

**TOWN OF NEDERLAND
BOARD OF TRUSTEES
REGULAR MEETING MINUTES:
March 5, 2013, 7:00PM**

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

A. CALL TO ORDER

Meeting convened at 7:02PM.

B. ROLL CALL

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

Also present: Alisha Reis, Town Administrator, Michele Martin, Deputy Town Clerk, Eva Forberger, Town Treasurer, Jason Morrison, Public Works Manager, and Carmen Beery, Town Attorney.

C. CONSENT AGENDA

- Approval of March 5, 2013 Accounts Payable.
- Approval of February 19, 2013 Regular Meeting Minutes.
- Approval of Purchase Order with the Colorado Department of Local Affairs, accepting administrative funding for the Master Infrastructure Plan.
- Approval of police office lease renewal at Caribou Shopping Center.
- Approval of Boulder County Community Chipping Reimbursement (Saws & Slaws)

Trustee Lee had some minor changes to the Staff Reports section of the minutes from February 19.

Motion to approve the Consent Agenda with the stated corrections was made by Trustee Fiori, seconded by Trustee Long, and passed with Mayor Pro Tem Kevin Mueller abstaining.

D. PUBLIC COMMENT ON NON-AGENDA ITEMS

Ed Sanchez, of the Big Springs Subdivision area, expressed his frustration of having frozen water lines. Sanchez said his neighbor's lines have been frozen since Thursday. Town Administrator Reis said, historically in the upper Big Springs area, the water service lines freeze due to the placement of the utility lines as laid by the developer back in the 1960s-70s. The long-term solution to this area will be part of the Town's Master Infrastructure plan, which will begin this year and will determine the best solution to this particular problem. Reis said for now, Public Works has two thaw boxes they have been lending out to licensed plumbers to help folks get their water back on.

Trustee Croughwell joined the meeting.

Trustee Fiori asked what the plan was for next year knowing that this is an issue. Public Works Manager Morrison said the Town will be purchasing additional thaw boxes to lend out. The cost of each box is approximately \$1,300 each.

Another option Reis and Town Treasurer Forberger said, was to have residents bleed their lines by leaving the water drip. Once the Town implements the new water billing system, the residents who have the new firefly boxes hooked up to their water meters will not be charged for that dripping. The new software system shows when folks leave their water dripping, so it is easy to figure out those amounts to be deducted.

E. INFORMATIONAL ITEMS

1. Presentation by Willa Williford, Housing Division Director, Boulder County Housing Authority (BCHA).

Willa Williford narrated a presentation on Boulder County Housing Authority's history, partner organizations, requirements, and a summary of support opportunities within the County and Nederland.

There was discussion on affordable mixed-housing units, the County's Rehabilitation Program and energy audits, and the steps involved for the pursuit of additional affordable housing in Nederland.

BCHA is looking for referrals and Town Treasurer Forberger said that the Town does offer a water and sewer rate reduction program for low-income elderly and disabled residents. Williford will send staff information to forward onto those residents.

Trustee Croughwell wondered if staff was aware of weatherization upgrades that are made to homes in Town through BCHA. Williford said there was no current communication for that and she would look into it.

It was agreed to put a section on the Town's website with a link to Boulder County Housing and Human Services. There is currently a section on the website to the Mayor's Task Force on Housing and Human Services.

Mayor Pro Tem Mueller asked how the Town could include weatherization in with rental licensing. Town Administrator Reis said that can be part of the discussion when rental licensing comes back before the Board again.

Atashnaa Medicine Shield, of greater Nederland, read a speech regarding the need and her support for affordable housing. She currently sits on the Mayor's Task Force on Housing and Human Services. She had several questions of Williford.

May Jarril, of Nederland, expressed the need for affordable housing. Jarril said she is not convinced that subsidized housing is the answer, but encouraged the need for studio and transitional housing, not necessarily single family housing.

2. Memo regarding compensation of Mayor.

Town Attorney Beery had prepared a memo dated February 16, 2012, which was redistributed to the Board. The Town of Nederland falls under State Statute 31-4-406, which states the Mayor or Board members may receive compensation, if first approved by Town voters.

F. ACTION ITEMS

1. Consideration of Resolution 2013-03, appointment of Michele Martin as Town Clerk. Town Administrator Reis has put forth a resolution in consideration of Michele Martin for promotion to Town Clerk. Reis stated that Martin's background, knowledge and professional interaction with the public were a few of the reasons for this recommendation. Reis said there are not many advancement opportunities at Town Hall and she felt that

Martin's experience and dedication to the Town was a deciding factor.

There were questions as to Martin's clerk experience and if there are resources to assist when necessary. Reis said there is a Colorado Municipal Clerk's Association and training is available and budgeted.

There was discussion on a formal public hiring process for recruitment similar to what was done for the Police Chief. Reis said the Town does not have a formal recruitment policy, but generally, best practice in human services is to promote internally if there is a valid candidate. Reis went on to say in the situation of the Police Chief position, the internal candidate that made sense to promote actually requested to be part of a public process, and the Board felt a need to test the market at that time.

Reis said the Town will advertise for a Deputy Clerk, so there will always be a back-up to the Clerk, and administration's current philosophy is to cross-train all departments.

