

**Town of Lyons, Colorado
Board of Trustees
BOT Agenda Cover Sheet
Agenda Item No: IX-1.
Meeting Date: 10/02/2022**

TO: Mayor Rogin and Members of the Board of Trustees

FROM: Aaron Caplan, Engineering, Building & Utilities Director

DATE: September 26, 2022

ITEM: Resolution 2023-59, a Resolution of the Town of Lyons Colorado Approving an Access Agreement with Cedar Lakewood LLC for Groundwater Monitoring Wells located at McConnell/Stone Canyon and Ute Hwy

_____ **X** ORDINANCE
_____ MOTION / RESOLUTION
_____ INFORMATION

- I. REQUEST OR ISSUE:** Approve an access agreement for groundwater monitoring wells to be placed in three locations at the intersection of McConnell/Stone Canyon and Ute Hwy to monitor for contamination from the Every Day Stores gas station.
- II. RECOMMENDED ACTION / NEXT STEP:** Approve Resolution 2023-59
- III. FISCAL IMPACTS:** None
- IV. BACKGROUND INFORMATION:** Cedar Lakewood LLC, is the owner of the property at 4065 Ute Hwy. A gas station is required to add groundwater monitoring wells to monitor contaminants from gas storage tank leaks. One of the preferred locations is on the Town of Lyons property, and another is in the Town right of way. A site map is included showing where monitoring wells (MW) 9, 10, and 11 would be located. After review by Town Staff and the Town Attorney, the location and agreement are acceptable to the Town.
- V. LEGAL ISSUES:** None
- VI. CONFLICTS OR ENVIRONMENTAL ISSUES:** Having these wells in place will help with monitoring any contamination from leaking gas storage tanks
- I. VII. SUMMARY AND ALTERNATIVES:**
 - a. Approve Resolution 2023-59
 - b. Request changes to the Resolution and have it brought back.
 - c. Decline Resolution 2023-59

PROPOSED MOTION: “I move to approve Resolution 2023-59”.