

**Town of Nederland**  
**Board of Trustees**  
**Regular Meeting Minutes**  
**February 18, 2014 7:00 PM**

**Nederland Community Center**  
**750 Hwy 72 Nederland, CO 80466**

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**A. CALL TO ORDER**

Meeting convened at 7:01 PM.

**B. ROLL CALL**

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

Absent: Mayor Pro Tem Kevin Mueller and Trustee Annette Croughwell.

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

**C. CONSENT AGENDA**

- Approval of February 18, 2014 Accounts Payable, Schedule A.
- Approval of February 18, 2014 Accounts Payable, Schedule B.
- Approval of February 4, 2014 Regular Meeting Minutes.
- Approval of Frozen Dead Guy Days (FDGD) Public Property Lease Agreement renewal.

Trustee Lee asked to pull the FDGD Agreement from the consent agenda for discussion.

Motion to approve the Consent Agenda, Schedules A and B and the regular meeting minutes from February 4, was made by Trustee Perret, seconded by Trustee Fiori and passed unanimously.

Trustee Lee noted that moving the FDGD Blue Ball down to Chipeta Park this year was a significant change and brought up the neighbors previous complaints in regards to the noise.

Amanda MacDonald, the event organizer, was present to answer questions. She replied that even though the Blue Ball has been moved to the park, there has always been music in the tent at the park. The Blue Ball extends the music hour at the park on Friday from 9:00 PM to 10:00 PM, so as not to compete with local bars after 10:00 PM. She said that during the Technical Review Committee (TRC) meeting with staff, the complaints from residents were addressed and solutions were to talk with her sound people to turn the bass levels down, and to provide an outreach letter to neighbors explaining the schedule for the weekend and offer her direct phone number for any issues or concerns.

Lee had a few other questions that were answered by MacDonald.

MacDonald asked the Board for the use of the Guercio Ballfield for parking. Reis had originally suggested not to allow that use, with the understanding that this field was to be reseeded for the multi-use ball field. Mayor Gierlach took a straw poll and all were in favor to allow the use of the ball field for parking this year only.

Motion to approve the Frozen Dead Guy Days Public Property Lease Agreement, was made by Trustee Perret, seconded by Trustee Lee and passed, with Trustee Fiori abstaining.

#### **D. STAFF REPORTS**

##### **1. Alisha Reis, Town Administrator**

Town Administrator's report was included in the packet. Reis provided an update on the progress of repairs left from the flood damage back in September. She also noted that the Visitor's Center received a new metal, low-glare roof and had the windows replaced with more energy efficient ones, supported by Boulder County Economic Development funds.

##### **2. Michele Martin, Town Clerk**

Town Clerk's report was included in the packet. Martin provided an update on the election process.

##### **3. Eva Forberger, Town Treasurer**

Treasurer's report was included in the packet. Forberger provided an update on the final 2013 fiscal numbers and said that the auditors were in this week. The final audit report should be available in May. She provided an update on the new software.

**4. Jason Morrison, Public Works Manager**

Public Works Manager's report was included in the packet. Reis provided an update on their main priority of snow removal. A few of the Trustees reported some areas that were in need of attention. Trustee Perret said that an elder who is on a list to care for was just recently plowed in, and Perret had to hand-shovel him out. Reis said she will pass this on to Public Works as there have been new hires that may not be aware of the folks to care for.

**5. Sgt. Larry Johns, Interim Police Chief**

Interim Police Chief's report was included in the packet. Reis provided an update on the training that the Police have been able to take advantage of now that they are nearly fully staffed. Police Chief Matheney starts March 10.

**6. Dawn Baumhover, Community Center Coordinator**

Community Center Coordinator's report was included in the packet. Reis said there are just a few items to wrap up from the flood damage. The weight room is now back open. Reis said there will be a soft reopening in the next couple of weeks and the grand reopening thereafter. Trustee Fiori asked to have a radon test done.

**E. BOARD OF TRUSTEES REPORTS**

**1. Mayor Joe Gierlach**

The Mayor's report was included in the packet. Mayor used his report to support the Food Pantry and provided five good reasons why folks should donate to the Food Pantry.

**2. Trustee Randy Lee**

Parks, Recreation and Open Space Advisory Board (PROSAB) meets this Thursday, there were no new updates. Lee said that the Firewise Action committee met to discuss goals and he will put those together in a future report.

