

BOARD OF TRUSTEES September 26, 2023 6:30 PM

Leeper Center, 3800 Wilson Avenue, Wellington, CO

Regular Meeting Agenda

A. CALL TO ORDER

Mayor Chaussee called the meeting to order at 6:30 p.m.

1. <u>Pledge of Allegiance</u>

Mayor Chaussee asked all to rise for the Pledge of Allegiance.

2. Roll Call

The Clerk noted a quorum with the following roll call:

Mayor Chaussee – present

Mayor Pro Tem Macdonald – present

Trustee Dailey – present

Trustee Gaiter – present

Trustee Mason - present

Trustee Tietz - present

Trustee Wiegand – present

3. Amendments to Agenda

Mayor Chaussee asked if there were any amendments to the agenda; there were none.

4. Conflict of Interest

Mayor Chaussee asked if there were any conflicts of interest; there were none

B. COMMUNITY PARTICIPATION

1. Public Comment

Mayor Chaussee called for public comment; there was none.

2. Proclamation: Finance & Accounting Appreciation Week

Mayor Chaussee proclaimed September 25th - 29th 2023 as Finance & Accounting Appreciation Week.

C. OTHER BOARDS

1. <u>Liquor License Authority Board</u>

Mayor Chaussee closed the regular meeting, opened the Liquor License Authority Board at 6:34 p.m., and asked the Clerk for a Roll Call.

The Clerk noted a quorum as follows:

Mayor Chaussee – present

Mayor Pro Tem Macdonald – present

Trustee Dailey – present

Trustee Gaiter – present

Trustee Mason - present

Trustee Tietz - present Trustee Wiegand – present

a. Sol de Jalisco Modification of Premises Application

Mayor Chaussee invited the Mr. Ethan Muhs, the Town Clerk, to introduce this item. Mr. Muhs presented this item and responded to initial questions from the Board.

Mayor Chaussee invited the applicant, Ms. Myrna Rodriguez, to further present this application. Ms. Rodriguez and her son, Mr. Omar Rodriguez, presented evidence (see Exhibit 1) in support of this application to the Board of Trustees. The Board then reviewed this evidence.

Mayor Chaussee called for initial questions from the Board on this item, to which Mr. Muhs responded.

Mayor Chaussee opened the public hearing for this item at 6:40 p.m. No public comments were provided.

Mayor Chaussee closed the public hearing for this item at 6:40 p.m. and called for additional comments from the Board.

Trustee Dailey moved to approve the Sol de Jalisco Modification of Premises Application Trustee Wiegand seconded.

Yeas: Dailey, Wiegand, Tietz, Mason, Gaiter, Macdonald, Chaussee

Nays: N/A

The motion was carried unanimously, and the application was approved.

Mayor Chaussee closed the Liquor License Authority Board and reopened the Regular Meeting at 6:41 p.m.

D. PRESENTATION

1. <u>Boards & Commissions Appointment Process Review</u>

Mayor Chaussee invited Mr. Ethan Muhs, the Town Clerk, to present this item. Mr. Muhs presented this item and responded to questions and comments from the Board.

2. Appointment of Members to Wellington Community Housing Board

Mayor Chaussee invited Ms. Patti Garcia, Town Administrator & Julie Brewen, Housing Catalyst Chief Executive Officer to present this item. Ms. Garcia and Ms. Brewen presented this item.

Mayor Chaussee invited questions from the Board. Trustee Gaiter and Brad March, Town Attorney, had questions for Ms. Brewen and she responded. Members of the Board had financial questions for Mr. Rhodes, and he responded.

E. CONSENT AGENDA

- 1. August 23, 2023 Special Meeting Minutes
- 2. September 12, 2023 Regular Meeting Minutes

3. Resolution No. 35-2023: Cleveland Avenue Improvements - Survey Contract Award

Mayor Chaussee invited the Town Clerk to read the Consent Agenda items and called for a motion to approve.

Trustee Mason moved to approve the Consent Agenda. Trustee Tietz seconded.

Yeas: Mason, Tietz, Dailey, Gaiter, Wiegand, Macdonald, Chaussee

Nays: N/A

The motion was carried unanimously, and the Consent Agenda was approved.

