



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

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

October 18, 2016, 7:00 P.M.

MINUTES

A. CALL TO ORDER

Meeting convened at 7:03p.m.

B. ROLL CALL

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

Absent: none

Also present: Alisha Reis, Town Administrator; LauraJane Baur, Town Clerk; Carmen Beery, Town Attorney; Paul Carrill, Town Marshal; Chris Pelletier, Public Works Manager; and Dawn Baumhover, Community Center Coordinator

C. CONSENT AGENDA

1. Approval of October 18, 2016 Accounts Payable
2. Approval of October 4, 2016 Regular Meeting Minutes

Motion to approve the Consent Agenda was made by Trustee Masters, seconded by Trustee Gustafson, and passed by unanimous approval.

D. STAFF REPORTS

1. Alisha Reis, Town Administrator

Reis spoke about the recent bomb attempt, thanked the law enforcement agencies involved, and noted her appreciation for the professional leadership of our local Police Department that takes care of us daily.

Reis reported that the Town Shop is still on track for completion by January 9th and that staff is preparing for temporary occupancy about a month from now.

Trustee Masters asked Reis about the NedPeds Project. Reis responded that they are finalizing the work for the season and spoke to the challenges for completion. Reis also noted that the intersection at 2nd Street and Snyder is greatly improved. Masters asked

for clarification of the terms of the project suspension and the financial ramifications. Masters referred to a citizen email that the Board had received and inquired about a response. Reis noted legal issues are involved and deferred to the Town Attorney, Carmen Beery. Mayor Larsen stated that he would be working with Reis and Beery to compile a response and that the Board will be copied on the response. There was a brief Board discussion regarding possible liquidated damages. Attorney Beery advised that this meeting was not the appropriate venue for that discussion.

Trustee Mueller suggested that the EPA Biomimicry presentations on Life's Design Principles for Water be made available again, especially for new residents that were not in Nederland when the presentations were originally provided.

Trustee Miller announced the DDA sponsored Second Street Festival on October 23rd from 1-5PM.

2. **LauraJane Baur, Town Clerk**

Baur directed the Board to the projected screen of the Board meeting agenda noting the packet attachments are now accessible through links in the PDF showing the progress being made in working towards going live with iCompass. Baur noted that it is a slow process, but will be worth the effort in the end.

Baur also pointed out that Cynthia Bakke, Planning & Building Tech, has been creating and posting "How To" guides to the website and suggested that the Board check them out – they are getting quite a few hits in just the short time that they have been posted.

3. **Paul Carrill, Town Marshal**

Carrill related the items in his report. Regarding the POST trainings noted in the report, Trustee Gustafson asked about training for dealing with adults with mental illnesses. Carrill responded that it is included in those trainings.

Carrill gave an update on the bomb investigation. He noted that because it is still an ongoing investigation, he is limited in certain aspects of what he can discuss. Carrill then described the events as they occurred, naming the various agencies that were involved from local to federal agencies, and noting that the amount of money spent on this incident will end up totaling in the range of \$250,000. He also noted that the cost, thankfully, will not be paid by the Town of Nederland. Finally, Carrill thanked the community for their overwhelming support.

Mayor Pro Tem Wood asked about morale. Carrill answered that it is excellent, but officers are very tired. He also added that the Police Department will have a critical incident debrief through the Town's mental health provider.

Trustee Donahue inquired as to the charges that the suspect will be faced with. Carrill referred to Federal Code saying that it is classified as a Priority 1 Federal Investigation. He deferred to the federal authorities noting that there will be a community meeting to inform the public after the investigation has been completed.

4. **Chris Pelletier, Public Works Manager**

Before Pelletier presented his report, Carrill stated that the Police Department thanks the Public Works Department for their assistance with setting up barricades and securing the perimeter during the bomb activity.

Trustee Mueller asked about plans for the path and ADA accessibility regarding the GOCO grant for Chipeta Park. Pelletier responded that he is still working with PROSAB on the details of the project. A discussion of environmental issues/studies and ADA accessibility followed.

5. Dawn Baumhover, Community Center Coordinator

In addition to her report, Baumhover informed the Board that the Community Center will be set up as a polling place four days prior to the election and 2 days after. She also noted that Lois Ott is heading up those efforts for Boulder County Elections.

