act as the hearing officer for alleged violations of the Colorado Liquor Code and/or the Colorado Revised Statutes and/or the ordinances of the Town of Milliken. Town Attorney Fickel recommends that the Board approve the option authorizing the municipal judge to act as the hearing officer for all alleged violations. The judge would be delegated the authority to evaluate and perhaps invoke sanctions for alleged violations.

Trustee Carnahan moved to approve Resolution 11-15 (option one) and authorize the Mayor to sign. Mayor Pro Tem Cozad seconded the motion.

Discussion: There was none.

Vote: All in favor, none opposed.

## DISCUSSION AGENDA

### 1. Discussion of a Proposed Revision to Project Pride/"\$storefront\$" Grant Program

Community Development Director House explained the Milliken Business Association (MBA) has been in the process of restructuring the Project Pride Program. The discussion has including changing the name to \$storefront\$. Director House referred to the Memo distributed to the Board and reviewed the recommendations which included;

- Name change
- Eligible Recipients
- Ineligible Recipients
- Reimbursement Structure

No other action needed from the Board at this time.

### 2. Settlement with Advantage Bank on Peregrine Creek Landscape Improvements

Town Attorney Bruce Fickel gave the Town Board an update in regard to the settlement agreement on Peregrine Creek Landscaping.

### Other Business

Mayor Lichtfuss read an appreciation letter directed to Chief/Administrator Burack from Weld County Sheriff John Cooke.

### Staff Reports;

Finance Director McCoy distributed the August Financials.

Director House said there would be a Survey about branding and the community in the October newsletter co-sponsored by the Milliken Business Association and the Town.

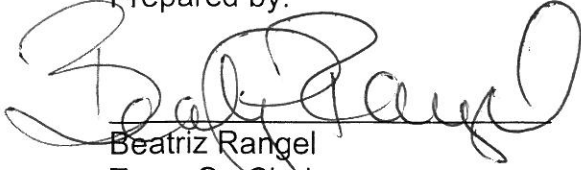
Chief Burack and Co-Clerk Rangel gave an update on the Community Court project. Initial kick off date for the Youth Court was September 27<sup>th</sup>.

Trustee Wakeman asked for an update on Safe Routes to School. The Town Administrator provided a project timeline and commented that Projects Manager Caree Rinebarger was doing an excellent job working with Xcel Energy on the relocation of poles on Broad Street.

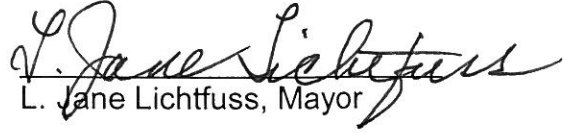
**Adjournment**

Hearing no further business, the Mayor adjourned the meeting at 7:50 p.m.

Prepared by:

  
Beatriz Rangel  
Town Co-Clerk

Approved by:

  
L. Jane Lichtfuss, Mayor