

**TOWN OF NEDERLAND
BOARD OF TRUSTEES
REGULAR MEETING MINUTES:
January 15, 2013, 7:00PM**

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

A. WORK SESSION – 6:00PM

- **DRCOG MetroQuest Presentation**
- **Brad Calvert, DRCOG Senior Planner**
- **Patricia Cronenberger, DRCOG, Board and Legislative Liaison**

B. CALL TO ORDER

Meeting convened at 7:12 PM, due to the necessary transition from the work session to the regular meeting and a break in between.

C. ROLL CALL

Present: Mayor Joe Gierlach, Mayor Pro Tem Kevin Mueller, Trustees Randy Lee, Ledge Long, Annette Croughwell, Chris Perret, and Peter Fiori.

Absent: None.

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

D. CONSENT AGENDA

- Approval of January 15, 2013 Accounts Payable, Schedules A & B
- Approval of December 18, 2012 Regular Meeting Minutes
- Approval of Amendment to Frachetti Engineering Services Agreement

Trustee Fiori questioned the need for payment of the ASCAP license, characterizing it as a “shake-down.” Trustee Perret had several questions about various checks in the warrants. Forberger and Reis, with assistance from Mayor Gierlach and Mayor Pro Tem Mueller, explained the charges to the Board.

Motion to remove Checks #26945 and #26948 from Schedule A and place them on Schedule B was made by Trustee Lee, seconded by Trustee Croughwell, and approved by unanimous voice vote.

Motion to approve the Consent Agenda including Accounts Payable, Schedule A, the December 18, 2012 minutes, and the Amendment to the Frachetti Engineering Services Agreement was made by Trustee Lee, seconded by Trustee Croughwell, and approved by a vote of 6 to 1, with Trustee Fiori voting no.

Motion to approve Accounts Payable Schedule B of the Consent Agenda was made by Trustee Perret, seconded by Trustee Croughwell, and approved unanimously, with Trustee Lee abstaining due to a conflict.

E. STAFF REPORTS

1. Alisha Reis, Town Administrator
2. Teresa Myers, Town Clerk
3. Eva Forberger, Town Treasurer
4. Jake Adler, Town Marshal
5. Jason Morrison, Public Works Manager
6. Dawn Baumhover, Community Center Coordinator

Trustee Fiori asked when the Town might be offering credit card payment possibilities and also why special events are required to pay all fees in full in advance. Forberger replied that the Town’s new software will be able to handle many more credit card payments for various fees. Reis explained that staff was currently drafting a new facilities agreement for events and that the draft, once vetted by the legal department, would be before the Board for approval. The agreement would cover, among other things, the payment of fees.

F. BOARD OF TRUSTEE REPORTS

1. Mayor Joe Gierlach

The Mayor's report was in the packet and several advisory board vacancies will be noted in the paper the later this week. He also briefed the Board on the DRCOG planning retreat and asked whether the Board would support the Mayor's attending the retreat. The Trustees asked a few questions about the value of the retreat. By voice vote, the Board approved the Mayor's attendance, with Trustee Perret voting no. The Mayor also briefed the Board on the latest rules before the Boulder County Commissioners concerning fire code amendments and their potential effects on Nederland home owners. The Mayor also talked about what the Town could do to become a certified "Solar-Friendly Community." He asked the Board if the Town should pursue the certification, and the Board agreed by unanimous voice vote. Finally, he informed the Board that Senator Heath will be visiting Nederland again soon, and that the Mayor had attended County Commissioner Will Toor's retirement party.

2. Mayor Pro Tem Kevin Mueller

The Planning Commission met and talked about the Parks and Rec Master Plan, and a summary of its comments was included in the packet.

3. Trustee Ledge Long

Trustee Long reported that the Community Center Foundation Board created a new Site Plan Subcommittee, which would be meeting to discuss the overall site and usage of the Community Center. He directed those interested to the Town's website for updates and to provide feedback .

4. Trustee Randy Lee

Trustee Lee reported that PROSAB had been busy working on the Parks and Rec Master Plan and would be doing its annual self-evaluation. Also, the InterMountain Alliance (IMA) would meeting the following day.

5. Trustee Peter Fiori

Trustee Fiori was unable to attend the last Sustainability Advisory Board, but Greg Willson, of the SAB, reported to the Board about the latest candidates for the SAB and said that the SAB was energized to move forward with the scorecard.

6. Trustee Chris Perret

Trustee Perret reported that the BZA met and re-elected its officers.

7. Trustee Annette Croughwell

Trustee Croughwell reported that the NedPeds project schematic was 30% and moving to CDOT. Another meeting of the design team was planned for the near future.

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

Ron Mitchell, of Nederland, announced that he was considering a large re-development of downtown. In order to garner public opinion on his proposed plans, he will be hosting community meetings on three Sundays in March -- 3/17, 3/24, and 3/31, from 4-8PM in the Multi-Purpose Room at the Community Center.

