



BOARD OF TRUSTEES
August 13, 2019
LEEPER CENTER – 3800 WILSON AVE.

REGULAR MEETING – 6:30 PM

AGENDA

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Amendments to Agenda

B. COMMUNITY PARTICIPATION

1. **Public Comment** - Individuals wishing to participate in Public Comments (non-agenda item) are requested to sign up on the form provided on the podium. When you are recognized, step to the podium, state your name and address then speak to the Town Board of Trustees. Please limit comments to three (3) minutes.
2. Presentation
 - a. County Voting Box - Nick Babion/Angela Myers
 - b. Audit Presentation – Anton Collins Mitchell

C. CONSENT AGENDA

1. Minutes
 - a. Board of Trustee Minutes for July 23, 2019

D. ACTION ITEMS

1. Business items
 - a. Resolution 27-2019 – Budget Amendment – Water Rate, Interest Payment
 - b. Contract Award -Digesters Improvement Project

E. OTHER BOARDS – (Liquor/Library/Enterprise)

- a. Avuncular Bob’s T Bar Inn and Brew Pub Operations, LLC

- b. Special Event - Chamber Disc Golf
- c. Special Event – Oktoberfest

F. REPORTS

- 1. Town Attorney
- 2. Town Administrator
- 3. Staff Communications
 - a. Regional Transportation – Town Planner
- 4. Board

G. EXECUTIVE SESSION

Attorney Advice

Conferences with an attorney for the local public body pursuant to § 24-6-402(4) (b), for the purpose of receiving legal advice relative to annexation negotiations. If the board elects to go into executive session for attorney advice the executive session may not be recorded and an attorney certification will be provided as required by C.R.S. §24-6-402(2)(d.5)(II)(B) that the discussion in the executive session constitute privileged attorney-client communications or portions of discussions may not be recorded and certification will be provided .

Attorney Advice

Conferences with an attorney for the local public body pursuant to § 24-6-402(4) (b), for the purpose of receiving legal advice relative to water acquisition and supply and contract negotiations. The executive session will not be recorded and an attorney certification will be provided as required by C.R.S. §24-6-402(2)(d.5)(II)(B) that the discussion that discussions in the executive session constitute privileged attorney-client communications.

Exclusive negotiation agreement between the Town of Wellington; Wellington Operating Company; Pomoco, LLC; Wellington Water Works; and Liodier,LLC

H. ADDITIONAL ACTION

- 1. Items needing action following executive session

ADJOURN

The Town of Wellington will make reasonable accommodations for access to Town services, programs, and activities and special communication arrangements Individuals needing special accommodation may request assistance by contacting the Deputy Clerk at Town Hall or at 970-568-3380 ext. 110 at least 24 hours in advance.

BOARD OF TRUSTEES
REGULAR BOARD MEETING
August 13, 2019

A. CALL TO ORDER

The Regular Board Meeting was called to order at 6:35 p.m. August 13, 2019 at the Leeper Center, 3800 Wilson Ave, Wellington CO.

1. Pledge of Allegiance

2. Roll Call

TRUSTEES PRESENT: WYATT KNUTSON, MATT MICHEL, TIM WHITEHOUSE,
JOHN EVANS, DANIEL SATTLER and TROY HAMMAN

TRUSTEES ABSENT: JOHN JEROME

PRESIDING: TROY HAMMAN, MAYOR

ALSO, PRESENT: ED CANNON, TOWN ADMINISTRATOR
CYNTHIA SULLIVAN, DEPUTY CLERK
PETE BRANDJORD, FINANCE DIRECTOR
CODY BIRD, TOWN PLANNER
MICHELLE VANCE, ECONOMIC DEVELOPMENT MANAGER
BRAD MARCH, TOWN ATTORNEY OFFICE
DAVE MYER, TOWN ENGINEER
MIKE CARRANO, WASTE WATER SUPERINTENDENT

3. Amendments to Agenda

Item D.1.a. regarding Resolution 27-2019 was taken off the agenda.

4. Conflicts of Interest

Trustee Whitehouse had a conflict with item E.1.c. regarding the Special Event Liquor Permit for Oktoberfest.

B. COMMUNITY PARTICIPATION

1. Public Comment - None

2. Presentation

a. County Voting Box – Angela Myers, Larimer County Clerk-

Angela Myers presented a request to place a county ballot box at the Leeper Center. The County will cover all costs of installation and maintenance and will need access to electric and internet for a security camera. The box would take up one parking space. Ms. Myers provided a temporary easement agreement. Mr. March will review the document for approval at the August 27, 2019 Board meeting.

b. Audit Presentation – Anton Collins Mitchell

Steve Boles, reviewed the process and findings of the audit. He went over the results of the audit regarding any corrections needed. Mr. Boles reviewed the adjustments and corrections to the accounts. Trustee Michel asked if the deficiencies from last year had been corrected. Mr. Boles said the deficiencies had been satisfied.

