



## TOWN BOARD REGULAR MEETING

August 13, 2012 - 7:00 P.M.

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

The Town of Windsor will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 674-2400 by noon on the Thursday prior to the meeting to make arrangements.

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### MINUTES

#### A. CALL TO ORDER

1. Roll Call

Mayor John Vazquez  
Mayor Pro-Tem Kristie Melendez  
Myles Baker  
Don Thompson  
Jeremy Rose  
Robert Bishop-Cotner  
Ivan Adams

Also present:

Town Manager	Kelly Arnold
Town Attorney	Ian McCargar
Town Clerk	Patti Garcia
Management Assistant	Lindsey Blomberg
Business Development Manager	Stacy Johnson
Chief of Police	John Michaels
Director of Planning	Joe Plummer
Chief Planner	Scott Ballstadt
Director of Parks & Recreation	Melissa Chew
Director of Finance	Dean Moyer
Director of Engineering	Dennis Wagner
Director of Human Resources	Mary Robins
Director of Public Works	Terry Walker

2. Pledge of Allegiance

Town Board Member Thompson led the Pledge of Allegiance.

3. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration by the Board

**Town Board Member Thompson motioned to approve the agenda as presented; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Thompson, Baker, Rose, Melendez, Bishop-Cotner, Adams, Vazquez  
Nays – None. Motion carried.**

4. Board Liaison Reports

- Town Board Member Baker – Parks, Recreation and Culture Advisory Board; Cache La Poudre Trail Board Alternate  
Town Board Member Baker reported that the summer concert series had concluded and that the farmer's market and tournaments at Diamond Valley would continue through the balance of the summer. Mr. Baker also noted that the Parks, Recreation and Culture Advisory Board had viewed a presentation by the Windshire Park developers that will be coming before the Town Board at a future work session.
- Town Board Member Thompson – Planning Commission; Tree Board; Great Western Trail Board  
Town Board Member Thompson stated that the Great Western Trail Board would be meeting next week, the Tree Board would be meeting at the end of the month and reported that the Planning Commission had met two weeks ago at which the amendment for oil and gas facilities at Water Valley West was discussed.
- Mayor Pro-Tem Melendez – Downtown Development Authority; Chamber of Commerce; North Front Range/MPO Alternate

Ms. Melendez did not have anything new to report on the Chamber of Commerce or the MPO; Ms. Melendez did report that the Downtown Development Authority would be meeting on Wednesday at 7:30 a.m.

- Town Board Member Rose – Water & Sewer Board; Windsor Housing Authority, Planning Commission Alternate  
Town Board Member Rose noted the Water & Sewer Board had met last week at which the proposed 3 million gallon water tank was discussed. Director of Finance Moyer provided a presentation on a three-tier water rate system and Mr. Rose presented the draft strategic plan.
- Town Board Member Bishop-Cotner – Historic Preservation Commission; Clearview Library Board  
Town Board Member Bishop-Cotner stated the Historic Preservation Commission had met last Wednesday and discussed the work plan for the upcoming year. The Clearview Library Board had met the end of July at which it was noted that the new website would be active the second week of August and that citizen opportunity to comment on their strategic plan would be provided on August 14 at 6:30 p.m.
- Town Board Member Adams – Cache La Poudre Trail Board; Student Advisory Leadership Team (SALT)  
Town Board Member Adams stated that the Cache La Poudre Trail Board did not meet last month. Mr. Adams reported on SALT activities and noted that representatives would be present at the next town board meeting.
- Mayor Vazquez – North Front Range/MPO  
No report.

5. Public Invited to be Heard

*Individuals wishing to participate in Public Invited to be Heard (non-agenda item) are requested to sign up on the form provided in the foyer of the Town Board Chambers. When you are recognized, step to the podium, state your name and address then speak to the Town Board.*

*Individuals wishing to speak during the Public Invited to be Heard or during Public Hearing proceedings are encouraged to be prepared and individuals will be limited to three **(3) minutes**. Written comments are welcome and should be given to the Town Clerk prior to the start of the meeting.*

Curt Gramberg, Windsor resident, provided to the Town Board a petition that had been circulated a week before last which requested support of the creation of a railroad quiet zone. Mr. Gramberg is requesting a quiet zone through Windsor so that the trains do not blow their horns.

