



TOWN OF WELLINGTON

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BOARD OF TRUSTEES

July 26, 2016

LEEPER CENTER – 3800 WILSON AVE.

Work Session – 2015 Audit Management Discussion & Analysis -Mike Cummins -7:00 pm

REGULAR MEETING – 7:30 PM

AGENDA

CALL TO ORDER - PLEDGE OF ALLEGIANCE

ROLL CALL

ADDITIONS TO OR DELETIONS FROM THE AGENDA

CONFLICTS OF INTEREST

PUBLIC TO BE HEARD ON NON-AGENDA ITEMS

CORRESPONDENCE

- Main Street Program

PRESENTATIONS

- Carolyn Reed – Poudre School District Board – School Bond Ballot Question

CONSENT AGENDA

- Board of Trustee Minutes for July 12, 2016
- Planning Commission Minutes for June 6, 2016
- CAC Minutes for June 20, 2016

OLD BUSINESS

1. Agreement with Windsor Ditch on Pedestrian Crossing

NEW BUSINESS

1. 2015 Audit Presentation
2. Conditional Use - Lot 2 GWG Subdivision Phase 2 – Multi-family Development
3. Resolution 27-2016 – Street Closure for Block Party on Mount Meeker
4. Resolution 28-2016 – Hazard Mitigation Plan
5. Resolution 29-2016 – Support of Sales Tax Ballot- Mental Health/Detox/Substance Abuse Facility
6. Discussion – Wright Water Engineers
7. Discussion – Public Transportation Survey
8. Bills for Approval
9. Town Attorney Update
10. Town Administrator Update

SCHEDULING OF WORK SESSIONS

OTHER

11. Executive Session

ADJOURN

BOARD OF TRUSTEES
REGULAR BOARD MEETING
July 26, 2016

Following a work session on 2015 Audit Management Discussion & Analysis, the Regular Board Meeting was called to order at 7:31p.m. July 26, 2016 at the Leeper Center 3800 Wilson Ave, Wellington CO.

TRUSTEES PRESENT: TRAVIS HARLESS, MATT MICHEL, TIM SINGEWALD,
ASHLEY MACDONALD, and JACK BRINKHOFF

TRUSTEES ABSENT: PAUL COX and DANIEL SATTLER

PRESIDING: JACK BRINKHOFF, MAYOR

ALSO PRESENT: LARRY LORENTZEN, TOWN ADMINISTRATOR
RYAN ABBOTT, ASSISTANT TOWN ADMINISTRATOR
CYNTHIA SULLIVAN, DEPUTY CLERK
MIKE CUMMINS, FINANCE DIRECTOR
BRAD MARCH, TOWN ATTORNEY
DON SILAR, TOWN ENGINEER

Additions to or deletions from the agenda

None

Conflicts of Interest

None

Public to be heard on non-agenda items.

None

Correspondence

Main Street Program

Presentations

Carolyn Reed – Poudre School District Board – School Bond Ballot Question.
Ms. Reed was not in attendance.

Consent Agenda

- Board of Trustee Minutes for June 12, 2016
- Planning Commission Minutes for June 6, 2016
- CAC Minutes for June 20, 2016

Trustee Singewald had a correction of the year on the agenda.

Trustee Singewald asked for more detail in the updates.

Trustee Singewald asked for an update from Mr. Lorentzen about issues discussed in the work session from the last meeting. Mr. Lorentzen said he would bring that up in the Town Administrators update.

TRUSTEE MICHEL MOVED AND TRUSTEE SINGEWALD SECONDED to approve the consent agenda. Roll call was taken and the motion passed Trustee Macdonald abstained.

OLD BUSINESS

1. Agreement with Windsor Ditch on Pedestrian Crossing

Mr. March updated the Board on his research regarding the easements for the Windsor Ditch and his attempts to contact Mr. Dowd. There was a deed that had not been given to the town. He would do a quick claim title. He has been trying to contact the President of the Wellington Pointe Homeowners Association (HOA).

Trustee Harless thought this was settled when Mr. Redmon annexed the corner property. Mr. March explained that there were 2 or 3 different sections along the ditch owned by different entities. He said on the original plat it shows which section was to be dedicated to the town.

No action.

NEW BUSINESS

1. 2015 Audit Presentation

Tyra Litzue, with Anton, Collins Mitchell LLP, presented the draft 2015 budget audit. She started with the Wrap up document. She described the objective of the audit is to obtain reasonable assurance by using a risk case audit approach where they look thought significant transactions of the town and large dollar balances. They expect to give an unmodified opinion. They review the revenue recognition, account receivables, capital assets, capital lease obligations and bonds and loans to make sure the debts are being satisfied based on the agreements. There were a couple of journal entries that needed to be adjusted. They did see a deficiency with the policy on credit card use and gave suggestions how to correct the deficiency by having employees sign the policy. They also suggested that the review of the statements done by someone other than the user of the card and it be documented.

