

**TOWN OF NEDERLAND
BOARD OF TRUSTEES
REGULAR MEETING MINUTES:
November 13, 2012, 7:00PM**

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

A. CALL TO ORDER

Meeting convened at 7:09 PM.

B. ROLL CALL

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

Absent: Trustee Ledge Long

Also present: Alisha Reis, Town Administrator, Teresa Myers, Town Clerk, Eva Forberger, Town Treasurer, Town Attorney Carmen Beery, Police Chief Jake Adler, and Public Works Manager Jason Morrison.

C. CONSENT AGENDA

- Approval of November 13, 2012 Accounts Payable, Schedules A & B
- Approval of October 16, 2012 Regular Meeting Minutes
- Approval of Steering Committee for Community Center site planning project
- Approval of appointments to the CCFB

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

Motion to approve Schedule B was made by Trustee Fiori, seconded by Trustee Croughwell, 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 Community Thanksgiving Dinner was the following Sunday at the Community Center. She also directed the Board's attention to the background information on Amendment 64 in her report and noted that there would be more information coming over the next few months as the legislature considers the authorizing legislation. Trustee Fiori noted his concerns with some of the statements made in the background information sourced from MSEC and CML.

2. Teresa Myers, Town Clerk

3. Eva Forberger, Town Treasurer

Forberger apologized for the lack of a written report, as she'd been ill, but she notified the Board that most of her time is currently spent on the budget process.

4. Jake Adler, Town Marshal

Adler updated the Board on recent a criminal arrest and investigation. Trustee Croughwell asked questions concerning the man-hours necessary to respond to and investigate the incident.

5. Jason Morrison, Public Works Manager

6. Dawn Baumhover, Community Center Coordinator

Reis, speaking for Baumhover, highlighted aspects of the report, specifically the new tables and chairs for the multi-purpose room, as well as the service numbers for the Food Pantry and Community Clothes Closet.

E. BOARD OF TRUSTEE REPORTS

1. Mayor Joe Gierlach

The Mayor reported that progress is being made concerning the provision of human services to the Mountain Community.

2. Mayor Pro Tem Kevin Mueller

Mayor Pro Tem Mueller informed the Board that the Planning Commission met and discussed the applications before the Board that evening. He also reported that the Comprehensive Plan is moving along.

3. Trustee Ledge Long

Trustee Long was absent.

4. Trustee Randy Lee

Trustee Lee had a written report in the packet, but added that he and Baumhover were meeting later that week with individuals who have set up emergency crisis communication pods for Gold Hill and Allenspark. He also thanked Roger Cornell for hanging the new projection screen in the multi-purpose room.

5. Trustee Peter Fiori

Trustee Fiori reported that the Sustainability Advisory Board met and discussed the Sustainability Action Plan. The SAB is working with Lyons to coordinate the submission of a shared grant for technical assistance on development of the Sustainability Action Plan. SAB is hoping to be more of a project-oriented advisory board, rather than merely an “ideas” board.

6. Trustee Chris Perret

Trustee Perret reported that the BZA did not meet and that he would be attending the National Honor Society induction ceremony the following night.

7. Trustee Annette Croughwell

Trustee Croughwell was not able to attend the last DDA meeting.

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

There was no public comment.

G. INFORMATIONAL ITEMS

1. Presentation of Starburst Award (for Excellence in Use of Lottery Funds) for Toddler Playground at Chipeta Park, by Matt Robbins, of the Colorado Lottery

H. ACTION ITEMS

1. Consideration of SRU Agreement for the Kathmandu Addition.

Reis introduced the item and provided the background on the application.

