



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Meeting Minutes - Draft

Board of Trustees

Tuesday, January 28, 2020

6:50 PM

Board Room

STUDY SESSION 6:00 PM IN THE COMMUNITY ROOM

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

REGULAR MEETING 6:50 PM IN THE BOARD ROOM

I. CALL MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE AND ROLL CALL

Roll Call

Mayor Carroll
Mayor Pro Tem Deakin
Trustee Charles
Trustee Gippe
Trustee Haid
Trustee Van Woudenberg
Trustee Woog

III. APPROVAL OF THE AGENDA

A motion was made by Trustee Woog, seconded by Trustee Gippe, that this Agenda 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, Trustee Van Woudenberg

IV. CONSENT AGENDA 6:55 PM

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

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

20-028 A Resolution of the Board of Trustees of the Town of Erie Approving a Development Agreement and Accepting Dedications as Shown on the Final Plat for the Compass Filing No. 4 Subdivision

A Resolution of the Board of Trustees of the Town of Erie Approving a License Agreement with the Northern Colorado Water Conservancy District

A Resolution of the Board of Trustees of the Town of Erie Approving a Utility Easement Agreement

Attachments: Final Plat and DA Acceptance Resolution
Compass Filing No. 4 Plat
Compass Filing No. 4 Development Agreement
Utility Easement Resolution
Utility Easement Agreement – Exhibit A
License Agreement – Resolution
License Agreement

20-054 A Resolution of the Board of Trustees of the Town of Adopting the Town's Three Mile Plan

Attachments: Resolution 20-

20-058 A Resolution of the Board of Trustees of the Town of Erie Approving an Agreement for Services with Ehrhart Land Surveying, LLC for Updating Improved Quarter Section Data in an Amount Not to Exceed \$35,000

Attachments: Resolution
Agreement for Services

20-075 A Resolution of the Board of Trustees of the Town of Erie Approving the Third Amendment to the Lynn R. Morgan Water Treatment Facility Expansion CMAR Contract With Garney Companies, Inc.

Attachments: Resolution
Amendment
Location Map 012120

20-076 Approval of January 14, 2020 Meeting Minutes

20-078 Evergreen Devco, Erie Nine-Mile First Amendment to Ditch Easement

Attachments: Resolution

Evergreen Devco, Erie Nine-Mile, First Amendment to Ditch Easement Relocation Agreement (00121971-2xE2194)

V. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA 7:00 PM

Rich Heigel 105 Wells

Kelly Miller 514 Main

VI. GENERAL BUSINESS 7:15 PM

20-049 A Proclamation in Support of Radon Action Month.

Attachments: Proclamation

Radon Infographic

Radon Reduction Roadmap

No Action Taken.

20-031 Approval of Documents Related to the Proposed Swink Annexation as Noted Below

1. Findings Of Fact: A Resolution Of The Board Of Trustees Of The Town Of Erie Making Certain Findings Of Fact Regarding The Annexation To The Town Of A Parcel Of Land Located In Unincorporated Weld County (Swink Annexation)

2. Annexation and Agreement: An Ordinance Of The Board Of Trustees Of The Town Of Erie Annexing To The Town A Parcel Of Land Located In Unincorporated Weld County And Comprised Of Approximately 150.287 Acres, Identified As A Portion Of The East One-Half Of Section 21, Township 1 North, Range 68 West (Swink Annexation) and Approving The Swink Annexation And Dearmin East Agreement

Attachments: Staff Memo

Swink Findings of Fact Resolution

Swink Annexation Ordinance Exhibit A

Swink Annexation Map Exhibit B

Annexation Agreement Other Applicant

Materials

Notice

Staff Presentation

A motion was made by Trustee Woog, seconded by Trustee van Woudenberg, that this Agenda Item be approved. The motion carried by a unanimous vote.

- 20-032 An Ordinance of the Board of Trustees of the Town of Erie Zoning Certain Recently Annexed Property to Low Density Residential (LR), Medium Density Residential Agriculture/Open Space (AG/OS), Public Lands And Institutional (PLI)

Attachments: Ordinance
Exhibit B Zoning Map
Staff Memo
Application Materials
Notice
Staff Presentation

A motion was made by Trustee Charles, seconded by Trustee Haid, that this Agenda Item be approved. The motion carried by a unanimous vote.

