

**TOWN OF NEDERLAND
BOARD OF TRUSTEES
REGULAR MEETING MINUTES:
April 2, 2013, 7:00PM**

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

A. CALL TO ORDER

Meeting convened at 7:15 PM.

B. ROLL CALL

Present: Mayor Joe Gierlach, Mayor Pro Tem Kevin Mueller, Trustees Randy Lee, Ledge Long, and Chris Perret. Trustee Peter Fiori joined the meeting after roll call was taken.

Absent: Trustee Annette Croughwell.

Also present: Alisha Reis, Town Administrator, Carmen Beery, Town Attorney, Eva Forberger, Town Treasurer, and Michele Martin, Town Clerk.

C. CONSENT AGENDA

- Approval of April 2, 2013 Accounts Payable.
- Approval of March 19, 2013 Regular Meeting Minutes.
- Amended Memorandum of Understanding (MOU) between Town and Teens, Inc.

In regards to the MOU, Trustee Lee wanted to confirm that after this revision was approved with Teens, Inc., the Agreement between the Town and NEDSK8 would now be revised. Town Administrator Reis confirmed.

Mayor Pro Tem Mueller recalled from a previous meeting on this MOU, that he had recommended recycling containers for NEDSK8 before the Town handed over the maintenance to NEDSK8. Reis said that could certainly be discussed during NEDSK8's agreement, which will be scheduled shortly. Reis said the recycling containers the Town has purchased are price discounted when a quantity of three is bought, more could be purchased and this can be put in the 2014 budget.

Mayor Pro Tem Mueller made a motion to direct staff to coordinate with NEDSK8 to have recycling containers installed at the skate park before the Town hands over maintenance to

NEDSK8, the motion was seconded by Trustee Fiori, and defeated by a tie vote, with Trustees Lee, Long, and Perret voting no.

Trustee Perret had a question about a warrant item and suggested that a more detailed breakdown of credit card billing by department, would be helpful.

Discussion ensued on the various payments made on behalf of the Water Plant and the Wastewater Treatment Plant, with Reis and Forberger providing clarity on each.

Reis reminded the Board that on April 16, prior to their regular Board meeting, the first quarterly financial update of the year is scheduled at 5:30pm.

Motion to approve the Consent Agenda was made by Trustee Perret, seconded by Trustee Lee, and approved by a vote of 5 to 1, with Mayor Pro Tem Mueller voting no.

D. PUBLIC COMMENT ON NON-AGENDA ITEMS

E. INFORMATIONAL ITEMS

1. Proclamation for Earth Day

Mayor Gierlach read the prepared Earth Day Proclamation, which supports green economy initiatives in the Town and to encourage others to undertake similar actions. All were in favor.

2. Proclamation of thanks to the U.S. Forest Service for closing Magnolia Road site to shooting.

Mayor Gierlach read the prepared Proclamation of Appreciation, which thanked the U.S. Forest Service and specifically, Boulder District Ranger Sylvia Clark and Arapaho & Roosevelt Nationals Forests Supervisor Glenn Casamassa, for the January 2013 closure of the Magnolia Road site to shooting. All were in favor, and Clark was present to receive the Proclamation and thanked the Board.

3. Proclamation of thanks to Bill Martin.

Mayor Gierlach read the prepared Proclamation of Appreciation, which thanked Bill Martin, former Planning Commission Chairman, for his outstanding public service given to the community for the past thirteen years. All were in favor, and Martin was present, along with his family, to receive the Proclamation and thanked the Board.

4. Update on Visitor's Center concessionaire process.

Town Administrator Reis provided an update on the RFP process. The initial RFP was issued on February 20, two local candidates had submitted, with one since withdrawing. The RFP Review Committee recommended extending the deadline for the RFP submissions to April 5 to ensure all interested parties had the opportunity to submit. It is expected that the committee will forward their recommendation for operation of the Visitor's Center at the Board's regular meeting of April 16.

Reis explained that the reason behind this process was due to the dissolving of the Chamber of Commerce, because the previous concessionaire had their arrangement with the Chamber, as a subcontractor, under our Lease Agreement with the Chamber. Once the Chamber dissolved, the Visitor's Center operation reverted back to the Town as the landlord, and this RFP process was started. The assumption of operations would commence by May 15. It was suggested to have it up and running as soon as possible.

