

**TOWN OF NEDERLAND  
BOARD OF TRUSTEES  
REGULAR MEETING MINUTES:  
July 5, 2011, 7:00PM**

**NEDERLAND COMMUNITY CENTER  
750 Hwy 72 Nederland, CO 80466**

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**A. CALL TO ORDER**

Meeting convened at 7:06 PM due to technical difficulties.

**B. ROLL CALL**

Present: Mayor Sumaya Abu-Haidar, Mayor Pro Tem Joe Gierlach, Chris Perret, and Marci Wheelock.

Absent: Trustee Rob Joseph and Trustee Kevin Mueller.

Also present: Alisha Reis, Town Administrator, Teresa Myers, Town Clerk, Eva Forberger, Town Treasurer, and Carmen Beery, Town Attorney.

**C. CONSENT AGENDA**

- Approval of July 5, 2011 Accounts Payable
- Approval of June 21, 2011 Regular Meeting Minutes

Motion to approve the Consent Agenda was made by Trustee Chris Perret, seconded by Mayor Pro Tem Gierlach, and approved unanimously, with Trustee Wheelock abstaining due to her absence at the last meeting.

**D. PUBLIC COMMENT ON NON-AGENDA ITEMS (Speakers limited to 3 minutes)**

Ted Struzeski, 1801 S. Parfet Court (Lakewood), spoke to the sustainability resolution that will be coming before the Board, and encouraged the Board and the

Town to think globally when making its choices. He specifically spoke to the environmental impacts of animal farming.

## **E. INFORMATIONAL ITEMS**

## **F. ACTION ITEMS**

### **1. Consideration of GOCO grant agreement for the addition of preschool play equipment at Chipeta Park.**

Randy Lee, 171 E. First St., commended the sponsors of this initiative – Town residents who pursued the grant and the matching funds. He also noted that the matching funds, thought to be adequate, are no longer so due to changes in GOCO regulations.

Paul Turnburke, 3259 Ridge Road, also thanked the sponsors and PROSAB for getting this grant in place, and pointed out that such a project would likely not survive the proposed “needs vs. wants” evaluation proposed by the upcoming sustainability resolution.

Motion was made by Trustee Perret to approve Resolution 2011-15, concerning the GOCO grant agreement for the addition of preschool play equipment, seconded by Trustee Wheelock, and approved unanimously.

### **2. Consideration of GOCO grant agreement for the update of the Parks/Recreation Master Plan and planning for a gateway park.**

Randy Lee, 171 E. First St., spoke to the cooperative nature of this grant application and thanked Reis for her assistance. He also noted that additional funding is needed, due to the same regulatory changes as noted above.

Motion was made by Trustee Wheelock to approve Resolution 2011-16, concerning the GOCO grant agreement for the update of the Parks/Recreation Master Plan and planning for a gateway park, seconded by Trustee Perret, and approved unanimously.

### **3. Consideration of camping in Chipeta Park during the NedFest music**

**festival.**

Mike Torpie, NedFest organizer, noted the benefits of camping during NedFest, including bringing more people to the event, providing additional lodging, and reducing the number of potential drinkers on the roads. He noted that he was allowed to have 200 people maximum, but usually has only about 60 people camping, and generates minimal profit for the event.

Paul Turnburke, 3259 Ridge Road, encouraged the Board to charge fees that will allow the park to be restored, or even improved upon, after the event. He felt that special events in the Town should leave the Town in the condition it was prior to the event.

Jack Lynch, 119 Thunder Ridge Road, and NedFest camping supervisor, spoke in favor of the camping and noted that the campers bring extra revenue to the Town. He also noted that it keeps the campers from parking along Lakeview Drive.

Trustee Wheelock asked if the Town had any estimates for how much the park restoration efforts would cost. Reis and Myers explained that such estimates were not available from Public Works due to the transition occurring in that department, but that very few comments or complaints about camping in the park had been received following last year's event.

Mayor Pro Tem Gierlach asked about how the camping passes are purchased and issued, and Torpie informed him that camp passes were only available online. The Mayor Pro Tem voiced support for the ticket surcharge approach, based on its ease for tracking.

Trustee Perret spoke to the importance of the public perception of the festival's impact on the park. He acknowledged that he'd never seen any problems with the campers, but that the general public would probably feel better about the event if they felt that the whole Town was benefitting from the camping permit. As an example, he offered the idea of charging enough of a surcharge to re-seed the park every spring.

