



**TOWN OF NEDERLAND
BOARD OF TRUSTEES
REGULAR BUSINESS MEETING**

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

August 4, 2015, 7:00 P.M.

MINUTES

A. CALL TO ORDER

Meeting convened at 7:04p.m.

B. ROLL CALL

Present: Mayor Joe Gierlach, Mayor Pro Tem Peter Fiori, Trustees Randy Lee, Topher Donahue, Kristopher Larsen, Kevin Mueller, and Charles Wood.

Absent: None

Also present: Alisha Reis, Town Administrator; Jeff Maggard, Town Treasurer; LauraJane Baur, Town Clerk; Chris Pelletier, Public Works Manager, Paul Carrill, Town Marshal; and Alex Armani Munn, Administrative Intern.

C. CONSENT AGENDA

1. Approval of August 4, 2015 Accounts Payable, Schedule A
2. Approval of August 4, 2015 Accounts Payable, Schedule B
3. Approval of July 21, 2015 Accounts Payable, Schedule A, Parts 1 and 2
4. Approval of July 7, 2015 Regular Meeting Minutes
5. Approval of purchase of information kiosk and software for the Visitors Center
6. Approval of permission for camping at Chipeta Park in association with the annual NedFest music event

Motion to approve the Consent Agenda minus the August 4, 2015 Schedule B was made by Trustee Larsen, seconded by Trustee Wood, and passed by unanimous verbal approval.

Motion to approve the August 4, 2015 Schedule B made by Trustee Larsen, seconded by Trustee Wood, and passed by unanimous verbal approval with abstention by Trustee Lee.

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

Mark Rose, of Nederland, spoke in opposition to having police in schools.

Mary Jerrill, of Nederland, spoke regarding the proposed vote of confidence in Town staff/Police Department. Jerrill stated that she thinks the Town Administrator is a faulty position, that there is no accountability for Public Works, and that she would like to complain about the Town Prosecutor related to the prosecution of parking tickets. She said she would like to give a vote of no confidence in the staff.

Mark Rose, of Nederland, spoke a second time regarding the proposed vote of confidence. He asked the Board to vote no on this because this would create a real divide in town. He noted that he thinks the Police Chief is honestly trying to address the issues and gives him kudos for that.

E. INFORMATIONAL ITEMS

No Informational Items were presented.

F. ACTION ITEMS

1. Consideration of a contract for power analysis at the Water Treatment Plant

Chris Pelletier presented the item, discussed the power analysis process steps, and recommended contracting with Emerson Network Power. After some discussion on scope, pricing, and technical issues, each Board member voiced their support for contracting with Emerson.

Motion to approve a contract with Emerson Network Power was made by Trustee Mueller, seconded by Trustee Fiori, and passed by unanimous vote.

2. Consideration of law enforcement cards to be added to #NedZero program and prioritized in BOT Goals

Alex Armani-Munn presented the item. There were no Board questions or public comment. Mayor Gierlach suggested putting this item through the Nederland Planning Process (NPP) process. Trustee Mueller said that he would also like to add another work session after the NPP for more public comment. There was discussion regarding the NPP process and its appropriateness for the use of the #NedZero law enforcement cards. After much Board debate regarding the NPP and obtaining public comments, Reis suggested inviting a Department of Local Affairs (DOLA) representative to a work session to help mediate the discussion on this item.

**Motion to table adding the law enforcement cards to #NedZero until after the NPP was made by Mayor Gierlach, seconded by Trustee Mueller, and failed by a vote of 4 to 3. Voting NO to tabling the item: Trustees Donahue, Larsen, Lee, and Wood
Voting YES to tabling the item: Mayor Gierlach, Mayor Pro Tem Fiori, and Trustee Mueller.**

Motion to include the cards to #NedZero, to begin the NPP on those cards, and to hold a moderated public work session on community policing was made by Trustee Donahue, seconded by Mayor Pro Tem Fiori and passed by unanimous vote.

3. Consideration of purchases related to the revenue from sale of the Police Department's Dodge Ram truck

Paul Carrill gave background information on the vehicle that was sold and explained the need for the items that are being requested for purchase. Mayor Gierlach also suggested a need for vests that can be worn by parking attendants for special events. Speed display trailers were also discussed, noting that the two trailers currently owned by the Town are not working and it is cost prohibitive to fix them. It was noted that we should buy new ones. Trustee Mueller supported the purchase of the 2 small 4WD trucks and the golf cart but asked that the budget for barricades, traffic cones and 2 trailers be spent on speed displays.