Trustee Fiori recommended some funding to fix up the building. Reis said the Town has received funds from the Tourism and Recreation Program (TARP), which will mostly go towards structural repairs.

5. Update on bus stop improvement project.

Town Treasurer Forberger provided a verbal update on a confirmation that Boulder County has committed to completely upgrade the stop at Highway 119 and Third/Snyder Streets with a shelter, bench, trash bin, and bike rack this fall. Forberger said that Boulder County felt that the stop at Highway 119 and Big Springs Road required too much concrete to meet the right-of-way work process required by the Colorado Department of Transportation (CDOT), so they will only be providing a bench at this location, not a shelter. Forberger said the stop at Highway 119 and East Street will continued to be pursued, though there is a right-of-way issue that is a concern to Boulder County. Reis said that shelters for those two remaining locations will continue to be discussed with RTD.

Mayor Gierlach commented that the Boulder County Commissioners recently appointed former Louisville Mayor Chuck Sisk to the RTD's Board of Directors, District O. Sisk has asked to meet with Gierlach and Reis next Thursday, April 11 at 3:00PM to visit and discuss what our concerns are for Nederland in regards to the historic Bryant house, the two remaining bus stops that need shelters, the continuation of EcoPass after 2014 when the federal grant ends, and other topics.

H. ACTION ITEMS

1. Consideration of appointment of Baird Morrish to the Parks, Recreation and Open Space Advisory Board (PROSAB).

Morrish was present and spoke briefly on his background and experience. PROSAB had recommended Morrish at their last meeting.

Trustee Fiori had a few questions for Morrish, which he answered.

Motion to appoint Baird Morrish to the Parks, Recreation and Open Space Advisory Board for the term expiring in 2014 was made by Trustee Perret, seconded by Trustee Fiori and approved unanimously.

2. Consideration of Resolution 2013-04, Declaring Board's position against the Practice

of Fracking.

Town Administrator Reis introduced the Resolution. Reis stated that the majority of Boulder County municipalities have joined in to support Ft. Collins and Longmont in their adoption of their soil and gas regulations related to hydraulic fracturing (fracking). Reis mentioned that the Colorado Municipal League is collecting these supportive documents as well. There was concern of being sued, if we supported this. However, Town Attorney Beery felt comfortable in the wording of this resolution as it is expressing support, not trying to impose regulations.

Mayor Pro Tem Mueller suggested adding another clause to say, the Town of Nederland has consciously made efforts to reduce the municipality's gas consumption through implementation of energy conservation measure within their facilities and is committed to continued reduction on our dependence of non-renewable energy sources.

Trustee Lee suggested adding to the end of the "Now, Therefore, Be it Resolved" paragraph: "and further declares its opposition to the practice of fracking in general."

Motion to approve Resolution 2013-04 with amendments made, was made by Trustee Perret, seconded by Trustee Long, and approved unanimously.

I. DISCUSSION ITEMS

There were no discussion items.

J. OTHER BUSINESS

Mayor Gierlach announced that he was going to the Metro Mayor's Caucus meeting tomorrow morning to discuss what 41 different communities around Denver are doing for Amendment 64. Later in the afternoon Mayor Gierlach will be heading to Denver to take part in a speech President Obama is making, along with Mayor Hancock on gun control in Colorado. Mayor Gierlach is part of the Mayors Against Illegal Guns. In the evening he will be attending the Boulder County Consortium of Cities meeting where they will also talk about Amendment 64.

Trustee Fiori asked for direction on Amendment 64 regarding how much it may cost to enforce marijuana growing operations, and license fees vs. putting something on the ballot for a tax increase. He is asking the Board to think about this and offer suggestions to the Mayor's Task Force on Retail Marijuana.

Forberger said that the financial listserv has discussed this and she will forward on to Fiori a recent email on this subject.

Beery said she would provide the Task Force with some guidance on the financial and other related subjects by the end of the month.

K. ADJOURNMENT


Motion to adjourn was made by Trustee Lee, seconded by Trustee Perret and approved by unanimous voice vote. The meeting was adjourned at 8:43 PM.

Approved by the Board of Trustees.



Joe Gierlach, Mayor

ATTEST:



Michele Martin, Town Clerk

