

**TOWN OF NEDERLAND  
BOARD OF TRUSTEES  
REGULAR MEETING MINUTES:  
June 5, 2012, 7:00PM**

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

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**A. CALL TO ORDER**

Meeting convened at 7:07 PM, due to an executive session held immediately previously.

**B. ROLL CALL**

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

Absent: Trustee Peter Fiori.

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

**C. CONSENT AGENDA**

- Approval of June 5, 2012 Accounts Payable
- Approval of May 15, 2012 Regular Meeting Minutes
- Approval of Agreement with Sno.engineering, Inc.d/b/a SE Group for consulting services for the Comprehensive Plan.
- Approval of Agreement with Ramey Environmental concerning the Wastewater Treatment Plant building.
- Approval of Boulder Broomfield Regional HOME Consortium IGA renewal

Motion to approve the Consent Agenda was made by Trustee Long, seconded by Trustee Lee, and approved unanimously.

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

David Sikes, of Nederland, spoke in support of recently terminated employee Mark Clift.

Lyn Hanna, of Nederland, shared her concerns about the state of the roads, the parks, and the snow removal service of the past winter. She asked the Board to investigate.

Kathleen Chippi, of Greater Nederland, asked the Board to continue the discussion of whether the Town supports the festivals and stated her opinion that camping is not illegal in town on the property she leases.

Ron Mitchell, of Nederland, informed the Board of his plans to create better and safer motorcycle parking in town.

May Jarril, of Nederland, expressed her support for Chippi's position, and asked that the Board review the existence of some metal debris near the Town Public Works Shop and a trash area on her neighbor's property.

Barbara Hardt, of Nederland, spoke to her disappointment that Gilpin County residents were permitted to participate in the Town Clean-Up Day. She also expressed her concern about camping on public property within Town, particularly given the closure of the West Magnolia Recreation Area.

**E. INFORMATIONAL ITEMS**

1. Announcement of Very Nice Brewing Company tasting room opening in the Caribou Shopping Center.

Jeffrey and Susan Green informed the Board of their new business venture in town, which will be a craft beer brewing company, and as proprietor of a small tasting room in its brewery location. Jeffrey answered some questions from the Board.

2. Final Report on third party commissioning for Water Treatment Plant.

Reis provided some background and an overview of the report.

**F. ACTION ITEMS**

**1. Consideration of Ordinance 709, amendments to Chapter 16 regarding nonconforming lots and structures.**

Reis explained the background on the issue, specifically how Town staff identified the problem, the definition of a “non-conforming lot,” the prevalence of the problem, and how the proposed ordinance will solve the problem. Many lots in Town fall into this category, and are prohibited by Code from receiving a building permit, thereby severely hindering the property owners’ ability to improve their properties.

Arden Buck, of Nederland, encouraged the Board to relax regulations to allow property owners as much flexibility as possible in this regard.

Scott Harris, of Nederland, explained to the Board how the existing code limitations have affected his use of his property and urged the Board to remedy the situation.

Pat Everson, of Nederland, also owns a non-conforming lot and applauded staff’s research and proposed corrections to Code to fix the problem.

Mitchell provided some historical background on the issue and made some additional suggestions.

Several Trustees were of the opinion that neighborhoods now largely non-confirming should be rezoned and that this should come out of the comprehensive plan update process.

Motion to approve Ordinance 709, amendments to Chapter 16 regarding nonconforming lots and structures, was made by Mayor Pro Tem Mueller, seconded by Trustee Croughwell, and approved unanimously.

**2. Consideration of Special Event Permit and request for fee discount/waiver for a new event – the July 4<sup>th</sup> Community Fair.**

Myers introduced the item and explained the staff recommendations. Chad and Stacy Lickey, owners of Voodoo Toys and organizers of the event, were on hand to answer questions from the Board.

Hardt spoke in support of the event and explained that the non-profit Peak to Peak Healthy Communities Project will be receiving some revenue generated by the event.

The Board expressed considerable support for permitting the event, and for the requested fee waiver. Trustee Lee raised the issue of a potential damage deposit for Chipeta Park as a condition of the permitting the event.

Motion to approve the Special Event Permit and fee waiver request for the July 4<sup>th</sup> Community Fair was made by Trustee Perret, seconded by Trustee Long, and approved by a vote of 5 to 1, with Trustee Lee voting no.

