

TOWN OF ERIE
BOARD OF TRUSTEES REGULAR MEETING 1
Tuesday, June 23, 2015
6:30 p.m.
Board Room, Erie Town Hall, 645 Holbrook, Erie, CO 80516

I. CALL MEETING TO ORDER

Mayor Harris called the June 23, 2015 Regular Meeting of the Board of Trustees to order at 6:30 p.m.

II. PLEDGE OF ALLEGIANCE AND ROLL CALL

Roll Call:	Trustee Carroll	Absent/Excused
	Trustee Schutt	Present
	Mayor Pro Tem Gruber	Present
	Trustee Moore	Present
	Trustee Charles	Present
	Trustee Woog	Present
	Mayor Harris	Present

III. APPROVAL OF THE AGENDA

Action: Trustee Charles moved to approve the June 23, 2015 Town of Erie Board of Trustees Meeting Agenda; the motion was seconded by Trustee Schutt. The motion carried with all present voting in favor thereof.

IV. CONSENT AGENDA

- a. Approval of the June 2, 2015 Special Meeting Minutes
- b. Approval of the June 9, 2015 Meeting Minutes
- c. Approval of the June 15, 2015 Special Meeting Minutes
- d. Resolution 15-81; A Resolution Approving the Acquisition of a Temporary Construction Easement for Repairing the County Road 5 Bridge North of State Highway 52
- e. Resolution 15-82; A Resolution Awarding a Contract for the Airport Pavement Marking Project
- f. Resolution 15-83; A Resolution Approving the Colorado Department of Transportation Grant Extension
- g. Ordinance 13-2015; An Ordinance of the Town of Erie Denying Front Range Landfill's Application for a 1st Amendment to Planned Development Allowing Liquid Solidification (SECOND READING)

CONSENT AGENDA (continued)

Action: Trustee Schutt moved to approve the June 23, 2015 Consent Agenda; the motion was seconded by Trustee Charles. The motion carried with the following Roll Call vote:

Trustee Schutt	Yes
Trustee Woog	Yes
Trustee Moore	Yes
Trustee Charles	Yes
Mayor Pro Tem Gruber	Yes
Mayor Harris	Yes

V. PUBLIC COMMENT

Scott deLuis, 2480 Cessna Drive, Erie, CO. commented on the Airport Master Plan.

VI. PROCLAMATIONS AND PRESENTATIONS

Presentation of 2014 Audit Report and Comprehensive Annual Financial Report.-Mark Elmshouser with CliftonLarsonAllen LLP

The Comprehensive Annual Financial Report (CAFR) is the Town's official annual financial report. The audit of the financial statements for the year ended December 31, 2014, was performed by CliftonLarsonAllen (CLA). The Town received a favorable report (i.e., an unqualified opinion). A copy of the Town's CAFR is attached. As part of the audit of the financial statements, CLA reviewed the Town's internal controls. CLA has provided a draft of their findings and recommendations, a copy of which is attached to this report. There were three findings. The first finding (see Attachment C) was related to approvals of requisitions in the absence of the Finance Director. The auditors noted three instances where the Deputy Finance Director approved requisitions while the Finance Director was on vacation. Our current policy (written in 2004) predates the creation of the Deputy Finance Director position, so does not provide for this authority, although such authority has been given to the deputy position by the Town Administrator and the Finance Director. Staff plans to update the purchasing policy in 2015 and will address this omission at that time. The other two findings (see pages 141 and 142 of the CAFR) related to controls related to payroll activities. The first relates to lack of segregation of duties. Now that we have largely completed the installation of the new ERP system and NeoGov (the new employee recruiting and hiring system), we will revise our procedures to fully utilize the additional control features in the ERP system. We will also shift certain activities to Human Resources, greatly improving controls. The second finding relates to errors in the entry of pay rates. Both errors were minor and occurred when a staff position was temporarily open. However, as with the finding above, with the completion of the implementation of the new systems, we will be changing procedures and roles to reduce the risk of error. Following is a brief commentary on the annual audit report. Representatives from CLA also provided comments on the audit and internal control findings at the Board meeting and were available for questions.

