MINUTES
Timnath Town Council
Meeting
6:00 PM - Tuesday, April 14, 2020
4750 Signal Tree Drive, Timnath, Colorado

PRESENT: Mayor Jill Grossman-Belisle, Mayor Pro Tem Aaron Pearson, Councillormember William Neal, Councillormember Lisa Laake (via Virtual access), and Councillormember Rick Collins (via Virtual access)

STAFF: Contracted Town Attorney Robert Rogers, Contracted Town Attorney Audrey Johnson (via Virtual access), Town Manager Wesley LaVanchy, Town Clerk Milissa Peters-Garcia, Contracted Finance Director Christine Harwell (via Virtual access), Police Chief Terry Jones, Contracted Town Engineer Don Taranto (via Virtual access), Contracted Community Development Director Matt Blakely (via Virtual access), Contracted Town Planner Brian Williamson (via Virtual access), Contracted Town Planner Kevin Koelbel (via Virtual access), Ashley Lauwereins (via Virtual access) and Contracted Town Engineer Eric Fuhrman (via Virtual access)

1 CALL TO ORDER AND ROLL CALL 6:30 P.M.

2 AMENDMENTS TO THE AGENDA
   - Item 7a was removed.

3 PUBLIC COMMENT
The Timnath Town Center continues to be closed to the public. For members of the public wishing to listen and view the April 14th Town Council Meeting, it will be available for viewing live on the Town’s Facebook page. Any member of the public who wishes to participate in the Public Comment section of the meeting should email publiccomment@timnathgov.com with a written statement. If a member of the public wished to address the council directly, please email publiccomment@timnathgov.com and arrangements can be made via live video conferencing.

a) To the Timnath Mayor and Town Council:

My name is John Barkley, and my address is 6090 Pryor RD, Timnath, CO 80547. My telephone number is 951-640-5183, and I am available to answer any questions before, during or after the meeting on this matter.

I would like the town council to reconsider Council Member Collins’ report of January 28, 2020. In his report, Mr. Collins requested that a moratorium be placed on any more work on the proposed new Police Facility. This proposal was voted down by his fellow town council members.

Circumstances changed with the April 7, 2020 election results, which will become finalized in a matter of a few days. Timnathians have clearly spoken.
Based on the published and preliminary results, it is only appropriate the newly elected council member Hansen and Mayor-Elect Soukup be allowed and charged with evaluating the plan, soliciting public input, and making the decisions that will be implemented during their terms.

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b) Comment submitted by Eric Sutherland:

.... considering that Judge Greg Lammons has already issued a settlement order based upon a signed Settlement Agreement.

So ... why not vote "no" and see what happens? I'm curious.

Timnath's greed and uncaring antipathy for the remainder of Larimer County and the Poudre School District are shameful. Everyone associated with Timnath's town government should be ashamed of their participation in a scam crafted to defraud the good people who live here. Corruption is like a virus. I am proud to have done what I can to stop the disease of Town of Timnath.

c) To the Timnath Mayor and Town Council:

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I am all for health and safety of our residents. My concern is with the capital spending decision making process in purchasing a complex piece of machinery.

The justification is as follows (from Mr. Taranto's report):
Recommend approval as lease is covered by a budgeted expense and provides additional capabilities for Public Works.
I believe that, on its face, this is a totally inadequate justification. Just because it is a "budgeted expense" does not justify the project. And, we already discussed the lack of detail in the budget - just go back and try to find any commentary on this item.

In my opinion, decisions in capital budgeting not only includes the cost of the item, but the total cost of operations and ownership.

What consideration has been given to:
1. Contracting this service out? What do we spend now, and how has the service and cost been running?
2. What is the service plan? How often will my street get cleaned? How often should streets get cleaned?
3. Will this be used to clean up after developers who get the roads dirty, and if so, why can't the arrange and pay for these costs?
4. Budgeting this year and future years' operating costs - training, payroll, insurance, debris disposal, winter and protective storage, equipment repairs and maintenance and eventual replacement?

Even if the item is being obtained at a bargain price, these questions have need to be answered and that information is not publicly available. I do feel that the town should perform its due diligence and these questions should be raised by the town council.

d) To the Timnath Mayor and Town Council:

My name is John Barkley, and my address is 6090 Pryor RD, Timnath, CO 80547. My telephone number is 951-640-5183, and I am available to answer any questions before, during or after the meeting on this matter.

The proposed street sweeper "deal" is to lease the item and then purchase it under the 2021 budget. Under this plan, it appears that the lease payments would be expensed in 2020, and then the purchase recorded in 2021.

In my opinion, this is not good accounting. There is much guidance in the universe of "generally accepted accounting principles" that give guidance as to how this transaction should be recorded. Since the lease is a "financing" mechanism, this is a "financing" lease, not an "operating" lease. Under this scenario, good accounting would record the item as an asset in 2020, and the remaining lease and purchase obligations would be a liability. Upshot: It's a 2020 capital item. No fair pushing this off the 2021 capital budget!