- 20-029 PUBLIC HEARING: A Resolution of the Board of Trustees of the Town of Erie Approving the Service Plan for Westerly Metropolitan Districts Nos. 1-4

Attachments: Resolution
Proposed Service Plan
Financial Plan 55
Ehlers and Associates review and comment
Applicant's Response to Ehlers' Review of MD Service Plan

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

Aye: 5 - Mayor Pro Tem Deakin, Trustee Charles, Trustee Woog, Trustee Haid, Trustee van Woudenberg

Nay: 2 – Trustee Charles, Trustee Gippe

- 20-015 A Resolution of the Board Of Trustees of the Town of Erie Approving an Agreement for Professional Services With Jacobs Engineering Group, Inc. for Flood Insurance Rate Map Review for Boulder Creek in an amount not to exceed \$100,000.

Attachments: 08013C0429K.pdf
08013C0431K.pdf
08013C0433K.pdf
Resolution.docx
Jacobs-updated-A012120.docx

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

Aye: 6 - Mayor Carroll, Trustee Haid, Trustee Gippe, and Trustee van Woudenberg, Mayor Pro Tem Deakin, and Trustee Woog

Nay: 1 - Trustee Charles

- 20-052 A Resolution of the Board of Trustees of the Town of Erie Authorizing a Services Agreement With Langdon Group for Home Rule Community Engagement in the Amount of \$49,411.85

Attachments: Resolution
Contract
Citizen Engagement Plan with Timeline

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: 4 - Mayor Carroll, Trustee Haid, Trustee Gippe, and Trustee van Woudenberg

Nay: 3 - Mayor Pro Tem Deakin, Trustee Charles, and Trustee Woog

- 20-081 An Ordinance of the Town of Erie to Approve Enhanced Sales Tax Incentive Program

Attachments: Ordinance
Presentation

A motion was made by Trustee Haid, seconded by Trustee Gippe, that this Agenda Item be approved. The motion carried by a unanimous vote.

- 20-065 A Resolution of the Board of Trustees of the Town of Erie Approving a Services Agreement With Cosolve Inc. for Economic Development Services

Attachments: Resolution
Agreement
Presentation

A motion was made by Trustee Charles, seconded by Trustee Haid, that this Agenda Item be approved. The motion carried by a unanimous vote.

- 20-071 A Resolution of the Board of Trustees of the Town of Erie Approving the Second Amendment to the Surface Use Agreement with Anadarko for Property that is Part of Erie Community Park

Attachments: Resolution
Second Amendment to Surface Use Agreement

A motion was made by Trustee Charles, seconded by Trustee Woog, that this Agenda Item be approved. The motion carried by a unanimous vote.

- 20-096 Town Administrator's Year End Status Report on 2019 Work Plan and Review of 2020 Work Plan

Attachments: 2019 Work Plan Year End Status Report
2020 Work Plan

No Action Taken.

- 20-073 Appointment to the Tree Board

Attachments: Recommendation of Appointment - via email
Toby Hopps - Application
Steve Garrison - Application
Yusupha Jow - Application

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

- 20-050 Volunteer Advisor Appointment to Historic Preservation Advisory Board

Attachments: Heidi Short - Resume

A motion was made by Trustee Haid, seconded by Trustee Charles, that this Agenda Item be approved. The motion carried by a unanimous vote.

- 20-027 Letter of Intent from the Town of Erie regarding Commitment to Become a SolSmart-designated Community

Attachments: SolSmart Solar Statement

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

Aye: 6 - Mayor Carroll, Mayor Pro Tem Deakin, Trustee Charles, Trustee Haid, Trustee Gippe, and Trustee van Woudenberg

Nay: 1 - Trustee Woog

- 20-056 A Resolution of the Board of Trustees of the Town of Erie Authorizing the Purchase of a Caterpillar 450 Backhoe Loader from Wagner Equipment Company for \$179,568.23

Attachments: Resolution
Caterpillar 450 Quote

A motion was made by Trustee Gippe and seconded by Trustee Charles that this Agenda Item be approved. The motion carried by the following vote:

Aye: 6 - Mayor Pro Tem Deakin, Trustee Gippe, Trustee Haid, Trustee Van Woudenberg Mayor Carroll, Trustee Charles

Nay: 1 - Trustee Woog

- 20-059 A Resolution of the Board of Trustees of the Town of Erie Approving an Agreement for Services with Veris Environmental, LLC. for Biosolids Hauling Services

Attachments: Resolution
Agreement for Services

A motion was made by Trustee Charles, seconded by Mayor Pro Tem Deakin, that this Agenda Item be approved. The motion carried by a unanimous vote.

