



BOARD OF TRUSTEES
November 14, 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 – present
Trustee Daily – present
Trustee Gaiter –present
Trustee Mason – present
Trustee Tietz – present
Trustee Wiegand – absent
3. Amendments to Agenda
Mayor Chaussee asked if there were any amendments to the agenda; Trustee Mason made an amendment to move the Safe Routes to Parks Application Letter to the front of the agenda.

The amendment was unanimously approved.
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; Jeff Schofield made public comment.
2. Proclamation
Mayor Chaussee proclaimed November 25th 2023 as Small Business Saturday and November 18th 2023 as Love Your Lawyer Day.

C. PRESENTATION

1. 2024 Budget Presentation with Public Comment

Mayor Chaussee invited Mr. Don Rhoads, Finance Director and Town Treasurer, to present the 2024 Budget.

Mayor Chaussee invited comments from the Board; Trustee Tietz, Trustee Daily, Trustee Mason, Mayor Pro Tem Macdonald and Trustee Gaiter made comments. Ms. Stephanie Anderson, Human Resources Director, and Mr. Cody Bird, Planning Director, responded to questions from the Board.

Mayor Chaussee invited Ms. Anderson to present Employee Compensation in the budget and responded to questions from the Board.

Mayor Chaussee called for public comment; Ms. Lisa Chollet and Ms. Christine Gaiter made public comment.

Mayor Chaussee called for final Board Member comments, Trustee Tietz made a comment, to which Ms. Patti Garcia responded. Trustee Dailey and Trustee Gaiter made final comments.

D. CONSENT AGENDA

1. October 24, 2023 Regular Meeting Minutes

2. Resolution No. 46-2023: A Resolution of the Town of Wellington, Colorado Making Appointments to the Finance Committee and Parks, Recreation, Open Space, and Trails Board

3. Approval to Open Safe Deposit Box at Points West Community Bank

Mayor Chaussee asked for the items on the Consent Agenda to be read, then, called for a motion.

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

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

Nays: N/A

The motion carried unanimously and the Consent Agenda was approved.

Mayor Chaussee declared the meeting to be in recess at 8:13 p.m. He then reconvened the meeting at 8:20 p.m.

E. ACTION ITEMS

1. Letter of Support - Safe Routes to Parks Grant Application

Mayor Chaussee invited Ms. Garcia, Town Administrator, to present this item to the board. Ms. Lisa Chollet made comments regarding this item and answered questions from the Board.

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

Mayor Chaussee called for a motion on this item.

Trustee Gaiter moved to approve the Letter of Support – Safe Routes to Parks Grant Application. Trustee Tietz seconded.

Yeas: Gaiter, Tietz, Dailey, Macdonald, Mason, Chaussee
Nays: N/A

The motion carried unanimously and Letter of Support – Safe Routes to Parks Grant Application was approved.

2. Ordinance No. 09-2023: An Ordinance Recodifying Chapter 13 of the Municipal Code Concerning Municipal Utilities

Mayor Chaussee invited Mr. Dan Sapienza, Town Attorney, to present this item to the Board and answered questions from the Board.

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

Mayor Chaussee called for final comments from the Board, and seeing none, called for a motion on this item.

Trustee Dailey moved to approve Ordinance No. 09-2023: An Ordinance Recodifying Chapter 13 of the Municipal Code Concerning Municipal Utilities. Trustee Gaiter seconded.

Yeas Dailey, Gaiter, Tietz, Macdonald, Mason, Chaussee
Nays: N/A

The motion carried unanimously and Ordinance No. 09-2023: An Ordinance Recodifying Chapter 13 of the Municipal Code Concerning Municipal Utilities was approved.

3. Ordinance No. 10-2023: An Ordinance of the Town of Wellington, Colorado Making Adjustments to Utility Rates

Mayor Chaussee invited Ms. Meagan Smith, Deputy Director of Public Works; Bob Gowing, Director of Public Works; and Don Rhoads, Town Treasurer & Finance Director to present this item and respond to questions from the Board.

Mayor Chaussee called for public comment on this item; Jeff Schofield and Lisa Chollet made public comment.

Mayor Chaussee called for final comments from the Board; Trustee Dailey, Trustee Gaiter, Trustee Mason, Mayor Pro Tem Macdonald, Trustee Tietz made final comments.

Mayor Chaussee called for a motion on this item.

Trustee Gaiter moved to table Ordinance No. 10-2023: An Ordinance of the Town of Wellington, Colorado Making Adjustments to Utility Rates. Trustee Dailey seconded.

Yeas: Gaiter, Dailey, Tietz, Mason, Macdonald, Chaussee
Nays: N/A

The motion carried unanimously and Ordinance No. 10-2023: An Ordinance of the Town of Wellington, Colorado Making Adjustments to Utility Rates was tabled.

4. Ordinance No. 11-2023: An Ordinance of the Town of Wellington, Colorado Making Adjustments to Water and Wastewater Capital Investment Fees

Mayor Chaussee invited Ms. Meagan Smith, Deputy Director of Public Works, to present this item and respond to questions from the Board.