Bill Miller, Windsor resident, reported on the forum that had been hosted at the library and provided a handout to the town board members entitled “What You Need to Know About Natural Gas Production”. Mr. Miller voiced concern regarding the gases that are coming from the oil and gas drilling.

Drenda Thoen, Windsor resident, thanked the town board for televising the work sessions. Ms. Thoen invited the town board members to a meeting being held on Thursday, August 16 at 7:00 p.m. at Cornerstone Baptist Church at which the school district mill levy override would be discussed.

**B. CONSENT CALENDAR**

1. Minutes of the July 23, 2012 Regular Town Board Meeting – P. Garcia
2. Liquor License Special Event Permit – Windsor Rotary/Harvest Festival – Main Park – P. Garcia
3. Liquor License Special Event Permit – Windsor Rotary/Harvest Festival – Boardwalk Park – P. Garcia
4. Liquor License Renewal – Los Agaveros Inc. dba Pueblo Viejo Family Mexican Restaurant, Hotel & Restaurant – P. Garcia

5. Liquor License Renewal – Dillon Companies, Inc. dba King Soopers #104, 3.2% Beer Retail Off-Premises – P. Garcia
6. Liquor License Renewal – Mini Mart Inc. dba Loaf 'N Jug #848, 3.2% Beer Retail (Off Premises) – P. Garcia
7. Liquor License Renewal – Okole Maluna, LLC dba Okole Maluna Hawaiian Grill, Hotel & Restaurant – P. Garcia
8. Advisory Board Appointments – P. Garcia  
Sean Pike to the Downtown Development Authority for a 4-year term expiring April 2016  
Anita Drake to the Historic Preservation Commission for a vacated term expiring March 2013
9. Report of Bills – D. Moyer
10. Resolution No. 2012-53 – A Resolution Extending the Deadline for the Town of Windsor and the City of Fort Collins to Take Actions Under the Terms and Conditions of an Intergovernmental Agreement between the Town and the City Pertaining to the Development of the Interstate Highway 25 and State Highway 392 Interchange and the Area Surrounding that Interchange – J. Frey
11. Amendment to Great Western Leasing, LLC, Oil and Gas Lease (Diamond Valley) – I. McCargar  
**Town Board Member Thompson motioned to approve the Consent Calendar as presented; Town Board Member Adams seconded the motion. Roll call on the vote resulted as follows:  
Yeas – Thompson, Baker, Rose, Melendez, Bishop-Cotner, Adams, Vazquez  
Nays – None. Motion carried.**

### C. BOARD ACTION

1. Liquor License Renewal – Sports Center Discount Liquor, Retail License
  - Legislative action
  - Staff presentation: John Michaels, Chief of Police

**Town Board Member Bishop-Cotner motioned to approve the Liquor License Renewal for Sports Center Discount Liquor; Town Board Member Rose seconded the motion.**

Police Chief Michaels noted the applicant had a liquor violation on July 7, 2011 to which a stipulation and agreement was entered into with the Department of Revenue. The agreement has been satisfied.

Stacy Arias, representing the applicant stated Sports Center Discount is currently conducting their own liquor stings in order to assure they are compliant with state liquor laws.

**Roll call on the vote resulted as follows:**

**Yeas – Thompson, Baker, Rose, Melendez, Bishop-Cotner, Adams, Vazquez  
Nays – None. Motion carried.**

2. Ordinance No. 2012-1434 - Amending the Sign Regulations in Article IX, Chapter 16 of the Windsor Municipal Code regarding window signage
  - Second reading
  - Legislative action
  - Staff presentation: Scott Ballstadt, Chief Planner

**Town Board Member Adams motioned to approve Ordinance No. 2012-1434 – Amending the Sign Regulations in Article IX, Chapter 16 of the Windsor Municipal Code regarding window signage on second reading; Town Board Member Thompson seconded the motion.**

Chief Planner Ballstadt reported on the ordinance and stated that the current Code provides for exterior signage requirements but is silent regarding interior signage; particularly window signage. As it is difficult to determine whether signage is affixed to the inside or outside of a window, the ordinance for consideration allows for signage either inside or outside of a business's window and it would not require a sign permit.

