



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

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

**September 6, 2016, 7:00 P.M.**

**MINUTES**

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**A. CALL TO ORDER**

Meeting convened at 7:02p.m.

**B. ROLL CALL**

Present: Mayor Pro Tem Charles Wood, Trustees Topher Donahue, Julie Gustafson, Stephanie Miller, and Kevin Mueller

Absent: Mayor Kristopher Larsen and Trustee Dallas Masters

Also present: Alisha Reis, Town Administrator; LauraJane Baur, Town Clerk; and Paul Carrill, Town Marshal

**C. CONSENT AGENDA**

1. Approval of September 6, 2016 Accounts Payable
2. Approval of August 16, 2016 Regular Meeting Minutes
3. Approval of the appointment of Ken Winter to PROSAB
4. Approval of a Resolution to formalize the Forestry Committee as a Town Board and appointing an initial president

Trustee Gustafson requested to pull consent item #4 from the Consent Agenda. Gustafson stated recalling that the Board had previously noted a desire to discuss Advisory Boards and the roles they play, and that she does not want to add another committee without the Board first having that discussion.

Motion to approve the consent items 1, 2 & 3 was made by Trustee Donahue seconded by Trustee Gustafson, and passed by unanimous approval.

Motion to table the consent item creating a Forestry Committee was made by Trustee Mueller seconded by Trustee Miller, and passed by unanimous approval.

Motion to reverse the order of the two Informational Items on the agenda was made by Trustee Donahue seconded by Trustee Mueller, and passed by unanimous approval.

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

Ron Mitchell, of Nederland, spoke regarding the upcoming debate for rental licensing and stated that he would like be involved with the planning.

## **E. ACTION ITEMS**

There were no Action Items.

## **F. INFORMATIONAL ITEMS**

### **1. Progress Report regarding the NEDPEDs Pathway Project**

Todd Ficken and Alex Knettel, of FDI, gave an update on the NedPeds project, highlighting information provided in the packet. Ficken clarified information regarding the use of porous pavers vs. porous asphalt noting that he believes the Town will be better off with the use of porous asphalt.

Ficken also reported that they will be using a "Plan B" option for the winter because the contractor was unable to secure the porous asphalt needed for this year. A 3" regular asphalt cap will be put down for the winter. In the spring the cap will be pulled up and sent back to the supplier for milling and recycling. Trustee Gustafson voiced concern regarding water run-off and drainage with spring melt. Ficken responded that the temporary pavement is not ideal; but with the added drainage material at the edge of the road, the temporary situation should have better drainage than was the case prior to the start of the project.

Trustee Miller asked about how things are going regarding the neighbors to the project. Katrina Harms, DDA Chair, addressed Miller's concerns by stating that she has had questions from the public and everyone is dealing well with the progress. Harms said that feedback has been positive overall. Ficken added that he has been working with the neighbors to try to lessen the impact on their properties.

Trustee Mueller asked about any best practices learned throughout this process. Alisha Reis responded that the Town has been working with Xcel when poor connections are found and that these issues will have to be addressed in the next franchise agreement with Xcel. Mueller also questioned public outreach. Knettel responded that, in addition to their current outreach, Mueller and the other Board members could help by putting out positive comments on the project.

### **2. Progress Report regarding the Town Maintenance Shop Project**

In addition to the information provided in the packet, Reis noted that the building parts will be delivered tomorrow (9/7/16) and that on October 3<sup>rd</sup> the solar panels will go on. Reis also reported that a temporary occupancy allowance should be granted by mid-November and that January 9<sup>th</sup> is the target date for total completion of the site.

## **G. DISCUSSION**

### **1. Discussion of Resolution 2004-06 regarding environmentally preferred practices and potential amendments**

Reis stated that this item is on the agenda at a previous request of the Board. Trustee Mueller questioned what brought up the issue and what changes the Board is expecting to see. Mayor Pro Tem Wood said that it was discussed at the July 5<sup>th</sup> Board meeting and Reis referred to the highlighted sections of the minutes provided in the packet. There was lengthy discussion regarding the "basic tenets of LEED" and what is meant by that. The Board discussed possible codification vs. having flexibility within various project requirements. It was noted that the Board should set measurable goals for projects up

front and that the Board should set clear, specific goals for staff. Trustee Gustafson summarized that LEED can be a tool that is good to use but not to tie the Board's hands or limit their options on projects. Trustee Miller added that the process and goals are more important than getting the plaque on the wall. Wood suggested that the upcoming Comp Plan discussion would be a good opportunity to discuss incorporating LEED requirements in projects.

**2. Introduction of an Ordinance to amend the Utilities Code to allow for a method to apply for relief related to high bills due to leaks or other extraordinary circumstances**

Reis referred to the draft resolution in the packet as a starting point for the Board discussion regarding relief of sewer charges vs water consumption in the event of a leak or other uncontrolled water usage. There was discussion regarding the circumstances that would require the use of such a policy. Trustee Donahue suggested that the Board should also address a mechanism for Town Staff to shut water off to conserve water in these cases.

There was discussion regarding proof of financial need or hardship required to apply for sewer billing relief. Donahue pointed out that it is not an issue of hardship but an issue of not paying for sewer charges when the sewer is not being used. Donahue made a motion to forward this to a future Board meeting as an ordinance with direction to instruct staff to turn off water as needed. Trustee Miller added to the motion to bump up the funding level of Staff authority for granting relief.

