



BOARD OF TRUSTEES
August 24, 2021
6:30 PM

Leeper Center, 3800 Wilson Avenue, Wellington, CO

MINUTES

A. CALL TO ORDER

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

1. Pledge of Allegiance
Mayor Hamman asked that all rise for the pledge of allegiance.
2. Roll Call
Mayor Troy Hamman
Mayor Pro Tem Wyatt Knutson
Trustee Jon Gaiter
Trustee John Jerome – Absent
Trustee Rebekka Kinney
Trustee Ashley Macdonald – Arrived at 6:35
Trustee Tim Whitehouse

Also Present:

Patti Garcia, Town Administrator
Kelly Houghteling, Deputy Town Administrator
Dan Sapienza, March & Olive, LLC, Town Attorney
Cody Bird, Director of Planning
Bob Gowing, Director of Planning
Krystal Eucker, Town Clerk
Judi Tippetts, Finance Director
Tyler Sexton, Assistant Finance Director
Eric Smith, Recreation Coordinator
Michael Rairdon, Larimer County Sheriff's Office

3. Amendments to Agenda
Mayor Hamman asked if there were any amendments to the agenda.

**Trustee Whitehouse moved to postpone item D.2 to the September 14, 2021 regular meeting;
Trustee Kinney seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Gaiter, Kinney, Whitehouse, Knutson, Hamman
Nays – None
Motion carried.**

4. Conflict of Interest
Mayor Hamman asked if there were any conflicts of interest to which there was none.

B. COMMUNITY PARTICIPATION

1. Public Comment

Mayor Hannan opened the meeting for public comment to which there was none.

2. Presentation

a. Quarterly Parks and Recreation Update

Mr. Campos gave a parks and recreation update to the Board.

- Capital Improvement Projects
 - Winick Park
 - Pour and Place
 - August 25th through September 5th.
 - Star Playgrounds – The slide will be reset to be in compliance with regulations
 - Projecting the project to come in under budget
 - Knolls Linear Park
 - Replacing soft trails
 - Pouring concrete at Knolls Linear Park (Off of Ronald Reagan and 3rd St.)
 - Laid 160 feet of concrete 8 feet in length and 6 inches deep.
 - Parks Mater Plan
 - Working with the Park Advisory Board on this endeavor and beginning company research such as:
 - Green Play, LLC
 - MIG
 - Kimley Horn

Parks

- Irrigation & Mowing Maps
 - Mowing Maps have been created using Google earth to clearly solidify areas the town is responsible for maintenance.
 - In the process of creating irrigation maps as well which will be developed during the winter season.
- Splash Pad
 - In depth mechanical assessment
 - Replaced chemical feeders, chemical lines, probes, and ensured the BEC system is calibrated efficiently.
- Park Meadows Park
 - Replenished the soft fall wood chips within the play structure area.
 - Replenished the mulch in all the shrub bed areas within the entire 2.5 acreage of the park.
- Play Structure Inspections
 - Wellington Community Park
 - Centennial Park
 - The rest will be done by the end of the year.
- Wellington Fire Protection District
 - Worked with Brett Covey to help support their helicopter training at Wellington Community Park.
- 4th of July Celebration
 - 6 staff members helped support the day of the event.
 - Positive feedback from residence and Community Activities Committee during the post event meeting.
 - Splash Pad was operational during entire event.

- Recreation
 - Hired on new Assistant Recreation Coordinator (Started August 24, 2021)
 - Standard Operating Procedures for all programs and rentals in progress.
 - Staff retention from a seasonal perspective
 - Rentals - Ball field lighting fee review
- Cost Recovery
 - Finalizing data for a fee schedule
 - Implementing new user-friendly recreation software called Smart Rec
- Partnership
 - Wellington Soccer Club donated soccer goals
 - Northern Colorado Flamingos D3 Rugby Team's home field could be in Wellington for their upcoming 2022 season
- Parks Advisory Board
 - Parks Naming Policy
 - Parks signage to unify all areas within our parks system

C. CONSENT AGENDA

1. Minutes of the August 10, 2021 Regular Board of Trustees Meeting

Trustee Gaiter moved to approve the consent calendar; Mayor Pro Tem Knutson seconded the motion. Roll call on the vote resulted as follows:

Yeas – Gaiter, Kinney, Macdonald, Whitehouse, Knutson, Hamman

Nays – None

Motion carried.