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

Mr. Ballstadt reported the Planning Commission recommends approval of the ordinance as amended with the language had been changed from “millimeters” to “mils” prior to approval at first reading.

Mayor Pro-Tem Melendez stated that the ordinance is very “pro-business” and supports its adoption.

**Roll call on the vote resulted as follows:**

**Yeas – Thompson, Baker, Rose, Melendez, Bishop-Cotner, Adams, Vazquez**  
**Nays – None. Motion carried.**

3. Ordinance No. 2012-1435 – Repealing, Amending and Re-adopting Section 16-30-80 of Chapter 16 of the Windsor Municipal Code with Respect to Fees and Financial Requirements for Wireless Telecommunications Facility Applications

- Second reading
- Legislative action
- Staff presentation: Ian McCargar, Town Attorney

**Mayor Pro-Tem Melendez motioned to approve Ordinance No. 2012-1435 – Repealing, Amending and Re-adopting Section 16-30-80 of Chapter 16 of the Windsor Municipal Code with Respect to Fees and Financial Requirements for Wireless Telecommunications Facility Applications on second reading; Town Board Member Bishop-Cotner seconded the motion.**

Town Attorney McCargar reported on the ordinance and noted the amendment would do away with the annual requirement that fees are to be set by the first of February each year. The ordinance will set the fee and will remain unchanged unless otherwise noted.

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

**Roll call on the vote resulted as follows:**

**Yeas – Thompson, Baker, Rose, Melendez, Bishop-Cotner, Adams, Vazquez**  
**Nays – None. Motion carried.**

4. Resolution No. 2012-54 – Accepting a Deed for Park Land (Northern Lights Park)

- Legislative action
- Staff presentation: Melissa M. Chew, CPRP, Director of Parks, Recreation & Culture

**Town Board Member Bishop-Cotner motioned to approve Resolution No. 2012-54; Town Board Member Adams seconded the motion.**

Director of Parks, Recreation and Culture Chew but reported on the resolution stating the park site in the Peakview Estates subdivision is adjacent to property owned by Weld Re-4 School District. Both sites had been deeded to the respective entities and at the request of the School District, the site plat had been amended to allow for development. When the subdivision plat was amended, the Weld County Assessor’s Office showed both tracts being owned by the School District. The Town and the School District have reviewed the titles and have agreed to correct the confusion by exchanging Special Warranty Deeds for their respective portions

**Roll call on the vote resulted as follows:**

**Yeas – Thompson, Baker, Rose, Melendez, Bishop-Cotner, Adams, Vazquez**  
**Nays – None. Motion carried.**

5. Resolution No. 2012-55 – Supporting a Grant Agreement with Great Outdoors Colorado for the Poudre River Initiative Grant and Authorizing Town Manager to Execute the Same

- Legislative action
- Staff presentation: Melissa M. Chew, CPRP, Director of Parks, Recreation & Culture

**Town Board Member Bishop-Cotner motioned to approve Resolution No. 2012-55; Town Board Member Adams seconded the motion.**

Director of Parks, Recreation and Culture Chew provided a brief overview of the resolution and noted the partners on the grant application included Larimer County, Fort Collins, Timnath and Greeley. The application resulted in funding of about \$5.1M to assist with trail right of way acquisition, easement acquisition, trail construction, and buffering land.