**Motion to forward the ordinance as an action item with direction to instruct staff to turn off water as needed and to increase the funding level of Staff authority for granting sewer bill relief was made by Trustee Donahue seconded by Trustee Miller, and passed by a vote of four to one with Trustee Mueller in dissent.**

**H. OTHER BUSINESS**

Trustee Miller requested that rental licensing and VRBO program discussions be moved up prior to ADU discussions in order to be able to appropriately address the costs of rental licensing and VRBOs in the 2017 budget discussions.

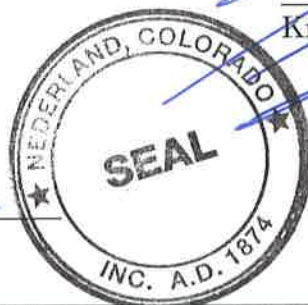
**I. ADJOURNMENT**

**Motion to adjourn was made by Trustee Mueller, seconded by Trustee Donahue, and approved by unanimous vote. The meeting was adjourned at 9:30PM.**

Approved by the Board of Trustees

ATTEST:

  
Laura Jane Baur, Town Clerk



  
Kristopher Larsen, Mayor



Date	Agenda item description	Nederland Board of Trustees										PASS or FAIL	# of YES votes	# of NO votes	# ABSTAIN	# ABSENT	
		Larsen	Wood	Donahue	Gustafson	Masters	Miller	Mueller									
4/19/16	Donahue appointment to fill Larsen Trustee vacancy	y	1	n/a	y	2	y	2	y	y	y	p	6	0	0	0	0
	Charles Wood as Mayor Pro Tem	y	a	y	1	y	2	y	2	y	y	p	6	0	1	0	0
	Res 2016-09 through 2016-15 - re-appointments	y	1	y	y	2	y	2	y	y	y	p	7	0	0	0	0
	Municipal Judge Gloss contract renewal	y	1	y	y	y	2	y	2	y	y	p	7	0	0	0	0
	Robert Half/Accountemps contract	y	1	y	y	y	2	y	2	y	y	p	7	0	0	0	0
	MW Golden contract for Town Shop	y	2	1	y	y	y	y	y	n	p	p	6	1	0	0	0
5/3/16	Consent	y	x	1	y	2	y	2	y	y	y	p	6	0	0	1	0
	PUD/SRU Williams / 3rd Street	y	1	y	y	y	2	y	2	y	y	p	7	0	0	0	0
	Town IT contract - Alpenet	y	2	y	y	1	y	y	y	y	y	p	7	0	0	0	0
	meeting extension	y	1	n	y	y	2	y	2	y	y	p	5	2	0	0	0
5/17/16	Consent	y	y	2	y	1	y	1	y	X	X	p	6	0	0	1	0
	SRU, Farrell - 171 E 2nd St	y	1	y	y	y	2	X	X	X	X	p	6	0	0	1	0
	BOT Liaison assignments	y	y	2	y	1	y	1	y	X	X	p	6	0	0	1	0
6/7/16	Consent minus minutes	y	2	X	X	X	X	X	y	1	1	p	4	0	0	3	0
	Minutes 5/17/2016	y	2	X	X	X	X	X	y	1a	1a	p	4	0	1	3	0
	Resolution 2016-19 BOT Goals 2016-2018	y	y	X	1	X	2	n	n	2	n	p	4	1	0	2	0
	CIP funds transfer	y	y	X	y	X	1	2	1	2	2	p	5	0	0	2	0
	Resolution 2016-20 DDA loan (NedPeds)	y	2	X	1	X	1	X	y	y	y	p	5	0	0	2	0
7/6/16	Consent	y	y	1	2	X	X	X	X	X	X	p	4	0	0	3	0
	Resolution 2016-21 Amending BOT Rules of Procedure	y	y	1	2	X	X	X	X	X	X	p	4	0	0	3	0
	Advisory Board appointments: DDA, BZA, & PC	y	y	2	1	X	X	X	X	X	X	p	4	0	0	3	0
	Town Shop Commissioning	y	2	1	y	X	X	X	X	X	X	p	4	0	0	3	0
7/19/16	Consent items 1, 2, & 4	y	y	y	y	2	1	X	X	1	X	p	6	0	0	1	0
	Consent items 3 & 5	y	y	y	y	1	2	X	X	2	X	p	6	0	0	1	0
8/2/16	Consent agenda	y	y	X	X	1	2	X	X	2	X	p	4	0	0	3	0
	Ordinance 741 Annex land for Town Shop	y	1	X	X	2	y	X	X	2	X	p	4	0	0	3	0
8/16/16	Move fee waiver request items (G1 & G2) from Action to Consent	y	n	2	y	1	y	1	y	y	y	p	6	1	0	0	0
	Consent items 1,3,4,G1 & G2	y	y	2	1	y	y	y	y	y	y	p	7	0	0	0	0
	Consent item 2	y	y	a	a	1	2	a	2	a	a	p	4	0	3	0	0
	Task order to begin design of digester/dewatering for WWTP	y	y	1	y	2	y	2	y	y	y	p	7	0	0	0	0
	extend meeting	y	2	n	y	1	y	1	y	y	y	p	6	1	0	0	0