F. ACTION ITEMS

1. <u>Continued - Ordinance No. 09-2023 Annexing Sage Farms Annexation and Village at Sage Farms Annexation and Annexation Agreements Including Establishment of Vested Development Rights Mayor Chaussee invited Mr. Cody Bird, Director of Planning, to present this item. Mr. Bird introduced this item and invited the applicant, Mr. Roberson, to further present information to the Board.</u>

Mayor Chaussee called for questions from the Board, to which Mr. Bird and Mr. Roberson responded.

Mayor Chaussee invited public comment on this item; there was none.

Mayor Chaussee invited final comments from the Board; there were none.

Mayor Chaussee called for a motion on this item.

Trustee Dailey moved to continue consideration of this item to the December 12, 2023 Regular Meeting. Trustee Gaiter seconded.

Yeas: Daily, Gaiter, Teitz, Mason, Weigand, Macdonald, Chaussee

Nays: N/A

The motion was carried unanimously, and consideration of this item was continued to the December 12, 2023 Regular Meeting.

2. Resolution No. 34-2023 Fireworks Contract

Mayor Chaussee invited Ms. Hallie Sheldon, Senior Management Analyst, and Mr. Bryan Ehrich joined virtually to present this item. Ms. Sheldon and Mr. Ehrich presented this item and responded to questions from the Board.

Mayor Chaussee invited public comment, Lowry Moyer, Lisa Chollet & Christine Gaiter provided public comment.

Mayor Chaussee invited final comments from the Board; Trustee Treitz, Trustee Daily & Trustee Gaiter made final comments.

Mayor Chaussee called for a motion on this item.

Trustee Mason moved to approve Resolution No. 34-2023 Fireworks Contract with an

amendment to not exceed the cost of \$52,870; Trustee Tietz seconded.

Yeas: Mason, Tietz, Macdonald, Gaiter, Weigand, Dailey, Chaussee

Nays: N/A

The motion was carried unanimously, and Resolution No. 34-2023 was approved with the stated amendment.

Mayor Chaussee called for a recess at 8:10 p.m.

Mayor Chaussee called the meeting back to order at 8:18 p.m.

3. <u>Letter of Support for Safe Routes to School 2023 Reconnecting Communities Community Planning</u> Grant

Mayor Chaussee invited Ms. Patti Garcia, Town Administrator, to present this item. Ms. Garcia introduced this item and further invited Safe Routes to School Board Members, Lisa Chollet and Lowry Moyer, to present. Ms. Chollet and Ms. Moyer then provided additional information regarding this item.

Mayor Chaussee called for additional comments and deliberation on this item, and the Board discussed this item further.

Mayor Chaussee invited public comment; there was none.

Mayor Chaussee called for a motion on this item.

Trustee Daily moved to approve Letter of Support for Safe Routes to School 2023 Reconnecting Communities Community Planning Grant. Trustee Gaiter seconded.

Yeas: Dailey, Gaiter, Mason, Weigand, Tietz, Macdonald, Chaussee

Navs: N/A

The motion was carried unanimously and the Letter of Support for Safe Routes to School 2023 Reconnecting Communities Community Planning Grant was approved.

G. REPORTS

1. Town Attorney

Mr. March attended in place of Mr. Sapienza. There were no additional reports from the Town Attorney.

2. Town Administrator

Ms. Patti Garcia reported that on October 3rd 2023 at 5:30 p.m. the Board of Trustees will be conducting interviews for the Parks Recreation Open Space and Trails (PROST) vacancy. She further reported that the work session that evening will start at 6:00 p.m. for budget presentations from the PROST Advisory Board, the Planning Department budget, five year CIP, Public Works, Parks and Recreation, Town Community and Administration Facilities, and the Cemetery. Finally, she reported that the Budget Boo-nanza is scheduled for October 17th 2023 3:00 to 6:00 p.m. with possible Board of Trustee booth.

3. Staff Communications

Mayor Chaussee asked if there were any questions from the Board regarding reports in the Packet;

there were none.

- a. July 2023 Report of Bills
- b. Monthly Utility Report August 2023
- c. LCSO Report August 2023

4. Board Reports

Trustee Dailey reports on high school varsity Eagles football team win at a recent game.

H. EXECUTIVE SESSION

Mayor Chaussee motioned to enter an Executive Session for "Conferences with an attorney for the Town pursuant to § 24-6-402(4) (b), for the purpose of receiving legal advice relative to pending litigation related to the appeal of a site plan approval. 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 discussions in the executive session constitute privileged attorney-client communications."

Trustee Tietz moved to enter the Executive Session. Mayor Pro Tem Macdonald seconded.