**Roll call on the vote resulted as follows:**

**Yeas – Thompson, Baker, Rose, Melendez, Bishop-Cotner, Adams, Vazquez**  
**Nayes – None. Motion carried.**

6. Resolution No. 2012-56 – Supporting a Great Outdoors Colorado Grant Application for Northern Lights Park Construction

- Legislative action
- Staff presentation: Melissa M. Chew, CPRP, Director of Parks, Recreation & Culture

**Town Board Member Bishop-Cotner motioned to approve Resolution No. 2012-56; Mayor Pro-Tem Melendez seconded the motion.**

Director of Parks, Recreation and Culture Chew reported on the resolution noting that Northern Lights Park meets the requirements of a Local Parks and Recreation Grant provided by Great Outdoors Colorado (GOCO). The grant application is being completed and indicates the GOCO funds would be used for the playground.

**Roll call on the vote resulted as follows:**

**Yeas – Thompson, Baker, Rose, Melendez, Bishop-Cotner, Adams, Vazquez**  
**Nayes – None. Motion carried.**

7. Resolution No. 2012-57 - Accepting the Windsor Housing Authority Strategic Housing Plan as the Guiding Document for Workforce Housing Projects, Housing Projects for Senior Citizens and Housing Projects for Citizens with Disabilities in the Town of Windsor, Colorado – J. Plummer

- Legislative action
- Staff presentation: Joe Plummer, Director of Planning

**Town Board Member Bishop-Cotner motioned to approve Resolution No. 2012-57; Mayor Pro-Tem Melendez seconded the motion.**

Director of Planning Plummer introduced the resolution and noted it is for acceptance of the Strategic Plan that has been adopted by the Windsor Housing Authority (WHA). The Planning Commission passed a similar resolution as they are charged with the oversight of land uses within Town, including where and what types of housing will be constructed.

John Moore, WHA Chairperson, addressed the Town Board and thanked them for hosting the joint work session that was held previously. Mr. Moore stated that through surveys and other tools the Town has found the need for workforce housing. Century III is generally at capacity with a waiting list.

The Town Board discussed removing housing goals from their draft strategic plan and noted the goals of the workforce housing have been met. The Town Board members concurred that the housing goals should be removed from the strategic plan.

**Roll call on the vote resulted as follows:**

**Yeas – Thompson, Baker, Rose, Melendez, Bishop-Cotner, Adams, Vazquez**  
**Nayes – None. Motion carried.**

8. Public Hearing – Request to Consider Amendments to Conditions of Approval for the Conditional Use Grant for oil and gas well facilities – Water Valley West Subdivision, Lot 4 - Janni Keidel, Great Western Oil and Gas Company, LLC, applicant/Martin Lind, Raindance Aquatic Investments, LLC, surface property owner

- Quasi-judicial action
- Staff presentation: Scott Ballstadt, Chief Planner

**Town Board Member Bishop-Cotner motioned to open the public hearing; Town Board Member Rose seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Thompson, Baker, Rose, Melendez, Bishop-Cotner, Adams, Vazquez**  
**Nayes – None. Motion carried.**

Chief Planner Ballstadt reported on the agenda item noting it is to consider amendments to the Conditional Use Grant (CUG) for oil and gas well facilities in Water Valley West Subdivision, Lot 4. The original CUG was approved on June 11, 2012 with conditions recommended by the Planning Commission along with the five additional conditions requested by the Town Board:

- 2.c. The applicant shall install and utilize vapor recovery unit (VRU) equipment on the subject oil and gas wells.
- 2.d. The applicant shall provide baseline water quality data to the Town as well as continuing data results on at least an annual basis from on-going monitoring.
- 2.e. The applicant shall provide baseline air quality data to the Town as well as continuing data results on at least an annual basis from on-going monitoring.
- 2.f. The earthen containment berm shall be designed and constructed to contain a minimum of 110% of the volume of the largest vessel within the berm or to State of Colorado standards, whichever requirements are more stringent. If vessels are interconnected, then the containment berm must be constructed to contain a minimum of 110% of the combined volume of all interconnected vessels.
- 2.g. The applicant shall provide documentation regarding State of Colorado testing of disposed hazardous materials and shall on at least an annual basis demonstrate on-going compliance with regard to hazardous material disposal requirements.