Public Comment: Gail Eddy, of Nederland, voiced her opinion that 100% of the proceeds should go to Public Works.

Motion to approve purchases as requested by the Police Department and Public Works with the addition of parking vests to be paid for from the General Fund and that the purchase of new radar signs become a priority item in the upcoming budget discussions was made by Trustee Lee, seconded by Trustee Donahue, and passed with a vote of 6 to 1, with Trustee Mueller voting against.

Mayor Gierlach called a brief recess. The meeting reconvened at 9:01p.m.

4. Marijuana Licensing Authority/Public Hearing: Consideration of a request for retail marijuana store from Icebox Flower (150 N. Jefferson St., Units B3 & B7)

This item was postponed until the August 18th Board meeting due to improper posting of meeting notice.

5. Consideration of 95% design drawings for the Town Maintenance Shop project

Joel Price, JVA, gave a slide presentation (attached), and Reis referred to the NPP information in the packet and the subsequent SAB scorecard that was emailed to the Board members. Reis relayed that the DOLA presentation for funding went very well and we should have the verdict on approval within the next ten days. Trustee Mueller voiced his disapproval with a lack of LEED credentialing on the project, and there was discussion regarding the design process.

Motion to extend the meeting by 30 minutes was made by Trustee Larsen, seconded by Trustee Wood, and passed by unanimous vote.

Motion to approve the 95% design drawings for the Town Maintenance Shop project was made by Trustee Larsen, seconded by Trustee Wood, and passed by a vote of 6 to 1, with Trustee Mueller voting against.

6. Consideration of Resolution 2015-16 in support for the continuation of the Lumpy Tung forest mitigation project

Trustee Lee presented Resolution 2015-16 and reviewed the process of the Forest Service decision regarding the Lumpy Tung fuel treatment project. There was discussion regarding the mitigation projects that have already been completed and the progress of regrowth in those areas. It was noted that the Board has a responsibility for the health and safety of

the community, and that approving this resolution is a good way to show the Forest Service that they have the Board's support.

The Board discussed the need for public comment on the issue and a desire for the Forest Service to provide education to the community regarding the upcoming mitigation process.

Motion to extend the meeting by 30 minutes was made by Trustee Lee, seconded by Mayor Gierlach, and passed by a vote of 5 to 2, with Mayor Pro Tem Fiori and Trustee Larsen dissenting.

Trustee Lee noted that the Forest Service will be holding two thirty-day comment periods on the proposed mitigation.

Motion to approve Resolution 2015-16 in support for the continuation of the Lumpy Tung forest mitigation project with the addition of a clause regarding Forest Service educational efforts was made by Trustee Donahue, seconded by Trustee Larsen, and passed by unanimous vote.

7. Consideration of vote of confidence for Town Staff/Police Department

Trustee Wood introduced the item, noting that Town Staff and the Police Department have tried, in good conscience, to follow Board direction in Policing and Code Enforcement activities. Trustee Donahue added that this vote would be a gesture of healing with relationships between Police and the community, noting that the laws are being enforced but the current laws make it difficult for businesses, and we need to fix the laws.

Mayor Gierlach opened the floor to public comment.

Gail Eddy, of Nederland, stated that she has not seen any changes from a month ago and it seems like there is no direction from the Board to the Police Department.

Ken (unclear last name), of Nederland, stated that the Police Department has done a good job and has always been approachable and respectable; he noted that he had been pulled over and given a warning, adding that he feels safe and comfortable around the Police.

Barbara Hardt, of Nederland, said that the Police Department is doing an excellent job and is proud of their hands-on approach. Hardt noted that a couple of Board members showed up at National Night Out, but that the all of them should have been there to support the Police Department.

Mayor Gierlach stated that he wants more information before making a decision on the proposed voted of confidence. He said he wants to hear from people with dreads, beards, etc. and wants to go through the NPP process. Gierlach said that the motion, although it has good intent, is premature.

The Board continued to discuss the issue. No vote was taken, as time ran out before the code-prescribed ending time for Board meetings.

G. DISCUSSION

There were no discussion items.

H. OTHER BUSINESS

There were no items of Other Business introduced.

I. ADJOURNMENT

Motion to adjourn was made by Trustee Lee, seconded by Trustee Larsen, and approved by unanimous voice vote. The meeting was adjourned at 11:01PM.

Approved by the Board of Trustees.

ATTEST:


Joe Gierlach, Mayor


Laura Jane Baur, Town Clerk



