

TOWN OF FIRESTONE, COLORADO
Board of Trustees Regular Meeting
MINUTES
January 12, 2022

1. Call to Order & Roll Call

The Board of Trustees of the Town of Firestone met for a Regular Meeting on January 12, 2022, at the Police Department & Municipal Court building, 9900 Park Avenue, Firestone, Colorado. Mayor Sindelar called the meeting to order at 7:02 PM.

The following were present upon the call of the roll:

Mayor: Bobbi Sindelar

Mayor Pro-tem: Frank A. Jimenez

Trustees: Don Conyac
David Whelan
Samantha Meiring
Sean Doherty
Doug Sharp

Staff: **Present:** Jan Sloat, Director of Human Resources; Paula Mehle, Director of FURA & Economic Development; Raelynn Ferrera, Assistant to the Town Manager; Jessica Clanton, Director of Finance; Julie Pasillas, Director of Public Works; Todd Bjerkaas, Director of Planning; Marty Osthoff, Planning Manager; Jessica Koenig, Town Clerk; AJ Krieger, Town Manager; & William Hayashi, Town Attorney

2. Pledge of Allegiance

Mayor Sindelar led the pledge of allegiance.

3. Moment of Silence

Mayor Sindelar called for a moment of silence for those impacted by the Marshall fires and the first responders.

4. Approval of Agenda

Motion by Trustee Meiring, **second** by Don Conyac, to Amend the Agenda to move Agenda Item 8c and 8d to immediately after Section 5. Public Comment.

Roll Call Vote:

Yes: Don Conyac, Trustee Whelan, Trustee Meiring, Frank Jimenez, Sean Doherty, Trustee Sharp

No: None

Abstain: None

Motion carried

Motion by Mayor Pro Tem Jimenez, **second** by Trustee Whelan, to Approve the Amended

Agenda.

Roll Call Vote:

Yes: Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

No: None

Abstain: None

Motion carried.

5. Public Comment *(maximum time permitted for all Public Comment is 30 minutes)

Drew Peterson, Firestone resident, gave public comment regarding the Marshall fire and the community.

Suzanne Johnson, Firestone resident, gave public comment regarding the possible delay of Resolution 22-06 and 22-07.

Eileen Colvin, Firestone resident, gave public comment regarding the possible delay of Resolution 22-06 and 22-07.

Sherrie Walker, Firestone resident, gave public comment regarding a question about the possible delay of Resolution 22-06 and 22-07.

Daryl Bell, Firestone resident, gave public comment regarding the possible delay of Resolution 22-06 and 22-07.

Casey Brooks, Firestone resident, gave public comment regarding the possible delay of Resolution 22-06 and 22-07.

6. Consent Agenda

Motion by Trustee Whelan, **second** by Trustee Sharp, to Approve the Consent Agenda

Roll Call Vote:

Yes: Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

No: None

Abstain: None

Motion carried.

a. Approval of December 15, 2021 Board of Trustees Minutes

b. **Resolution 22-01:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, DESIGNATING THE POSTING LOCATION FOR NOTICE OF MEETINGS OF THE BOARD OF TRUSTEES AND ALL OTHER LOCAL PUBLIC BODIES OF THE TOWN

- c. **Resolution 22-02:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, ADOPTING THE THREE MILE PLAN FOR THE TOWN OF FIRESTONE, COLORADO
- d. **Resolution 22-03:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING THE PAYMENT OF THE TOWN'S 2022 EMPLOYEE BENEFITS INSURANCE PREMIUMS
- e. **Resolution 22-11:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, GRANTING AND APPROVING A NON-EXCLUSIVE UTILITY EASEMENT AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND ST. VRAIN SANITATION DISTRICT FOR THE CONSTRUCTION, INSPECTION, MAINTENANCE, REPAIR, REPLACEMENT AND REMOVAL OF SANITARY SEWER LINES INCLUDING THE LINES UNDERGROUND AND SURFACE FACILITIES AND APPURTENANCES
- f. **Resolution 22-12:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, AUTHORIZING PERFORMANCE OF THE FISCAL YEAR 2022 WORK ORDERS AS SET FORTH IN SCHEDULE A OF THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND NEW IPT INC. REGARDING THE ST. VRAIN WATER TREATMENT PLANT INJECTION WELL
- g. **Resolution 22-13:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING EQUIPMENT PURCHASES FOR THE TOWNS PUBLIC WORKS DEPARTMENT
- h. **Resolution 22-14:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING THE APPLICATION TO THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT FOR CANCELLATION OF TEMPORARY USE PERMITS
- i. **Resolution 22-15:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN APPLICATION TO THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT FOR AN ANNUALLY RENEWABLE PERPETUAL WATER CONTRACT FOR THE RIGHT TO USE COLORADO-BIG THOMPSON PROJECT WATER UNDER C.R.S. § 37-45-131
- j. **Resolution 22-16:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING THE EIGHTEENTH INTERIM

