

**TOWN OF NEDERLAND
BOARD OF TRUSTEES
REGULAR MEETING MINUTES:
October 16, 2012, 7:00PM
NEDERLAND COMMUNITY CENTER
750 Hwy 72 Nederland, CO 80466**

A. CALL TO ORDER

Meeting convened at 7:01 PM.

B. ROLL CALL

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

Trustee Perret arrived at 7:17 PM.

Absent: Trustee Annette Croughwell

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

C. CONSENT AGENDA

- Approval of October 16, 2012 Accounts Payable, Schedules A & B
- Approval of October 2, 2012 Regular Meeting Minutes
- Approval of Approval of Boulder/Broomfield Counties HOME Consortium Agreement

Motion to approve the Consent Agenda including Schedule A was made by Trustee Lee, seconded by Trustee Fiori, and approved unanimously.

Motion to approve Schedule B was made by Trustee Fiori, seconded by Mayor Pro Tem Mueller, and approved unanimously, with Trustee Lee abstaining due to a conflict.

D. STAFF REPORTS

1. Alisha Reis, Town Administrator

Reis reminded those in attendance that the Comprehensive Plan Potluck was the following Saturday.

2. Teresa Myers, Town Clerk

3. Eva Forberger, Town Treasurer

4. Jake Adler, Town Marshal

Reis, speaking for Chief Adler, reported that the police are re-grouping after the busy summer season and preparing for winter challenges.

5. Jason Morrison, Public Works Manager

Reis, speaking for Morrison, briefed the Board with progress on current projects.

7. Dawn Baumhover, Community Center Coordinator

Reis, speaking for Baumhover, talked to the Board about the new tables that were purchased in conjunction with the CCFB. Martin Cheshes, of the NAS, reported that the Seniors' bingo has been going well but they are still seeking more attendees and hoping that attendance will improve following football season. Kim Culver, of Nederland, asked that the kitchen sprayer be fixed.

E. BOARD OF TRUSTEE REPORTS

1. Mayor Joe Gierlach

The Mayor's report was contained in the packet and will be published in the Mountain-Ear later this week. The Mayor added that the Boulder County Commissioners passed a Climate Change Resolution today and the Board will be asked to approve a similar resolution.

2. Mayor Pro Tem Kevin Mueller

The Planning Commission met last month and discussed the applications before the Board that evening.

3. Trustee Ledge Long

The CCFB has announced the resignation of Dianne Wohl and is interviewing two applicants for the single vacancy. The foundation is financially stable and seeking more grant funding. The Trustees discussed whether the Community Center Site Planning

Committee should be a Town steering committee, and it was unanimously agreed that it should.

4. Trustee Randy Lee

Trustee Lee had a written report in the packet, but added that he and Reis had completed a proposal for emergency egress for the Big Springs neighborhood that would be submitted to the Forest Service and Boulder County shortly.

5. Trustee Peter Fiori

The Sustainability Advisory Board postponed its meeting until Wednesday and will be reviewing the Sustainability Action Plan once more and hearing a presentation about the Boulder County Zero-Waste Initiative.

6. Trustee Chris Perret

The BZA met and approved the applications on the Board's agenda that evening.

7. Trustee Annette Croughwell

Trustee Croughwell was absent.

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

Barbara Hardt, of Nederland, asked for a designated press table during the Board meeting. She also complained that she had been asked to be added to the evening's agenda and was told that the agenda was full. She then read a letter into the agenda, arguing against the use of the Boulder County Economic Development Grant for the NedWEB program rather than supporting the special events that had previously received the funding. A copy of her letter is contained in the official meeting file.

Gail Eddy, of Nederland, spoke about the NedWEB program and her ambivalence about the program. She feels that the program will not help change shopping behaviors, is too cumbersome, and should be expanded to include all residents in the library district. She supports some aspects of the program and thanked those who worked on it.

Janette Smith, of Nederland, spoke against diversion of the Boulder County funds from events to the NedWEB program, and related the long history and benefits of the events in Nederland.

Kathleen Chippi, of Greater Nederland, spoke against the NedWEB program because she felt that the program would not generate economic development. She further felt that Boulder

County would not approve the grant proposal and shared her disgust that the Board had approved it. She also asked for clarification around the camping ordinance.

Martin Cheshes, of Nederland, asked the Board to reopen the issue of the economic development grant and reconsider it, and allow the affected organizations to comment before the decision was made.

May Jarril, of Nederland, also spoke against the NedWEB program and asked that the Board revisit it. She also spoke against the NedCompost site and asked that the Board reconsider that location.

Katrina Harms, of Greater Nederland, spoke in support of the NedWEB project, as she felt that the information gained from the program would help create future programs that could further the Envision 2020 economic sustainability goals.

Kim Culver, of Nederland, thanked the Board for their work and the hours they dedicate. She noted that the NedWEB program is an experiment to gather information and determine how to best boost economic development in town.

G. INFORMATIONAL ITEMS

1. NedPeds Project Update

Pat Everson, of the DDA, provided a written update on the NedPeds project and highlighted some aspects of her report.

2. 2013 Budget Public Hearing

Forberger presented the official public hearing on the proposed 2013 Budget.