- 20-060 Resolution of the Board of Trustees of the Town of Erie Authorizing the Purchase of a Caterpillar 926M Loader from Wagner Equipment Company in the Amount of \$176,428.61

Attachments: Resolution
Caterpillar 926M Loader Quote

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 Pro Tem Deakin, Trustee Haid, Trustee Gippe, Trustee van Woudenberg

Nay: 3 - Trustee Woog, Scott Charles, Mayor Carroll

- 20-066 A Resolution of the Board of Trustees of the Town of Erie Approving a Professional Services Agreement With CGRS for Oil and Gas Consulting in the Amount Not to Exceed \$50,000

Attachments: Resolution
 Contract

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: 5 - Mayor Carroll, Mayor Pro Tem Deakin, Trustee Haid, Trustee Gippe, Trustee van Woudenberg
Nay: 2 - Trustee Charles, and Trustee Woog

- 20-067 A Resolution of the Board of Trustees of the Town of Erie Authorizing the Purchase of a Caterpillar 926M Loader from Wagner Equipment Company in the Amount of \$176,428.61

Attachments: Resolution
 Caterpillar 926M Loader Quote

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

Aye: 6 - Mayor Pro Tem Deakin, Trustee Gippe, Trustee Haid, Trustee Van Woudenberg Mayor Carroll, Trustee Charles
Nay: 1 - Trustee Woog

- 20-070 A Resolution of the Board of Trustees of the Town of Erie Authorizing a Purchase Agreement with McCandless Truck Center LLC for the Purchase of a New and a Replacement Dump Truck for \$488,123

Attachments: Resolution
 McCandless Hooklift Quote
 Kois Hooklift Quote
 McCandless Wing Plow Quote
 Kois Wing Plow Quote

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

Aye: 6 - Mayor Pro Tem Deakin, Trustee Gippe, Trustee Haid, Trustee Van Woudenberg Mayor Carroll, Trustee Charles
Nay: 1 - Trustee Woog

VII. STAFF REPORTS 9:30 PM

- 20-034 2020 Water Conservation Programs Update
- 20-047 2019 Single Family Residential Building Permit Report
Attachments: Build Permit Chart
- 20-068 Emergency Expenditure of Conservation Trust Funds for the Removal of Additional Hazardous Trees Along Jasper Road in Wise Homestead Open
- 20-072 Update on Oil and Gas Actin Items
Attachments: Crestone Peak Air Monitoring News Release

VIII. EXECUTIVE SESSION 9:30 PM

- 20-086 Executive Session for the Following Purposes: (1) 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 AIG's denial of the Town's Crime Claim; (2) to Hold a Conference with Town Attorney and the Town's Special Counsel to Receive Legal Advice on Specific Legal Questions, Pursuant to C.R.S. § 24-6-402(4)(b), Regarding Litigation; and (3) 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 Legal Services Agreement with the Town.

IX. GENERAL BUSINESS 10:30 PM

- 20-095 Action as a Result of Executive Session
- Mayor Carroll commented on the executive session stating that the board is very disappointed in the decision made by the Insurance Company. The Town will continue to pursue a desired outcome.
- Trustee Charles disagreed session stating that what was discussed in the session would have been appropriate for discussion in public session.

X. BOARD OF TRUSTEES REPORTS & APPOINTMENTS 10:40 PM

Trustee Woog inquired of Town Administrator about the impact fees to High Plains Library and asked for an update on Staff Retention.

Trustee Van Woudenberg attended the Boulder County Task Force meeting on Teenage Tobacco usage.

Mayor Pro Tem Deakin will attend the Highway 7 Coalition meeting.

Trustee Charles thanked the board for approving Heidi Short to the Historic Advisory Board, Trustee Gippe attended the Erie Chamber Dinner.

XI. ADJOURNMENT 10:50 PM

The meeting was adjourned at 12:40 AM Wednesday, January 29, 2020 by Mayor Carroll