Mark Stringfellow, of Nederland, represented the applicants and introduced the architect and applicants, who were present. He explained the approach to the addition and the goals of the project. Trustee Lee asked whether the project had been vetted through the Town’s Design Guidelines. Reis responded that it had and was deemed to meet the spirit of the Guidelines. She also recommended that the Guidelines be reviewed following completion of

the Comprehensive Plan. Mayor Pro Tem Mueller asked how the applicants were defining “affordable housing,” and Stringfellow replied that that monetary goal was difficult to pinpoint, but the aim of the housing units was to satisfy the needs of those who work in downtown Nederland and would like to live and work without being auto-reliant. He offered a price point of roughly \$750-\$900. Mayor Pro Tem Mueller asked if the applicants would be willing to consider a rent ceiling, and was told that the applicants would not be interested in a rent ceiling. The Mayor Pro Tem asked about the energy efficiency, and Stringfellow replied that the units were being built to LEED standards, but would not be pursuing LEED certification. Stringfellow also discussed the use of natural daylighting and operable windows for ventilation. The Mayor Pro Tem also had questions about parking.

Trustee Fiori asked some questions about drainage issues, and Stringfellow explained the suggestions made by Town staff and incorporated into the plan. The Mayor asked about emergency fire egress and mitigation, and Stringfellow explained that the Fire Department had approved the existing plans. Trustee Perret questioned the feasibility of the proposed parking plan.

Pat Everson, of Nederland, supported the project and this particular type of downtown infill project.

The Mayor Pro Tem supported the infill development nature of the project and was comfortable with fewer parking spaces. Trustee Perret took issue with the height of the structure and how it would block views, as well as with the proposed parking plan. Trustee Lee supported the Planning Commission’s recommendation, but felt that the look of the building did not fit into the Nederland architectural landscape. Stringfellow explained how the architect reached her design decisions. Trustee Croughwell raised some concerns about the amount of parking spaces, but felt comfortable with the height of the building and the design of it. Trustee Fiori did not feel that it reflected the character of the town, and had concerns about the parking plan and the drainage, but overall felt that the building could be a good addition to the town. The Mayor agreed with the Planning Commission’s recommendation and stressed the multi-use aspect of the building and the energy efficiency of the design.

Motion to approve the Special Review Use for the Kathmandu addition as recommended by the Planning Commission was made by Trustee Fiori, seconded by Trustee Lee, and approved by a vote of 5 to 1, with Trustee Perret voting no.

2. Consideration of Contract Approval for Sustainability Coordinator/Project Manager for the NedPeds project.

Reis introduced the item and provided the background on the RFQ and submissions.

Everson and Ron Mitchell, of the DDA, were on hand to support the contract approval and explain the DDA board's goals with the position.

Mayor Pro Tem Mueller had a question about certain insurance requirements, and Beery explained the inclusion of that term in the contract. Trustee Fiori asked Everson why they selected the proposed candidate, and Everson explained at length the thinking of the DDA board and how the candidate fit the town's needs. Reis also weighed in with her impressions of the candidates, and the Mayor Pro Tem also offered some background of the proposed firm.

Trustee Fiori expressed some lingering concerns about the firm's perceived lack of experience, but not enough to vote down the group decision. Trustee Croughwell valued how the decision was reached and liked the idea of young blood and fresh ideas. Trustee Lee expressed trust in the selection committee's decision. Trustee Perret questioned why the candidates were not present, but said that he would not vote against the selection committee's recommendation, and Everson explained that they likely had not been informed that they were on the agenda. The Mayor Pro Tem explained that the consultants wouldn't have known they were on the agenda and had already attended not only the interview but other meetings, even without knowing they would be awarded the contract. Everson offered to have the firm's principals come to the joint Board-DDA work session on November 27.

Motion to approve the Contract for the Sustainability Coordinator/Project Manager for the NedPeds project, with the "errors and omissions insurance" section of the contract stricken, was made by Mayor Pro Tem Mueller, seconded by Trustee Fiori, and approved unanimously.

3. Consideration of 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 introduced the Resolution, provided the background, and explained the use of the loan. Everson added that the DDA board approved this unanimously and asked for the Board's support.

