

**TOWN OF NEDERLAND
BOARD OF TRUSTEES
REGULAR MEETING MINUTES:
July 17, 2012, 7:00PM**

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

A. CALL TO ORDER

Meeting convened at 7:05 PM.

B. ROLL CALL

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

Absent: Mayor Pro Tem Kevin Mueller.

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

C. CONSENT AGENDA

- Approval of July 17, 2012 Accounts Payable
- Approval of July 3, 2012 Regular Meeting Minutes
- Intergovernmental Agreement with CDOT for the NedPeds Project

Trustee Perret asked that the CDOT IGA be considered separately.

Motion to approve the Consent Agenda except for the CDOT IGA was made by Trustee Perret, seconded by Trustee Fiori, and approved unanimously.

Trustee Fiori asked some questions about what requirements could be placed on the DDA as part of the CDOT IGA to promote sustainable practices and materials. Mayor Gierlach talked about various experts that could be hired to assist with this direction, but noted that the appropriate place to add those considerations would be the RFP, to be discussed later. Reis explained when lowest bidder requirements controlled and when they did not, and also explained that the IGA only indicates acceptance of the funds, and does not reflect any design decisions.

Trustee Perret asked some questions about the Town's matching fund amount, as referenced in the IGA, and expressed concerns that the Town would be accepting money without having a sense of how it will be spent. Reis reminded him that the Board had required a robust public process for the design and so public comment and opinion would be received and considered well in advance of any construction.

Motion to approve the CDOT IGA was made by Trustee Fiori, seconded by Trustee Lee and approved unanimously.

D. STAFF REPORTS

1. Alisha Reis, Town Administrator

Reis updated the Board about Public Works' repair efforts in light of the monsoonal rains we've had lately, and reported that most of the drainage repairs made over the last year held and performed as anticipated. She also noted the upcoming Comprehensive Plan Update meetings on July 24, and encouraged members of the public to attend.

2. Teresa Myers, Town Clerk

Myers had nothing to add to her written report.

3. Eva Forberger, Town Treasurer

Forberger noted some typographical mistakes in her report and reported to the Board that sales tax revenues have increased significantly over last year.

4. Jake Adler, Town Marshal

Chief Adler announced the promotion of Corporal Larry Johns to the position of Sergeant. A striping and pinning ceremony ensued. Chief Adler responded to questions from Trustee Croughwell regarding the fact that the PD has been experiencing its busiest summer ever. He also announced the formation of a partnership between the PD and new community watch initiatives. Finally, he reported to the Board the PD's efforts to identify and arrest

the burglary and criminal mischief perpetrators. Trustee Fiori asked whether the Ned PD could provide parking and traffic direction training to volunteer groups working for special events. The Chief explained the role of the PD to manage parking for these events and answered questions concerning how to best enforce parking at those times.

5. Jason Morrison, Public Works Manager

As Morrison was out of town, Reis highlighted some features of the Public Works report on his behalf.

6. Dawn Baumhover, Community Center Coordinator

Baumhover was not present, but Reis noted plans for additional early morning and Sunday hours at the Community Center.

E. BOARD OF TRUSTEE REPORTS

1. Mayor Joe Gierlach

The Mayor's report highlighted some aspects of his "Mayor's Corner" to be published in the Mountain-Ear. The Mayor suggested that each Town Department webpage include the department heads' staff reports. Finally, Mayor Gierlach asked the Board to approve the appointment of Myers to the Colorado Municipal League's (CML) Legislative Policy Committee. By unanimous voice vote, the Board approved his request.

2. Mayor Pro Tem Kevin Mueller

The Mayor Pro Tem was absent.

3. Trustee Chris Perret

The BZA met on July 12, 2012 and approved a setback variance to allow for construction of a garage. The BZA also approved its bylaws.

4. Trustee Randy Lee

Trustee Lee attended his first Intermountain Alliance meeting this past month. The group is working on emergency preparedness. PROSAB met and is heavily focused on forestry health. The Saws and Slaws program has taken off and has more events scheduled. On August 4, PROSAB will be co-sponsoring a community weed pull along with TEENS, Inc. and the Wild Bear Nature Center. Finally, PROSAB is working on an emergency egress proposal through Big Springs. Trustee Fiori offered the assistance of the SAB on that project. The Forest Service is holding a public information meeting on the Eldora expansion proposal on July 19 from 5:00PM – 8:00PM.

5. Trustee Annette Croughwell

The DDA is focusing heavily on the NedPeds project, and Trustee Croughwell reported that the new board is working well together and accomplishing quite a lot. She informed the Board of some of the DDA board's ideas for smaller, future projects.

