

**TOWN OF NEDERLAND
BOARD OF TRUSTEES
REGULAR MEETING MINUTES:
September 2, 2014, 7:00PM**

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

A. CALL TO ORDER

Meeting convened at 7:00 PM.

B. ROLL CALL

Present: Mayor Joe Gierlach, Trustees Randy Lee, Charles Wood, Topher Donahue, Kris Larsen, Kevin Mueller and Mayor Pro Tem Peter Fiori.

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

C. CONSENT AGENDA

- Approval of September 2, 2014 Accounts Payable.
- Approval of August 19, 2014 Regular Meeting Minutes.
- Approval of Police vehicle purchase.
- Approval of Fuels Prescriptions on public lands associated with the FEMA Hazard Mitigation program with Boulder County.

Trustee Mueller had some recommended changes to the meeting minutes to clarify some points and correct a typo.

Mayor Gierlach and Mayor Pro Tem Fiori asked to pull the Fuels Prescriptions on public lands associated with the FEMA Hazard Mitigation program.

Motion to approve the Consent Agenda with Accounts Payable, Police vehicle purchase, and August 19, 2014 regular meeting minutes including Trustee Mueller's changes was made by Mayor Pro Tem Fiori, seconded by Trustee Lee and approved unanimously.

Mayor Pro Tem Fiori wanted to state for the record that previous boards had discussed the possibility of purchasing hybrid vehicles for Town needs, and he wished to express his opinion to continue using V8 and off-road pursuit vehicles for the Police Department and to put them last on the list when it comes to hybrid options.

Scott Golden, Forester from Boulder County Parks and Open Space, was available to answer questions on Fuels Prescriptions. He is currently operating the contract for the Town's Mud

Lake project. Reis said this is part of the FEMA Hazard Mitigation grant applied for in 2010. Reis noted that a direct post card mailing was sent to all water account holders, posted to website and social networks, and the Forest Service also sent notices via their own email list.

Mayor Pro Tem Fiori asked where the money and material go, how to help nurse back the forest floor, and what was the time frame when a tree is first marked. Golden responded that there was a net loss as transportation cost more than the work or what the trees are worth; there is a net access of fuel reduction right now and there is some chipping planned in the area to add some nutrients, but they have to be careful for various reasons, excess material will be chipped and broadcast or used as biofuel for Boulder County Open Space or Jail. Golden said the trees could be given away to citizens of Nederland, yet the Town would have to ensure there was no money exchanged, as that amount would have to be taken out of the grant. Golden said the timeframe when a tree is marked with blue paint could take one-two years to be cut down.

Mayor Gierlach asked about a social trail that cut through private property at the Hilltop subdivision next to the Town's water tank property site and linked up with Mud Lake. There are "no trespassing" signs on the water tank that could be misleading about the property and wondered how to incorporate a new trail to Mud Lake from the Hilltop water tank property to redirect folks away from that private property trail. Reis said she would walk the property with PROSAB, and then they could coordinate the effort with Saws and Slaws to manage and oversee the redirection. She will report back to the Board.

Motion to approve Fuels Prescriptions on public lands associated with FEMA Hazard Mitigation program with Boulder County was made by Trustee Lee, seconded by Trustee Donahue and approved unanimously.

Mayor Gierlach made a motion to amend the previous motion to include incorporating a trail with the help of PROSAB and Saws and Slaws on the Hilltop water tank property to Mud Lake, seconded by Trustee Wood and passed by a vote of 5-2, with Trustee Lee opposed, because he did not think this was the appropriate way to deal with this trail issue, and Mayor Pro Tem Fiori opposed, because he likes social trails over official designated trails.

D. PUBLIC COMMENT ON NON-AGENDA ITEMS

E. INFORMATIONAL ITEMS

F. ACTION ITEMS

1. Consideration of Correction Replat for McMillen Meadows (Tillotson).

Reis introduced the application. This is a second replat for McMillen Meadows. The initial PUD was approved in 1995 and a replat done in 2004 to reconfigure two lots to allow better vehicle access. This replat is to eliminate Lot 3 and redistribute the land among Lots 1, 2, and 4, and decrease Outlot 11, thus reducing the number of platted lots from 10 to 9. The Planning Commission reviewed this application and held a public meeting on July 23, 2014, and approved it without conditions.

The applicant, Rich Tillotson, was present to answer questions. Tillotson did have another request for the Board. He asked to add 10-feet to Line Table L7 (Lot 4) and take off 10-feet

from Line Table L8 (Lot 9). He said the marketing ability would be better with all of these changes.

There was no public comment.

Motion to approve the Correction Replat for McMillen Meadows with the adjustment of lot lines between Lots 4 and 9 as requested tonight was made by Trustee Larsen, seconded by Trustee Wood, and approved unanimously.

Tillotson will prepare the mylars with the changes as indicated prior to recording.

2. Consideration of Resolution 2014-18 to establish an Emergency Preparedness Task Force/Committee.

Trustee Lee introduced the application. Lee and Community Center Coordinator Dawn Baumhover have been heavily involved in emergency preparedness for the Town and have realized their limited time capabilities to accomplish some tasks such as a Ham radio network and neighborhood POD systems. They feel there is a need for a specialized committee to handle these community related needs. Lee said they have three excellent candidates right now for appointment. Reis commented that this committee would assist staff as staff's main tasks are for continuity of government planning and emergency response as a whole, there isn't a staff member available to work on the neighborhood aspect, like this committee could do.

There was no public comment.

The Board discussed the way the resolution was written as to allow members to maintain the committee's membership without prior Board approval, and it appeared that it wasn't a true advisory board with a Board liaison. Lee explained that it would be ideal to have a Board liaison, but everyone is stretched pretty thin. He said the resolution was written like that to avoid any delay.