AGREEMENT BETWEEN THE NORTHERN INTEGRATED SUPPLY PROJECT
WATER ACTIVITY ENTERPRISE AND THE TOWN OF FIRESTONE COLORADO
ACTING WITH AND ON BEHALF OF THE FIRESTONE WATER ACTIVITY
ENTERPRISE FOR PARTICIPATION IN THE NORTHERN INTEGRATED SUPPLY
PROJECT

- k. **Resolution 22-18:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, AUTHORIZING PAYMENT OF THE COLORADO INTERGOVERNMENTAL RISK SHARING AGENCY'S INSURANCE PREMIUMS FOR 2022 PROPERTY AND CASUALTY COVERAGE

7. **Presentation**

- a. STAR Award

8. **Land Development**

- a. **PUBLIC HEARING: RESOLUTION 22-04:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO APPROVING A SPECIAL REVIEW USE APPLICATION TO OPERATE OIL AND GAS WELLS AND PRODUCTION FACILITIES ON REAL PROPERTY LOCATED IN SECTION 29, TOWNSHIP 2 NORTH, RANGE 67 WEST, WITHIN THE TOWN OF FIRESTONE

Mayor Sindelar opened the Public Hearing for Resolution 22-04 and Resolution 22-05: 7:44 PM

Marty Ostholthoff, Senior Planner, presented to the Board of Trustees.

Shaye Marshall, Oxy, 1099 18th St, Denver, Colorado, presented to the Board of Trustees regarding the proposed project.

Julie Colman, Oxy, 1099 18th St, Denver, Colorado, presented to the Board of Trustees regarding community outreach.

Justin Nelson, Oxy, 1099 18th St, Denver, Colorado, presented to the Board of Trustees regarding risk analysis.

Chris Onus, Oxy, 1099 18th St, Denver, Colorado, responded to Board questions regarding monitoring criteria, what VOCs are, truck traffic impacts, air monitoring timeline of six months,

Ms. Marshall responded to Board questions regarding the traffic route, the cooperative agreement, distance to nearby development in Frederick, anticipated improvements area, and project timeline.

Ms. Colman responded to Board questions regarding the numbers related to the outreach.

Mr. Krieger responded to Board questions regarding paving Grant Avenue.

Anthony Raider, Oxy, 1099 18th St, Denver, Colorado, responded to Board questions regarding the schedule of monitoring the sites for leak deduction, the self-contained piping system, and the plan to address any possible contamination.

Motion by Trustee Conyac, **second** by Trustee Doherty, to Approve **RESOLUTION 22-04**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO APPROVING A SPECIAL REVIEW USE APPLICATION TO OPERATE OIL AND GAS WELLS AND PRODUCTION FACILITIES ON REAL PROPERTY LOCATED IN SECTION 29, TOWNSHIP 2 NORTH, RANGE 67 WEST, WITHIN THE TOWN OF FIRESTONE

Roll Call Vote:

Yes: Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

No: None

Abstain: None

Motion carried.

b. PUBLIC HEARING: RESOLUTION 22-05: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO APPROVING A FINAL DEVELOPMENT PLAN APPLICATION TO OPERATE OIL AND GAS WELLS AND PRODUCTION FACILITIES ON REAL PROPERTY LOCATED IN SECTION 29, TOWNSHIP 2 NORTH, RANGE 67 WEST, WITHIN THE TOWN OF FIRESTONE

Mayor Sindelar opened the Public Hearing for Resolution 22-04 and Resolution 22-05: 7:44 PM

Marty Ostholthoff, Senior Planner, presented to the Board of Trustees.

Shaye Marshall, Oxy, 1099 18th St, Denver, Colorado, presented to the Board of Trustees regarding the proposed project.

Julie Colman, Oxy, 1099 18th St, Denver, Colorado, presented to the Board of Trustees regarding community outreach.