Eddy thanked Forberger for her work on the budget.

Hardt requested that the Board consider inclusion of money for the fireworks in its budget.

Everson also commended Forberger for her work this year and over the past many years to get the town's finances in shape.

H. ACTION ITEMS

1. Reconsideration of new information bearing on Oktoberfest 2013 Special Event Permit – Board consideration/vote only.

Myers noted that the applicants had supplied a new Google map that indicates an alternate route. Mayor Pro Tem Mueller asked about part of the single track proposed and the applicants, represented by Bob Bentz, said that they were probably not going to use that and would go through Mud Lake instead. Trustee Long agreed with the Mayor Pro Tem's point about avoiding the single track route, and asked which local non-profit the organizers were partnering with. Bentz replied that the organization would be partnering with the Peak to Peak Healthy Communities non-profit group. Trustees Fiori and Lee said that they could support the event if it has solved the problems identified in the last meeting. Trustee Perret had questions about traffic control, and Bentz explained their safety provisions. Trustee Fiori raised the question of having events place a monetary deposit and provide a parking plan.

Motion to approve the Special Event Permit for Oktoberfest 2013 was made by Trustee Fiori, seconded by Trustee Long, and approved unanimously.

2. Consideration of CML policy positions concerning municipal fines and various policies concerning natural gas and oil drilling.

Myers introduced the item and explained how the CML policy positions will be voted on and the resulting CML actions taken.

By voice vote, the Board unanimously approved supporting the proposed policies to promote local control of oil and gas projects. By voice vote, the Board voted 4 to 2 to support the proposed policy concerning raising the ceiling for municipal fines; Trustees Fiori and Perret voted no.

3. Consideration of Resolution 2012-29, approving a Dissolution of Lot Lines Application for 171 E. 2nd St.

Reis introduced the application and provided the background.

Motion to approve Resolution 2012-29, approving a Dissolution of Lot Lines Application for 171 E. 2nd St., was made by Trustee Perret, seconded by Trustee Lee, and approved

unanimously.

The Mayor called a short recess and the meeting reconvened at 8:44 PM.

4. Consideration of Nederland Witches' Ball Special Event Application.

Myers introduced the item and the applicants were on hand to answer any questions.

Hardt spoke in support of the event, noting its unique character and community-building nature.

Everson voiced her support of the event.

Motion to approve the Special Event Permit for Nederland Witches' Ball was made by Trustee Perret, seconded by Trustee Fiori, and approved unanimously.

5. Consideration of funding of NedPed project.

- a. Resolution 2012-30, allowing the DDA to borrow funds from the Town, to be paid back from TIF funds, to fund the NedPeds design.

Forberger asked to table Resolution 2012-30 until the November 13th meeting. Trustee Lee asked for the reason, and Forberger explained that the DDA had not yet approved a change in the amortization schedule. The Board agreed.

- b. Intergovernmental Agreement between the Town and the DDA to govern how the CDOT NedPeds funding will be managed.

Forberger introduced the item and explained the division of responsibilities as outlined in the IGA. The Trustees asked some questions of Forberger and Reis concerning the appropriation of the funds, the Town's responsibility for the debt, and construction standards for both CDOT and Town right-of-way areas.

Everson spoke in support of the IGA and urged the Board to approve it.

Motion to approve the Intergovernmental Agreement between the Town and the DDA to govern how the CDOT NedPeds funding will be managed was made by Trustee Lee, seconded by Trustee Fiori, and approved unanimously.

I. DISCUSSION ITEMS

1. Discussion of Ordinance 712, an update to the floodplain regulations, as required by FEMA.

Reis introduced the item and provided the background. Trustee Lee asked if Chief Dirr and Town Attorney Beery had weighed in on this matter, and Reis explained that Beery had not yet had a chance to give staff her comments and she agreed to consult with Chief Dirr. Trustee Long asked about the effect of the ordinance on obtaining homeowner's insurance. Reis explained that there would be negative consequences to not approving the ordinance for homeowners in town who attempted to obtain insurance. The Mayor shared some thoughts on the floodplain issue that were generated by the discussions he observed that day at Boulder County. The Mayor Pro Tem raised his concerns with floodplain management and Reis suggested that he should definitely bring those ideas to the Comprehensive Plan update.

Everson helped the Board to understand how emergency management insurance is governed and the roles of FEMA and the insurance companies.

J. OTHER BUSINESS

Motion to reconsider the NedWEB program was made by Trustee Perret, but failed for lack of a second. The Board discussed the ways in which the Town can support and promote local events and directed staff to look into ways to further do so. Trustee Lee also asked that the Board consider events generally and whether it wants to place limits on the number of events, types of events, and requirements of events. Trustee Fiori asked for an events work session and the Board seemed to support that for early next year.

Hardt asked the Board to create a committee or task force to look at events, and asked that the Town create a calendar of events. The Board agreed.

K. ADJOURNMENT

Motion to adjourn was made by Trustee Perret, seconded by Trustee Fiori, and approved by unanimous voice vote. The meeting was adjourned at 9:52PM.

Approved by the Board of Trustees.



Joe Gierlach, Mayor

ATTEST:



Teresa Myers, Town Clerk