Baumhover also told that Board that this year's Thanksgiving dinner will be held on November 13th and will be Zero Waste, noting that it will be an entirely bring-your-own-plate, etc. event and that no dishes will be washed at the Community Center.

Baumhover showed the Board sample Community Center T-shirts that will be available soon. Trustee Mueller suggested adding "Nederland, Colorado" to the logo.

An item of note that Baumhover did not have in her written report is that, as part of Voluntary Organizations Active in Disaster (VOAD), Team Rubicon will be coming to Town to assist with clearing and cutting the burn area this Thursday through Sunday.

6. Quarterly SAFEbuilt Building and Code Enforcement Reports

The Town Clerk administered the Oath of Office to Dan Wester as the Town Building Official. Wester noted that Michael Abruzzi and Chuck White will be the Deputy Building Officials.

Trustee Mueller asked about case #16-0686 and Trustee Masters asked about case #16-0900 from the Code Enforcement report. Jennifer Nelson, SAFEbuilt Code Enforcement Official was not available to be at this meeting, but Alisha Reis said that she will pull those cases to let the Board know more details.

Trustee Gustafson questioned if there is anonymity for the complainant in a code enforcement case. Reis responded that in cases where the complainant might feel in danger by addressing the issue directly with the offender or by giving their name, Reis will stand in as the complainant of record.

E. BOARD OF TRUSTEE REPORTS

1. Mayor's Report

Mayor Larsen reported that he attended the CML Mayors Summit and was able to network with other Mayors. He also noted that he received positive feedback regarding the Police Department and Town Administrator.

Larsen also reported that the DDA is having a special speaker, Joe Minicozzi, this coming Monday at 6:00p.m. Katrina Harms, DDA Chair, added that is planned to be a work

session with the Board, Planning Commission, and the DDA and will be held at the Community Center. She urged the Board members to attend.

2. Trustees' Reports

Mayor Pro Tem Wood also noted the work session with Joe Minicozzi and the DDA. He added that on Sunday there will be a 2nd Street celebration of NedPeds. The DDA passed their budget at their last meeting and they will begin taking over their own accounting under audit from the Town. Wood also discussed walking the trail with neighbors for the Big Springs egress.

Trustee Miller reported that the Planning Commission met regarding sign codes and a quasi-judicial item for which she had to excuse herself. The Planning Commission also met regarding rental licensing and a potential ordinance for VRBOs and short term rentals. Reis noted dates for public hearings on those issues and that the Planning Commission recommendations will be forwarded to the Board.

Trustee Donahue had no meetings to report

Trustee Mueller reported that SAB will be voting on a logo, supported Boulder County tax extensions (coming up in the Action section of tonight's agenda) and is working on recycling and compost containers at the bus stop.

Trustee Gustafson stated that the NCCF will be meeting in November. Gustafson reported on attending the CML Policy Committee meeting and the issues that were discussed.

Trustee Masters reported that PROSAB will be meeting this week and on the agenda is a request for support from the Magnolia Non-Motorized Trails Project Group, the Chipeta Park GOCO grant, and the trails master plan. Masters also reported attending the Consortium of Cities where a report was given noting that Boulder County will be hotter and rainier in the mountains. He added that Colorado Communities for Climate Action, a lobbying group formed by Boulder County and several other cities, towns, and counties, costs \$2500 to become a member and he intends to bring it up for discussion at the budget work session.

Masters then gave a brief description of what was discussed at the fire meeting on October 15th. Trustee Gustafson added input on information presented.

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

Katrina Harms, DDA Chair, mentioned the 2nd Street celebration for NedPeds on Sunday and urged the Board members to attend.

Ron Mitchell, of Nederland, stated that he hopes that there will be a large turnout for Joe Minicozzi's presentation on October 24th.

G. DISCUSSION ITEMS

1. Discussion of an Ordinance to update the Town Sign Code in light of the Reed v. Gilbert decision

Town Attorney, Carmen Beery, introduced the draft in redline form as presented in the packet. Beery note that there are several questions on which she needs the Board's direction via a "nod of 4".

