



**TOWN OF NEDERLAND
BOARD OF TRUSTEES
REGULAR BUSINESS MEETING**

NEDERLAND COMMUNITY CENTER
750 Hwy 72 Nederland, CO 80466

September 1, 2015, 7:00 P.M.

MINUTES

A. CALL TO ORDER

Meeting convened at 7:04p.m.

B. ROLL CALL

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

Absent: Trustee Topher Donahue

Also present: Alisha Reis, Town Administrator; Jeff Maggard, Town Treasurer; LauraJane Baur, Town Clerk; Chris Pelletier, Public Works Manager, Paul Carrill, Town Marshal; and Carmen Beery, Town Attorney.

C. CONSENT AGENDA

1. Approval of August 18, 2015 Regular Meeting Minutes

Motion to approve the Consent Agenda was made by Trustee Larsen, seconded by Mayor Pro Tem Fiori, and passed by unanimous verbal approval.

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

Maggie May and Jeanette Taylor, both of Nederland, each spoke in support of the Food Pantry and encouraged the Board to support the Food Pantry in the upcoming Town Budget considerations.

There was some Board discussion regarding the Food Pantry including available grant funding in addition to any possible Board support. Mayor Pro Tem Fiori requested more detailed budget information from the Food Pantry; Chris Current said that she will provide that information.

E. INFORMATIONAL ITEMS

1. EPAC Quarterly Update

Michael O'Neill, EPAC Chair, presented the update referring to the report in the packet and informed the Board that he plans to submit for a modest operating budget for 2016.

Trustee Lee questioned whether EPAC was sticking to its mission of creating a neighborhood support system, saying that it seemed to be concentrating more on education instead. O'Neill justified the educational component stating that it is needed in able to set up the neighborhood support system over time.

Mayor Gierlach noted that EPAC is a #NedZero item so it is already in the budget to be ranked. Trustee Lee noted that the next IMA (InterMountain Alliance) meeting will be held in the Radio Room.

2. Monthly update on Public Works Center project

Joel Price, JVA, reported that the DOLA (Department of Local Affairs) grant had been awarded for the project and that the bid date well be set soon. Price offered to answer any questions that the Board might have.

Trustee Mueller asked about LEED requirements for the grant. Reis answered that DOLA is not requiring LEED certification on this project, but that they appreciated that the project is being approached from a certifiable philosophy.

Mayor Gierlach inquired about the necessity to go to ballot over this item. Reis explained the TABOR issue and how the State funds affect the TABOR limits. Reis also mentioned the possibility of "deBrucing" at the April 2016 election. There was some further discussion on the TABOR issue and the need for citizen education on the issue prior to the April election.

3. Update on the Performance Space

Reis informed the Board that she has approached PROSAB to be sure this item gets on their lineup; she noted that there have been other projects ahead of it in the que, but that they are working towards it.

Mayor Pro Tem Fiori said that he would like to revisit the issue of having electricity at the performance space, noting that the zoning is now correct for that use and he would like to consider it in the 2016 budget. There was some technical discussion and discussion regarding possible sponsorship from Xcel.

Trustee Lee questioned the rocks in that area, commenting that he thought they might make it impractical to try to have events there unless the rocks are first removed. There was discussion regarding removal of the rocks, keeping some events at Chipeta Park, weed pulls in the area, and structure options for the stage.

F. ACTION ITEMS

1. Consideration of Resolution 2015-17 to refer a question to the November ballot to allow the Town to keep awarded grant revenues from DOLA in support of the Public Works Center project

Reis noted the discussion earlier during the Public Works Center update, and then she read the proposed question to go before the voters. It read as follows:

Town of Nederland

“SHALL THE TOWN OF NEDERLAND BE AUTHORIZED TO COLLECT, RETAIN AND SPEND THE FULL AMOUNT OF THE EIGHT HUNDRED THOUSAND DOLLAR (\$800,000) STATE ENERGY AND MINERAL IMPACT ASSISTANCE GRANT FUNDS AWARDED TO THE TOWN ON AUGUST 5, 2015, FOR PURPOSES OF THE TOWN MAINTENANCE SHOP PROJECT, NOTWITHSTANDING ANY STATE SPENDING OR REVENUE LIMITATION, INCLUDING THOSE CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?

