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Trustees waive a fee, set public hearings

Posted By [Gary Wamsley](#) On June 1, 2010 @ 11:00 pm In [Local News](#), [News](#), [Town Briefs](#) | [Comments Disabled](#)



Mayor Patterson was absent this evening and Mayor Pro-tem Greg presided over the board meeting.

The April Financial Statement was approved without comment and the attention turned to Associated Thermoforming (ATI), a long time business on Second Street.

Planner Katers presented the case. The company wants to build a new 11,907 ft² warehouse on its property. The company is presently renting two nearby buildings, but needs to vacate one by the end of January 2011. The building permit fee is \$27,567, of which \$14,340 is a Road Impact fee. The impact fee is based on a table that shows a building of that size would generate 1008 trips per month. In fact, ATI's total operation generates only 243 trips per month.

Planner Katers pointed out that there was precedence for mitigating the impact fee. Safeway, Habitat for Humanity and Sommers Doors had all had the fees waived or reduced. Katers also pointed out that ATI paid approximately \$12,500 per year in Use Tax.

ATI president John Nix spoke to the board, pointing out that his company had already done a lot of improvement on Turner Avenue next to the business. He said the new warehouse will reduce the number of trips on public streets. He mentioned that Berthoud, unlike most communities, charged a use tax. He said it had been a difficult business year and that any help would be appreciated. Katers then finished his presentation and said that rather than make a recommendation, he had given three options; full impact fee, a reduction to 24% (243 actual trips divided by 1008 table trips) or waive the fee entirely.

The board was not familiar with the Use Tax and asked Mr. Nix to explain. Nix said that in 1992 the state legislature dropped the use tax, a tax on equipment used in manufacture but not actually sold. Municipalities, he explained, had an option to drop or keep the tax. Berthoud, by not taking action, apparently defaulted in. Nix said that the 3% tax is not enough to make him move, but might be a factor if he were looking to locate in Berthoud.

Trustee Hindman expressed concern about this tax, one he said he did not know about. Given the desire to make Berthoud competitive for economic development, he suggested that the board needs to look at this tax. Nix also said he was comfortable with the 76% reduction in impact fee.

Expressing appreciation for ATI's presence in the community, Trustee Shepard said he favored a full waiver. Trustee Skiles agreed with the full waiver. Mayor Pro-tem Gregg expressed some concern about setting precedence, that he favored the 24% option, but could support a full waiver. Trustee Hindman favored the 24% fee and then eliminating the use tax by next year.

Trustee Shepard then moved to waive the fee entirely. Before the vote, Trustee Bauer wanted to clarify that the new building would actually decrease the total traffic on the street. It would.

The motion to waive the fee passed with 4 votes in favor with Bauer and Hindman voting against.

Berthoud Area Transportation (BATS) Director Eric Boyd requested that a public hearing be set for the purpose of proposing changes to the BATS fare structure. One part of that is redefining areas. The present "local" area stretches from Carter Lake to I-25 and a ride within that area cost 50 cents. Boyd proposes a local area bounded by Highway 287 on the north and west, County Road 10E on the south and Weld County Road 1 on the east. The remainder of the area would be the "rural" area. The new fare between "rural" and "local" would be \$2, up from 50 cents. Other fares would double and the child's fare would be eliminated. The BATS is heavily subsidized, but the average trip costs \$18 Boyd said.

The Board approved a public hearing on July 13.

The final order of business was to accept the Resolution of Substantial Compliance from the Hennebergs for annexation of their property at the southeast corner of the Highway 287/Mountain Avenue intersection. The board voted to accept the resolution and set a public hearing for July 13.

BATS Proposal

17 years and younger

18 years to 59 years old

Current Fares

One-way anywhere within Berthoud \$1	50 cents
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One-way anywhere within Berthoud to Loveland or Longmont \$2	\$1
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Proposed Fares

One-way within "local" Berthoud \$1	\$1 (from 50 cents)
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One-way "rural" Berthoud to "local" Berthoud \$2 (from \$1)	\$2 (from 50 cents)
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"local" and "rural" Berthoud to Longmont or Loveland \$2	\$2 (from \$1)
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