**3. Trustee Peter Fiori**

Sustainability Advisory Board (SAB) moved their regular meeting from the 2<sup>nd</sup> Monday to the last Thursday of every month. SAB did call an emergency meeting two weeks ago to form the

Noxious Weed Subcommittee in order to submit the grant that the Board recently approved. SAB has requested the use of the multi-purpose room for their meetings as they plan to have larger crowds and presentations each month. Staff will look into that reservation to confirm availability.

#### 4. Trustee Ledge Long

Nederland Community Center Site Plan Committee will provide their presentation tonight. Long said that Dale Porter, Chairman of the Community Center Foundation Board (CCFB) has put together a manual of operations for the CCFB. It contains records, documents and explanation pages for their operations since 2001.

#### 5. Chris Perret

Downtown Development Authority (DDA) meets tomorrow, there were no new updates.

The Mayor called a brief recess, which reconvened at 8:00 PM.

### F. PUBLIC COMMENT OF NON-AGENDA ITEMS

### G. INFORMATIONAL ITEMS

#### 1. BOT Goals Update.

Reis included the Board's progress report in the packet. She mentioned that the Administrative Intern is working on a waste audit of all of Town facilities to understand the waste stream and to see if there is a prevalence of regular materials that do not make it into the compost field. The objective would be to create policy for Town operations to better support Boulder County's Zero Waste goals.

Trustee Fiori asked to have the backstop at Guercio Ball field put back up. Reis said it was not in very good shape, but will look into getting it back on the field for the season.

#### 2. Presentation of Community Center Site Plan Committee recommendations.

Reis provided background information in the packet. Project consultants Workshop 8 and members of the Site Plan Committee have been working for over a year on a Community Center Master Site Plan for the next 30 years for the entire Community Center site as a whole. There have been numerous workshops and public meetings to flesh out the desires of the community. Reis wanted to publically thank her fellow committee members: Chairman Dale

Porter, Trustee Ledge Long, Susan Davis Churches, Roger Cornell, Jennifer Davis, Marylou Harrison, and Dan and Linda Glasser for all their hard work and commitment.

Dale Porter, Chairman of the CCFB and the Site Plan Committee, was present. Porter said the Committee was challenged by some of the Trustees not to settle for the obvious, look for a vision, and then figure out how to get there. He said they were also challenged and inspired by the consultants and wanted to thank jv DeSousa of Workshop 8, Joel Price of JVA Engineers, and Elena Scott of Norris Design, who were all present to go through the slide presentation. Porter said tonight's recommendation is unanimous from the whole committee.

DeSousa started off the presentation by explaining the different conceptual schemes that were created and how they were each measured against certain criteria. Final Scheme M was chosen. Scott spoke to the key design elements of Scheme M, and Price spoke to the engineering aspects of the design such as the drainage and storm water issues. The consultants are proposing this project be implemented in phases over the next 30 years.

Reis said that staff supports Scheme M and would like to initiate the Nederland Planning Process (NPP) at this time.

Trustee Fiori asked several questions regarding sustainability and asked if a Needs Analysis was conducted. Fiori said he did not see how this would be economically sustainable at all. DeSousa explained their approach to sustainability as a multi-faceted, integrated systems thinking to sustainability goals in a much bigger way than just simply ensuring that systems are energy efficient. He described several of the different elements and how they are proposed to be designed into the project. A cost analysis was not conducted on the West Wing, but in his experience, DeSousa said with the age of the building, having been built in the 1960s, to just bring it up to code compliance, the cost would be similar to, if not more in certain areas, building a new structure, which would offer better opportunities for passive solar and renewable energy integration.

Reis said that certain needs were documented pre-project, such as the erosion issues, groundwater and storm water issues, and maintenance. Reis said as part of the NPP process more of those needs will be documented. She said that also, as part of the NPP review, staff will provide funding analysis for the project phases.

Porter said that the CCFB had provided a marketing plan at one time, because they felt the Community Center was not being utilized to its full potential. The plan showed it being used about 30% of where it should be; it is not economically viable as it stands today. He said the plan was to make this into the regional center it is supposed to be, where businesses and organizations would come to use its space, and then it can become fully sustainable in all aspects of the word.