Mayor Pro Tem Gierlach asked if there existed any legal limitations on the conditions the Board could place on the camping approval, and Town Attorney Beery responded that, within usual parameters, there were not.

Mayor Abu-Haidar noted that our policies are not clear enough around these uses of our parks. She expressed her discomfort with applying a new policy to an event organizer one month out from the event. She proposed allowing NedFest to proceed and then re-evaluating based on actual damage or restorative efforts needed after the event.

Trustee Wheelock and Trustee Perret agreed.

Mayor Pro Tem Gierlach noted that camping causes more damage than some other Chipeta Park rental uses and so he would be in favor, in future deliberations, of a per ticket surcharge approach. For now, however, he agreed with the Mayor's proposed course of action.

Motion was made by Trustee Perret to approve camping in Chipeta Park during the NedFest music festival, seconded by Trustee Wheelock, and approved unanimously.

**4. Consideration of appointment of Karina Luscher to the PROSAB.**

Motion was made by Mayor Pro Tem Gierlach to approve the appointment of Karina Luscher, seconded by Trustee Wheelock, and approved unanimously.

**G. DISCUSSION ITEMS**

**1. Public Hearing – Preliminary Engineering Report (PER) and preliminary design for the wastewater treatment plant.**

Mayor Abu-Haidar gave the formal introduction to open the hearing and introduced Bob Frchetti of Frchetti Engineering to give his presentation. Frchetti walked the Board through the PER presentation.

Randy Lee, 171 East First St., shared his disappointment that one of the lagoons will remain in the new design, but that he understood the financial constraints that drove that design decision. He noted that the \$200,000 cost to remove the sludge

from the lagoon could probably be obtained via grants and encouraged the Town to look into it. He questioned the plant's placement on the site and asked if it couldn't be placed farther back on the property to potentially allow for future skatepark expansion. He also noted earlier discussions about locating public restrooms on the site and wondered what had become of that possibility. He noted the large amount of pavement in the design and encouraged Frachetti to minimize pavement in its design. Finally, Lee noted that some folks are already speculating about potential uses for the existing lagoons and cautioned against encouraging speculation before a site plan is drawn up and available for consideration.

Paul Turnburke, 3259 Ridge Road, questioned whether the amount being provided by Boulder County for the phosphorous treatment would cover the full cost, and also provided a small sketch to reduce the footprint of the fenced area. Finally, he asked Frachetti to explain batch processing.

Jack Lynch, 119 Thunder Ridge Road, had questions concerning ongoing operating costs in general for maintenance, operator costs, replacement parts, etc., and wondered what would be happening to the existing lagoons and why the plant was being sited so closely to the Teen Center. He expressed his concerns about odors.

Rich Tillotson, 1044 Bryant Ave., seconded Turnburke's comments on tertiary treatments and asked that the incurred costs be in line with what the City of Boulder is willing to provide.

Mayor Abu-Haidar summarized and listed the questions generated from resident comments.

Frachetti responded to the questions. First, he noted that lagoons are a necessity of the design from an engineering perspective due to potential failure of mechanical equipment and weather-related operational concerns. The pond provides flexibility as well as an emergency fallback for processing solids. This flexibility also minimizes operational costs in the long term. A second consideration that informed keeping the pond was the permissible budget, which wasn't sufficient for removing or covering the entire pond. A third consideration was that the excavation of the

new plant would not be sufficient to fill in the existing ponds, meaning that materials would have to be brought in to fill in the pond. Cleaning out and filling in a pond can also be very expensive, based on the sludge removal and other site preparation.

With regard to the location of the plant within the site and the potential for skatepark expansion, Frachetti explained that the plant was sited so as to be visually obscured from the Teen Center (on the side with no windows). He also noted that the new plant had to consider the location of the existing lagoons and work around that. Frachetti explained the expense of decommissioning the existing lagoons, in terms of de-watering and sludge removal, and how that affected the site placement. Finally, he noted that the plant had to be situated to maximize the gravitational flow.

Frachetti noted that his firm is still open to determining the location of the public restrooms, but reminded those in attendance that it would also need to maximize the use of gravitational flow.

Frachetti noted that he and the Aslan Construction team are in agreement to avoid a hard pavement wherever possible. The current surfaces being considered are gravel and recycled asphalt. Large trucks and maintenance vehicles will compel the amount of necessary pavement, as those vehicles require some hard surface.