PROCLAMATIONS AND PRESENTATIONS (continued)

Comprehensive Annual Financial Report Summary:

The CAFR consists of four sections, as follows: the introductory section, the financial section, the statistical section, and the compliance section. The introductory section includes a table of contents, a letter of transmittal, and a list of town officials. The auditors' opinion, management's discussion and analysis (MD&A), financial statements, and notes to the financial statements are found in the financial section. Also included in this section are schedules for those funds considered non-major (as defined by accounting standards), combining schedules, and budget variance schedules for the various funds. The statistical section includes required and optional statistical tables containing various types of information related to the Town's financial trends, revenue and debt capacity, demographic and economic data, and operating information. The compliance section consists of required disclosures related to certain outstanding bonds and the Local Highway Finance Report. The CAFR is prepared in accordance with generally accepted accounting principles (GAAP) as issued by the Governmental Accounting Standards Board (GASB). The objective of the audit performed by CLA was to provide assurance that the CAFR is in conformity with those standards in all material respects. CLA issued an unqualified opinion on the Town's financials for 2014, a so-called "clean" opinion. The Town also strives to prepare the CAFR to meet the standards of the Government Finance Officers Association's (GFOA) Certificate of Achievement for Excellence in Financial Reporting award program. This program encourages preparers of CAFR's to go beyond the minimum requirements of GAAP and strive for transparency and full disclosure in their CAFR. The Town has received this award for the years 2004-2013 and will submit the 2014 CAFR to GFOA for consideration for the award. For readers new to CAFR's, reading MD&A (pages 17-29) provides a good starting point. MD&A provides an analysis and overview of the financial statements and results of operations. It also provides explanations of the various sections of the CAFR. In addition to the financial statements themselves, the footnotes are also a critical part of the CAFR. The footnotes (pages 47-70) provide information on accounting policies followed by the Town in preparation of the CAFR, details on specific financial statement items (e.g., deposits and investments), along with other important disclosures. Presentation of the CAFR to the Board, which also serves as the Town's Audit Committee, is strictly for information purposes. No formal action or acceptance was required.

VII. LAND DEVELOPMENT RESOLUTIONS AND ORDINANCES

WISE FARMS

PUBLIC HEARING Continued on May 26, 2015; Continued on June 9, 2015

- a. **Ordinance 15-2015: An Ordinance Of The Town Of Erie, Colorado, Rezoning The Wise Farms Property Pursuant To The Petition Of The Owner Thereof, From Rr – Rural Residential To Ag/OS – Agriculture/Open Space; LR - Low Density Residential; And, Rr – Rural Residential; And, Providing For The Effective Date Of This Ordinance; And, Setting Forth Details In Relation Thereto. (SECOND READING)**

The purpose of the Public Hearing is to consider Rezoning the Wise Farms property from RR – Rural Residential to AG/OS–Agriculture/Open Space; LR-Low Density Residential; and, RR – Rural Residential. The Planning Commission held a public hearing for the Rezoning request on January 21, 2015. The Planning Commission is recommending denial of the Rezoning application in Resolution P13-26. The Planning Commission determined that the application is not in substantial compliance with the following approval criteria as specified in Title 10, Section 7.5

LAND DEVELOPMENT RESOLUTIONS AND ORDINANCES (continued)

WISE FARMS PUBLIC HEARING

of the Town of Erie Municipal Code: a. The Rezoning is not consistent with the Town's Comprehensive Master Plan and the purposes of this UDC; b. The Rezoning is likely to result in significant adverse impacts upon other property in the vicinity of the subject property; Future uses on the subject property will not be compatible in scale with uses on other properties in the vicinity of the subject property. The Wise Farms property is located south of Jasper Road and west of 119th Street. The property is separated by the RTD railroad right of way. Staff finds the Rezoning application is in general Compliance with the Land Use designation of RR-Rural Residential on the 2005 Comprehensive Plan, Land Use Plan Map; as illustrated below. The density range of RR, in the Comprehensive Plan, is 0 to 2 dwelling units per acre; however, gross densities will not typically exceed 1 dwelling unit per acre. The applicant proposal is for 166 dwelling units on approximately 169 acres; this equals a gross density of 0.98 dwelling units per acre.

