

**RECORD OF PROCEEDINGS
MINUTES OF THE REGULAR MEETING
OF THE TOWN COUNCIL OF THE TOWN OF FRISCO
DECEMBER 10, 2019**

Mayor Pro-Tem Mortensen called the meeting to order at 7:00 p.m. Town Clerk Deborah Wohlmuth called the roll.

Present: Jessica Burley
Dan Fallon
Rick Ihnken
Hunter Mortensen
Deborah Shaner

Absent: Melissa Sherburne
Gary Wilkinson

Public Comment:

There was no public comment.

Council Comment:

Mayor Pro-Tem Mortensen recognized the death of Summit Fire & EMS fire fighter Ken Jones, and proposed that Council donate \$5,000 to the family fund.

Council member Ihnken requested that Council revisit the minimum wage conversation.

Council member Fallon requested that Council have a conversation with the Summit Stage concerning late night service.

Council member Shaner thanked staff for the Soup Cup event.

Consent Agenda:

Minutes December 10, 2019 Meeting

MOTION: COUNCIL MEMBER IHNKEN MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. SECOND, COUNCIL MEMBER SHANER. VOTE:

BURLEY	YEA	SHANER	YEA
FALLON	YEA	SHERBURNE	ABSENT
IHNKEN	YEA	WILKINSON	ABSENT
MORTENSEN	YEA	MOTION CARRIED.	

New Business:

Agenda Item #1: Resolution 19-36, a Resolution of the Town Council of the Town of Frisco Appropriating a Conditional Exchange Water Right and Authorizing the Filing of a Water Court Application STAFF: THAD RENAUD 1) MAYOR OPENS PUBLIC HEARING 2) STAFF REPORT 3) PUBLIC COMMENTS 4) MAYOR CLOSSES PUBLIC HEARING 5) COUNCIL

DISCUSSION 6) MOTION MADE 7) MOTION SECONDED 8) DISCUSSION ON MOTION 9) QUESTION CALLED

Town Attorney Thad Renaud stated that this resolution appropriates conditional exchange water rights. The Town received Army Corps of Engineers approval of and a permit for the Town's compensatory wetland mitigation plan for the Frisco Bay Marina "Big Dig" project. As part of its permitted compensatory wetland mitigation, the Town is required to reestablish and preserve a 0.41-acre wetland within the "Hawn Drive Site". The Town's technical and legal consultants have determined that the compensatory wetland mitigation on the Hawn Drive Site will result in potential out-of-priority depletions to the Meadow Creek stream system due to new consumption of water by the wetland vegetation. The Town seeks to ensure that its compensatory wetland mitigation on the Hawn Drive Site will operate in compliance with Colorado law by being included in a decreed plan for augmentation. Additionally, the Town seeks to ensure that it may operate a decreed exchange to deliver its augmentation supply to replace any out-of-priority depletions attributable to the compensatory wetland mitigation on the Hawn Drive Site. Mayor Pro-Tem Mortensen opened the public hearing at 7:19 p.m. There being no public comment, Mayor Pro-Tem Mortensen closed the public hearing at 7:20 p.m.

MOTION: COUNCIL MEMBER BURLEY MOVED TO APPROVE RESOLUTION 19-36, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FRISCO APPROPRIATING A CONDITIONAL EXCHANGE WATER RIGHT AND AUTHORIZING THE FILING OF A WATER COURT APPLICATION. SECOND, COUNCIL MEMBER SHANER. VOTE:

BURLEY	YEA	SHANER	YEA
FALLON	YEA	SHERBURNE	ABSENT
IHNKEN	YEA	WILKINSON	ABSENT
MORTENSEN	YEA	MOTION CARRIED.	

Agenda Item #2: First Reading Ordinance 19-24, an Ordinance Granting a Deed of Conservation Easement to Colorado Open Lands, a Colorado Non-Profit Corporation, for the Purpose of the Conservation of an Area Known as the Meadow Creek Wetlands, and Legally Described as Lot 2B, a Resubdivision of Lot 2, Summit Stage Transfer Center STAFF: DIANE MCBRIDE 1) MAYOR OPENS PUBLIC HEARING 2) STAFF REPORT 3) PUBLIC COMMENTS 4) MAYOR CLOSSES PUBLIC HEARING 5) COUNCIL DISCUSSION 6) MOTION MADE 7) MOTION SECONDED 8) DISCUSSION ON MOTION 9) QUESTION CALLED

Assistant Town Manager Diane McBride stated that this ordinance authorizes a Deed of Conservation Easement Meadow Creek Wetlands, 2019. Ms. McBride stated that the Frisco Community Plan includes the goal of protecting the quality and health of the natural environment in Frisco and the surrounding area. The area of wetlands that is known as the "Meadow Creek Wetlands" has important conservation attributes, including relatively natural wetlands and riparian areas, open space and scenic character, and recreation and educational values. The Town has proposed, and the Army Corps of Engineers has permitted pursuant to Wetlands Permit #SPK-2010-00673, the perpetual conservation of the property as a means of mitigating the disturbance of certain other wetlands in connection with the Town's Frisco Marina Improvement Project, with the ratio of conserved area to disturbed area being approximately twelve (12) to one (1). Mayor Pro-Tem Mortensen opened the public hearing at 7:22 p.m. There being no public comment, Mayor Pro-Tem Mortensen closed the public hearing at 7:23 p.m.

MOTION: COUNCIL MEMBER BURLEY MOVED TO APPROVE ON FIRST READING, ORDINANCE 19-24, AN ORDINANCE GRANTING A DEED OF CONSERVATION EASEMENT TO COLORADO OPEN LANDS, A COLORADO NON-PROFIT CORPORATION, FOR THE PURPOSE OF THE CONSERVATION OF AN AREA KNOWN AS THE MEADOW CREEK WETLANDS, AND LEGALLY DESCRIBED AS LOT 2B, A RESUBDIVISION OF LOT 2, SUMMIT STAGE TRANSFER CENTER. SECOND, COUNCIL MEMBER SHANER. VOTE:

BURLEY	YEA	SHANER	YEA
FALLON	YEA	SHERBURNE	ABSENT
IHNKEN	YEA	WILKINSON	ABSENT
MORTENSEN	YEA	MOTION CARRIED.	

Adjourn:

There being no further business, the meeting adjourned at 7:23 p.m.

Respectfully Submitted,

Deborah Wohlmut, CMC
Town Clerk