



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Meeting Minutes - Final

Board of Trustees

Tuesday, January 8, 2019

6:30 PM

Board Room

STUDY SESSION 5:45 PM IN THE COMMUNITY ROOM

AGENDA FOR THE STUDY SESSION IS A DISCUSSION OF THE REGULAR MEETING
AGENDA BELOW

REGULAR MEETING 6:30 PM IN THE BOARD ROOM

I. CALL MEETING TO ORDER

Mayor Carroll called the January 8, 2019 meeting to order at 6:30 pm.

II. PLEDGE OF ALLEGIANCE AND ROLL CALL

Present: 7 - Mayor Carroll
Mayor Pro Tem Deakin
Trustee Charles
Trustee Woog
Trustee Haid
Trustee Gippe
Trustee van Woudenberg

III. APPROVAL OF THE AGENDA

Trustee Haid moved to approve the January 8, 2019 agenda; the motion was seconded by Mayor Pro Tem Deakin. The motion carried with all present voting in favor thereof.

IV. CONSENT AGENDA

[19-002](#)

A Resolution Of The Board Of Trustees Of The Town Of Erie Updating And Adopting The Three Mile Plan.

Colorado Revised Statutes require the Town adopt a Three Mile Plan that generally describes the location, character and extent of various public facilities in an area extending three miles beyond the municipal boundaries, prior to completing annexation of land within the Three Mile Area.

Attachments: [19-002 Resolution](#)

[18-433](#)

A Resolution Of The Board Of Trustees Of The Town Of Erie Accepting A

Petition For Annexation Of A Parcel Of Land Located In Unincorporated Boulder County With An Address Of 4612 West 119th Street, And Setting A Public Hearing On The Annexation

The applicant proposes to annex approximately 2.382 acres of land into the Town of Erie municipal boundary. This resolution merely accepts the petition to annex and sets forth a public hearing date of 2/26/2019 for the annexation application.

Attachments: [18-433 Staff Memo](#)
[18-433 Resolution No. 19-](#)
[18-433 Annexation Petition](#)
[18-433 Other Applicant Materials](#)

[19-001](#) A Resolution of the Board of Trustees of the Town of Erie Approving a Construction Contract with Haynes Mechanical Systems for the Installation of a Mini-Split HVAC System for Town Hall in the Amount of \$54,273

Attachments: [Resolution](#)
[Construction Agreement](#)

[19-006](#) Approval of the December 8, 2018 Meeting Minutes

Attachments: [December 8, 2018 Draft Meeting Minutes](#)

[19-007](#) Approval of the December 11, 2018 Meeting Minutes

Attachments: [December 11, 2018 Draft Meeting Minutes](#)

[19-008](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Designating The Town's Official Public Notice Posting Locations And The Town's Official Newspaper Of General Circulation

Attachments: [Resolution](#)

[19-009](#) A Resolution of the Board of Trustees of the Town of Erie Approving the Bylaws of and Intergovernmental Agreement with the Colorado Intergovernmental Risk Sharing Agency (CIRSA)

Attachments: [Resolution](#)

[19-014](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Authorizing A Payment In The Amount Of \$365,000 For Windy Gap Carriage Charges To The Municipal Subdistrict Of Northern Colorado Water Conservancy District

Attachments: [Resolution](#)
[2018-2019 financial commitments 01.02.19 - Windy Gap](#)

[19-018](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Approving An Agreement To Modify Ditch And Ditch Easement With Erie Coal Creek Ditch And Reservoir Company

Attachments: [Agreement](#)
[Resolution](#)
[Easement Deed](#)

[19-023](#) A Resolution of the Board of Trustees of the Town of Erie Authorizing Electrical Payments for Town Facilities to Xcel Energy and United Power

Attachments: [Resolution](#)

[19-024](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Authorizing A Payment In The Amount Of \$262,600 For The Lease Of Colorado Big Thompson Units From Bijou Irrigation Company

Attachments: [Resolution](#)
[2018-2019 financial commitments 01.02.19 - Bijou](#)

[19-025](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Authorizing A Payment In The Amount Of \$597,300 For The Purchase Of Water Meters From National Meter And Automation