b. Ordinance 16-2015 An Ordinance Regarding The Wise Farms PUD Zoning Map Overlay Rezoning, Adopting Certain Findings Of Fact And Conclusions Favorable To The Planned Unit Development Overlay Rezoning. Wise Farms Preliminary Plat Resolution (SECOND READING)

A Public Hearing to consider a request to for a PUD Overlay on the Wise Farms Rezoning Map to modify single family lot sizes, setbacks and architectural standards. Staff recommends the Board of Trustees approve Ordinance 16-2015, an ordinance approving the Wise Farms PUD Zoning Map with the following conditions: a. The approval of the Wise Farms PUD Zoning Map shall not come into effect until the Wise Farms Zoning Map is approved and recorded for the property. The PUD Zoning Map shall not be recorded until after the Wise Farms Zoning Map is recorded. b. The approval of the Wise Farms PUD Zoning Map shall not come into effect until a Final Plat is approved and recorded for the property. The Wise Farms PUD Zoning Map shall not be recorded until after a Wise Farms Final Plat is recorded. Technical corrections to the Wise Farms PUD Zoning Map shall be made to the Town's satisfaction. The PUD Overlay District is generally used when there is special public interest that doesn't coincide with the traditional zoning in a geographic area. The PUD Overlay District may only be used when an application is not able to meet the requirements of a standard zone classification. The PUD is a mapped area with restrictions in addition to, or less than, those in the underlying traditional zone. Rather than attempt to create a new zoning category, an overlay zone is superimposed over the traditional zone and establishes additional regulations, or reduces or extends the existing uses. The underlying zoning identifies permitted land uses; the overlay zone may provide design restrictions, additional setbacks, or other exceptions to the base district regulations. The Wise Farms PUD Zoning Map (PUD) sets the maximum number of dwelling units at 166. The applicant is committing to dedicate a public pocket park and open space to meet the Town requirements. The applicant will pay a fee in lieu for their required neighborhood park dedication of 1.39 acres and for their community park dedication of 2.32 acres. The PUD Map identifies 8 overlay planning areas; 6 residential planning areas, and 2 agricultural/ open space areas. Although the PUD overlays the entire Wise Farms property, only two Planning Areas (PA-3 and PA-4), where the proposed single family development will occur, are proposed to modify the lot requirements. The two existing farms/single family homes in PA-1 and PA-2 will meet the RR-Rural Residential zone district requirements.

c. Resolution 15-66 A Resolution Making Certain Findings Of Fact And Conclusions Favorable To The Wise Farms Preliminary Plat; Imposing Conditions Of Approval; Approving The Wise Farms Preliminary Plat With Conditions; And Setting Forth Details In Relation Thereto

LAND DEVELOPMENT RESOLUTIONS AND ORDINANCES (continued)