Mr. Ballstadt stated the applicant has expressed concern in meeting those conditions and submitted a letter, which is included in the Town Board packet, requesting those conditions be amended. After review of state regulations and information provided by the applicant, staff drafted revised conditions with the intent of addressing the same subject matter for consideration by the Planning Commission and the Town Board. The amended conditions are as follows:

- 2.c. Air quality.
  - (1) The applicant shall participate in any required Environmental Protection Agency (EPA) air quality monitoring and/or testing by allowing EPA to install equipment on site for said monitoring and testing.
  - (2) The applicant shall install and operate an emissions control device (ECD) capable of reducing Volatile Organic Compound (VOC) emissions on the subject oil and gas equipment in accordance with Colorado Oil and Gas Conservation Commission (COGCC) and/or Colorado Department of Public Health and Environment (CDPHE) rules and regulations.
  - (3) The applicant shall submit to the Town copies of all air emissions reporting as required by the COGCC and/or the CDPHE's Air Pollution Control Division.
- 2.d. Water quality.
  - (1) The applicant shall ensure that any hydrocarbon discharges from the site comply with all state and federal water quality requirements.
  - (2) The applicant shall participate in the Colorado Oil and Gas Association (COGA) Baseline Groundwater Quality Sampling Program utilizing independent third party sampling and laboratories and shall provide to the Town test results obtained before and after drilling operations.
- 2.e. Emergency containment. The secondary containment berm surrounding all storage vessels shall be designed and constructed to contain a minimum of 110% of the volume of the largest vessel located within the containment area or to State of Colorado standards, whichever requirements are more stringent.
- 2.f. Waste disposal. The applicant shall submit to the Town copies of all waste management reports as required by COGCC and/or CDPHE rules and regulations.

The applicant is in agreement with the amended conditions but voiced concern to the Planning Commission with condition 2.d.(2) due to the lack of water wells in the vicinity of the proposed drilling site.

Paul Merand and Wade Palmer, representing Great Western Oil & Gas, addressed the Town Board and reported on the various conditions. In relation to water quality, the applicants reported the closest water well to the site is 1.5 miles away and that COGA outlines the baseline water program has a half mile buffer around the oil and gas well. The emergency containment is standard language and the applicant did not have any issues with the waste disposal amendment.

Related to emergency containment, Town Board Member Thompson asked if the vessels were interconnected. The applicant noted that they are not interconnected.

Town Board Member Adams requested an additional explanation related to water quality other than the distance to the well site. The applicant stated there are a couple of issues; first, they don't have water rights and they would have to get approval from the surface owner along with the State to put in a monitoring well which extends the period to get permit approvals and second, the distance from their activity to the nearest water well allows too much disbursement of any contaminants. The half-mile buffer provided by COGA supports finding the source of contaminants in a water well; distances beyond that allow for too much disbursement and it is difficult to tell where the contamination is taking place.

Mayor Vazquez stated the Town needs to communicate to the constituent's information regarding the industry and the status of projects and be able to provide that information in an easy, readily available manner to which the applicant concurred. Mr. Vazquez stated he feels comfortable with the modifications requested and noted the objective to make sure that the information is accessible by the public through the Town's website and other tools.

Mayor Vazquez reviewed the various conditions at length and noted the rules and regulations need to be attainable along with assuring the health, safety, and welfare of the community is being protected.

Town Board Member Rose voiced concern that the Town is becoming more lenient when other municipalities are staying strict with their policies and procedures.

Mayor Pro-Tem Melendez inquired if this was a clean-up of the conditions that were previously approved. Staff responded that the original amendments had left much open for interpretation; the current amendments are definitive.

There was discussion regarding the vapor recovery units (VRU) and emission control devices (ECD) their use in the industry. The applicants noted the VRU's require a significant amount of gas to operate correctly and are fairly costly. Additionally, the VRU does not lower or eliminate the end-line emissions that are released; the ECD is the device that controls emissions. The ECD is an emissions control device which is essentially a burner is about 95% efficient in burning the volume and constituents that are in the device; the other 5% is released into the atmosphere. The ECD is checked every day to insure it is operating as required. If it is not operating correctly, it is shut down immediately.

