



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Meeting Minutes - Final

### BOARD OF TRUSTEES MEETING

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Tuesday, August 28, 2018

6:30 PM

Board Room

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#### 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 6:30 PM IN THE BOARD ROOM

#### I. CALL MEETING TO ORDER

Mayo Carroll called the August 28, 2018 Regular Meeting to order 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

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

#### IV. CONSENT AGENDA

[18-305](#) Approval of the August 14, 2018 Draft Meeting Minutes

[18-296](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Accepting A Grant From The Federal Aviation Administration For AIP Project No. 3-08-0090-018-2018 For Construction Of Snow Removal Equipment Building In The Amount Of \$616,039.

[18-297](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Authorizing A Construction Contract And Executing Supplemental Agreement No. 1 With PV Consulting, Inc. For The Federal Aviation Administration Grant AIP Project No. 3-08-0090-018-2018 For The Construction Of A Snow Removal Equipment Building In The Amount Of \$595,107.00 For

Construction And \$45,000 For Contingency.

[18-304](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Approving Addendum #2 Of Task Order A To The Consulting Agreement With Armstrong Consultants, Inc. For Engineering Services For The Federal Aviation Administration Grant AIP Project No. 3-08-0090-018-2018 For The Construction Of A Snow Removal Equipment Building Project At The Erie Municipal Airport, And To Change The Total Contract Amount To \$104,933.00.

[18-302](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Authorizing The Town Of Erie To Enter Into A License Agreement For A Ditch Crossing With St. Vrain Valley School District.

[18-306](#) A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Accepting An Access Easement Agreement For The Morgan Hill Subdivision.

[18-287](#) An Ordinance Of The Town Of Erie, Colorado Vacating Three Slope Easements Located North Of CR 10.5 Within Approved Morgan Hill Filing No. 1; And, Setting Forth Details In Relation Thereto. (Second Reading)

[18-268](#) An Ordinance Annexing The Erie Farms Annexation Property, Pursuant To The Petition Of The Owner Thereof, To Be Known As The Erie Farms Annexation To The Town Of Erie, Colorado; Providing For The Effective Date Of This Ordinance; And, Setting Forth Details In Relation Thereto. (Second Reading)

[18-269](#) An Ordinance Zoning The Erie Farms Annexation, Pursuant To The Petition Of The Owner Thereof, To 'LR' – Low Density Residential; Providing For The Effective Date Of This Ordinance. (Second Reading)

**Mayor Pro Tem Deakin moved to approve the August 28, 2018 Consent Agenda; the motion was seconded by Trustee Charles. The motion carried with the following roll call vote:**

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

## **V. PUBLIC COMMENT**

Brandon Bell of 76 Piney Creek Lane, Erie, Colorado, gave public comment on Agenda Item 18-277.

Rachel Balkcom of 265 Skyline Drive, Erie, Colorado, gave public comment on Agenda Item 18-313.

Robert Nichols of 2076 Indian Paintbrush, Erie, Colorado, gave public comment on Agenda Item 18-313.

DeAndrea Arndt of 828 Lehigh Circle, Erie, Colorado, gave public comment on Agenda Item 18-277.

Susan Speece of 4180 Wild Horse Drive, Broomfield, Colorado, gave public comment on oil and gas operations.

## **VI. PROCLAMATIONS AND PRESENTATIONS**

[18-294](#) A Proclamation recognizing September 10-16, 2018 as Colorado Cities & Towns Week

[18-300](#) Erie Municipal Airport Monthly Report - July 2018

## **VII. RESOLUTIONS**

[18-298](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Authorizing A Construction Contract To American West Construction, LLC, For The Erie Parkway 30" Waterline Relocation Project In The Amount Of \$528,240 For Construction And \$132,060 For Contingency.

**Mayor Pro Tem Deakin moved to approve Agenda Item 18-298; the motion was seconded by Trustee Charles. The motion carried with the following roll call vote:**

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

[18-277](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Submitting To The Town Electorate A Ballot Question For Consideration At The November 6, 2018 Special Election, Concerning Authorization For The Town, Without Increasing Taxes, To Restore The Town's Authority To Deploy Broadband Infrastructure Used To Provide Advanced Services (High-Speed Broadband Internet), Telecommunication Services, And/Or Cable Television Services As Defined By § 29-27-101-304 Of The Colorado Revised Statutes, Including Without Limitation Any New And Improved High Bandwidth Services Based On Future Technologies, To Residents, Businesses, Schools, Libraries, Nonprofit Entities, And Other Users Of Such Services, Either Directly, Or Indirectly With Public And/Or Private Sector Partners.

**Mayor Pro Tem Deakin moved to approve Agenda Item 18-277; the motion was seconded by Trustee Gippe. The motion carried with with a five (5) for and two (2) against vote with Trustee Charles and Trustee Woog voting no.**

[18-313](#) A Resolution Of The Board Of Trustees Of The Town Of Erie Opposing Initiative #108, A Dangerous Attempt To Amend The Colorado Constitution To Drastically Limit State And Local Government Regulatory Authority

Trustee van Woudenberg moved to approve Agenda Item 18-313; the motion was seconded by Mayor Pro Tem Deakin. The motion carried with a five (5) for and one (1) against vote with Trustee Woog voting no. Trustee Charles abstained from voting.

## **VIII. ORDINANCES**

### **18-295**

An Ordinance Of The Board Of Trustees Of The Town Of Erie Amending Section 3-3-3 Of The Erie Municipal Code, Relating To The Membership Of The Historic Preservation Advisory Board (First Reading)

Trustee Charles moved to approve Agenda Item 18-295; the motion was seconded by Mayor Pro Tem Deakin. The motion carried with all present voting in favor thereof. The ordinance was passed on emergency.

## **IX. GENERAL BUSINESS**

## **X. STAFF REPORTS**

### **18-271**

Planning and Development Monthly Building Permit Report - July 2018

### **18-299**

Staff presentation regarding the distribution of Smart Sprinkler Controller rebates in conjunction with the Water Conservation Plan

### **18-301**

Water Treatment and Water Reclamation Monthly Report

## **XI. BOARD OF TRUSTEES REPORTS & APPOINTMENTS**

Trustee Woog reported on his interest in the formation of an oil and gas ad hoc committee.

Trustee van Woudenberg reported on a tour with EarthWorks.

Mayor Carroll reported on the formation of a citizen committee on oil and gas. Mayor Carroll also reported on upcoming methods of outreach to engage citizens.

Mayor Carroll directed town staff to add an agenda item for a citizen committee under the general business section on the September 11, 2018 Regular Meeting agenda.

## **XII. EXECUTIVE SESSION**

### **18-312**

Executive session with the Town's attorneys to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b), regarding oil and gas issues.

Mayor Pro Tem Deakin moved to go into Executive Session for a conference with special counsel and the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b), regarding oil and gas. Trustee Charles seconded the motion. The motion carried with all present voting in favor thereof.

Mayor Carroll announced; It's Tuesday, August 28, 2018, the time is 7:41 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, Special Counsel Barbara Green and John Sullivan and Acting Town Administrator Farrell Buller.

Mayor Carroll announced; the time is 9:01 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**

Trustee Charles moved to adjourn the August 28, 2018 Regular Meeting of the Town of Erie Board of Trustees; the motion was seconded by Trustee Gippe. The motion carried with all present voting in favor thereof.

Mayor Carroll adjourned the August 28, 2018 Regular Meeting at 9:01 pm.