



BOARD OF TRUSTEES  
October 24, 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. Pledge of Allegiance  
Mayor Chaussee asked for 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 – absent  
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 conflict of interest; there were none

**B. COMMUNITY PARTICIPATION**

1. Public Comment  
Mayor Chaussee asked if there were any public comments; Karen Eifert made public comment.

**C. CONSENT AGENDA**

1. October 10, 2023 Regular Meeting Minutes

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

**Trustee Tietz moved to approve the Consent Agenda; Trustee Dailey seconded.**

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

**Nays: N/A**

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

**D. ACTION ITEMS**

1. Resolution No. 43-2023: A Resolution of the Town of Wellington Colorado Making An Agreement Regarding Operating and Maintenance of Boxelder Creek Watershed Dams (B-Dams B-2, B-3, and B-4)

Mayor Chaussee invited Mr. Bob Gowing, Director of Public Works, to present this item. Mr. Gowing introduced this item.

Mayor Chaussee called for questions from the Board; to which Mr. Gowing responded.

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

Mayor Chaussee called for a motion on this item.

**Trustee Gaiter moved to approve Resolution No. 43-2023: A Resolution of the Town of Wellington Colorado Making An Agreement Regarding Operating and Maintenance of Boxelder Creek Watershed Dams (B-Dams B-2, B-3, and B-4). Trustee Teitz seconded.**

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

**Nays: N/A**

**The motion was carried unanimously, and Resolution No. 43-2023 was approved.**

2. Resolution No. 44-2023, A Resolution of the Town of Wellington, Colorado Approving an Intergovernmental Agreement with the Colorado Department of Transportation.

Mayor Chaussee invited Mr. Alex Evonitz, Public Works Engineer, to present this item. Mr. Evonitz introduced this item.

Mayor Chaussee called for questions from the Board; to which Mr. Evonitz responded.

Mayor Chaussee invited public comment on this item. Karen Eifert provided public comment.

Mayor Chaussee invited final comments from the Board, and the Board further discussed this item.

Mayor Chaussee called for a motion on this item.

**Trustee Tietz moved to approve Resolution No. 44-2023: A Resolution of the Town of Wellington, Colorado Approving an Intergovernmental Agreement with the Colorado Department of Transportation. Trustee Dailey seconded.**

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

**Nays: N/A**

**The motion was carried unanimously, and Resolution No. 44-2023 was approved.**

3. Resolution No. 45-2023: A Resolution of the Town of Wellington, Colorado Amending the Intergovernmental Agreement for Solid Waste Programming and Infrastructure Improvements.

Mayor Chaussee invited Mr. Cody Bird, Planning Director, to present this item. Mr. Bird introduced this item.

Mayor Chaussee called for questions from the Board; to which Mr. Bird responded.

Mayor Chaussee invited public comment on this item. Karen Eifert provided public comment.

Mayor Chaussee invited final comments from the Board, and the Board further discussed this item.

Mayor Chaussee called for a motion on this item.

**Trustee Gaiter moved to approve Resolution No. 45-2023: A Resolution of the Town of Wellington, Colorado Amending the Intergovernmental Agreement for Solid Waste Programming, and Infrastructure Improvements. Trustee Wiegand seconded.**

**Yeas: Gaiter, Wiegand, Mason, Tietz, Daily, Chaussee**

**Nays: N/A**

**The motion was carried unanimously, and Resolution No. 45-2023 was approved.**

## **E. OTHER BOARDS**

### **1. Library Board Update**

Mayor Chaussee closed the Regular Meeting and opened the Library Board at 7:50 p.m.

Mayor Chaussee invited Mr. Ross LaGenese, Library Director, to present this item. Mr. LaGenese presented a Library Board update and responded to questions from the Board.

Mayor Chaussee closed the Library Board and opened the Regular Meeting at 8:07 p.m.

## **F. REPORTS**

### **1. Town Attorney**

Mr. Dan Sapienza reports that Municipal Court changing to once a month starting January 2024.

### **2. Town Administrator**

Ms. Garcia reported Municipal Court budget is adequate for the change to monthly court. She further presented on the Budget Boo-nanza event held on October 16, 2023.

### **3. Staff Communications**

Mayor Chaussee called for questions from the Board on Staff Communications; there were none.

a. August 2023 Report of Bills

b. Monthly Utility Report

### **4. Board Reports**

Trustee Mason – reported on the Wellington High School football team.

Trustee Dailey – reported on town feedback regarding the Budget Boo-nanza.

Trustee Gaiter – reported about the water treatment plant and progress, engagement with new residents to the Town, and the Town’s Finance Committee.

Trustee Teitz – reported on discussions with Ms. Garcia regarding home-based businesses and Land Use Code, an update from Larimer County regarding the use of Clark Lake, a discussion of Article 10 of the Wellington Municipal Code, and an imminent event with the Larimer County Sheriff’s Office.

Trustee Wiegand – commented on Boo-nanza and the Town’s water treatment plant progress.

Mayor Chaussee – no report.

## **G. WORK SESSION**

Mayor Chaussee closed the Regular Meeting and opened the Work Session at 8:18 p.m.

### **1. Utility Rate Adjustment Presentation**

Mayor Chaussee invited Ms. Meagan Smith, Deputy Director of Public Works; Mr. Bob Gowing, Director of Public Works; & Mr. Don Rhoads, Town Treasurer & Finance Director to present and responded to questions and comments from the board.

Mayor Chaussee closed the Work Session and reopened the Regular Meeting at 9:39 p.m.

## **H. EXECUTIVE SESSION**

- 1. 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 Gaiter moved to enter the Executive Session. Trustee Dailey seconded.**

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

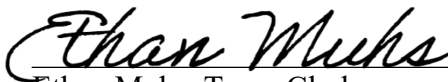
**Nays: N/A**

**Mayor Chaussee opened the Executive Session at 9:41 p.m.**

**Trustee Gaiter Moved to exit the Executive Session. Union the motion duly noted and with unanimous consent, Mayor Chaussee exited the Executive Session at 9:54 p.m.**

## **I. ADJOURN**

**Upon the motion duly noted and with unanimous consent, Mayor Chaussee adjourned the meeting at 9:54 p.m.**

  
Ethan Muhs, Town Clerk

### **Attachments:**

**Exhibit 1 – 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.

ATTORNEY CERTIFICATION RELATED TO OCTOBER 24, 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 October 24, 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)(11)(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)(11)(B).

March, Olive and Sapienza, LLC  
Town Attorney

  
Daniel L. Sapienza

  
Calar Chaussee, Mayor