Mayor Chaussee called for public comment on this item; Jeff Schofield made a public comment.

Mayor Chaussee called for final comments from the Board; Trustee Gaiter made a final comment.

Mayor Chaussee called for a motion on this item.

Trustee Gaiter moved to table Ordinance No. 11-2023: An Ordinance of the Town of Wellington, Colorado Making Adjustments to Water and Wastewater Capital Investment Fees. Trustee Dailey seconded.

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

Nays: N/A

The motion carried unanimously and Ordinance No. 11-2023: An Ordinance of the Town of Wellington, Colorado Making Adjustments to Water and Wastewater Capital Investment Fees was tabled.

5. Resolution 47- 2023: A Resolution Authorizing Financial Support to Ratepayers through a General Fund Transfer to the Water and Wastewater Enterprise Funds

Mayor Chaussee invited Ms. Patti Garcia, Town Administrator, to present this item and respond to questions from the Board.

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

Mayor Chaussee called for final comments from the Board, and seeing none, called for a motion on this item.

Trustee Dailey moved to approve Resolution 47- 2023: A Resolution Authorizing Financial Support to Ratepayers through a General Fund Transfer to the Water and Wastewater Enterprise Funds. Mayor Pro Tem Macdonald seconded.

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

Nays: N/A

The motion carried unanimously and Resolution 47- 2023: A Resolution Authorizing Financial Support to Ratepayers through a General Fund Transfer to the Water and Wastewater Enterprise Funds was approved.

6. Contract for Outside Counsel

Mayor Chaussee invited Mr. Dan Sapienza, Town Attorney, to present this item and respond to questions from the board.

Mayor Chaussee called for public comment on this item; there were none.

Mayor Chaussee called for final comments from the Board; there were none and called for a motion

on this item.

Trustee Gaiter moved to approve Contract for Outside Counsel with stipulation cap of \$7,500 and report back to the Board at \$6,000. Trustee Tietz seconded.

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

Nays: N/A

The motion carried unanimously and the Contract for Outside Counsel was approved with the stated stipulation.

F. REPORTS

1. Town Attorney

No report.

2. Town Administrator

Ms. Garcia reported reminder of water treatment plant tour on Saturday November 16th 2023 at 10:00 a.m.

3. Staff Communications

Mayor Chaussee called for questions about Staff Communications; there were none.

a. Larimer County Sheriff's Office Report - September 2023

b. Treasurer's Report and September 2023 Financials

4. Board Reports

Mayor Chaussee – no report.

Trustee Tietz – no report.

Trustee Gaiter – no report.

Mayor Pro Tem Macdonald – reported on the Larimer County Emergency Preparedness meeting with staff and stake holders and attendance at a Commissioner meeting.

Trustee Daily – reported on the Veteran Day's event and Fall Fest at the Wellington Middle/High school, and a Mac – n – Cheese cook off fundraiser.

Trustee Mason – no report.

Trustee Gaiter moved to extend the Board of Trustee meeting to 10:30 p.m. Trustee Daily seconded. The motion carried with unanimous consent.

G. EXECUTIVE SESSION

1. 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 Daily seconded.

Yeas: Gaiter, Daily, Mason, Tietz, Macdonald, Chaussee

Nays: N/A

Mayor Chaussee opened the Executive Session at 10:00 p.m.

Trustee Gaiter Moved to exit the Executive Session. Trustee Tietz seconded. Upon the motion duly noted and with unanimous consent, Mayor Chaussee exited the Executive Session at 10:04 p.m.

Trustee Gaiter moved to enter the Executive Session. Trustee Daily seconded.

**Yeas: Gaiter, Daily, Mason, Tietz, Macdonald, Chaussee
Nays: N/A**

Mayor Chaussee opened the Executive Session at 10:05 p.m.

2. An executive session pursuant to C.R.S. 24-6-402(4)(f)(I) to discuss personnel matters concerning the Town Administrator, under circumstances where the Town Administrator has not requested an open meeting.
3. An executive session pursuant to C.R.S. 24-6-402(4)(f)(I) to discuss personnel matters concerning the Town Attorney, under circumstances where the Town Attorney has not requested an open meeting.

Trustee Dailey left the Executive Session at 11:08 p.m. and did not return for the duration of the meeting.

Trustee Gaiter Moved to exit the Executive Session. Trustee Tietz seconded. Upon the motion duly noted and with unanimous consent, Mayor Chaussee exited the Executive Session at 11:47 p.m.

H. ADJOURN

Upon the motion duly noted and with unanimous consent, Mayor Chaussee adjourned the meeting at 11:47 p.m.


Ethan Muhs, Town Clerk

Attachments:

Exhibit 1- Attorney Certification Related to October 24, 2023 Executive Session of the Meeting of the Board of Trustees of the Town of Wellington, Colorado

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 NOVEMBER 14, 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 November 14, 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 pending but not yet filed litigation. 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)(11)(B).

March, Olive and Sapienza, LLC

Town Attorney

Daniel L. Sapienza

11/21/23

Calar Chaussee, Mayor