WISE FARMS PUBLIC HEARING

The Wise Farms Preliminary Plat application proposes to plat approximately 174 acres into 166 single-family lots, and 25 tracts for pocket park, open space, landscaping, drainage, utility, oil/gas facilities and ditch purposes. Staff finds the application consistent with the Preliminary Plat approval criteria in Municipal Code, Section 10.7.7.C.10, and recommends approval of the Wise Farms Preliminary Plat application. Staff has provided Resolution 15-66, for the Board of Trustees consideration, recommending approval of the application with the following conditions: Executed Surface Use Agreements, with the mineral owners or leaseholders, shall be in place before a Wise Farms Final Plat, for the areas affected, is approved by the Town. Realignment of the existing Noble Energy pipeline and vacation of portions of the existing easement will need to be completed before the Town approves a Wise Farms Final Plat in the areas where proposed single family lots are encumbered by the existing facility. Within the applicant's Environmental Site Assessment Report (Phase I), the existing Noble Energy oil and gas well and associated tank battery was recognized as an environmental condition. The well site was identified due to the age of the well and the concrete tank used to store the condensate. The applicant is required to submit a Phase II Environmental Assessment Report of this well site with the Final Plat application of this area of Wise Farms. The abandoned oil and gas well, within a Wise Farms Final Plat for development, shall be located, monumented and identified on the final plat, as specified in the Municipal Code. The Northern Colorado Water Conservancy District access and utility easement from Jasper Road to the Lower Boulder Ditch shall be vacated before a final plat for a development is recorded in this area. If the applicant does not obtain permission for the proposed street crossing of the RTD railroad right of way, the applicant shall provide a second pocket park in the location of Block 2, Lot 1 which is 0.96 acres in size. At Final Plat, the applicant shall provide adequate information regarding the hydraulics and proposed construction of the site to ensure the continued health of the wetland area in the proposed dedication of Town open space. If site development and disturbance of trees occurs between April 1 and August 15, a survey for active nests should be conducted. Trees with an active nest shall not be removed until the nest is abandoned for the season. Within the proposed development, the historic mill structures, along Jasper Road and south of the Wise Museum, are located in existing Jasper Road right of way, in future Jasper Road right of way dedication, and adjacent to future open space dedication to the Town of Erie. The owner and developer have agreed to either move or remove the structures from the right of way and open space. The timing for moving or removing the structures shall be defined in the development agreement for the Wise Farms Final Plat. Within the proposed development, the existing farm on the west end of the property adjacent to the future Jasper Road right of way has an accessory building that encroaches into the future Jasper Road right of way. The owners have agreed to have the structure either moved or removed from the future right of way. The timing for moving or removing the structure shall be defined in the development agreement for the Wise Farms Final Plat. Within the proposed development, the existing house, on the east end of the property, adjacent to Jasper Road, will encroach into the future Jasper Road right of way dedication. The Town has agreed to enter into a license agreement for that portion of the dwelling unit that encroaches into the future right of way at the time of Final Plat. The approval of the Wise Farms Preliminary Plat shall not come into effect until the Wise Farms Zoning Map and Wise Farms PUD Zoning Map is approved and recorded for the property. Technical corrections to Wise Preliminary Plat shall be made to the Town's satisfaction. Staff is requesting that the Board of Trustees continue the decision on the Wise Farms Preliminary Plat application until the June 9th meeting. This will allow the Board of Trustees to vote on all three Wise Farms applications (Rezoning, PUD-Planned Unit Development, and Preliminary Plat) concurrently. The Planning Commission held a public hearing for the Wise Farms Preliminary Plat application on January 21, 2015. The Planning Commission is recommending denial of the Preliminary Plat application to the Board of Trustees, in Resolution P15-09. The Planning Commission determined that the application is not in substantial compliance with the following approval criteria as specified in Title 10, Section 7.7 C.10 of the Town of Erie Municipal Code: The subdivision is not generally consistent with the Town's Comprehensive Master Plan. The subdivision is not generally consistent with and does not implement the intent of the specific zoning district in which it is located. The general layout of lots, streets, driveways, utilities, drainage facilities, and other services within the proposed subdivision are not designed to

LAND DEVELOPMENT RESOLUTIONS AND ORDINANCES (continued)

WISE FARMS
PUBLIC HEARING

meet the Town's standards related to health and safety and in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas, protects critical wildlife habitat, and otherwise accomplishes the purposes and intent of this UDC. The subdivision does not comply with all applicable use, development, and design standards set forth in Chapters 3, 5 and 6 of this UDC that have not otherwise been modified or waived pursuant to this Chapter or this UDC. Applicants shall refer to the Development Standards in Chapter 5 of this UDC and shall consider them in the layout of the subdivision in order to avoid creating lots or patterns of lots in the subdivision that will make compliance with such development and design standards difficult or infeasible. The subdivision will result in significant adverse impacts on the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated. The subdivision will not be integrated and connected with adjacent development through street connections, sidewalks, trails, and similar features. The subdivision will result in significant adverse impacts on adjacent properties, or such impacts will be substantially mitigated. Staff is requesting that the Board of Trustees continue the decision on the Wise Farms Preliminary Plat application until the June 9th meeting. This will allow the Board of Trustees to vote on all three Wise Farms applications (Rezoning, PUD-Planned Unit Development, and Preliminary Plat) concurrently.