Trustee Mueller asked how the businesses would be incorporated into the neighborhood POD systems, as they are affected as well. Lee said these types of questions are what this committee would have to discuss and address. Lee said it would be the committee's responsibility to maintain relationships with individual neighborhood POD leaders.

Mayor Gierlach listed several benefits of a full blown advisory board and pointed out that one of the main directives of the Board is to appoint advisory board members, and how important it is to meet with all the advisory boards to share in the Board's goals.

Trustee Larsen suggested that under Creation and Establishment of the resolution, to say "The initial three (3) members of the Committee shall be appointed by the Mayor with the approval of the Board, and those three (3) members shall be empowered to fill their board, after which point all further appointments or vacancies shall come before the BOT to be filled."

Motion to approve Resolution 2014-18 to establish an Emergency Preparedness Committee with the amendment made above by Trustee Larsen, and to appoint the first three applicants Dennis Whalen, Michael B. Smith, and Susan Ayer as members was made by Trustee Larsen, seconded by Trustee Lee, and approved unanimously.

Trustee Mueller suggested deleting under Terms: "the Committee itself without further approval from" to help preserve the Board's ability to appoint. It was agreed to include this

Friendly Amendment into the original motion.

3. Consideration of Resolution 2014-19 to adopt the Sustainability Action Plan.

Reis introduced the item. This was the last piece for C2 Sustainability Conor Merrigan to work on under his contract with the Town. Reis described the different components being presented: the Sustainability Action Plan (SAP) is the living, breathing, 30,000-foot level plan; the Sustainability Action Matrix (SAM) is for putting the plan into action, basically the basis for ongoing budgeting and goal-setting operations; and STAR is a rating system tool for incorporating into each operation. She said the first budgeting work session is scheduled for September 9 and Administrative Intern Armani-Munn will discuss at that time the steps needed for initial submission to STAR.

Merrigan was present to answer any questions.

The Board discussed the different way this plan and matrix went through the Nederland Planning Process (NPP), goals prioritization, community buy-in, the Aspirational Goals in the narrative, STAR points, and how to properly use the matrix.

There was no public comment.

Trustee Larsen noted for the record that the Planning Commission did not sign-off on this plan. Reis agreed that this was not the normal NPP in which Boards give formal, written approval or recommendations. Yet, each Advisory Board, aside from BZA, did hear the plan as an agenda item presented by Merrigan, and reviewed their particular matrix purview, with any feedback incorporated along the way by Merrigan. Merrigan suggested that as part of the annual review process, as a placeholder in the plan, could be to go back to all of the Advisory boards to get input since each board will be working with the plan. Reis asked for the Board to further clarify NPP expectations moving forward.

Trustee Wood suggested taking more time now to connect with the STAR rating system for a better chance of longer term success from the benefits of the STAR program.

Mayor Gierlach emphasized that the goal of the Board is to now begin prioritizing and incorporating the matrix into budget, and the first budget work session is next Tuesday. Once completed, then the Board can go back to the public and detail what goals can be afforded, what goals need grants, etc.

Trustee Lee was not convinced the matrix was the way to achieve prioritizing Board goals, and noted some corrections to the narrative.

Mayor Pro Tem Fiori was pleased with the matrix and said that Merrigan took all of the studies/plans the Town has paid for and put them into the constraints of sustainability to receive this end product for use. Fiori said that this came from the Sustainability Advisory Board (SAB) and they will own it.

Trustee Mueller suggested passing this sooner than later and that every future decision the Board and Advisory Boards make should be filtered through this SAM, thus leading the Town to fulfill its 2020 Vision.

Trustee Donahue asked Merrigan if he felt the plan was ready for the next step to use as a tool for funding and budgeting, and Merrigan replied yes for the 2014-2015 fiscal year. Merrigan

went on to say that the matrix should be tied back to the resources the Town has, volunteers, the Advisory Boards, and how much the Town can do on its own versus having to seek grant funding. Reis added the Town is seeking an On-call Engineer who will further assist in honing in on the details of the action items. Merrigan followed up by saying that he has received his last paycheck and has a proposal for additional services, but that the Board should leverage off of those resources mentioned, especially Administrative Intern Armani-Munn.

Trustee Wood suggested separating the SAP and the SAM for voting purposes, as some of the Board members had a few concerns regarding the narrative. Trustee Larsen said there were typos, missing sentences, and other errors found in the narrative. Trustee Mueller countered by suggesting to separate the narrative would be a disadvantage to the use of the matrix, you need the plan to direct the matrix.

Reis acknowledged that Armani-Munn is pushing the STAR points, because the Town needs to attain 100 points by January in order to continue with the program.

Motion to approve the Sustainability Action Matrix was made by Mayor Gierlach, seconded by Mayor Pro Tem Fiori and passed unanimously.

Motion to approve Resolution 2014-19 to adopt the Sustainability Action Plan was made by Mayor Gierlach, seconded by Mayor Pro Tem Fiori, and approved by a vote of 5-2, with Trustees Larsen and Wood opposed.

Mayor Gierlach asked the Board members to take a look at the recommendations from the scores completed by Public Works in regards to infrastructure.

G. DISCUSSION ITEMS

H. OTHER BUSINESS

I. ADJOURNMENT

Motion to adjourn was made by Trustee Larsen, seconded by Trustee Lee, and approved by unanimous voice vote. The meeting was adjourned at 9:57 PM.

Approved by the Board of Trustees.

ATTEST:



Joe Gierlach, Mayor



Michele Martin, Town Clerk