The Board agreed to start the NPP process.

### **3. Update on amendments approved as part of NedPeds final plans approval.**

Reis introduced the item. At its January 21 meeting, the Board approved the final plans for the NedPeds project along with several minor revisions. This is simply an update on the progress of those revisions. Reis said she will provide this progress update to the Downtown Development Authority (DDA) and also post it. Reis said that once the redesign to save the two spruce trees and other revisions are finished, then C2 Sustainability and Huitt-Zollars will come back before the Board with an updated schedule and budget.

Trustee Lee commented that no willows should be planted in the Fishermen's parking lot area until planning for that area had been completed, and that planting the proposed willows at this time would interfere with creek cleanup.

Trustee Fiori suggested having staff contact Xcel to see what their intentions were for those two spruce trees. He said that if Xcel was planning to cut them down anyway, then that certainly changes things. Reis said she would check with Xcel.

## **H. ACTION ITEMS**

### **1. Consideration of a fee waiver request for the Nederland Food Pantry for their Stone Soup Fundraiser.**

Martin introduced the item. The Food Pantry is hosting their first Stone Soup Fundraiser and is before the Board to ask for a full waiver of the rental fees of the gym, kitchen and multi-purpose room.

Maggie May, of Nederland and member of the Food Pantry, was present to thank the Board for their consideration and support. She said that in 2013 the Food Pantry had distributed over 55,000 pounds of food to members in need of the community, and since the flooding they have

served an additional 110 clients per month. She said statistically, the Nederland Food Pantry serves 25% of the working poor in Boulder County. She encouraged everyone to attend the event this Sunday from 2:30-6:30 PM.

The Board was unanimous in their decision to grant the full fee waiver.

Motion to approve the fee waiver request for the Nederland Food Pantry for their Stone Soup Fundraiser, was made by Trustee Perret, seconded by Trustee Fiori and passed unanimously.

## I. DISCUSSION ITEMS

### 1. Consideration of an ordinance to update the building codes to 2012 (IRC, IBC).

Reis introduced the item. The Board had considered updating the building codes before in August of 2012, from the 2006 version to 2009. At that time the Board decided to wait until after the Comprehensive Plan was adopted before looking at building code upgrades. The Comprehensive Plan was adopted in the late fall of 2013. Reis said that since this is considered adopting a code by reference, the process is to first have the ordinance introduced to the Board, and then schedule a public hearing for it to be considered for adoption. This is the introduction, and the public hearing is tentatively scheduled for May 20, for the ordinance to become effective July 1. Reis said that staff recommends adopting the same ancillary hillside development and wildfire zone codes.

Chad Johnson, SAFEbuilt Building Official, was present to discuss some of the primary differences. He recommends adopting the 2012 International Codes along with the 2014 National Electrical Code (NEC). He said that municipalities should stay within a code cycle, lagging too far behind causes too much confusion.

Trustee Fiori questioned the refund section, as to why it would be based on a percentage rather than a fixed rate. Reis said staff can review that prior to the public hearing.

Trustee Lee had several questions, which Johnson answered. Reis said that prior to adoption, staff plans to hold a building and planning 101 Course as a public outreach, with plans to invite realtors, contractors, architects, engineers, and the public.

Mayor Gierlach emphasized the fire hazard of where we live. He suggested a Mayor's Task Force to consist of local contractors, professionals and folks familiar with the Comprehensive Plan to weigh in on these proposed changes, such as sprinklers, ventilation, combustible

materials, and tree mitigation and to advise what would be most beneficial to Nederland rather than what the 2012 International Building Code (IBC) generically covers. The Board was in favor and Reis said staff would coordinate that.

Johnson said the Town does have the option to opt out of certain regulations such as sprinklers and ventilation. He said there are also options of listing fire resistant materials and paints, such as Contego Fire Retardant Paint, into the ordinance.

**J. OTHER BUSINESS**


**K. ADJOURNMENT**

Motion to adjourn was made by Trustee Perret, seconded by Trustee Lee, and approved by unanimous voice vote. The meeting was adjourned at 9:46 PM.

Approved by the Board of Trustees.

  
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Joe Gierlach, Mayor

ATTEST:

  
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Michele Martin, Town Clerk