C. CONSENT AGENDA

1. Minutes

a. Board of Trustee Minutes for July 23, 2019

TRUSTEE KNUTSON MOVED, AND TRUSTEE SATTLER SECONDED to approve consent agenda. Motion passed unanimously.

D. ACTION ITEMS

1. BUSINESS ITEMS

- a. Resolution 27-2019 – Budget Amendment – Water Rate, Interest Payment – removed from agenda.
- b. Contract Award – Digesters Improvement Project

Dave Myer said this is phase two of the Waste Water Treatment Plant improvements. There was only one bid received. There was discussion about the RFP and bid process.

TRUSTEE WHITEHOUSE MOVED, AND TRUSTEE EVANS SECONDED to award the contract for the Digester Improvement Project to Herbert Instrumentation Services LLC in an amount not to exceed \$98,950. Motion passed unanimously.

E. OTHER BOARDS –(Liquor/Library/Enterprise)

Mayor Hamman moved out of the regular session and into the Liquor License Review Board at 7:00 p.m. All members were present except Trustee Jerome.

1. LIQUOR LICENSE REVIEW BOARD

- a. Avuncular Bob's T Bar Inn and Brew Pub Operations, LLC

Mr. March said the information was reviewed with the applicant. This item is to transfer the ownership from T-Bar to Avuncular Bob's so the licensed premises can stay open. There will probably be a new application from the licensee to change the license from a hotel/restaurant to a brewpub license in the future.

TRUSTEE SATTLER MOVED, AND TRUSTEE WHITEHOUSE SECONDED to approve the transfer of ownership for the liquor license to Avuncular Bob's T Bar Inn and Brew Pub Operations, LLC. Motion passed unanimously.

b. Special Event – Chamber II Disc Golf Tournament

Brian Graves, chamber member, said this is the sixth annual event.

TRUSTEE WHITEHOUSE MOVED, AND TRUSTEE EVANS SECONDED to approve the special event permit to be issued to the Wellington Area Chamber of Commerce for the Chamber II Disc Golf Tournament. Motion passed unanimously.

c. Special Event - Oktoberfest

TRUSTEE MICHEL MOVED, AND TRUSTEE EVANS SECONDED to approve the special event permit to be issued to the Kiwanis Club of Fort Collins-Eyeopeners Foundation for the Oktoberfest. Motion passed unanimously, Trustee Whitehouse abstained.

Mayor Hamman moved back into the regular board meeting at 7:07 p.m. All members present except Trustee Jerome.

2. REPORTS

1. Town Attorney
2. Town Administrator
3. Staff Communications

a. Regional Transportation – Town Planner

Mr. Bird gave an update about Regional Transportation and the possible sales tax ballot issue. Mr. Bird explained how the County is planning to combine the two questions of one quarter of a penny of sales tax for Transportation and one quarter of a penny of sales tax for Transit. The combined half a penny of sales tax would be distributed between Transportation and Transit. Mr. Bird talked about the creation of a Policy Committee and two Technical Committees for the management of this sales tax. There was a discussion about the division of votes on the committees. Mr. Bird described how the town could substitute projects in the schedule and how to apply for reimbursements. Mr. Bird asked for direction regarding the need for a policy committee meeting.

4. Board

Trustee Sattler spoke about the tour he took of the County facilities and the information he received about the programs.

3. EXECUTIVE SESSION

On motion by Mayor Hamman, seconded by Trustee Whitehouse, the board voted unanimously at 7:47 p.m. to go into executive session for the purposes of

Attorney Advice

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- Conferences with an attorney for the local public body pursuant to C.R.S. § 24-6-402(4) (b), for the purpose of receiving legal advice relative to water acquisition and supply and contract negotiations. The executive session will not be recorded, and an attorney certification will be provided as required by C.R.S. §24-6-402(2) (d.5) (II)(B) that the discussion in the executive session constitute privileged attorney-client communications.

On motion by Matt Michel, seconded by Dan Sattler, the board voted unanimously to come out of executive session at 9:00 p.m. It was announced that the board did not adopt any proposed policy, position, resolution, rule, regulation, or take any other formal action while in executive session.

4. ADDITIONAL ACTION

Mr. March explained that a motion would be needed to authorize staff to negotiate an agreement to acquire interests in the Pomeroy fields and 3W water interests in an amount not to exceed \$5,000.00, to secure the negotiation rights and \$50,000 without further board approval, was for the team to do due diligence related to the acquisition agreement.

TRUSTEE SATTLER MOVED, AND TRUSTEE KNUTSON SECONDED to authorize staff to negotiate an exclusive agreement in the amount not to exceed \$5,000. Motion passed unanimously.

TRUSTEE SATTLER MOVED, AND TRUSTEE EVANS SECONDED to authorize staff to spend up to \$50,000 from the Raw Water Fund to retain experts to explore the viability of the

water supply in conjunction with the acquisition. Motion passed unanimously.

There being no further business the meeting adjourned at 9:15 p.m.

Respectfully submitted:

Cynthia Sullivan, CMC
Deputy Town Clerk