Attachments: [Resolution](#)
[2019 Master Pricing](#)

[19-026](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Authorizing A Payment In The Amount Of \$556,200 To The Northern Colorado Water Conservancy District For Carryover Fees And Assessments

Attachments: [Resolution](#)
[Financial Commitments](#)

[19-027](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Authorizing A Payment In The Amount Of \$150,900 For The Purchase Of Bulk Fuel From Hill Petroleum

Attachments: [Resolution](#)
[Request for Proposal](#)
[Contract Extension](#)

[19-028](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Authorizing A Payment In The Amount Of \$90,201.28 For The Purchase Of Ice Slicer And Meltdown Apex From Envirotech

Attachments: [Resolution](#)
[Envirotech Quote](#)

[19-029](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Authorizing A Payment In The Amount Of \$60,000 For The Purchase Of Powder Activated Carbon To Cabot Corporation

Attachments: [Resolution](#)
[Price Quote](#)

[19-030](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Approving The Second Renewal Of An Agreement For Services With Road Safe Traffic Systems, Inc. For Street Striping Services

Attachments: [Resolution](#)
[Letter to Renewal Contract for Second Time](#)
[Letter to Renew Contract for First Time](#)
[Agreement for Services](#)

[19-032](#) A Resolution of the Board of Trustees of the Town of Erie Authorizing Payment to Colorado Intergovernmental Risk Sharing Agency (CIRSA) for 2019 Workers' Compensation and Property/Casualty Coverage

Attachments: [Workers' Compensation 1st Quarter Invoice](#)
[Propert/Casualty 1st Quarter Invoice](#)
[Resolution](#)

Mayor Pro Tem Deakin moved to approve the January 8, 2019 Consent Agenda; the motion was seconded by Trustee Haid. The motion carried with all present voting in favor thereof.

V. PUBLIC COMMENT

Mark Rockwell of 2801 N 11th Street, Erie, Colorado, gave public comment regarding a nonannexed sewer connection.

VI. PROCLAMATIONS AND PRESENTATIONS

[19-020](#) Erie Municipal Airport Monthly Report - December 2018

Attachments: [Monthly Report](#)

Present: 7 - Mayor Carroll
Mayor Pro Tem Deakin
Trustee Charles
Trustee Woog
Trustee Haid
Trustee Gippe
Trustee van Woudenberg

[19-037](#) A Proclamation Recognizing January 20-26, 2019 Town of Erie School Choice Week

Attachments: [Proclamation](#)

VII. RESOLUTIONS

[19-005](#) PUBLIC HEARING: A Resolution Of The Board Of Trustees Of The Town Of Erie Approving An Amendment To The 2015 Town Of Erie Comprehensive Plan.

Amend the Comprehensive Plan to re-designate property for higher and better land use potential along HWY 7.

Attachments: [19-005 Staff Memo](#)
[19-005 Resolution No. 19-](#)
[19-005 Comprehensive Plan Amendment](#)
[19-005 Planning Commission Draft Resolution P18-19](#)
[19-005 Planning Commission Draft Minutes](#)
[19-005 Other Applicant Materials](#)

A motion was made by Mayor Pro Tem Deakin, seconded by Trustee Haid, that this Agenda Item be approved. The motion carried by the following vote:

Aye: 7 - Mayor Carroll, Mayor Pro Tem Deakin, Trustee Charles, Trustee Woog, Trustee Haid, Trustee Gippe, and Trustee van Woudenberg

[19-012](#) PUBLIC HEARING: A Resolution Of The Board Of Trustees Of The Town Of Erie Approving With Conditions Erie Highlands Preliminary Plat No. 3.

The Erie Highlands Preliminary Plat No. 3 is generally located near south of Erie Parkway and west of County Road 5 is approximately 88.9 acres in size. The Preliminary Plat proposes 103 single-family lots and 6 tracts.