Trustee Singewald asked if they verified fund balances and town investment yields and interest payments. Ms. Litzue they verify if the fund balances are correct and is being reported properly within the standards. She said they confirm investments and cash balances with the banks and look at investment earnings compared with previous years.

Ms. Litzue went over the financial statements and pointed out the audit report. She highlighted items in the statement with regard to net position, activities of the three governmental funds, enterprise funds, cash flows and fiduciary fund for the Library Trust. She reviewed the notes on the financial statement and breakdowns of the different funds. Ms. Litzue pointed out the cash accounts breakdown. She said most of the cash is in Colorado Trust.

Trustee Singewald asked if the funds in bank accounts are in more than one bank and are they protected funds. Ms. Litzue said there are about \$324,516 dollars covered by FDIC and the rest is covered by Public Depository Protection Act (PDPA). She explained that PDPA institutions are required to have enough money available to cover 102% of funds deposited by governmental entities.

Ms. Litzue said the last section of the report shows the budgeted to actual balance of the funds. This gives you a closer look on how Wellington did for the year.

TRUSTEE SINGEWALD MOVED AND TRUSTEE MACDONALD SECONDED to approve 2015 draft audit. Roll call was taken and the motion passed unanimously.

2. Conditional Use – Lot 2 GWG Subdivision Phase 2 – Multi-family Development

Monica Swere, applicant

Mr. Lorentzen explained that this is the parcel of land west of the vet clinic. The Planning Commission recommended approval with condition.

Ms. Swere explained the intent of the project is to build 30 units, which would be a combination of 6 and 8 plex buildings and 8 individual bungalow units attached by arbors. These would be individually owned condominiums belonging to an association.

Mayor Brinkhoff asked if the recommendations were acceptable. Ms. Swere they were acceptable.

Trustee Michel asked if they had any restriction on multiple units being bought by an individual and used as rental. Ms. Swere said that is a concern and would be addressed by the legal team in the condo association documents.

Trustee Harless said since this property has a drainage area right in the middle how are we diverting the drainage and will we have access to make changes in the future. Mr. Lorentzen said all the building is outside the flood plain limits and the flood plain area would be considered open space for the project. There was further discussion about mitigation of the flood zone and its effect on this property. Mr. March suggested requesting a public easement for emergency vehicles and is there a willingness to dedicate the drainage ways. Ms. Swere said that would be acceptable.

Trustee Singewald asked if the easements would be noted on the plat. Mr. March said this is all one lot so it does not need a plat. There was discussion about the condo association.

TRUSTEE SINGEWALD MOVED AND TRUSTEE MICHEL SECONDED to approve the conditional use and site plan for Lot 2 GWG Phase 2 with recommendations from the Planning Commission that the bungalow units be attached, a letter of map amendment be processed through FEMA, the town receives an easement of the streets and water way and ponds for emergency services and drainage. Roll call was taken and the motion passed unanimously.

3. Resolution 27-2016 – Street Closure for Block Party on Mount Meeker.

Shawn Flanagan, of 3779 Mount Meeker, said they are requesting the closure of the road for an annual block party. The event would be from 4:00pm to 12:00pm, but the closure is until 10:00pm. Mr. March said no alcohol allowed on the street.

TRUSTEE MICHEL MOVED AND TRUSTEE HARLESS SECONDED to approve Resolution 27-2016 allowing street closure for a block party. Roll call was taken and the motion passed unanimously.

4. Resolution 28-2016 – Hazard Mitigation Plan

Mr. Lorentzen said this plan is updated about every five years. It is revised through public hearings and planning meetings. All entities involved need to adopt the plan. He said FEMA grants require that this type of plan be in place and adopted. There are no changes regarding Wellington in the document. We did have a goals to get a tornado warning system and for the Garfield mitigation project.

Trustee Singewald asked if there was any financial obligation from the town if we adopt this plan. Mr. Lorentzen said the obligation we have is for the goals we put into the plan.

Trustee Singewald asked if we have power backup for the utility plants if the electricity went out. Mr. Lorentzen said we have power backup for the sewer plant and we have an old generator from the sewer plant up at the water treatment plant. There is also the ability to change over from REA to Xcel at the water treatment plant if needed. We always try to keep a 2-day supply of water in the tanks. He said we would have to restrict the use of water. Trustee Singewald suggested having a public meeting to inform residents on where to go and who to contact in the case of an emergency. There was discussion about notification issues.

TRUSTEE SINGEWALD MOVED AND TRUSTEE HARLESS SECONDED to approve Resolution 28-2016 adopting the Larimer County Multi-Jurisdictional Hazard Mitigation Plan. Roll call was taken and the motion passed unanimously.