4 BUSINESS

a) RESOLUTION NO. 30, SERIES 2020, A Resolution Ratifying and Extending the Mayor's Local Emergency Proclamation ("Resolution")

- Mr. Rogers spoke to Council about the proposed resolution.

Councilmember William Neal made a motion approval of RESOLUTION NO. 30, SERIES 2020, A Resolution Ratifying and Extending the Mayor's Local
Emergency Proclamation. Mayor Pro Tem Aaron Pearson seconded the motion. CARRIED unanimously.

b) ORDINANCE NO. 4, SERIES 2020, PUBLIC HEARING, An Ordinance Declaring Emergency Procedures and Authorizing Electronic Meetings and Remote Participation ("Emergency Ordinance")

- Mr. Rogers spoke to Council about the proposed resolution.


c) DISCUSSION/PRESENTATION: COVID-19 Update with Tom Gonzales, Larimer County Public Health Director

- Mr. Gonzales spoke to Council about the COVID-19 update. He spoke about the statistics and upcoming options coming to help identify the illness. He spoke about the ventilators, social distancing and the asymptomatic carriers. He spoke about those over the age of 65 and those with underlying health issue being the most at risk.
- Mr. Gonzales spoke about predictive modeling to help determine when things will get back to normal. He spoke about the lack of ICU beds and the stress being put on our health system. He spoke about alternate site care being set up at the Budweiser Event Center.
- Mayor Grossman Belisle thanked Mr., Gonzales for the update.

5 CONSENT AGENDA

a) Approval of the March 10, 2020, Town Council Meeting Minutes
b) March 24, 2020 Check Register
c) April 10, 2020 Check Register
d) RESOLUTION NO. 31, SERIES 2020, A Resolution Approving the Noxious Weed Management Contract with Larimer County

Mayor Pro Tem Aaron Pearson made a motion approval of the consent agenda. Councilmember William Neal seconded the motion. CARRIED unanimously.

6 REPORTS

a) Mayor and Council Reports

- Mayor Grossman-Belisle gave the following statement:
  Dear Timnath Community, Friends, and Neighbors,

  I hope everyone is safe and well at home with their loved ones. I wanted to take this moment to thank all of you for the opportunity over the past almost 10 years to serve you as your mayor. It has truly been an honor and a privilege to have lead the efforts of so
much for the community we all love, and one that has grown from 600 in 2010 to over 5200 residents today, and into a thriving community of national notice, named one of “25 small great towns” by Yahoo finance. I am filled with gratitude to have been able to volunteer for you over these years, and be a part of something that will change this community in a positive way forever, and created a place where people want to raise their families and be connected to their neighbors.

That doesn’t happen by accident. It took vision of the council, hard work, proactive thinking, collaboration, consensus, responsible prudent, solid financial planning, and all of us working together to grow into the successful place we all call home. Someone recently said to me, we made miracles happen here, and I think they were right. We often believed in what others thought couldn’t happen for a small town, and made it happen anyway. Costco is an example of that big thinking, when others said, “Timnath is too small for a Costco”, we made it happen, and now with all of our retailers, we secured millions of additional revenue for the town for years to come and long after most of our debt is paid off in 2029, and positioned Timnath to be sustainable and viable, even through this economic downturn. In fact, we as a town are so fortunate, while other communities are concerned about their financial well-being due to the impact of COVID, Timnath is financially very strong with plentiful reserves and income, and will remain so through this difficult time and also once we are on the other side.

Utilizing our resources appropriately over the years allowed us to complete the Harmony Road widening and all of the surrounding infrastructure, Timnath Community Park, phase 1 and 2 including a doggie park, Timnath Reservoir improvements, Old Town sewer, multiple needed infrastructure projects, strategic land acquisitions necessary to protect the future of Timnath and the Growth Management Area, Three Bell Parkway Railroad crossing improvement, Summerfields railroad crossing, just to name a few. So many towns are forced to be reactive to their growth and infrastructure needs but together we were able to be proactive and prioritize our needs based on our residents input with our resources. This town is very fortunate to have that opportunity.

Timnath has also grown from a place many didn’t even know existed, to a substantial voice and regional partner poised in the heart of the northern Colorado, to positively impact all of northern Colorado. Our collaboration with others lead to the I-25 expansion, the completion of the Poudre River Trail, the Prospect improvements, the location of Poudre Fire Authority Station 8 location, a Timnath address for a school feeder system to be completed soon, so our children can go to their neighborhood school, the Timnath Foundation was formed and now is a resource for the community and small business during COVID, the Timnath Parkway, the naming of police chief Terry Jones, and a police
station and move to 24/7 police coverage which will hopefully all be completed very soon.