**3. Consideration of request for fee discount/waiver for July 4<sup>th</sup> Parade and Fireworks.**

Mayor Gierlach requested that the remaining three fee waiver requests be considered together for ease of discussion and then voted on separately. Myers introduced the items and explained staff recommendations. Barbara Hardt, the events' organizer, was on hand to answer questions from the Board.

Motion to approve the fee waiver request for the July 4<sup>th</sup> Parade and Fireworks was made by Trustee Perret, seconded by Trustee Croughwell, and approved unanimously.

**4. Consideration of request for fee discount/waiver for Old Timer's Picnic.**

Trustee Croughwell asked some questions about whether the sponsors are financially capable of paying a damage deposit for the park. Mayor Pro Tem Mueller suggested that if the Town could implement its special event parking fee program, it could more readily waive some of these fees.

Motion to approve the fee waiver request for the Old Timers' Picnic was made by Trustee Perret, seconded by Trustee Croughwell, and approved unanimously.

**5. Consideration of request for fee discount/waiver for Community Champions event.**

Motion to approve the fee waiver request for the Community Champions event was made

by Trustee Perret, seconded by Trustee Croughwell, and approved unanimously.

The Mayor called a short recess. The meeting reconvened at 8:50PM.

**6. Consideration of Ordinance 710, amendments to Chapter 2 of the Nederland Municipal Code.**

Beery explained the proposed ordinance and the reasons for it. The Trustees asked some questions about the timing of the ordinance and the potential confusion for residents.

By voice agreement, the Board decided to postpone a vote on the ordinance until the development of a Board Rules and Procedures Policy, probably until a July meeting.

**7. Trustee liaison assignments to Advisory Boards.**

Reis and the Mayor introduced the item, and the Mayor read the proposed slate:

Planning Commission – Mayor Pro Tem Mueller

Parks, Recreation, and Open Space Advisory Board (PROSAB) – Trustee Lee

Downtown Development Authority (DDA) – Trustee Croughwell

Sustainability Advisory Board (SAB) – Trustee Fiori

Community Center Foundation Board (CCFB) – Trustee Long

Board of Zoning Adjustment (BZA) – Trustee Perret

Denver Regional Council of Governments (DRCOG) – Mayor Gierlach, primary contact;  
Mayor Pro Tem Mueller, alternate contact

Boulder County Consortium of Cities – Mayor Gierlach, primary contact; Trustee Perret,  
alternate contact

Intermountain Alliance – Trustee Lee

Arden Buck, of Nederland, shared his concerns that Trustee Lee is both the liaison and chair of PROSAB, which he believes creates some conflict of interest or the appearance of such. Beery clarified that there is not a legal conflict of issue with Trustee Lee's appointment.

It was further clarified that the only official and new appointments were those of Trustee Fiori and Trustee Long, so those are the only ones requiring approval.

Motion to approve the appointment of Trustee Fiori to the Sustainability Advisory Board and Trustee Long to the Community Center Foundation Board was made by Trustee Perret, seconded by Trustee Croughwell, and approved unanimously.

**8. Consideration of permission to allow the Chamber to post an art sign at the Visitor's Center.**

Katrina Harms, of the Chamber, was on hand to explain her proposal and answer questions. Trustee Croughwell expressed some concerns about having the Frozen Dead Guy Days emblem become the symbol of the Town.

Motion to approve the Chamber's request to post an art sign at the Visitor's Center was made by Mayor Pro Tem Mueller, seconded by Trustee Long, and approved by a vote of 5 to 1, with Trustee Croughwell voting no.

**G. DISCUSSION ITEMS**

No Discussion Items were considered.

**H. OTHER BUSINESS**

Trustee Perret asked if the Board had any issues or items that he should convey at the following day's Boulder County Consortium of Cities meeting. The Mayor updated the Board on the Consortium's currently initiatives.

**I. ADJOURNMENT**

Motion to adjourn was made by Trustee Perret, seconded by Trustee Lee, and approved by unanimous voice vote. The meeting was adjourned at 9:50 PM.

Approved by the Board of Trustees.

ATTEST:

  
Teresa Myers, Town Clerk

  
Joe Cherlach, Mayor