5. Resolution 29-2016 -Support of Sales Tax Ballot – Mental Health /Detox/Substance Abuse Facility

Mr. Lorentzen said this is a request for the Town to support the ballot question.

Trustee Singewald reviewed some of the information that was presented at the last meeting and felt that the project was too expensive for the number of beds it would have. He would like to see more information. He gave a suggestion about having a voucher to private facilities. He suggested the Mackenzie Place. Mayor Brinkhoff said he thought the problem was that there weren't any facilities close to send people to.

Trustee Macdonald shared some additional information she had received from the County Commissioners Meeting. She said one of the issues is the people that are put into jail who really need help more than incarceration. This would also help relieve the jail overcrowding.

Trustee Singewald said he'd heard that people would be bussed in from outside the county to use this facility. He felt that if there was a facility for the county then it should only be for county residents.

Trustee Harless asked if there were that many mentally ill people in the county. Trustee Macdonald said the facility would provide services for more than mental illness. They would also deal with substance abuse and the homeless. She said it would also help to keep individuals from ending up in the Emergency Room. The program would allow for more options to help individuals.

Trustee Michel said their rooms would not be like a hotel where people are staying for months. He said Colorado is ranked low with regard to mental health facilities. With only 30 beds they could affect 1000 people. The government needs to help their citizens.

Kathy Wydallis, of 3405 Revere Ct, questioned who would run the facility. She felt the money would be better spent to help the Sheriff's Department by expanding their facilities and services. Trustee Harless would like to see the analysis on where the first point of contact is and then adjust the funding from there. Mr. Lorentzen said this was not a citizen initiative, but proposed by the commissioner and pushed by the Sheriff's Department. Mr. March explained that sometimes when the Deputies pick someone up jail is not the best place for them and since there isn't a facility they are taken to the emergency room. This is a greater cost but there is no other option.

Chuck Cross, 4202 Alder Creek Lane, said the officer is the first point of contact and if necessary they will find some reason to arrest them so they are off the street. Yes this request is a lot of money, but the more options available, the better for the community. The closes detox facility is in Greeley and the nearest mental health center is on Harmony Road. If they are taken to the mental health center for

evaluation and they are found not to be a danger to themselves or others they are just released possibly to get picked up again. He said there needs to be more options and this resolution is just to put it on a ballot. There was further discussion.

Sergeant Rairdon explained that the facility would have 12 beds for acute treatment short term stays, 12 beds for withdrawal management (detox), 11 beds for short term intensive residential treatment for substance use and 52 beds low intensity residential for substance use disorders for a total for 87 beds. He gave an example of how the current process works. He mentioned they currently don't have any type of facility for jovial.

The Board asked staff to send all the members the information from the County.

TRUSTEE SINGEWALD MOVED AND TRUSTEE HARLESS SECONDED to table until next meeting. Roll call was taken and the motion passed unanimously.

6. Discussion – Wright Water Engineers

Mr. March said he sent the board a copy of the proposal, but did not have it in the packet. He felt that the cost was a little high so he contacted some people that have worked with Mr. Wright. There were some questions about his regional familiarity of water sources. Most people he contacted thought very highly of Mr. Wright. He said it was up to the Board, but he could make more inquiries. There was a consensus to continue with Mr. Wright.

TRUSTEE SINGEWALD MOVED AND TRUSTEE HARLESS SECONDED to approve the proposal from Wright Water Engineers in the amount not to exceed \$30,000.00. Roll call was taken and the motion passed unanimously.

7. Discussion – Public Transportation Survey

Mayor Brinkhoff said he met with Mayor Troxell and Commissioner Donnelly to identify some possibilities for public transportation between Wellington and Fort Collins. He suggested putting out a survey to see if there was interest in a program. There was further discussion about the different transportation systems that are available in the area.

Mr. Lorentzen mentioned the possibility of a park and ride.

Trustee Singewald suggested also asking if there is any interest in public transportation to Cheyenne.

Mr. Abbott would work on the survey.

8. Bills for Approval

First Light Technologies, Inc.	\$ 1,147.77
Buffalo Creek Subdivision	1,233.01
Pete Lien	1,644.21
Northern Engineering	2,444.50
Interstates Construction Services	3,473.88
Dana Kepner	3,872.22
March, Olive & Pharris, LLC	6,768.00
Stantec	14,870.30
JVA Consulting Engineers	24,125.00
Wealth Management Group	136,413.75
Larimer County Sheriff	<u>227,030.48</u>
	\$423,023.12

TRUSTEE MICHEL MOVED AND TRUSTEE MACDONALD SECONDED to approve the bills in the amount of \$423,023.12. Roll call was the taken motion passed unanimously.