Town Board Member Rose stated he prefers assuring the Town protected in establishing "best practices" for the industry and is comfortable in taking more time to deal with the issue.

Mayor Vazquez opened the meeting for public comment.

Francine Henderson asked about taking off the ECD and recommended the Town acquire an air monitoring system. Mayor Vazquez responded that the Town is taking off the VRU's as they are not part of the emissions component; we have changed to the emissions control device as it is the actual emissions control point.

Town Attorney McCargar requested all packet materials related to this agenda item be included in the permanent record; the applicant concurred.

Chief Planner Ballstadt pointed out that the revised conditions reflect existing reporting that is required along with making the information usable by the Town. Mr. Ballstadt has shared the conditions with the other major driller in Windsor and requested they use them as standards moving forward to which they noted they would comply.

**Mayor Pro-Tem Melendez motioned to close the public hearing; Town Board Member Adams seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Thompson, Baker, Rose, Melendez, Bishop-Cotner, Adams, Vazquez**  
**Nays – None. Motion carried.**

9. Request to Consider Amendments to Conditions of Approval for the Conditional Use Grant for oil and gas well facilities – Water Valley West Subdivision, Lot 4 - Janni Keidel, Great Western Oil and Gas Company, LLC, applicant/Martin Lind, Raindance Aquatic Investments, LLC, surface property owner

- Quasi-judicial action
- Staff presentation: Scott Ballstadt, Chief Planner

**Town Board Member Bishop-Cotner motioned to approve the amendments to conditions of approval for the Conditional Use Grant for oil and gas well facilities – Water Valley West Subdivision, Lot 4; Town Board Member Adams seconded the motion.**

Chief Planner Ballstadt reported on August 2, 2012 the Planning Commission voted to recommend approval of the amended conditions; staff concurs.

**Roll call on the vote resulted as follows:**

**Yeas – Thompson, Baker, Melendez, Bishop-Cotner, Adams, Vazquez**

**Nays – Rose. Motion carried.**

10. Request from Windsor Housing Authority for the Town of Windsor to Act as the Contract Agency in the Application and Oversight of a Community Development Block Grant of \$308,000 Towards the Acquisition of Property for the Windshire Workforce Housing Project

- Legislative action
- Staff presentation: Joe Plummer, Director of Planning/John Moore, Chairman, Windsor Housing Authority

Director of Planning Plummer reported on the agenda item stating the Windsor Housing Authority (WHA) is making a request that the Town act as signatory to oversee a community block development grant (CBDG) in the amount of \$308,000 which would be used towards the acquisition of the property for the Windshire Workforce Housing Project. Mr. Plummer stated that the request had been received late last week and noted that representatives from the WHA and Housing Authority of the City of Loveland (HACL) were available to answer any questions.

WHA Chairperson John Moore stated the Town Board had requested they research other forms of financing for the project and the CBDG grant is one that is available. The HACL would administer the grant; Windsor staff would act in an advisory function. There is a requirement is to have a government agency be the signatory on behalf of the WHA. It was noted that the WHA was scheduled to make a presentation on Tuesday to apply for the funds.

Sam Betters, HACL, stated that CDBG funds are only made available to units of local government. The Town of Windsor would serve as the sub-grantee. The funds would be used as the down payment on the land; there would only be one draw for funds so it would be low on administrative work.

Several areas of concern were addressed by the Town Board including responsibility for the funds if the project does not come to complete fruition and repayment of the funds if required.

Town Manager Arnold recommended the funds, if acquired, be used towards the end of the project or used to build the project.

Town Attorney McCargar stated that he would not know what, if any, strings were attached until he is able to see the grant document. Mr. McCargar recommended a letter from the HACL promising to make the Town whole if the Town is required to repay any of the funds.

Mayor Pro-Tem Melendez stated she was comfortable with moving forward providing there is something in writing stating the CBDG funds would be the last funds used for the project.