Trustee Fiori asked why the Town wasn't simply issuing a long-term loan to the DDA.

Everson explained that the current structure was the most mutually beneficial. Trustee

Perret asked whether the proposal would leave the town at a short-term fiscal

disadvantage, and Forberger explained that the DDA was an excellent risk and that the

DDA has consistently paid back its debt.

Motion to approve Resolution 2012-30, allowing the DDA to borrow funds from the Town, to be paid back from TIF funds, to fund the NedPeds design, was made by Trustee Fiori, seconded by Trustee Croughwell, and approved unanimously.

4. Consideration of Resolution 2012-31, concerning the Board of Trustees Rules of Procedure.

Myers introduced the item and reminded the Board of its previous history before the Board.

Given the late hour, the Board opted to table this item until the end of the agenda, in order to get to the remaining items.

Returning to the item, the Board discussed the remaining policy decisions within the proposed policy and directed the staff to make those amendments to the policy. The Board also discussed the possibility of hosting a Town Hall meeting for general concerns, as an opportunity for public comment

Motion to extend the meeting to 10:30 was made by Trustee Lee, seconded by Trustee Fiori, and approved by a vote of 5 to 1, with Trustee Perret voting no.

Motion to approve Resolution 2012-31, concerning the Board of Trustees Rules of Procedure, with amendments as noted, was made by Trustee Fiori, seconded by Trustee Perret, and approved unanimously.

5. Consideration of Ordinance 712, an update to the floodplain regulations, as required by FEMA.

Reis introduced the item and reminded the Board of the background and necessity for the Code change.

Motion to approve Ordinance 712, an update to the floodplain regulations, as required by FEMA, was made by Trustee Fiori, seconded by Trustee Perret, and approved unanimously.

6. Consideration of Ordinance 713, concerning annexation of the Public Works Yard on Ridge Road.

Reis introduced the item and explained the necessity of the annexation to further the Town's goals for the new Public Works Yard.

Trustee Perret had some questions about legal procedures of annexation, and Beery answered those questions, assuring him that the annexation met all legal requirements.

Motion to approve Ordinance 713, concerning annexation of the Public Works Yard on Ridge Road, was made by Trustee Fiori, seconded by Trustee Perret, and approved unanimously.

7. **Public Hearing: Construction of Salt/Sand Shed at Public Works Yard.**

Reis introduced the item and explained the overall plan for the structure. She also notified the Board of soil testing, neighborhood noticing, and design efforts previously undertaken.

Trustee Fiori asked if Public Works would be parking most of its vehicles up at the Yard, and Morrison replied that they would. Trustee Fiori also asked about the setback requirements and was informed of them. The Mayor asked that staff look into the feasibility of placing solar panels on the roof of the shed. The Mayor Pro Tem and Trustee Lee both asked that staff, when considering projects such as this, consider more environmentally friendly options in the construction and use of the structure. Reis agreed that staff would be more proactive in that regard.

Motion to approve funding and construction of the salt/sand shed at the Public Works Yard was made by Trustee Croughwell, seconded by Trustee Lee, and approved unanimously.

I. DISCUSSION ITEMS

There were no scheduled Discussion Items.

J. OTHER BUSINESS

Trustee Lee raised the issue of a Community Cycles drop-off location in Nederland and a letter of support to them. The Mayor suggested that a similar idea be started here at local bike shops, rather than supporting a Boulder-based initiative. The Board agreed.

K. ADJOURNMENT

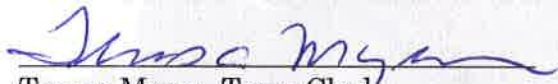
Motion to adjourn was made by Trustee Fiori, seconded by Mayor Gierlach, and approved by unanimous voice vote. The meeting was adjourned at 10:29PM.

Approved by the Board of Trustees.



Joe Gierlach, Mayor

ATTEST:



Teresa Myers, Town Clerk