6. Trustee Peter Fiori

Trustee Fiori reported that the SAB did not meet since the last meeting, but will be meeting on July 25. Trustee Fiori informed the Board that the scorecard was complete and that the SAB had sent recommendations to the former DDA board, and he would be locating those recommendations and resubmitting them to the new DDA board. Trustee Lee asked if the SAB has bylaws yet, and was told that they were not yet completed.

7. Trustee Ledge Long

Trustee Long relayed the request from the CCFB for funding to obtain some architectural drawings of the West Wing of the Community Center. The CCFB did not meet this month.

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

No public comment was offered.

G. INFORMATIONAL ITEMS

1. BOT Goals Update/Proposed 2012-2014 Goals for review

Reis explained to the Board the visual representation of its goals and reminded the Board of the basis for the new goals slate (which was Envision 2020). She also highlighted the highest priority goals.

2. RFP for Engineering Services on NedPeds Project

Reis introduced the item and explained the inclusion of two RFP drafts in the packet. She noted that the next step would be issuance of the RFP.

Topher Donahue, of Nederland, expressed his support for the NedPeds project, as a means to increase and improve pedestrian pathways through town.

Pat Everson, vice president of the DDA board, spoke to assure the Board that the DDA board is completely supportive of the Town's sustainability goals. Reis clarified that the Board could make suggestions in wording to the RFP. Trustee Fiori shared his (and Mayor Pro Tem Mueller's) concern that a sustainability consultant be retained as a line item in the RFP and also that the biomimicry experts available to the project be utilized. Everson explained how the Mayor Pro Tem's comments were incorporated into

the RFP and explained how the DAT would impact the design process. The Mayor also explained how the DAT meeting process would proceed and how the various experts would be incorporated, along with public comment. Trustee Long asserted that he believed that oversight of the experts on the project was most appropriately placed with the DDA.

3. **Presentation of Town Audit and consideration of acceptance of audit report.**

Christy Reeves, of John Cutler & Associates, gave a presentation summarizing the audit report. Reeves applauded the staff's preparation and availability during the audit. She noted that the audit is a "clean audit," meaning that there are no auditor recommendations to change current systems or practices. Reeves noted some highlights of the report. The Mayor noted that this audit represents a huge turnaround from the fiscal state of the town 4½ years ago when the town's "going concern" status was placed as questionable, and he further emphasized that the absence of recommendations is fairly rare.

The Mayor called a short break. The meeting reconvened at 9:13PM.

H. ACTION ITEMS

1. **Consideration of Special Event Permit for Buffalo Bicycle Classic 2012.**

Myers introduced the item and explained to the Board the TRC recommendations. Lew Frauenfelder, from CU, was on hand to address any questions or concerns. The Board asked several questions about the canyon closure, the addition of this new route to the decade-old event, and other logistical concerns. Trustee Fiori asked especially whether the organizers were doing anything to encourage or discourage practicing the ride route in advance, and was informed that they had neither encouraged nor discouraged that.

Woody Eaton, of Sunshine Canyon, informed the Board that the ride is entirely non-profit and run by volunteers. He also detailed how the scholarship fund works, and expressed his support for the event.

Trustee Fiori expressed support for the charity and its work, but also shared his belief that road bikes don't belong on Canyon due to the danger they present to themselves and auto drivers. He also felt strongly that the canyon closure was detrimental to the Town.

Trustee Perret seconded Trustee Fiori's concerns and noted that Highway 119 has become

the most dangerous highway in Colorado based on the number of accidents. Mayor Gierlach noted that he was disappointed that the event organizers did not consult the town earlier in the process nor check to see what other local events it might impact, but emphasized that he supports the event conceptually and so will follow the staff recommendation. Trustee Croughwell shared the concerns of Trustees Fiori and Perret, and asked the organizers to be cognizant of the neighborhood the cyclists will be traveling through. Trustee Lee supports the university, the scholarship fund, and the boost to the new business, but was very concerned about the canyon closure. Frauenfelder explained that the event would be publishing alternate routes for that day in the *Daily Camera*, starting next week. Trustee Long supported the event and the business it will bring to town.

Motion to approve the Special Event permit for the Buffalo Bicycle Classic 2012, was made by Trustee Long, seconded by Trustee Lee, and approved unanimously.

2. Consideration of Amendment to the DDA Plan of Development for the NedPeds Project.

Reis introduced the item and explained the proposed changes to the Board. Beery explained to the Board that if the POD was adopted, a resolution would be prepared and presented as a consent item at the next meeting.

Everson and DDA President Ron Mitchell were on hand to answer questions and address concerns. The Trustees recognized that approval of this amended plan was the next logical step for the project. The Mayor and the DDA Executive Director agreed that a joint work session was necessary, as well.