Greg Willson, of Nederland, told the Board about a family group that is still promoting the mycelium project and encouraged the Board to continue supporting those projects.

H. INFORMATIONAL ITEMS

1. BOT Goals Update
2. Master Infrastructure Plan (MIP) Update
3. Mayor's Proclamation in Support of Radon Action Month

The Board supported the Mayor's Proclamation by unanimous voice vote.

4. Amendment 64 Memo by Town Attorney Carmen Beery

I. ACTION ITEMS

1. Consideration of Amendment to R.I.N.K. facility agreement and waiver of utilities fees.

Forberger introduced the item, provided the background on the agreement amendment, and laid out the three options for the Board's consideration, enumerated in the packet. The Trustees asked a few questions about how Forberger arrived at her estimates. Alan Brewer and Dan Harrison, of R.I.N.K., were on hand to respond to Board questions and explain rink improvements to contain leakage and fight evaporation.

Trustee Fiori asked if, since the last meeting, the R.I.N.K. board had considered raising rates for out-of-towners, and Brewer and Harrison explained that they had not revisited their fee structure. Trustee Fiori also asked about creating shade options, and Brewer replied that they were still looking at it. Finally, Trustee Fiori asked if R.I.N.K. had estimated how much higher the fees would be if the Town did not absorb the water costs,

and Brewer ran through those fee increases in various scenarios of Town support. Estimated cost increases ranged from 5-14%.

Trustee Perret favored Option 2, although he felt that the Town's cost estimates were too high. Trustees Croughwell and Long favored essentially a reverse of Option 2. Trustee Lee favored Option 3 because the amortization to all the residents was so minimal. Trustee Fiori and Mayor Pro Tem Mueller favored Option 3 because of the value of the rink to the community; however they also agreed the rink needs to become self-sustaining and that the rink should raise their fees to do so, if necessary. The Mayor favored Option 3.

Motion to approve the Amendment to the R.I.N.K. facility agreement, incorporating Option 3 (waive all sewer and water charges from the ice rink usage and bathrooms, metering the water and revisiting the agreement during budget hearings in August 2013), was made by Trustee Lee, seconded by Mayor Pro Tem Mueller, and approved by a vote of 6 to 1, with Trustee Croughwell voting no.

The Mayor called a brief recess and the meeting re-convened at 8:48PM.

J. DISCUSSION ITEMS

1. Presentation and discussion of the updated draft of the Parks, Recreation, Open Space and Trails Master Plan.

Reis introduced the item and the consultants in attendance to present the plan. Chris Dropinski and Ann Miller from Green Play gave a visual and audio presentation summarizing the draft plan. The Executive Summary, contained in the packet, highlighted the main themes and more specific foci. Carter Marshall, of Design Concepts, laid out the design of the plan itself.

Arden Buck, of Nederland, applauded some portions of the Plan, but raised strenuous opposition to other aspects of the Plan, especially the Gateway Park aspects.

Mitchell noted that his own redevelopment plan includes an aquatic center, so he was pleased to see that it rated highly in the community survey.

The Mayor shared some draft edits to the Plan that he had written out, and proposed a Board work session to discuss the details of the draft and any proposed changes. The Mayor went through his written comments. The Board members then agreed that a work session to discuss each member's recommendations was in order.

The Mayor Pro Tem offered to send his written comments to Reis for incorporation and discussion at the work session. Trustee Fiori shared his written notes verbally with the Board. Trustee Long promised to bring his comments to the work session. Trustee Lee noted for the Board that the consultants were very professional and open to changes and suggestions. Trustee Croughwell had some concerns about aspects of the report and plan, and was looking forward to the work session. Trustee Perret pointed out that you can never please everyone all the time; he supported some aspects of the draft plan, but acknowledged that it needs more work to reach consensus.

Motion to extend the meeting to 10:30 was made by Trustee Lee, seconded by Trustee Croughwell and approved by unanimous voice vote.

The Board agreed to set a work session for January 28, 2013 (at which no public comment will be taken), a deadline for Board and resident comments to Town Hall (January 24, 2013), and that the draft would remain on the Town website.

The Mayor called a five-minute recess.

2. Discussion of changes to Town personnel policy manual.

Motion to table this item until the next regular meeting was made by Trustee Perret, seconded by Trustee Long, and approved unanimously by voice vote.

K. OTHER BUSINESS

There was no Other Business.

L. ADJOURNMENT OF REGULAR MEETING AND MOTION TO ENTER EXECUTIVE SESSION

Motion to adjourn was made by Mayor Pro Tem Mueller, seconded by Trustee Fiori, and approved by unanimous voice vote. The meeting was adjourned at 10:11PM.


M. EXECUTIVE SESSION

The Board of Trustees met in executive session, to discuss a potential real estate transaction. The meeting was not open to the public. Closed meetings of this nature for this reason are permitted pursuant to C.R.S. § 24-6-402(4)(a).

Approved by the Board of Trustees.


Joe Gierlach, Mayor

ATTEST:


Teresa Myers, Town Clerk