Yeas: Tietz, Macdonald, Weigand, Gaiter, Mason, Dailey, Chaussee

Nays: N/A

The motion was carried unanimously.

Mayor Chaussee opened the Executive Session at 8:37 p.m.

Mayor Chaussee called for a motion to exit the Executive Session.

Trustee Gaiter moved to exit the Executive Session. Mayor Pro Tem Macdonald seconded.

Yeas: Tietz, Macdonald, Weigand, Gaiter, Mason, Dailey, Chaussee

Navs: N/A

The motion was carried unanimously.

Mayor Chaussee exited the Executive Session at 9:04 p.m.

Mr. Marsh recommended that the Board authorize the Town Administrator to retain Nicholas C. Poppe, Esq. with the Firm of Nathan, Dumm, & Mayer P.C. for attorney services.

Mayor Pro Tem Macdonald moved to authorize the Town Administrator to retain Nicholas C. Poppe, Esq. with the Firm of Nathan, Dumm, & Mayer P.C for attorney services; Trustee Gaiter seconded.

Yeas: Macdonald, Gaiter, Mason, Wiegand, Dailey, Tietz, Chaussee

Navs: N/A

The motion carried unanimously.

I. ADJOURN

Mayor Chaussee called for a motion to adjourn.

Trustee Gaiter moved to adjourn the meeting. Mayor Pro Tem Macdonald seconded.

Yeas: Gaiter, Macdonald, Dailey, Mason, Chaussee, Tietz, Wiegand

Nays: N/A

The motion carried unanimously.

Mayor Chaussee adjourned the meeting at 9:06 p.m.

in Muhs

Attachments:

Exhibit 1 – Sol de Jalisco Petitions

Exhibit 2 – Certification Statement for Executive Session

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 at Town Hall or at 970-568-3380 ext. 110 at least 24 hours in advance.

Date: $\frac{9/21/2023}{}$
Name: Beverly Belt- Janssen
Address: 3738 Kennedy Aue
Comments: We enjoy Patro alather
of while blunce bono greating org
order margarita
Signature: Belt Consae

Date: $7 - 21 - 23$
Name: Teresa Brauser
Address: 85/ Glenloch Dr Fort Collins, CO
Comments: Alcoholic beverages should be
served on the patio
Signature: Jeep Blause

Date: $\frac{9-21-2023}{}$
Name: <u>Lameron</u> Junssen
Address: 3738 Kennedy AVE Wellington
Comments: I Want to drink
in th patio
Signature:

Date: $9/21/23$
Name: <u>Gretchen Stermer</u>
Address: 3234 mammoth Circle
Comments: It would be a nice thing
to be able to enjoy an adult
beverage on the patio.
Signature: Onltchen E. Stermer

Date:	7/21/23	
Name:	Beb Siblerry	
Address:	9435 Uben ct	Wellington
Comments: _	·	·
	·	
DATA MARKATAN SANSAN		
Signature:	Ou L Sllu	

Date: $9/14/93$
Name: EVAN Gallagos
Address: <u>8829 NCR 9 wellington</u> , CO
Comments: We would like alcohol on the patto
Signature: 103 of 1

Date: Sept. 14, 2023
Name: Ken Te+10W
Address: 55789 CR21 Carr, CD 80612
Comments: Yes, we need the ability
to drink margs on the patio to
recharge our minds.
Signature: Kui Tellu

Date: 9/14/23
Name: Megan Gallegos
Address: 7056 Loudon St. Wellington, W 80549
Comments: Yes, please allow Sol de Jalisco
mexican Peraurant to some alcohol in
the back patio-
Signature: MSAAA

Date: 9/14/23
Name: Sam De La Mora
Address: 349 Westgate Ave Bozeman, MT, 59718
Comments: Great responsible place needs to open
drinks to the patio
Signature:

Date: 9/14/23
Name: Gus HEMMES
Address: 7489 HORSECHESTNUT ST
Comments: A STAPLE IN WElling AN, OWNER
Oman INVOLVED IN COMMUNITY, Alway)
HE PING. What's wrong w/ Alcohol on pato?
Signature:

Date: 0.14.23
Name: Montana Harris
Address: 4549 Aldridge Dr. Wellington 80549
Comments: Drinks on the patro is always nice!
Accomadates more costomers as our town grows
tool
Signature:

Date: 9/14/23	
Name: Sanvel Realden	
Address: 8506 Seattle	5/ew Lare
Comments: MORE BUBNESS	4 Wellison
	·
Signature:	

Date: 9/15/2023	
Name: Automn O'Brien	A ***
Address: 750) Final Turn Prive	Wellington, 80549
Comments: Love this great family	\lor
Signature: Qut M D	

Date: 9 15 2023	
Name: WAZL PACTEW	
Address: 1236 Country Wob Rd	
Comments: It's comp that they have to	
to do this, During Cours they	ž.
were forced to make ah out door Pation And No laws. Now they are required to get abscense.	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
laws. Now they are required to get abscense,	
Signature: Doesn't m	, } <u> </u>
Sense 1	ng
1	

Date: $\frac{9/14/2023}{}$
Name: Roxanne Bosse
Address: 3759 Corn-Plous St, Wellington, Co
Comments: Sol de Jalisco is the best in
town! They get so busy and need
the patio space! And mexican food needs Margaritas
Signature: Raou Sse

Date: $\frac{9/(4/23)}{}$
Name: Zach Bergnin
Address: 3759 Comfigur St Wellington
Comments:
Sol de Juilles is the best costrax
en town, we near to support or
Signature:
the Bost Eovile they Doxigm
CM!
Tah Benn

Date:
Name: Ryan Bonsall
Address: 8330 Wellington Blud CO
Comments:
Signature:

Date: <u>Sept 14,2023</u>
Name: Pete Crock
Address: 4402 Braga Lane Wellington Co 80549
Comments: Extend the ability to serve
alcohol in the confined part to area
Signature:

Date:	9/14/23
Name:	Connie Croak
Address:	4402 Bragg in Wellington Co 80549
Comments:	Please extend their liquor license
	7
Signature: _	Cenne Croak

Date: $9.14.23$
Name:
Address: 1/032 N. CR 5 WELLINGTON , CO 90549
Comments: Sox le Talisco is an excellent place fe
bring our family! He would have to be able to enjoy
alcoholic deints with our friends on the pation
Signature: Alla herri

Date: 0/14/23
Name: Amy Harris
Address: 11032 N la Rd 5 Wellington, La So549
Comments: Sol de Julisco 15 very responsible until
their liquer liscense now and will carry over to the take.
Support local Welling to Musiness.
Signature:

Date: $9 - 14 - 3$	2023		
Name: Louis	Smith		
Address: 6812	Langland	St	Wellington Co
Comments:			
		and the second of the second	······································
Signature:			

Date:	14-23			
Name:	anya:	Smith		
Address:	6812	Langland St	Wellington, Co	·····
Comments	•			
Signature:	ani	josnik	_	

Date:	4-15-2	3				
Name:	LISA	CLF	74	ang		
Address:	P.O. BOX	219	WELLI	NETAL	1,CO	8054
Commen	ts:					
	- American Company		· · · · · · · · · · · · · · · · · · ·			
Signature	::	KI				

Date:	-15-23					
Name:	Tucker	Clay	/			
Address:	700 E	CR	64	Wellington	CÒ	80549
Comments	:					
					······································	
		7				
Signature:				\rightarrow		

Date:
Name: ChO Zadrii
Address: 7200 Ste St. Welligh
Comments: appiose!
Signature:

Date: 15 Sept 23
Name: Aladena
Address: 100 St. St.
Comments: 45 to allohol on the bacu
Robio! Nels our Small businesses
Supposition is
Signature:
A A MAXION OF THE STATE OF THE

Date: 9/15/23
Name: Richard Vance
Address: 4125 Crttenton Un#2
Comments: Exelent Food
Signature:

Date: $4/15/23$
Name: Michille Vance
Address: 4125 Crithenton Into
Comments: Low this place
Signature:

Date:	9/15	123			
Name:	Rita	Woods			
Address:	3833	Lincoln	au.	welling for	
Comment	ts:				
			to distingua year on the second se		
Signature		111 pm/	2)		

Date: 9-17-23	
Name: <u>Lelma Colwell</u>	
Address: 3833 Lincoln au.	
Comments:	
	2
Signature: June Cruell	

Date: $9-8-23$
Name: STYDE Colde
Address: 2872 Lincala AVE
Comments:
Signature:

D

Date: $Qq - 15 - UZ$
Name: Romzee Portu
Address: 1236 Country (lub (P))
Comments: Wart Margy atas
outside! !!
Signature:

Date: $9/5/23$
Name: Kouthenne Parten
Address: 1236 Country Club Rd. Fort Collins, CO
Comments: please allow alcohol on the
back patio. There is no need to not
allow it.
Signature: Latte Acath

Date: <u>1/15/23</u>
Name: Andrew J- Show
Address: 3440 Adams CT Wellington, CO 82549
Comments: It on a Summer Day Levening
people would like to enjoy food and a bevery
on the patro.
Signature:

Date:	9/15/7073
Name:	Kaci Shaw
Address: _	3440 Adams CA Wellington, CO
Comment	s:
Signature	12 Sh

Date: <u>4-15-23</u>
Name: Derek Court
Address: 12931 Dead Horse Ln. Carr, CD 80612
Comments: In regards to Serving Alcohol on the
back Patio, We must allow Sol De Jallisco the Same
Opportunity to serve My Commonity as the other places in town. Signature:
They have a location and ambiance they have, it would be Detrimental to not allow liquor sales on the patio-

		* (*)

Date: 9//	5/23
Name:	imil Cline
Address:	3928 Buckthorn St. Wellington.
Comments: _	Love it here! Consultar are
amazi	ng.
Signature:	Jan Comment of the second seco

Date: $9/15/3$
Name: Lee Cline
Address: 3928 Buckthorn Street
Comments: At place! Great Staff
Signature:

Date: $\frac{9/15/23}{}$	
Name: Brandon Tarongo	
Address: 7505 Final Toin Dr	wellington co 80540
Comments: Love this place	· · · · · · · · · · · · · · · · · · ·
·	
Signature:	

Date: 9/17/2023	
Name: Lacey Schneider	
Address: 3741 Wilson Ave Wellington CO 8054	}
Comments:	
Signature: Louy John Wolle	

Date:
Name: WCHOWS SCHNELDER
Address: 3741 WILSON AVE. WELLINGTON, CO BOS49
Comments:
Signature:

Date: 9/17/23
Name: Chris Roeder
Address: 7201 Horsechestrut St Wellington Co 80549
Comments: Would be great addition to the resturant,
Signature:

Date: 9/17/23
Name: Mison Roeder
Address: 7201 Horsechestnut St. Wellington Ce
Comments: Would be a great addition
to the fun atmosphere and oppertunities
Signature: July 1111

Date: $\frac{9/17/2023}{}$
Name: Sason King
Address: 6700 Sage Meadons Dr Wellinston CO 80549
Comments: Not sure why you liberals Aren't Allowin
this Already
Signature:

Date: <u>9-17-23</u>
Name: Priscilla King
Address: <u>10702 Sage Meadows or Wellington, CO 80</u> 849
Comments:
Signature: The Signature of the Signatur

Date: <u>09/17/2023</u>
Name: Bette Pickel
Address: 1871 mt. Wimbus St. Wellington, 10 80549
Comments:
Signature: Botto Rucha Q

Date:	-17-23			·
Name:	Loren	Chambers		
Address:	5634/	CR 21	CAIT LO	80612
Comments:				
Signature: _	1/-			

Date: $9 - 17 - 3$	13				
Name: Paula	Cham ber	S			
Address: <u>5434</u>	I CR	d	Carr	Co	806/2
Comments:				and the same of th	
		*,		***	
				-	
Signature:					

Date: <u>9-18-23</u>
Name: Omar Rodriguez
Address: 3380 Iron Horse Way Wellington, Co
Comments: Who doesn't need a drink on a HOT!
Summer day.
Signature: <u>Car Physi</u>

Date: <u>Sept. 18, 2023</u>	
Name: <u>Dicole Conle</u>	
Address: 8491 Calumet W	ay Wellington Co. Welling.
Comments:	·
Signature: ville	

Date: <u>Jep1. 18. 2023</u>	
Name: Jamie Conleg	
Address: 8491 Calumet Lay	Leelington Co. 8054
Comments:	
Signature:	·

Date: 8-9-/8-2023
Name: bhrathon Lauzon
Address: 9204 N. CR 5 Wellington
Comments: Allow
It's in a controlled area
Signature: After Agent A

Date: 9/18/23
Name: Taylor Gallegos
Address: 9204 NCR 5 Wellington, Co
Comments: Please allow
Signature: Janh Mall

Date: Juptimfor 19th	
Name: Collers tringer	
Address: 2563 E CR 71 Willington Co	90540
Comments: Man please.	
Signature: My Trivy	

Date: 9-18-23	
Name: Ryley Stringer	
Address: 2563 E CR 7	a wellhafon CO
Comments: Hlow	
	•
Signature: 444	

Date: 9	8/23	·			
Name:	tmanda	Stan	ton		
Address:3	3218 ECR	70	NETUNGTON,	Co	80 A G
Comments:	Allow				
phonometric control of the state of the stat		unioni di santa da s			
Signature: _	A				

Petition summary: Demonstrate the needs and desires of the town of Wellington, for Sol de Jalisco Mexican Restaurant to be able to serve alcohol in the back patio.