Kayla Evans, of Eldora, said she has known Martin for 18 years in various capacities, such as the Historical Society and previous coordinator of Miners' Days. Evans said she supports the promotion and felt that Martin's technical skills and interpersonal relationships with residents in Town will be an asset.

Dawn Baumhover, of Nederland and a co-worker of Martin, said she is in support of the promotion and stated that she has always felt comfortable reaching out to Martin for assistance in the absence of the previous Clerk.

The Board felt that a public process was desirable. Some thought it made sense only if a qualified candidate wasn't already available, and noted that a public process could be a waste of time and resources in some cases, and felt that Reis's recommendation should be warranted.

Motion to appoint Michele Martin as Town Clerk was made by Trustee Croughwell, seconded by Trustee Fiori, and approved by a vote of 6 to 1, with Trustee Perret voting no.

2. Consideration of appointment of Diana Maggiore to the Sustainability Advisory Board (SAB).

Town Administrator Reis introduced the consideration of appointing Dianna Maggiore to

the SAB. Maggiore was present and spoke briefly on her background and experience. SAB had recommended Maggiore at their last meeting.

Greg Ching, of greater Nederland, supported Maggiore's appointment and said that SAB would be lucky to have her.

Motion to appoint Diana Maggiore to the Sustainability Advisory Board was made by Trustee Perret, seconded by Trustee Croughwell and approved unanimously.

The Mayor called a brief recess and the meeting re-convened at 8:55PM.

3. Consideration of Ordinance 715, assignment of zoning classification for the Public Works Yard at Ridge Road.

Town Administrator Reis introduced the item. This is the recently annexed Town property that was approved back in November. State law requires zoning designation within 90 days of an annexation ordinance. At its meeting on February 5, the Board opened its public hearing on the case and continued it to March 5, to allow time for public noticing.

Staff and the Planning Commission recommended the Mountain Residential (MR) zoning assignment, noting that once the Planning Commission has completed the update to the Comprehensive Plan, their next task is to update the Zoning Map, which will include finalizing regulations to the Public zoning district. The Public zone is ultimately where this property, as well as other Town-owned property, should fall. The estimated timeframe for this is approximately 18 months.

Trustee Fiori wanted to remind staff that when power is run out to this site to make sure Xcel Energy is aware of the idea to allow the use of 2 acres for a solar garden and to make allowances as needed.

Trustee Perret questioned why this property would not be zoned industrial. Reis said that among other reasons that generally, zoning should be what is approximate or adjacent to the subject property, so that there isn't the creation of a spot-zone. In this case MR is that zoning.

Motion to approve Ordinance 715, was made by Trustee Croughwell, seconded by Trustee Long, and approved unanimously.

4. Consideration of a proposal for the Town to host July 4th fireworks show.

Treasurer Forberger introduced the proposal before the Board. Tri-State Fireworks, which has been providing fireworks for the community's 4th of July display for a number of years, has asked if the Town was interested in their services for this year's fireworks show. The costs in the past years have been \$15,000-\$17,000. Tri-State has offered to provide a show based on a set budget. Reis stated that amount of money would have to come out of reserves. Only \$1,000 has been budgeted for a 4th of July event this year.

Mayor Gierlach brought up the point that last year the State cancelled the fireworks due to the wildfire danger, and this year is looking much worse due to the drought. Mayor offered a new tradition of maybe a laser light show or to consider something else that wouldn't involve a fire risk.

The Board offered different suggestions to consider for 4th of July by using the budgeted \$1,000 and agreed that they must be fiscally responsible. It was also agreed to direct staff to put the idea for a community event out to the public, possibly through the NedHeads Facebook page, allocating the amount of \$1,000 and to include the criteria of being non-flammable and somewhat patriotic, to see what the community comes up with.

G. DISCUSSION ITEMS

There were no discussion items.

H. OTHER BUSINESS

Trustee Fiori said that while at the last SAB meeting, it was brought up to consider a formal ban on fracking in Nederland.

Mayor Gierlach said that the City of Fort Collins has recently adopted an ordinance on the banning of fracking. He said he could get a copy of it for Nederland to use.

Trustee Lee suggested a resolution opposed to an ordinance.

Mayor Pro Tem Mueller suggested taking it one step further, in addition to a resolution, as a community to make a commitment to develop a no-drive or unplug day. Gierlach suggested that may be in the form of a proclamation. Gierlach said they would have something to review at the next meeting.

Trustee Fiori provided a brief update on the Mayor's Task Force on Retail Marijuana. There are currently 6 new members and 2 alternates recruited for the task force. Fiori has one last position to be filled, preferably by someone who either has an understanding of zoning/planning in Nederland or someone who represents the Nederland Area Seniors.

Trustee Lee noted that PROSAB has decided to pursue the recognition for the Town as a Firewise Community and have already formed an action committee. Nederland would be Boulder County's first Firewise community, and some of the benefits are grant money and reduced insurance rates.

I. ADJOURNMENT

Motion to adjourn was made by Trustee Long, seconded by Trustee Croughwell and approved by unanimous voice vote. The meeting was adjourned at 9:45PM.

Approved by the Board of Trustees.



Joe Gierlach, Mayor

ATTEST:



Michele Martin, Deputy Town Clerk