9. Town Attorney Update

Mr. March updated the Board on the following:

- CDOT Building – check is still missing and has not been cashed. We do own the building and have the deed.
- He had discussions with the Wellington Downs developer about using an alternate security for the improvements rather than a letter of credit. Possibility of Personal Guarantees. He read the code on what the town will accept. He asked if the Board would be willing to look at a hybrid alternative. There was discussion on how letters of credit effect the developer/bank loaning power. Mr. March to review the financial for the developer and update the board.
- Waiting on response from writer of Bob's Rules on getting permission from him to use it. Mr. March will try to make contact.
- Reed vs Gilbert about signage. Mr. March still needed to talk with Trustees Michel and Harless.
- Personnel and advertising policies are still being worked on by himself and Mr. Abbott.
- Mr. March sent an extensive letter to Travelers Insurance regarding the Wolf claim. Not worried about liability. Trustee Singewald asked if there was any correspondence between the attorneys. Mr. March said just the notice of claim. He is working with the insurance company about coverage issues. Mr. March said we did solve the issue of the missing money and it is in the bank.
- Contact from Black Hills Energy about a franchise agreement. Mr. March did not feel it was necessary to sign, but will contact the representative.
- North Poudre memo about whether the small municipalities would have representation on their Board. It looks like they will have two classes of user. One class would be for agriculture and the other would be for districts and governmental. We would get to vote in one of those classes.
- Working through the CSU agreement for the easement on Sage Meadows Subdivision.

Trustee Singewald asked if there had been discussion between Mr. March and Mr. Harrison. Mr. March said he had a discussion with Mr. Harrison and there have been several proposals, but he was still waiting to hear back from Mr. Harrison.

10. Town Administrator Update

Mr. Lorentzen updated the Board on the following:

- Bison Ranch Water – Had contact with other Mayors and Commissioners regarding interest in this water and there is not much. Volumes and terms don't look like they would work at this time. There would need to be more design and development before we would be interested.
- Variance Board meeting on July 28th. Mr. Lorentzen said Mr. Kemp would not be able to attend and asked if Trustee Harless would be available. Trustee Harless confirmed he would attend.
- Bid opening for Garfield Project there was only one bidder (Mountain Constructors). He asked if a special meeting could be set on Tuesday August 2nd to award the bid. Special meeting was set for 7:00pm Tuesday August 2nd.
- Bid was to be opened of the Old Town paving, but no bids were received. Mr. Knostman will contact all the plan holder to see if there was any issue. There was discussion about putting the project off until next year.
- Received 5 proposals for preliminary design of the Pedestrian Trail and one proposal to do a study for CDOT access plan to stripe Cleveland. Staff to review.
- Mr. Lorentzen and Mr. Silar to meet with Tim Mather from Infomaption to review the date from the impervious surface report.

- Planning Commission
 - Thimmig Subdivision
 - Multifamily on lot 10 Wellington Pointe – There was a discussion on why there was so much interest in building multifamily.

Trustee Singewald asked Mr. Lorentzen to address the back fill issue that was discussed in the work session of the previous meeting. Mr. Lorentzen said the work session was to look at issues with settlement under streets, sidewalks and driveways in new developments. There have been updates to the construction standards to address the issues with the streets and sidewalks. Most of the settlement issues are in the water and sewer line trench. The conclusion was to increase the time that the inspectors are out watching the backfill operations. The payment of the increased cost for this will be from the developers. There was no conclusion about the compaction of the driveways except to work with the builders. The town would look closer at the compaction and backfill of the service lines from the homes.

Scheduling of Work Session

Start work on the Capital Improvements Plan(CIP) at 6:30pm

Other

Trustee Harless asked when north 6th Street would be open. Mr. Lorentzen said that they finished the paving and just needed to stripe it. Should be soon.

Trustee Harless asked about the construction of the trailer on 4th Street. He asked if Mr. Lorentzen had received an engineer plan. Mr. Lorentzen said that Safebuilt has the engineer plan, but will require that the engineer signs off on the construction.

Trustee Michel said the last concert in the park went well.

Trustee Michel asked if there was any news on the Sixth street speed sign. Mr. Lorentzen said Mr. Miller has one quote, but has not been able to get any others.

Trustee Singewald said that the Kids Fishing Days had to be canceled due to the fish kill. We could not get any more fish to put in the pond in time. He would get with the Park Advisory Board to send thank you cards to Fish and Game Department and the Kiwanis Club.

Mayor Brinkhoff said that Carolyn Reed was supposed to present information about the school bond ballot question. He said that Ms. Reed would get the information to Mr. Abbott for the August 9th meeting.

11. Executive Session – Town Administrator Evaluation

Not needed.

TRUSTEE MICHEL MOVED AND TRUSTEE SINGEWALD SECONDED to adjourn the meeting. Roll call was taken and the motion passed unanimously. Meeting adjourned at 9:48pm.

Respectfully submitted:

Cynthia Sullivan, CMC
Deputy Town Clerk