0 12-27

Date: <u>4-18 2></u>
Name: Troy Seeworth
Address: 3218 E.C.R. 70 Wellington, Co 80549
Comments: Should be able to serve alrahol
outride
Signature:
orginature:

Date: 9/20/23
Name: Cristian Rodriguez
Address: 3380 Iron Horse Way
Comments: Best Restaurant
Signature: M. (Jug)

Date: $9-20-25$
Name: Lining Allen
Address: 3747 Torch Lity st Wellington
Comments:
Signature: Sorty

Date: 9/20/23	
Name: Stary Sieuc	
Address: 3747 Torch Lity St Wellington Co	80549
Comments: They need More space i areas	
outside in Fresh air.	
Signature: S	

Date: <u>4-20-2023</u>
Name: Terri Bredeloft
Address: 3747 TorchkilyStreet
Comments: Tey need more space and areas
cretredo.
Signature. Jew Reolelof

Date: <u>9-20-23</u>
Name: Rich Gieck
Address: 3747 Torch Lily St. Wellington CO 80540
Comments: Great place they need more space
·
Signature: A 1 Local

Date: <u>9-20-23</u>	
Name: Lou KINZI	
Address: 10822 PRIMA DR. 7+ Collins	
Comments: Incredibly hard working	my.
responsible owners with Their episting	ng
$oldsymbol{v}$	7
Signature: Jou Min Shi	-
Signature. ————————————————————————————————————	

Date: 9-70-707	3		
Name: SEAW M	CCARRY		
Address: 1721 Ce	OUTRY SUN	DRIVE, WANDSOR	CO
Comments:			
			-
Signature:			

Date: <u>9-20-2023</u>
Name: Journey Coode
Address: 14340 CR 96 Nunn, CO 80648
Comments: We are so thankful to have such a
great family place to eat.
Signature: Jack

Date: <u>9-21-23</u>
Name: <u>Katina Tern</u>
Address: 8793 Crossfire Drive
Comments: We come in often and would
love to enjoy margaritas on the
patio
Signature: Mino Jessey

Date: <u>9-21-23</u>
Name: Stary Terry
Address: 8793 Crossfire Dr.
Comments: fresh air would be great to
relax with a fresh drink
Signature: Atrony

Date: <u>21 Sep</u>	2023
Name: Tris	tan Terry
Address: <u>8792</u>	tan Terry 3 Crosofire Dr. Wellington, CO 8054
Comments:	
· · · · · · · · · · · · · · · · · · ·	
Signature:	Tasky Terry

ATTORNEY CERTIFICATION RELATED TO SEPTEMBER 26, 2023 EXECUTIVE SESSION OF THE MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF WELLINGTON, COLORADO

The undersigned as Town Attorney of the Town of Wellington, Colorado certifies that the Board of Trustees of the Town of Wellington, Colorado at its regular meeting on September 26, 2023, properly announced and convened, in executive session, for conferences with an attorney for the Town pursuant to § 24-6-402(4) (b), for the purpose of receiving legal advice relative to an action filed by Connell Resources before the Larimer County District Court involving planning denials by the Wellington Town Board of Trustees. Pursuant to C.R.S. §24-6-402(4) (b) and (d.5) (II) (B) it is the opinion of the undersigned attorney that the meeting was properly announced and that discussions which occurred during the executive session constituted a privileged attorney-client communication. No record was kept or required to be kept of the discussions. This statement shall be included with the written minutes of the referenced meeting. This statement is also signed by the Town Attorney and Mayor of the Town of Wellington, attesting that the executive session was not recorded and was confined to the topics authorized for discussion in executive session pursuant to §24-6-402(4)(d.5) (II) (B).

March, Olive and Sapienza, LLC

Town Attorney

J. Brad March

Calar Chaussee, Mayor