Attachments: [19-012 Staff Memo](#)
[19-012 Resolution](#)
[19-012 Preliminary Plat](#)
[19-012 Application Materials](#)
[19-012 Planning Commission Resolution and Minutes](#)

A motion was made by Mayor Pro Tem Deakin, seconded by Trustee Haid, that this Agenda Item be approved. The motion carried by the following vote:

Aye: 7 - Mayor Carroll, Mayor Pro Tem Deakin, Trustee Charles, Trustee Woog, Trustee Haid, Trustee Gippe, and Trustee van Woudenberg

[19-031](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Approving An Employment Agreement And Appointing Malcolm Fleming As Town Administrator

Attachments: [Resolution](#)
[Employment Agreement](#)

A motion was made by Trustee Haid, seconded by Trustee van Woudenberg, that this Agenda Item be approved. The motion carried by the following vote:

Aye: 5 - Mayor Carroll, Mayor Pro Tem Deakin, Trustee Haid, Trustee Gippe, and Trustee van Woudenberg

Nay: 2 - Trustee Charles, and Trustee Woog

[19-034](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Approving An Annexation Agreement With Anadarko E&P Onshore, LLC

Attachments: [Resolution](#)
[Annexation Agreement](#)

A motion was made by Mayor Pro Tem Deakin, seconded by Trustee Haid, that this Agenda Item be approved. The motion carried by the following vote:

Aye: 4 - Mayor Carroll, Mayor Pro Tem Deakin, Trustee Haid, and Trustee Gippe

Nay: 3 - Trustee Charles, Trustee Woog, and Trustee van Woudenberg

[19-035](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Approving A Master Encroachment License Agreement With Kerr-Mcgee Gathering, LLC

Attachments: [Resolution](#)
[Master Encroachment License](#)

A motion was made by Mayor Pro Tem Deakin, seconded by Trustee Haid, that this Agenda Item be approved. The motion carried by the following vote:

Aye: 4 - Mayor Carroll, Mayor Pro Tem Deakin, Trustee Haid, and Trustee Gippe

Nay: 3 - Trustee Charles, Trustee Woog, and Trustee van Woudenberg

IX. GENERAL BUSINESS

[19-013](#) A Sketch Plan Review of Erie Highlands Planning Area 10

A Sketch Plan application for 132 dwelling units in a townhouse housing type.

Attachments: [19-013 Staff Memo](#)
[19-013 Staff and Agency Comments](#)
[19-013 Application Materials](#)
[19-013 Sketch Plan Map](#)
[19-013 Planning Commission Minutes](#)

[19-033](#) Board of Trustees 2019 Work Plan

Attachments: [Draft Agenda for January 13, 2019 Retreat](#)
[2019 Concept Work Plan](#)
[Strategic Framework for Public Engagement](#)

[19-036](#) January 15, 2019 Study Session Topics

X. STAFF REPORTS

[19-021](#) Water Treatment and Water Reclamation Monthly Report

Attachments: [Monthly Report](#)

XI. BOARD OF TRUSTEES REPORTS & APPOINTMENTS

XII. EXECUTIVE SESSION

[19-010](#) Executive Session To Hold A Conference With The Town Attorney To Receive Legal Advice On Specific Legal Questions, Pursuant To C.R.S. § 24-6-402(4)(b), Regarding Pending Litigation And Annexation Of Property To The Town

Mayor Pro Tem Deakin moved to go into Executive Session for a conference with the town attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. § 24-6-402(4)(b), regarding pending litigation and annexation of property to the town. The motion was seconded by Trustee Haid. The motion carried with all present voting in favor thereof.

Mayor Carroll announced; It's Tuesday, January 8, 2019, the time is 8:24 pm. For the record, I am the presiding officer, Mayor Carroll. As required by the Open Meetings Law, this executive session is being electronically recorded. Also present at this executive session are the entire Board of Trustees, Town Attorney Kendra Carberry, newly appointed Town Administrator Malcolm Fleming, and Acting Town Administrator Farrell Buller.

Mayor Carroll announced; the time 9:04 pm, and the executive session has concluded. For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record. Hearing none, Mayor Carroll moved to the next agenda item.

XIII. ADJOURNMENT

Mayor Carroll adjourned the January 8, 2019 Regular Meeting at 9:05 pm.