



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Meeting Minutes - Final

### Board of Trustees

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Tuesday, January 28, 2020

6:50 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 6:50 PM IN THE BOARD ROOM

#### I. CALL MEETING TO ORDER

#### II. PLEDGE OF ALLEGIANCE AND ROLL CALL

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

**Aye:** 6 - Mayor Carroll, Mayor Pro Tem Deakin, Trustee Charles, Trustee Woog, Trustee  
Haid, and Trustee Gippe

#### III. APPROVAL OF THE AGENDA

#### IV. CONSENT AGENDA 6:55 PM

[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

A motion was made 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

[20-028](#) 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-](#)

[20-056](#) 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](#)

[20-058](#) A Resolution of the Board of Trustees of the Town of Erie Approving a Permanent Utility Easement Agreement

**Attachments:** [Resolution](#)  
[Permanent Utility Easement Agreement](#)  
[Location Map 2 012120](#)

[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 the following vote:

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

[20-060](#)

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](#)

[20-066](#)

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 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

[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, seconded by Trustee Haid, 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

[20-070](#)

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, seconded by Trustee Haid, 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

[20-075](#) 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, 2019 Meeting Minutes

**Attachments:** [Meeting Minutes January 14, 2019](#)

[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**

## **VI. GENERAL BUSINESS 7:15 PM**

[20-049](#) A Proclamation in Support of Radon Action Month.

**Attachments:** [Proclamation](#)  
[Radon Infographic](#)  
[Radon Reduction Roadmap](#)

[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 the following vote:**

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

**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 (MR), 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 the following vote:**

**Aye:** 5 - Mayor Carroll, Trustee Woog, Trustee Haid, Trustee Gippe, and Trustee van Woudenberg

**Nay:** 2 - Mayor Pro Tem Deakin, and Trustee Charles

**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](#)

[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](#)

[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](#)

[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 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

[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](#)

[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](#)

**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 the following vote:**

**Aye:** 6 - Mayor Carroll, Mayor Pro Tem Deakin, Trustee Charles, Trustee Woog, Trustee Haid, and Trustee Gippe

[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 the following vote:**

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

## **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

Space in the Amount of \$25,705.84

[20-072](#) Update on Oil and Gas Action Items

**Attachments:** [Crestone Peak Air Monitoring New Release](#)

#### **VIII. EXECUTIVE SESSION 9:30 PM**

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

**Aye:** 5 - Mayor Carroll, Trustee Woog, Trustee Haid, Trustee Gippe, and Trustee van Woudenberg

**Nay:** 2 - Mayor Pro Tem Deakin, and Trustee Charles

[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

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

#### **XI. ADJOURNMENT 10:50 PM**

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[Contract](#)  
[Citizen Engagement Plan with Timeline](#)

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 Woog, Trustee Haid, Trustee Gippe, and Trustee van Woudenberg

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



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[20-027](#)

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**Attachments:** [SolSmart Solar Statement](#)

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[20-059](#)

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