Justin Nelson, Oxy, 1099 18th St, Denver, Colorado, presented to the Board of Trustees regarding risk analysis.

Chris Onus, Oxy, 1099 18th St, Denver, Colorado, responded to Board questions regarding monitoring criteria, what VOCs are, truck traffic impacts, air monitoring timeline of six months,

Ms. Marshall responded to Board questions regarding the traffic route, the cooperative agreement, distance to nearby development in Frederick, anticipated improvements area, and project timeline.

Ms. Colman responded to Board questions regarding the numbers related to the outreach.

Mr. Krieger responded to Board questions regarding paving Grant Avenue.

Anthony Raider, Oxy, 1099 18th St, Denver, Colorado, responded to Board questions regarding the schedule of monitoring the sites for leak deduction, the self-contained piping system, and the plan to address any possible contamination.

Motion by Trustee Whelan, **second** by Trustee Sharp, to Approve **RESOLUTION 22-05**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO APPROVING A FINAL DEVELOPMENT PLAN APPLICATION TO OPERATE OIL AND GAS WELLS AND PRODUCTION FACILITIES ON REAL PROPERTY LOCATED IN SECTION 29, TOWNSHIP 2 NORTH, RANGE 67 WEST, WITHIN THE TOWN OF FIRESTONE

Roll Call Vote:

Yes: Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

No: None

Abstain: None

Motion carried.

c. **PUBLIC HEARING: RESOLUTION 22-06**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO APPROVING A SPECIAL REVIEW USE APPLICATION TO OPERATE OIL AND GAS WELLS AND PRODUCTION FACILITIES ON REAL PROPERTY LOCATED IN SECTION 19, TOWNSHIP 2 NORTH, RANGE 67 WEST, WITHIN THE TOWN OF FIRESTONE

Mayor Sindelar opened the public hearing for Resolution 22-06 and Resolution 22-07: 7:25 PM.

The public hearing for Resolution 22-06 was continued to January 26, 2022.

Motion by Trustee Conyac, **second** by Mayor Pro Tem Jimenez, to Continue **RESOLUTION 22-06**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO APPROVING A SPECIAL REVIEW USE APPLICATION TO OPERATE OIL AND GAS WELLS AND PRODUCTION FACILITIES ON REAL PROPERTY LOCATED IN SECTION 19, TOWNSHIP 2 NORTH, RANGE 67 WEST, WITHIN THE TOWN OF FIRESTONE, to January 26, 2022.

Roll Call Vote:

Yes: Trustee Conyac, Trustee Whelan, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

No: Trustee Meiring

Abstain: None

Motion carried.

d. **PUBLIC HEARING: RESOLUTION 22-07**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO APPROVING A FINAL DEVELOPMENT PLAN APPLICATION TO OPERATE OIL AND GAS WELLS AND

PRODUCTION FACILITIES ON REAL PROPERTY LOCATED IN SECTION 19,
TOWNSHIP 2 NORTH, RANGE 67 WEST, WITHIN THE TOWN OF FIRESTONE

Mayor Sindelar opened the public hearing for Resolution 22-06 and Resolution 22-07: 7:25 PM.

The public hearing for Resolution 22-07 was continued to January 26, 2022.

Motion by Trustee Conyac, **second** by Mayor Pro Tem Jimenez, to Approve **RESOLUTION 22-07**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO APPROVING A FINAL DEVELOPMENT PLAN APPLICATION TO OPERATE OIL AND GAS WELLS AND PRODUCTION FACILITIES ON REAL PROPERTY LOCATED IN SECTION 19, TOWNSHIP 2 NORTH, RANGE 67 WEST, WITHIN THE TOWN OF FIRESTONE

Roll Call Vote:

Yes: Trustee Conyac, Trustee Whelan, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

No: Trustee Meiring

Abstain: None

Motion carried.

9. Discussion/Action

- a. **Resolution 22-10**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, DESIGNATING THE APRIL 5, 2022, REGULAR ELECTION A MAIL BALLOT ELECTION AND AUTHORIZING THE TOWN CLERK TO APPOINT ELECTION JUDGES

Motion by Trustee Conyac, **second** by Trustee Doherty, to Approve **Resolution 22-10**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, DESIGNATING THE APRIL 5, 2022, REGULAR ELECTION A MAIL BALLOT ELECTION AND AUTHORIZING THE TOWN CLERK TO APPOINT ELECTION JUDGES

Roll Call Vote:

Yes: Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

No: None

Abstain: None

Motion carried.