Action: Mayor Harris reopened the Public Hearing for Ordinance 15-2015; Ordinance 16-2015 and Resolution 15-66 at 6:53 pm for the Application presentation. Public Comment was taken at the May 26, 2015 Meeting.

Presenting on behalf of the applicant was:

John Prestwich – PCS Group/Denver
Jim Delay- Jasper Land Investments, LLC

Action: The Board of Trustees considered Ordinance 15-2015 for the Rezoning of the Wise Farms property. Trustee Charles moved to approve Ordinance 15-2015; the motion was seconded by Mayor Pro Tem Gruber. The motion failed with a two (2) for and four (4) against with Mayor Harris and Trustees Charles, Moore and Schutt voting no. Staff was directed to draft an ordinance denying the proposed the Rezoning of the Wise Farms property for not being in compliance with three of the Approval Criteria in Municipal Code Title 10, Section 7.5.B.9.

- a. The Rezoning is not consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;
- b. The Rezoning is likely to result in significant adverse impacts upon other property in the vicinity of the subject property;
- c. Future uses on the subject property will not be compatible in scale with uses on other properties in the vicinity of the subject property; and

LAND DEVELOPMENT RESOLUTIONS AND ORDINANCES (continued)

WISE FARMS
PUBLIC HEARING

Action: The Board of Trustees considered Ordinance 16-2015 for the Rezoning of the Wise Farms property. Mayor Pro Tem Gruber moved to approve Ordinance 16-2015; the motion was seconded by Trustee Woog. The motion failed with a two (2) for and four (4) against with Mayor Harris and Trustees Charles, Moore and Schutt voting no. Staff was directed to draft an ordinance denying the proposed the Wise Farms PUD Zoning Map Overlay Rezoning for not being in compliance with four of the Approval Criteria in Municipal Code Title 10, Section 7.6.D.9.

- a. The PUD Rezoning is not consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;
- b. The PUD Rezoning is likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation;
- c. The PUD Rezoning is likely to result in significant adverse impacts upon other property in the vicinity of the subject property;
- d. Proposed uses on the subject property will not be compatible in scale with uses on other properties in the vicinity of the subject property.

Action: The Board of Trustees considered Resolution No. 15-66 for the Wise Farms Preliminary Plat. Mayor Pro Tem Gruber moved to approve Resolution 15-66; the motion was seconded by Trustee Charles. The motion failed with a two (2) for and four (4) against with Mayor Harris and Trustees Charles, Moore and Schutt voting no. Staff was directed to draft a resolution denying the proposed the Wise Farms Preliminary Plat for not being in compliance with seven of the Approval Criteria in Municipal Code Title 10, Section 7.7 C.10

- a. The subdivision is not generally consistent with the Town's Comprehensive Master Plan.
- b. The subdivision is not generally consistent with and does not implement the intent of the specific zoning district in which it is located.
- c. The general layout of lots, streets, driveways, utilities, drainage facilities, and other services within the proposed subdivision are not designed to meet the Town's standards related to health and safety and in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas, protects critical wildlife habitat, and otherwise accomplishes the purposes and intent of this UDC.
- d. The subdivision does not comply with all applicable use, development, and design standards set forth in Chapters 3, 5 and 6 of this UDC that have not otherwise been modified or waived pursuant to this Chapter or this UDC. Applicants shall refer to the Development Standards in Chapter 5 of this UDC and shall consider them in the layout of the subdivision in order to avoid creating lots or patterns of lots in the subdivision that will make compliance with such development and design standards difficult or infeasible.
- e. The subdivision will result in significant adverse impacts on the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated.
- f. The subdivision will not be integrated and connected with adjacent development through street connections, sidewalks, trails, and similar features.
- g. The subdivision will result in significant adverse impacts on adjacent properties, or such impacts will be substantially mitigated.