D. ACTION ITEMS

1. Resolution No. 25-2021 - A Resolution Authorizing the Town of Wellington to Enter into an Intergovernmental Agreement with the Wellington Fire Protection District Regarding the Administrative Waiver of Mutual Fees

Trustee Macdonald informed the Board that due to a conflict of interest, she would recuse herself from the vote on this agenda item.

Ms. Garcia informed the Board that the requested intergovernmental agreement (IGA) for fee waivers sets policy for how those requests between the Town and Wellington Fire Protection District (WFPD) are handled. As there are several large projects coming up for the Town of Wellington (water treatment plant and wastewater treatment plant) and WFPD is preparing to build an additional fire station, both entities felt it prudent to establish what fee waivers could be done administratively and at what level board approval would be required. The draft agreement allows for the Town Administrator and the Fire Chief to each have the authorization to waive up to \$5,000 in fees requested per calendar year. For the Town, these fees would generally be related to special event permits as most fees to WFPD are a pass through for building permits. Any requests beyond the \$5,000 annual limit for either entity would be a formal waiver request to either the Board of Trustees or the Fire District Board of Directors.

The Fire District Board of Directors is supportive of the IGA, although they were waiting for the Board of Trustees formal consideration.

Rachel Gonzales, Director of Public Relations with the Wellington Fire Protection District inquired if there were any questions from the Board.

Trustee Gaiter inquired if it is relevant that the Town Administrator is able to approve the IGA and then the WFPD does not spell out the Fire Chief.

Trustee Macdonald stated it should be a position and not a name.

Ms. Gonzales stated that the fee waivers typically go before their Board of Directors.

Ms. Garcia stated it would be whomever the Town Administrator and Fire Chief is and that is how it was presented to the WFPD Board.

Mayor Hamman opened the meeting for public comment.

Kristi Cannon commented that she is not representing the Chamber and inquired if Trustee Macdonald will recuse herself from the vote after stating the conflict of interest and participating in the conversation.

Per Trustee Macdonald; yes ma'am.

Trustee Whitehouse moved to approve Resolution No. 25-2021; Mayor Pro Tem Knutson seconded the motion. Roll call on the vote resulted as follows:

Yeas – Gaiter, Kinney, Whitehouse, Knutson, Hamman

Nays – None

Abstain – Macdonald

Motion carried.

2. Ordinance No. 10-2021 - An Ordinance Repealing, Revising and Readopting Article 13 of Chapter 2 of the Wellington Municipal Code Concerning the Wellington Parks and Recreation Advisory Board
Agenda item was postponed to September 14, 2021.

3. 2020 Audit Presentation

Ms. Litzau, CPA with BDO informed the Board that they have substantially completed the audit of the financial statements for the year ending December 31, 2020. The audit was conducted in accordance with auditing standards generally accepted in the United States of America. This audit of the financial statements does not relieve management or those charged with governance of their responsibilities.

- The objective of the audit was to obtain reasonable, not absolute assurance about whether the financial statements are free from material misstatements.
- The scope of the work performed was substantially the same as that described in the earlier Audit Planning communications. An unmodified opinion on the financial statements is expected to be issued.
- The responsibility for other information in documents containing the Town's audited financial statements does not extend beyond the financial information identified in the audit report, and BDO is not required to perform procedures to corroborate such other information. However, in accordance with professional standards, BDO has read the information included by the Town and considered whether such information, or the manner of its presentation, was materially inconsistent with its presentation in the financial statements. BDO's responsibility also includes calling to management's attention any information that is believed to be a material misstatement of fact. BDO has not identified any material inconsistencies or concluded there are any material misstatements of facts in the other information that management has chosen not to correct.
- All records and information requested by BDO were freely available for our inspection.
- Management's cooperation was excellent. BDO received full access to all information requested while performing the audit, and BDO acknowledged the full cooperation

extended by all levels of Town personnel throughout the course of the audit.

Results of the audit include:

- Within the financial statements, note 1 is the accounting policies and practices and there were no significant changes to the policies and practices this year.
- The results of the audit found no corrected or uncorrected misstatements that would have required management notification.
- A review of the internal control over financial reports resulted in no material weaknesses.

The engagement letter to Wellington dated April 6, 2021, describes BDO's responsibilities in accordance with professional standards and certain regulatory authorities and Government Auditing Standards with regard to independence and the performance of services. This letter also stipulates the responsibilities of the Town with respect to independence as agreed to by the Town. Please refer to that letter for further information.

Ms. Litzau briefly reviewed the financial statement and supplementary information that was included in packet material.