I was so fortunate to have had the opportunity to lead and work with an awesome council of visionaries, starting over 10 years ago. I appreciate Bill Neal, Bryan Voronin, Paul Steinway, and all of their accomplishments during their many years of service, and both Bill and Bryan encouraging me years ago to get involved. I appreciate Aaron Pearson Mayor Pro-Tem, for being so involved. We started in 2010, developing policies, good governance, and accountability then hiring highly reputable staff or contracted staff to implement and manage responsibly, I appreciate April Getchius and Sherri Wagner’s years of service. I have so enjoyed working with our phenomenal staff and contracted staff who have unparalleled expertise in their crafts, and unparalleled for a community our size. This is a nimble, cost effective, non-bureaucratic team all working together with our residents for the common cause of creating a wonderful community, in the best interests of our town, and one we have accomplished beyond our expectations. In fact, we have created a model that much larger communities have recognized and even imitate. I am also so grateful for all of my friends and people who supported or partnered with that vision, and all of the great relationships I have developed over the years with our regional leaders who we collaborated with so well, but who also have become friends and well respected colleagues.

I had someone share this comment with me very recently, “It is not what people say that matters, it is what is true that counts.” I’m reminded too of a quote from Thomas Jefferson, “When a man assumes a public trust, he should consider himself as public property”. I know what is true and what is in my heart. I am proud to have served you faithfully this past 10 years as a servant of the people, with my purposeful and only intention of being a fiscally prudent and thoughtful steward for you, acting in the resident’s and community’s best interests at all times, and helping create a special place called Timnath.

I love our community and I am proud of how I have served, holding myself always to the highest level of ethics, integrity and accountability to you the people. I have never personally benefitted in any way from my volunteer service or role, other than a joy and purity in my heart, knowing I was doing good for our community. I have always acted on the will of the residents to guide the decisions of the council, and then the decisions of the council to guide any actions as mayor that the council deemed appropriate. I know these things to be true. This has always been in a transparent and open process for residents to engage as they desire. I hope as we have grown and will continue to do so, people will become more engaged and involved in the processes that move Timnath forward, because together we will continue to make Timnath great. I will continue to be here to help and be involved however I can and
please feel free to reach out to me any time if I can help you.

I wish and pray for our future leadership the greatest success in keeping Timnath moving forward in a positive, thriving way. Our community deserves only great things, and I am confident Timnath will continue to be a leader in the region, and a great place we call home.

These are unprecedented and challenging times but we will get through them to the other side and we will be okay. I want to share a couple of very fitting quotes for this COVID time from Thomas Paine. I believe this is so true. “The nearer any disease approaches to a crisis, the nearer it is to a cure. [Danger and deliverance make their advances together; and it is only in the last push that one or the other takes the lead.] Through COVID, I have seen the resiliency, the strength and determination of each of you, our neighbors, our healthcare heroes, our first responders, our essential workers, and know that it is a cure that will prevail due to the tenacity of the people, and we will be stronger together because of this crisis.

His other quote states this, “Panics, in some cases, have their uses; they produce as much good as hurt. Their duration is always short; the mind soon grows through them and acquires a firmer habit than before.” I have seen this too now. This will pass quickly, I know it seems long right now, but in the span of time, it is very short. Our time with family and a recognition of what really matters most has taken on a new importance. The kindness that all of us have seen and experienced from others, the compassion and care, a way of connecting like we never have before and removing some of the distractions of daily life, replacing them with more meaningful and purposeful actions and conversations, I don’t think we will ever go back or forget. I know that we will come out better connected and caring as a community, and we will be Timnath Strong.

I pray we continue this kindness, hope, and love for one another and treat each other as we want to be treated, long after this time has passed. We are forever changed. I am grateful for each of you and our community. I wish safety and all good things for you and your families, and God bless each of you, our community, our United States of America, and our world. Thank you again for allowing me to serve you my fellow Timnathians. I will forever be Timnath proud.

- Councilmember Collins made the following statement:
  As a Timnath Resident I would like to thank Mayor Jill and Councilman Bill for their years of service. They did a lot of things they can be proud of.
7 REGULAR BUSINESS

a) REMOVED - RESOLUTION NO. 32, SERIES 2020, A Resolution Approving the Purchase of a 2019 Mechanical Street Sweeper

b) RESOLUTION NO. 33, SERIES 2020, A Resolution Ratifying Settlement Agreement ("Resolution")

- Mr. Rogers spoke to Council about the proposed resolution.

Councilmember William Neal made a motion approval of RESOLUTION NO. 33, SERIES 2020, A Resolution Ratifying Settlement Agreement. Mayor Pro Tem Aaron Pearson seconded the motion. unanimously.

8 ADJOURNMENT       6:59 P.M.