Action: Mayor Harris called for a Break at 8:17 p.m. and reconvened the meeting at 8:30 p.m.

VIII. ORDINANCES

PUBLIC HEARING

- a. Ordinance 19-2015; An Ordinance Of The Town Of Erie, Colorado, Repealing The November 2013 Title 10 Unified Development Code; Adopting By Reference The June 2015 Title 10 Unified Development Code; Providing For The Effective Date Of This Ordinance; And, Setting Forth Details In Relation Thereto. (FIRST READING)

Per Board of Trustees direction, the Town's Special Counsel is proposing an amendment to Title 10 and provided the proposed amendment attached to Ordinance 19-2015. The proposed amendment creates a process in lieu of the Special Review Use and Site Plan procedures for mineral extraction (including oil/gas drilling) when an Operator Agreement has been entered into between an oil/gas well operator and the Board of Trustees. The current process for mineral extraction requires an oil/gas operator to make Special Review Use and Site Plan applications to the Town for each well pad. Both of these applications require recommendations from the Planning Commission with the final decision by the Board of Trustees. All other oil/gas drilling not identified in a Board approved Operator Agreement will continue on the current process which includes the Special Review Use and Site Plan applications identified above. John Sullivan of Sullivan Green Seavy presented the proposed Code amendments to the Board of Trustees and was available to answer questions. The application to amend Title 10 of the Municipal Code of the Town of Erie, Colorado may be approved if the Board of Trustees finds that the approval criteria of Chapter 7.21.C.9 have been met:

- a. The proposed amendment will promote the public health, safety, and general welfare;
- b. The proposed amendment is consistent with the Town's Comprehensive Master Plan and the stated purposes of the Code; and
- c. The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions.

The required public notice for the Title 10 Amendment is in compliance with Section 7.2.F of the Code and C.R.S. 31-16-203 (which requires two published notices when a Title of a Code is adopted by reference); with published notice in the Colorado Hometown Weekly on June 3, 2015 and June 10, 2015. Mailed and posted notice is not required for amendments to Title 10.

Action: Mayor Harris opened the Public Hearing for Ordinance 19-2015 at 8:31 p.m. following staff presentation hearing no one wishing to make Public Comment; Mayor Harris closed the Public Hearing for Ordinance 19-2015 at 8:41 p.m. This was the first reading of Ordinance 19-2015 and it will return for Board of Trustee action at the July 14, 2015 Regular Meeting.

IX. GENERAL BUSINESS

- a. Authority for Staff to Negotiate Colorado Big Thompson Units Lease

Town of Erie staff has been contacted by an irrigation company which would like to lease approximately 980 Units in the Colorado Big Thompson Project ("CBT Units") on a long term basis. CBT Units have an average yield of 0.7 acre feet per Unit, so 980 CBT Units would have an average yield of 686 acre feet per year. This would provide enough water for approximately 1500 single family homes in Erie. The current market price for 980 CBT Units is approximately \$25,480,000.00, based on recent sales at approximately \$26,000.00 per CBT Unit.

GENERAL BUSINESS (continued)

Erie is currently participating in the Windy Gap Firing Project ("WGFP") and the Northern Integrated Supply Project ("NISP"). Construction of the WGFP is currently scheduled to commence in 2018 and completion in 2020, if there are no further delays with permitting or other issues. The construction of NISP is currently scheduled to commence in 2018 with completion in 2023, again if there are no further delays. The Town has carefully planned to utilize these projects to meet water demands as the Town grows. Based on the current status of both the WGFP and NISP, it is recommended that the Town consider securing an interim water supply in the event that either project is delayed. The 980 CBT Units would provide security for the Town while the projects are being built. The irrigation company is seeking a long term lease for the CBT Units to generate revenue. It is recommended that the staff be given authority to negotiate a lease for ten years with the irrigation company at a maximum price of \$250.00 per acre foot with a small annual escalator. The average yield of 686 acre feet would cost \$171,500.00 per year which could be very valuable security while the WGFP and NISP are being built. Town staff was informed that the CBT Units were previously leased for \$200.00 per acre foot and that other entities are interested in leasing them. A price of \$250.00 per acre foot is within the market for municipal uses, especially for a term of 10 years, under which water would be available in all years including droughts. It should be noted that the Town could also have an opportunity to lease a like amount of water under its CBT Units to recoup a portion of the lease in years when it does not require additional water. Leases of CBT water for agricultural and other uses are significantly less. Leases on an annual basis are also substantially less because there is no guarantee of water in dry years. Historically, the Town has leased water for agricultural and other uses at a rate to cover its assessments, but it could become more aggressive in seeking leases to other municipalities at a higher rate. Staff recommended that the Board authorize it to negotiate for such a lease. Any formal lease would require Board approval.