Motion to approve the proposed amendments to the DDA Plan of Development for the NedPeds Project, was made by Trustee Lee, seconded by Trustee Croughwell, and approved unanimously.

A motion to extend the meeting to 10:15PM was made by Trustee Fiori, seconded by Trustee Croughwell, and approved unanimously through a voice vote.

3. Consideration of Resolution 2012-25, supporting a boating program on Barker Reservoir.

Trustee Lee introduced the item, provided a brief history of the initiative, cited resident surveys indicating support for the program, and outlined the process that would follow approval of the resolution, including the Nederland Public Process (NPP).

Trustee Fiori asked some questions about how the program could become self-sustaining, and Trustee Lee explained that the current data suggests that it could be. Trustee Fiori proposed that the Town should not subsidize the program with funds or staff resources.

Al Nelson, of Greater Nederland, expressed his support for the boating program and noted that the pilot program in 1999 worked well, and he asserted that the most recent resident survey clearly shows support for the program.

Lynda Lloyd, of Nederland, also expressed support for the boating program. She noted some of the pros and cons to the program, but she felt that overall it would be a very good thing for the town and its residents, and she'd be willing to volunteer for the program.

Mitchell offered his support for the program and noted that many residents had had a good time boating during the pilot project.

Brad Lindseth, of Nederland, related that he has lived in town for six years and has been trying to make a boating program happen. He would be willing to volunteer with the program.

Bill Ikler, of Nederland, voiced his support for the boating program, and shared his stories of boating on Barker in 1988. He stressed that the project would be very low-impact and could be run without building a lot of infrastructure.

Motion to extend the meeting to 10:30PM was made by Trustee Lee, seconded by Trustee Croughwell, and approved by a vote of 4 to 2, with Trustees Perret and Fiori voting no.

Matt (inaudible), of Boulder County, voiced his support for the program and encouraged the Board to support it.

The Mayor clarified the issue before the Trustees as a simple resolution of support. Trustee Croughwell asked for further clarity around the City of Boulder's restrictions and its position. Trustee Lee related the spirit of the meetings with the City of Boulder and its concerns. He explained that he felt the resolution is necessary to demonstrate the Town's basic support for the concept before the City of Boulder commits considerable staff resources to working out the details of the program.

Trustee Long opined that the Board needs to move forward and see where the program can go. Trustee Fiori argued that the Board cannot approve the resolution as being representative of Town's support because the NPP has not yet been applied to the program. The Mayor explained that the NPP would be applied once a program design had been better outlined through negotiations with the City of Boulder and could be considered.

Motion to extend the meeting to 10:45PM was made by Trustee Lee, seconded by Trustee Croughwell, and approved by a vote of 4 to 2, with Trustees Perret and Fiori voting no.

Trustee Croughwell explained that she was supportive of boating generally, but did not like the wording of the resolution, which indicates the Town supports the currently proposed program. She didn't feel that she had enough information to fully support the program yet and would rely on the public process to flesh out the details and public opinion.

Trustee Perret noted that he'd only signed the boating resolution in 2004 because the Board approved it over his objections. He primarily had concerns about the safety of the people out on the water.

Motion to extend the meeting to 11:00PM was made by Trustee Lee, seconded by Trustee Croughwell, and approved by a vote of 4 to 2, with Trustees Perret and Fiori voting no.

The Mayor pointed out that a majority does not need to desire a particular recreation in order for the Town to make it happen, and used the hockey rink as an example. He agreed that the NPP needs to be followed, but does not need to be completed before a simple support resolution is passed.

Trustee Lee argued that the program shouldn't go all the way through the NPP prior to discovering whether Boulder is willing to craft a program that would work for Nederland at all. Trustee Long agreed.

The Board agreed to send the proposal to the SAB for comment and the Board will be setting a work session to discuss the program after receiving SAB comments.

I. DISCUSSION ITEMS

- 1. Discussion of Board review of a Special Event permit application more than a year in advance of the event.**

This item was tabled until a future meeting.

- 2. Discussion of Resolution 2012-26, approving a Memorial Policy for commemorative memorials on Town property.**

This item was tabled until a future meeting.

J. OTHER BUSINESS

No other business was discussed.

K. ADJOURNMENT

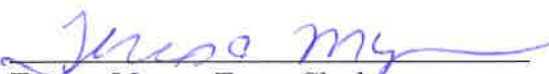
Motion to adjourn was made by Trustee Fiori, seconded by Trustee Croughwell, and approved by unanimous voice vote. The meeting was adjourned at 11:02PM.

Approved by the Board of Trustees.



Joe Gierlach, Mayor

ATTEST:



Teresa Myers, Town Clerk