_____ YES _____ NO”

As the item had been discussed previously, there was minimal discussion. It was noted that the Town must educate and prepare the community for the issue prior to the April election.

There was no public comment. All Board comments were in support of the ballot question.

Motion to approve Resolution 2015-17 to refer the TABOR question to the November ballot was made by Trustee Larsen, seconded by Mayor Pro Tem Fiori, and passed by unanimous vote.

2. Appointment of Deb D’Andrea as an alternate PROSAB Member.

Baur introduced the item noting that Deb D’Andrea has applied to fill the Alternate position vacancy created when Kris Hess became a regular member. Baur noted the inclusion of PROSAB’s approval in the packet along with D’Andrea’s application. D’Andrea introduced herself and told the Board of her qualifications for working with festivals and events and of her interest in making the performance space become a reality.

There were no Board questions or public comments. All Board members had positive comments and thanks to D’Andrea for her volunteerism.

Motion to appoint Deb D’Andrea as an alternate PROSAB member was made by Trustee Lee, seconded by Mayor Pro Tem Fiori, and passed by unanimous approval.

3. Consideration of project award for FEMA Roads Recovery Project

Reis introduced Gary Welp from contract engineers RG & Associates after noting that this FEMA project is being fully funded through outside sources: 75% FEMA, 12.5% State match, and 12.5% Local match being funded by CDBG-DR (Federal disaster recovery) to which Mayor Pro Tem Fiori applauded the sourcing of the funding.

Mayor Gierlach questioned why the lowest bid wasn’t chosen. Welp explained the bid issues that were involved in making the decision. Trustee Wood asked about the recommendation that Melvin Geib be monitored by RGA. Welp noted that the recommendation would be made with any contractor chosen given the federal requirements attached to funding.

There was no public comment. All Board comments were favorable.

Motion to award the FEMA Roads Recovery Project to Melvin Geib was made by Mayor Pro Tem Fiori, seconded by Trustee Larsen, and passed by unanimous approval.

G. DISCUSSION

1. Discussion of regulation of golf carts/cars

Reis gave background information regarding the issue of driving golf carts/cars on State highways. Discussion of current regulations and what the Town might be able to do to legally allow the use of these vehicles within State law, especially regarding crossing the bridge on CO Hwy 119. The legal definition of such vehicles, use of "officer discretion", and State vs Local code was discussed. It was agreed that the Board and Town Staff would like to allow the use of these vehicles for local travel within Town, but that newly adopted State code no longer allows for that. Reis committed to continue to research the issue and bring it back to the Board when further options are available.

H. OTHER BUSINESS

1. Reis informed the Board that Jeff Maggard has asked Reis to begin looking towards finding his replacement as Town Treasurer. Reis reported that she is looking into contracting opportunities and will be putting the position back out to the public for applications.

The Board went on to discuss the current rate of pay in Nederland vs that of other similar Towns. Reis told the Board that she has put in a request with MSEC (Mountain States Employers Council) to conduct a Comp Study. Trustee Wood noted the extra costs associated with staff turnover and training. Trustee Larsen suggested that a salary discussion should be put on the budget session agenda.

2. Trustee Larsen brought up the issue of being a Home Rule vs Statutory town. He asked Board members to start thinking and researching the pros and cons of Nederland becoming a Home Rule town.

3. Trustee Lee updated the Board regarding the local shooting discussions; he said that residents are wondering why the Board has not weighed in on the issue. Lee noted that the Forest Service has extended the comment period until September 9th, and asked if the Board would like to send a letter endorsing PROSAB's position. Reis asked Lee to draft a letter for the Mayor to sign.

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 9:42PM.

Approved by the Board of Trustees.

ATTEST:


Laura Jane Baur, Town Clerk


Joe Gierlach, Mayor



Town of Nederland