The Town Board discussed options including having an indemnification agreement from the Housing Authority which would include the funds be held by the Town (grant sponsor) until groundbreaking on the project.

Aaron Lore and Doug Patterson, Windsor residents, recommended the Town Board not feel pushed into making a decision because the WHA had to make a presentation on their request on Tuesday.

Town Manager Arnold offered that it is important that the federal requirements are understood; the Town needs to have good faith but it may be wise to allow staff to research and bring back any concerns.

The Town Board discussed the issue at length with Mayor Pro-Tem Melendez stating she believes it would be a great loss to the project to not get the funding and Town Board Member Thompson noting that if a commitment is not being made at the meeting he wants to assure that there is not one voiced at the presentation tomorrow. There was continued discussion regarding an indemnification agreement and the disbursement of funds at the end of the project.

**Mayor Pro-Tem Melendez motioned to approve the Town of Windsor serve as the contract agency for a \$308,000 Community Development Block Grant for the acquisition of land, provided the following conditions are met:**

- 1. Before Town signs grant documents, an agreement that indemnifies the Town.**
- 2. Before Town signs grant documents, an agreement that requires these funds be disbursed as closely to the final phases of the project as legally and fiscally possible.**
- 3. Before Town signs grant documents, an agreement that covers any other details that arise under full contract review by staff and legal.**
- 4. Staff keeps TB informed of contract negotiations, status of funds once received.**
- 5. Until we reach a signed agreement, WHA representatives are not authorized to represent there is an agreement on the Town's part to serve in this capacity - - the terms of our participation have yet to be determined;**

**Town Board Member Adams seconded the motion.**

**Roll call on the vote resulted as follows:**

**Yeas –Melendez, Bishop-Cotner, Adams, Vazquez  
Nayes – Thompson, Rose, Baker - Motion carried.**

#### **D. COMMUNICATIONS**

1. Communications from the Town Attorney  
Town Attorney McCargar reported that the Board of Adjustment heard an appeal in December at which they denied the appeal. CIRSA represented the Town during legal proceedings and Mr. McCargar had been advised that the suit will be dismissed.
2. Communications from Town Staff
  - Police Department – Police Chief Michaels reported on the National Night Out that was held last Tuesday and noted there were 11 parties that were held in the community. Town Board Member Thompson stated while he was at the parties he had received many compliments on the police department and had also had someone express concern regarding activities at Boardwalk Park.
  - Parks, Recreation and Culture – Ms. Chew provided a summary of the closure experienced at Windsor Lake.
  - Finance – Director of Finance Moyer reported the 2012 budget had received the distinguished budget award and thanked Vicki Miller and staff for their help on the project.
3. Communications from the Town Manager  
Town Manager Arnold advised the Town Board that there was an option to link their town email addresses to the website; the Town Board directed to have that option provided. Mr. Arnold provided an overview of the upcoming Town Hall Strategic Planning Session scheduled for August 20, 2012.
4. Communications from Town Board Members
  - Town Board Member Baker requested a work session regarding the July 4 activities as vendors only reported \$92.97 collected in sales tax.
  - Town Board Member Thompson requested to have a firm document to be used for future oil and gas conditional use grant requests so there is consistency in the process.

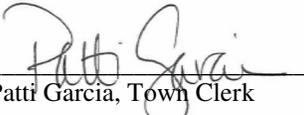
- Mayor Pro-Tem Melendez stated she would like the Town Board to look at all town-sponsored events to see how they can be optimized.
- Town Board Member Bishop-Cotner gave credit to Treasure Island and the work that has been done in the garden this year.
- Town Board Member Adams stated he participated on the Northern Colorado Water tour and encouraged other board members to attend. He also stated the Youth in Government session hosted by the Colorado Municipal League was beneficial.

E. **ADJOURN**

**Town Board Member Thompson motioned to adjourn; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Thompson, Baker, Rose, Melendez, Bishop-Cotner, Adams, Vazquez**

**Nayes – None. Motion carried.**

  
Patti Garcia, Town Clerk