



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

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

**February 9, 2016, 7:30 P.M.**

**MINUTES**

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**PRE-MEETING EXECUTIVE SESSION**

**7:30 P.M.**

**Community Center Multi-Purpose Room**

The Board of Trustees met in executive session discussion pursuant to CRS 24-6-402(a) and (e) for purposes of discussing the potential purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest; and for determining positions relative to matters that may be subject to negotiations.

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

Absent: Mayor Joe Gierlach.

Motion to enter executive session as described made at 7:35PM by Trustee Larsen and seconded by Trustee Mueller, and passed by a vote of 6 to 0. Mayor Pro Tem Fiori closed the executive session at 8:23PM.

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**A. CALL TO ORDER – 8:32 PM**

**B. ROLL CALL**

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

Absent: Mayor Joe Gierlach and Trustee Kristopher Larsen

Also present: Alisha Reis, Town Administrator and LauraJane Baur, Town Clerk

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

Kathleen Chippi, of Boulder County, spoke regarding marijuana code enforcement. Her comments are attached.

Mayor Pro Tem Fiori asked if Reis had any comment on the concerns presented by Chippi. Reis answered that she would review the document Chippi submitted and return to the Board at its next meeting with a response.

#### **D. ACTION ITEMS**

##### **1. Consideration of Resolution 2016-05 to refer to the April 2016 ballot a question to authorize debt for the DDA**

Alisha Reis introduced the resolution noting that all items being discussed tonight are in the packet. Katrina Harms, DDA Chair, presented for the DDA and informed the Board of changes from the original presentation to the Board on January 19 of ballot wording. Harms addressed the debt authorization amount and the DDA's readiness to go to ballot, allowing them to start projects that have been in the planning for over a year.

The benefits of going to the April ballot vs. waiting until November were discussed as well as the differences in the cost between the two election dates.

##### **Public Comment:**

Jeffrey Green, Owner of Very Nice Brewery and member of the DDA Board, spoke to clarify that the purpose of the Board of Trustees' vote is not to give the DDA the money but to allow the DDA district to vote on the debt authorization.

Gail Eddy, of Nederland, questioned the timing on publication of the Blue Book for the election. Baur answered that it would be published after the public comment period on the ballot questions, which she noted ends on February 19, 2016. The ballot questions will be published within days after the Board approves the DDA debt authorization ballot question.

Trustees Lee, Donahue, and Wood all made comments in favor of putting the question to the ballot this April. Trustee Mueller stated concerns that the question lacked language clarifying that the DDA would have to get Board approval prior to borrowing any funds. Reis clarified that it is part of State Statute, so unnecessary on the ballot. Mueller voiced further concerns regarding previous debt authorizations, the DDA project list, the DDA Master Plan update (MPU), and issues whether information was adequately considered in the MPU from the environmental assessment conducted last year. Mayor Pro Tem Fiori stated that his concerns were with the amount of the debt authorization and the DDA's ability to repay the debt, and he added that he feels the MPU has been rushed and needs to go through the Nederland Planning Process (NPP).

Trustee Donahue clarified several points: 1) the debt authorization does not commit the Board to the specifics of the plan, 2) it does not preclude the integration of the environmental assessment, 3) it does not commit the Board to any details of the MPU without community input, and 4) it does not end the development of the plan right now. Donahue stated that his only concern would be if it would pass if put to a vote in April, or if it should wait until November. Harms responded that she believes that it would pass if put to the vote in April.

Amanda Kneer, DDA Treasurer, spoke to the process of the DDA in coming to decision to request the specific amount of the debt authorization. Reis added that passing the debt authorization will help the DDA's ability to leverage and partner with others to get projects completed. Trustee Lee offered that this Board of Trustees needs to trust the next Board to make the right decisions each time the DDA comes to the Board for various projects.

The Board discussed having the MPU go through the NPP. It was suggested that the DDA first present the MPU to each advisory board and then host at least one representative from each advisory board and get everyone's input at one time. This method should improve and streamline the NPP process.

**Motion to approve Resolution 2016-05 to refer to the April 2016 ballot a question to authorize debt for the DDA was made by Trustee Lee, seconded by Trustee Donahue, and passed by a vote of 3 to 2, with Mayor Pro Tem Fiori and Trustee Mueller voting against.**

Before adjourning, Mayor Pro Tem Fiori reiterated that the DDA put the MPU through the NPP "summit" process as discussed.

**D. ADJOURNMENT**

**Motion to adjourn was made by Trustee Wood, seconded by Trustee Lee, and approved by unanimous voice vote. The meeting was adjourned at 9:48PM.**

Approved by the Board of Trustees.

ATTEST:

  
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Joe Gierlach, Mayor

  
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LauraJane Baur, Town Clerk





**Authorized inspector. The Mayor and Town Marshal shall have the power and authority to appoint and authorize..."** .Clearly the Town Administrator does not have the authority to enforce any of section 7 which contains all the towns "nuisance" violations unless the Mayor or the Marshall give her authority to do so.

The towns people need to know at what time and through what document the Mayor and/or the Marshall have given the Town Administrator authority to contact property owners or tenants regarding violation or enforcement of cannabis odors or to create residential 'inspection forms' or to search houses with Safebuilt.

This is my 3<sup>rd</sup> public comment in three meetings on this matter. I request the BoT indicate a date when they can answer these questions. Can anyone answer this question for me now?

