



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Meeting Agenda Board of Trustees

Tuesday, October 12, 2021

6:30 PM

Board Room

via Virtual Meeting
<https://bit.ly/OCT12BOT>

I. CALL MEETING TO ORDER AND PLEDGE OF ALLEGIANCE

6:30 p.m.

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. EXECUTIVE SESSION

6:30-8:30 p.m.

[21-433](#)

Executive Session to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e), concerning the contract with the Town's Prosecuting Attorney;

to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e), regarding the Town Attorney's contract; and

to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e), and to consider the purchase, acquisition, lease, transfer or sale of real, personal or other property, pursuant to C.R.S. § 24-6-402(4)(a), concerning the Regency property.

V. CONSENT AGENDA

8:30-8:35 p.m.

[21-431](#)

Approval of the September 28, 2021 Board of Trustees Meeting Minutes

Attachments: [September 28, 2021 BOT Meeting Minutes](#)

[21-411](#) An Ordinance of the Board of Trustees of the Town of Erie Amending Chapter 10 of Title 2 of the Erie Municipal Code to Allow the Schedule of Fees to be Adopted by Resolution
AND
A Resolution of the Board of Trustees of the Town of Erie Adopting the Town's Fee Schedule

Attachments: [Ordinance 30-2021](#)
[Resolution 21-134](#)

[21-426](#) A Resolution of the Board of Trustees of the Town of Erie Approving a Consent to Assignment of the Development Agreement for Rex Ranch Filing No. 3

Attachments: [Resolution 21-139](#)
[Town Consent to Assignment](#)

[21-428](#) A Resolution of the Board of Trustees of the Town of Erie Approving the First Amendment to the Morgan Hill Filing 2 Development Agreement

Attachments: [Resolution No. 21-140](#)
[Morgan Hill Filing 2 Development Agreement Amendment](#)

[21-429](#) An Ordinance of the Board of Trustees of the Town of Erie Amending Section 8-1-9 of the Erie Municipal Code Regarding Annual Audits of Water Demands for Water Dedication Purposes

Attachments: [Ordinance \(redline\)](#)
[Ordinance 32-2021](#)

[21-432](#) A Resolution of the Board of Trustees of the Town of Erie Appointing Members to the Historic Preservation Advisory Board

Attachments: [Resolution 21-141](#)
[HPAB Appointment letter 9 29 21](#)

[21-446](#)

A Resolution of the Board of Trustees of the Town of Erie Approving the Colorado Opioids Settlement Memorandum of Understanding and the Associated Colorado Subdivision Escrow Agreement and Subdivision Participation Forms

Attachments:

[Resolution 21-142](#)
[2021.10.01 email from AG re Opioid Settlement](#)
[Colorado Opioid MOU](#)
[Local Government Opioid Escrow Agreement](#)
[Distributor Opioid Settlement Participation Form](#)
[Johnson & Johnson - Janssen Opioid Settlement Participation Form](#)
[Colorado Opioid MOU FAQ](#)
[Colorado Opioid MOU Summary](#)

VI. PUBLIC COMMENT AND NON-AGENDA ITEMS

8:35-8:45 p.m.

(This agenda item provides the public an opportunity to discuss items other than ordinances, public hearings and consent agenda items that are not on the agenda. The Board of Trustees is not prepared to decide on matters brought up at this time, but if warranted, will place them on a future agenda.)

VII. GENERAL BUSINESS[21-409](#)

Consideration of a Community Organization Grant Request from NAACP Boulder County

Attachments:

[NAACP Boulder County Grant Request](#)
[Presentation](#)

8:45-8:55 p.m.

Presenters: Alicia Graves, NAACP Boulder County and Michelle Willingham, NAACP Boulder County

[21-362](#)

First Reading: An Ordinance of the Board of Trustees of the Town of Erie Granting a Natural Gas Franchise to Black Hills Colorado Gas, Inc. d/b/a Black Hills Energy

Attachments:

[Ordinance 26-2021](#)
[Franchise Agreement](#)

8:55-9:10 p.m.

*Presenter: Todd Fessenden, Public Works Director
Carly West, Manager - Community Affairs at Black Hills Energy*

[21-435](#) An Ordinance of the Board of Trustees of the Town of Erie Amending Chapter 5 of Article 2 of the Erie Municipal Code, to Modify the Town's Impact Fees

Attachments: [Ordinance 33-2021-Clean](#)
[Ordinance 33-2021- Changes](#)
[Consultant Study](#)
[Consultant Power Point](#)

9:10-10:10 p.m.

Presenters: Victoria Runkle, Accounting Manager

Fred Star, Planning Director and Carson Bise, President, TischlerBise Consultants

[21-447](#) Planning Commission's action to continue until December 1 consideration of proposed Ordinance Repealing and Reenacting Section 10-6-14 of the Erie Municipal Code, Regarding Development and Design Standards for Oil and Gas Facilities and Locations and requesting a joint study session with the Board of Trustees to discuss the proposed Ordinance.

Attachments: [Advanced Agenda as of 10-07-2021](#)

10:10-10:40 p.m.

Presenters: Malcolm Fleming, Town Administrator

David Frank, Energy and Environment Programs Specialist

Deborah Bachelder, Deputy Planning Director

[21-451](#) Discussion of actions Board may take as a result of Trustee Gippe resignation

Attachments: [Advanced Agenda as of 10-07-2021](#)

10:40-10:55 p.m.

Presenters: Kendra Carberry, Town Attorney

Malcolm Fleming, Town Administrator

VIII. STAFF REPORTS

Information Only

IX. BOARD MEMBER REPORTS AND ANNOUNCEMENTS

10:55-11:10 p.m.

X. ADJOURNMENT

11:10 p.m.

(The Board's Goal is that all meetings be adjourned by 10:30pm. An agenda check will be conducted at or about 10:00 p.m., and no later than at the end of the first item finished after 10:00 p.m. Items not completed prior to adjournment will generally be taken up at the next regular meeting.)