

**TOWN OF BENNETT, COLORADO**  
**BOARD OF TRUSTEES**  
**Regular Meeting**  
**June 28, 2016**

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**1. CALL TO ORDER**

The Board of Trustees of the Town of Bennett met in regular session on Tuesday, June 28, 2016, at the Bennett Town Hall, 355 4<sup>th</sup> Street, Bennett, Colorado. Mayor Royce Pindell called the meeting to order at 7:00 p.m. The following persons were present upon the call of the roll:

Mayor: Royce Pindell

Trustees Present: Carl Gerber  
Darvin Harrell  
Grider Lee  
Neal Mancuso  
Rich Pulliam  
Larry Vittum

Staff Present: Melinda Culley, *Town Attorney*  
Daymon Johnson, *Public Works Director*  
Trish Stiles, *Town Administrator*  
Lynette White, *Town Clerk*

Public Present: Pat Siegman, Steven Vetter, Phillip Donovan, Jeanette Russo, Carol Swanson,  
Nathaniel Johnson, Justin Whittaker, Bill Tobin

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Royce Pindell.

**3. APPROVAL OF AGENDA**

TRUSTEE PULLIAM MOVED, TRUSTEE VITTUM SECONDED to approve the agenda as presented. The Mayor declared the motion carried by unanimous vote.

**4. CONSENT AGENDA**

TRUSTEE MANCUSO MOVED, TRUSTEE LEE SECONDED to approve the Consent Agenda as presented. The Mayor declared the motion carried by unanimous vote.

**A. Approval of Minutes**

1. Action: Approve Regular Meeting Minutes of May 10, 2016
2. Action: Approve Regular Meeting Minutes of June 14, 2016

**B. Resolution(s)**

1. Action: Approve Resolution No. 628-16, a resolution accepting the 2015 Audit for the Town of Bennett

5. **PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

Phillip Donovan, 125 Coolidge Court, addressed the Board regarding the road construction project with the following concerns; quality controls, traffic control, compaction test protocol, drain pans and fly ash mixtures.

Jeanette Russo, 140 McKinley Drive, presented concerns on traffic control plans and inquired about improvements to Kiowa-Bennett Road. Ms. Russo presented a document to the Board detailing additional concerns which will be given to Town Staff to address.

6. **REGULAR BUSINESS**

A. **Public Hearing(s)**

1. **Case No. 16.11CM – Amending Certain Zoning Regulations within Chapter 16 of the Bennett Municipal Code associated with the update of the Town of Bennett Official Zoning Map**

Mayor Royce Pindell called the matter of Case No. 16.11CM. A public hearing on an ordinance amending certain zoning regulations within Chapter 16 of the Bennett Municipal Code associated with the update of the Town of Bennett Official Zoning Map. The public hearing was opened at 7:15 p.m.

Lynette White, Town Clerk, advised the hearing was posted and published in accordance with state statute on June 3, 2016, as Legal No. 1925 in the Eastern Colorado News

Martin Landers, Plan Tools LLC, presented the staff report to the Board of Trustees.

**Ordinance No. 663-16 – An Ordinance Amending Certain Zoning Regulations within Chapter 16 of the Bennett Municipal Code associated with the update of the Town of Bennett Official Zoning Map**

TRUSTEE PULLIAM MOVED, TRUSTEE LEE SECONDED to approve Ordinance No. 663-16, An Ordinance Amending Certain Zoning Regulations within Chapter 16 of the Bennett Municipal Code associated with the update of the Town of Bennett Official Zoning Map. Voting was as follows;

YES: Harrell, Lee, Mancuso, Pindell, Pulliam, Gerber

NO: Vittum

The Mayor declared the motion carried by a vote of six (6) to one (1).

2. **2015 Town of Bennett Budget Amendment – Road and Bridge Fund**

**Resolution No. 629-16 - A Resolution Appropriating Sums Of Money In Addition To Those Appropriated In Resolution No. 576-14 For The 2015 Fiscal Year For The Town Of Bennett Road And Bridge Fund**

TRUSTEE MANCUSO MOVED, TRUSTEE PULLIAM SECONDED to approve Resolution No. 629-16, A Resolution Appropriating Sums of Money In Addition To Those Appropriated in Resolution No. 576-14 for The 2015 Fiscal Year for the Town of Bennett Road And Bridge Fund. Voting was as follows;

YES: Lee, Mancuso, Pindell, Pulliam, Vittum, Gerber, Harrell

NO: None

The Mayor declared the motion carried by unanimous vote.

**B. Action/Discussion Items**

**1. RFP 16-003 Elevated Water Storage Tank – Bid Award – J R Filanc Construction Company**

**Ordinance No. 664-16 - An Ordinance Authorizing A Loan From The Colorado Water Resources And Power Development Authority To Finance Or Refinance A Portion Of The Costs Of The Project; Authorizing The Form And Execution Of The Loan Agreement And A Governmental Agency Bond To Evidence Such Loan; Ratifying Prior Determinations Of The Town Board; And Prescribing Other Details In Connection Therewith.**

TRUSTEE MANCUSO MOVED, TRUSTEE VITTUM SECONDED to approve Ordinance No. 664-16, An Ordinance Authorizing A Loan From The Colorado Water Resources And Power Development Authority To Finance Or Refinance A Portion Of The Costs Of The Project; Authorizing The Form And Execution Of The Loan Agreement And A Governmental Agency Bond To Evidence Such Loan; Ratifying Prior Determinations Of The Town Board; And Prescribing Other Details In Connection Therewith. Voting was as follows;

YES: Mancuso, Pindell, Pulliam, Vittum, Gerber, Harrell, Lee

NO: None

The Mayor declared the motion carried by unanimous vote.

**Resolution No. 630-16 - A Resolution Approving a Construction Contract and Related Documents with J.R. Filanc Construction Company, Inc. For Construction of Town Water Storage Tank Project**

TRUSTEE PULLIAM MOVED, TRUSTEE VITTUM SECONDED to approve Resolution No. 630-16, A Resolution Approving A Construction Contact And Related Documents With J.R. Filanc Construction Company, Inc. For Construction of Town Water Storage Tank Project. Voting was as follows;

YES: Pindell, Pulliam, Vittum, Gerber, Harrell, Lee, Mancuso

NO: None

The Mayor declared the motion carried by unanimous vote.

**7. ADJOURNMENT**

TRUSTEE PULLIAM MOVED, TRUSTEE MANCUSO SECONDED to adjourn the meeting. The Mayor declared the motion carried by unanimous vote. The meeting was adjourned at 8:30 P.M.

  
Lynette F. White, CN  
Town Clerk



  
Royce D. Pindell, Mayor