Trustee Gaiter inquired about the water, sewer and storm drainage fund and that the operating expenses in the water fund are \$3.6 million and revenues are \$2.4 so operating is at a loss of \$936,000; rates were increased at the end of the year so is that where it should be.

Ms. Litzau stated that is the operating so that would include charges for services and at the end there would be an increase with the capitol contributions. The budget to actual would be a better place to look at the numbers.

Trustee Gaiter commented that a concern for him is that the Town has operated the water fund at a loss so those capitol contributions in the past have come to pay for the loss in operating due to revenues not meeting expenses.

Ms. Tippetts informed the Board that is due to the rates not being adjusted until late in 2020.

Trustee Whitehouse commented that if looking back at the data, the projected loss would have been \$2 million.

Mayor Hamman closed the regular meeting at 7:07 p.m. and opened the Liquor License Authority.

E. LIQUOR LICENSE AUTHORITY

Roll Call

Mayor Troy Hamman

Mayor Pro Tem Wyatt Knutson

Trustee Jon Gaiter

Trustee John Jerome – Absent

Trustee Rebekka Kinney

Trustee Ashley Macdonald

Trustee Tim Whitehouse

1. Liquor License Renewal - El Mezcal, Inc d/b/a Sol de Jalisco

Ms. Eucker informed the Board that El Mezcal, Inc, d/b/a Sol de Jalisco has submitted their annual renewal for their Hotel & Restaurant liquor license. A review of the application found the establishment is in good standing with the Colorado Secretary of State, the establishment is current with sales tax and the Larimer County Sheriff's Office reported no issues directly related to the establishment's liquor license. There were no issues or concerns during the compliance inspection of the premise.

Mayor Hamman opened the meeting for public comment to which there was none.

Trustee Kinney moved to approve the liquor license renewal for El Mezcal, d/b/a Sol de Jalisco; Trustee Whitehouse seconded the motion. Roll call on the vote resulted as follows:

Yeas – Gaiter, Kinney, Macdonald, Whitehouse, Knutson, Hamman

Nays – None

Motion carried.

Mayor Hammam closed the Liquor License Authority Board at 7:09 p.m. and resumed the regular meeting.

F. REPORTS

1. Town Attorney
Non.

2. Town Administrator
None.

3. Staff Communications
None.

4. Board Reports

Trustee Gaiter commented that at the last work session, there was discussion regarding the CAC and there was some confusion about a few things that need clarification. The first item that was brought up was that there was not accountability to a budget for the CAC although that budget is included in their packets and that budget was being worked on this evening. The Board of Trustees approves that budget every year as part of our own budget.

The second item was that there were some concerns about members going off and doing their own things; there may have been one instance of that. When there is something that comes up in terms of working with a contractor, they will select the contractor and town staff is actually the ones that execute that contract, so the CAC is not just going out and assigning contractors.

Trustee Gaiter commented that he wanted to provide some clarification because it was incredibly concerning to him some of the comments that were shared and the way that that was presented about members of our community. Those comments in part, actually precipitated the resignation of three members of that board this last weekend.

Trustee Kinney thanked Kelly Houghteling and Kallie Cooper for their hard work on a grant.

G. EXECUTIVE SESSION

1. For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators pursuant to Section 24-6-402(4)(e), C.R.S. – regarding negotiations with North Poudre Irrigation Company. As required by

C.R.S. §24-6-402(2)(d.5)(II)(A) and (II) (E) the executive session proceedings will be electronically recorded and the record will be preserved for 90 days through November 22, 2021.

Trustee Macdonald 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 pursuant to Section 24-6-402(4)(e), C.R.S. – regarding negotiations with North Poudre Irrigation Company; Trustee Gaiter seconded the motion. Roll call on the vote resulted as follows:

Yeas – Gaiter, Kinney, Macdonald, Whitehouse, Knutson, Hamman

Nays – None

Motion carried.

The Board of Trustees moved into executive session at 7:13 p.m.

No official action was taken during the executive session.

Trustee Whitehouse moved to close the executive session; Mayor Pro Tem Knutson seconded the motion. Roll call on the vote resulted as follows:

Yeas – Gaiter, Kinney, Macdonald, Whitehouse, Knutson, Hamman

Nays – None

Motion carried.

The Board of Trustees closed the executive session at 8:04 p.m.

H. ADJOURN

Upon a motion duly made, the meeting was adjourned at 8:05 p.m.



Krystal Eucker, Town Clerk