- b. **Resolution 22-08**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND BOHANNAN HUSTON INC FOR THE KING SOOPERS ACCESS TRAFFIC SIGNAL DESIGN AND CONSTRUCTION MANAGEMENT SERVICES

Motion by Trustee Whelan, **second** by Mayor Pro Tem Jimenez, to Approve **Resolution 22-08**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE,

COLORADO, APPROVING AN AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND BOHANNAN HUSTON INC FOR THE KING SOOPERS ACCESS TRAFFIC SIGNAL DESIGN AND CONSTRUCTION MANAGEMENT SERVICES

Roll Call Vote:

Yes: Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

No: None

Abstain: None

Motion carried.

- c. **Resolution 22-17:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, ACTING BY AND THROUGH ITS WATER ACTIVITY ENTERPRISE APPROVING A PURCHASE AND SALE AGREEMENT WITH LAKEVIEW HOLDINGS, LLC

Motion by Trustee Conyac, **second** by Trustee Meiring, to Approve **Resolution 22-17:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, ACTING BY AND THROUGH ITS WATER ACTIVITY ENTERPRISE APPROVING A PURCHASE AND SALE AGREEMENT WITH LAKEVIEW HOLDINGS, LLC

Roll Call Vote:

Yes: Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

No: None

Abstain: None

Motion carried.

- d. Appointment of the Municipal Judge

Motion by Trustee Conyac, **second** by Trustee Doherty, to Appoint Stephen Jones as the Municipal Court Judge.

Roll Call Vote:

Yes: Trustee Conyac, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

No: Trustee Whelan

Abstain: None

Motion carried.

10. Public Comment *(maximum time permitted for all Public Comment is 30 minutes)

There was no one present that wished to give public comment.

11. Reports

- a. Staff

AJ Krieger, Town Manager, reported on the regional water-related activity involving the City of Greeley, the Town of Johnstown, and the Town of Severance.

b. Mayor

Mayor Sindelar asked a question about how long oil and gas activities have been occurring in the Town of Firestone. Mr. Krieger responded that oil and gas activities have occurred in Firestone for 20+ years.

c. Trustees

Trustee Meiring reported that the Colorado Legislative session began and meetings will begin occurring with the Town's lobbyists.

Trustee Whelan requested a discussion item on how to donate to those impacted by the Marshall fires.

12. Executive Session

- a.** An executive session pursuant to C.R.S. 24-6-402(4)(b) for a conference with an attorney for the Town for the purpose of receiving legal advice on specific legal questions concerning litigation issues regarding Central Weld County Water District's service to the Town

Motion by Trustee Meiring, **second** by Trustee Sharp, to go into an executive session pursuant to C.R.S. 24-6-402(4)(b) for a conference with an attorney for the Town for the purpose of receiving legal advice on specific legal questions concerning litigation issues regarding Central Weld County Water District's service to the Town; and to go into an executive session pursuant to C.R.S. 24-6-402(4) (f)(1) for a personnel matter regarding the review of the Town Clerk

Roll Call Vote:

Yes: Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

No: None

Abstain: None

Motion carried.

open: 9:43 PM

close: 10:30 pm

- b.** An executive session pursuant to C.R.S. 24-6-402(4) (f)(1) for a personnel matter regarding the review of the Town Clerk

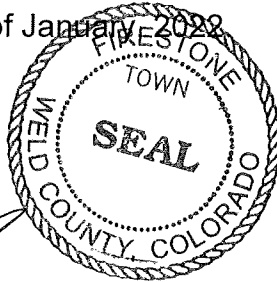
open: 10:30 PM

close: 11:03 PM

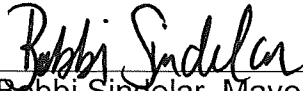
13. Adjournment

Motion by Trustee Sharp, **second** by Mayor Pro Tem Jimenez, to Adjourn at 11:04 PM, All in Favor, **Motion carried.**

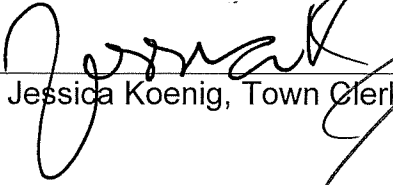
Introduced and Approved the 26th of January, 2022



TOWN OF FIRESTONE, COLORADO


Bobbi Sindelar, Mayor

ATTEST


Jessica Koenig, Town Clerk