Frachetti noted that the money to be provided by the City of Boulder should come fairly close to covering expense of the tertiary filters and accompanying chemicals. He also noted that Boulder would be contributing to the operational costs of the new plant, and Forberger acknowledged that the City's contribution would be \$17,000 per year for 10 years.

Frachetti noted that he was open to changing the fence line. The current plan was based on existing fence lines, to minimize expense of moving fences or purchasing new fencing. He explained that as project costs were nailed down, it would certainly be possible to change the fence plan if the budget permits. He further noted that Turnburke's draft drawing shows paths and landscaping that could be taken into

account as budget and future site needs permit.

Frachetti explained sequence batch processing and how it influences plant design, construction, and operation. He explained the steps and how the processes worked.

Frachetti acknowledged that operating costs are considerable for this kind of plant and that the design was developed to maximize efficiencies and automated systems. Despite attempts to minimize operator requirements, an operator is necessary to manage the plant. Many of the functions are automated and computerized, however, to be more cost-effective and minimize manpower.

As for site location and considerations of the skate park, Frachetti explained that he felt that it was a public policy decision on the part of the town to determine whether it wants a skate park there or a wastewater treatment plant, if both cannot be accommodated.

Mayor Abu-Haidar closed the public hearing portion of the meeting.

Trustee Perret had some questions about the overall budget costs and its effect on resident utility rates. Forberger explained how the budget was currently broken down between construction and various fees, and noted that she did not believe that the expenses of the new facility would immediately impact resident utility rates.

Mayor Abu-Haidar had a question about the inclusion of a bio-solid system that would allow for the production of compost from treated waste and pine beetle kill trees in the future. Frachetti replied that a room in the plant had been dedicated for that future purpose and explained the process for creating that composting product.

Mayor Pro Tem Gierlach asked how the pond slated for removal would be decommissioned, and Frachetti explained how the "de-watering" process for the pond could occur and how the material in the pond might be used as a soil amendment for the site, which is primarily rocky and sandy.

The Board expressed support for Frachetti's proposal and green-lighted its

movement forward. The Mayor thanked the public for their comments and explained to the audience some of the factors that had contributed to Board direction that drove the design.

**2. Discussion of pre-construction design assistance contract for the wastewater treatment plant.**

Reis explained the background of the agreement and why it was needed. Frachetti helped explain how the Town, Aslan Construction, and Frachetti Engineering would be working together under this proposed contract. He also explained how the contract before the Board is different from the services that will be provided by his company.

Mike Palfrey, Aslan Construction, explained Aslan's proposed role under the contract. He focused on the value of the "design/build" approach and particularly on the flexibility that it affords, which can result in great efficiencies. He explained that this contract did not represent an increase in Aslan's fees, but rather just brings Aslan into the process earlier in the project.

Mayor Pro Tem Gierlach clarified that the fee reflected in the proposed contract is a part of the larger fees already reflected in their construction bid.

Trustee Perret noted that the contract was like an opportunity to "test drive" Aslan and an opportunity to see how Aslan and Frachetti Engineering can work together.

Paul Turnburke, 3259 Ridge Road, spoke in support of the proposed contract.

The Board directed staff to bring the contract back to the next meeting as an action item.

**3. Discussion of Resolution 2011-14, regarding reimbursement of costs for the wastewater treatment plant loan.**

Forberger explained that the resolution would allow the Town to front the money for the design and build portion of the wastewater treatment plant construction, and then pay itself back later when the loan kicks in.



Motion to allow consideration of Resolution 2011-14 as an action item was made by Trustee Perret, seconded by Mayor Pro Tem Gierlach, and approved by voice vote.

Motion to approve Resolution 2011-14 was made by Trustee Perret, seconded by Mayor Pro Tem Gierlach, and approved unanimously.

#### H. OTHER BUSINESS

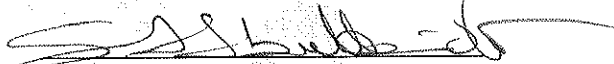
Trustee Perret thanked the sponsors of the July 4<sup>th</sup> Fireworks and also commended the public for practicing fire safety during the holiday.

Mayor Abu-Haidar reminded everyone that she will be out of Town next week.

#### I. ADJOURNMENT

Motion to adjourn was made by Trustee Perret, seconded by Mayor Pro Tem Gierlach, and approved unanimously. The meeting was adjourned at 8:55PM.

Approved by the Board of Trustees.

  
Sumaya Abu-Haidar, Mayor

ATTEST:

  
Teresa Myers, Town Clerk