1. Policy issue (p3 of Ord) regarding flashing/moving signs. Would the Board like to see wording to prohibit these types of signs? A nod of 4 was given for the elimination of flashing signs in the future.
2. Revocable encroachment permits (p10 of Ord) for signs requiring insurance and indemnification. A nod of 4 was given to add the language as presented.
3. Murals (p12 of Ord) - are murals allowed or not. A nod of 4 was given to allow murals.
4. Political signs (p13 of Ord) - a nod of 4 was given to restrict signs by date and size, but not restrict the number of signs allowed. The time frame agreed to is for two months prior and two weeks after elections.
5. Flags (p14 of Ord) - a nod of 4 agreed to continue to allow flags without restriction of message.
6. Scoreboards (p14 of Ord) - a nod of 4 was received to remove the word scoreboard.

Reis informed the Board that Beery will draft language and the updated Ordinance will be presented to the Board with a noticed public hearing in January.

The Mayor called a 5 minutes recess, reconvening the meeting at 9:33PM.

H. ACTION ITEMS

1. Reintroduction of Ordinance 744 to update the Town's Building Codes (for effective date of January 1, 2017)

Reis introduced the Ordinance and gave background information. Reis noted an exemption for fire sprinkler for single family residences. There was discussion of wildfire regulation and mitigation. Jeff Ruth, of Nederland and a task force member, answered questions regarding vents (passive vs. mechanical).

A correction was noted to be made on page 2, #10, correcting a typo in the date from 2003 to be 2009.

Motion to extend the meeting by 30 minutes was made by Trustee Masters, seconded by Trustee Miller, and passed by a vote of 5 with Trustee Donahue in dissent and Mayor Pro Tem Wood abstaining.

There was discussion about the change back of the accessory building size allowance from 200' down to 120'. The Board gave a nod of 4 to retain the 200' requirement.

Trustee Donahue questioned possible solar requirements to be placed in code. Reis responded that we do not yet have adequate GIS data but that the Planning & Building Tech is addressing the issue with new builders.

Motion to approve Ordinance 744 with the typo correction and keeping the 200' accessory building size allowance was made by Trustee Masters, seconded by Trustee Donahue, and passed by unanimous approval.

2. Consideration of Resolutions 2016-25 and 2016-26 Endorsing Boulder County Ballot Measures 1B and 1C

Trustee Mueller, Liaison for the Sustainability Advisory Board (SAB), introduced the Resolutions explaining that SAB has endorsed these ballot measures for Boulder County and is requesting that the Board also endorse them.

Trustee Donahue spoke of Boulder County Open Space issues and stated that he is opposed to Boulder County's management of open spaces. Mayor Pro Tem Wood said that he doesn't feel he knows enough about the issue for the Board to endorse the ballot measures, but that he is inclined to support the decision of an Advisory Board. Trustee Gustafson spoke in support of Boulder County Open Space, the need to purchase more land, and supporting the funds to manage that land. Gustafson said that she agrees with Mayor Pro Tem Wood and that she doesn't understand the weight of a BOT endorsement. Trustee Masters noted that he supports both resolutions, but that if the Board is going to support ballot measures, he feels they should review all of the issues that will affect Nederland.

Motion to approve Resolution 2016-25 was made by Trustee Mueller, seconded by Trustee Gustafson, and passed by a vote of 5 with Trustee Donahue in dissent and Mayor Pro Tem Wood abstaining.

Motion to approve Resolution 2016-26 was made by Trustee Mueller, seconded by Trustee Gustafson, and passed by unanimous approval.

I. INFORMATIONAL ITEMS

There were no Informational Items.

J. OTHER BUSINESS

1. Mayor Larsen informed the Board that he will be signing a letter of support for TEENS, Inc to assist them in applying for a Communities that Care grant.
2. Trustee Masters notified the Board of a resident request regarding the electric car chargers, reporting that certain vehicles are being parked there for a long period of time. Masters inquired if there is a restriction on the amount of time that someone can park in those designated spots. Reis said that she will pull data and bring it back to the Board.
3. Trustee Gustafson asked why the Board meetings are not being streamed yet. Reis answered that we have the microphones needed and that Randy Lee is working on the streaming. Reis said that she will get an ETA on streaming and will report back to the Board.

K. ADJOURNMENT

Motion to adjourn was made by Mayor Pro Tem Wood, seconded by Trustee Miller, and approved by unanimous voice vote. The meeting was adjourned at 10:31 PM.

Approved by the Board of Trustees

ATTEST:


Laura Jane Baur, Town Clerk


Kristopher Larsen, Mayor



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