Action: Staff was directed to negotiate a lease and bring it back to the Board of Trustees for formal approval.

X. BOARD OF TRUSTEES REPORTS

Trustee Woog asked for an update from the Assistant to the Town Administrator on Erie Stuff. Mr. Diehl reported that Erie Stuff will become part of the Board Monthly Communication Reports and that the last week had been fairly busy with Citizens questions.

Trustee Moore thanked staff for assisting in registering the Board for the recent CML conference. At Trustee Moore's request Gary Behlen, Director of Public Works gave an update on the Police Station.

Trustee Charles echoed Trustee Moore's sentiments about the CML. Trustee Charles announced that on July 2, 2015 there would be a dedication of the "Spirit" art work in historic Erie.

Mayor Pro Tem Gruber wanted to let the public know that COGCC will be allowing Trustees to participate in rule making processes regarding Task Force recommendations.

Mayor Harris thanked staff that had attended the CML with the Board and noted that at 7:00 am this Thursday she would be giving a presentation on Nexus North.

XI. EXECUTIVE SESSION

- a. For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e), specifically to discuss specifically, to discuss negotiations regarding potential and ongoing economic development within the Town.

EXECUTIVE SESSION (continued)

Action: Trustee Woog moved to go into Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e), specifically to discuss negotiations regarding potential and ongoing economic development within the Town.

It's Tuesday June 23, 2015, and the time is 8:57p.m. For the record, I am the presiding officer, Mayor Tina Harris. As required by the Open Meetings Law, this executive session is being electronically recorded. Also present at this executive session are the following persons:

Mayor Pro Tem Mark Gruber; Trustees Janice Moore, Dan Woog, Scott Charles, and Waylon Schutt. Also present Town Administrator A.J. Krieger; Assistant to the Town Administrator Fred Diehl; Director of Community Development Marty Ostholthoff and Town Attorney Mark Shapiro

This is an executive session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e), specifically to discuss negotiations regarding potential and ongoing economic development within the Town.

Upon completion of the Executive Session, Mayor Harris announced that the time is now 9:35 p.m., and the executive session has been concluded. The participants in the executive session were:

Mayor Tina Harris; Mayor Pro Tem Mark Gruber; Trustees Janice Moore, Dan Woog, Scott Charles, and Waylon Schutt; also present Town Administrator A.J. Krieger; Assistant to the Town Administrator Fred Diehl; Director of Community Development Marty Ostholthoff and Town Attorney Mark Shapiro

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 improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record. Seeing none, the next agenda item is adjournment.

Action: Trustee Charles moved to allow the Mayor to share the information discussed in this Executive Session with Trustee Carroll. The motion was seconded by Trustee Moore; the motion carried with all present voting in favor thereof.

XII. ADJOURNMENT

Action: Trustee Charles moved to adjourn the June 23, 2015 Regular Meeting of the Town of Erie Board of Trustees; the motion was seconded by Trustee Woog. The motion carried with all present voting in favor thereof.

Action: Mayor Harris adjourned the June 23, 2015 Regular Meeting of the Town of Erie Board of Trustees at 9:37 p.m.

Respectfully Submitted,



Nancy J. Parker, CMC, Town Clerk





Tina Harris, Mayor