

**TOWN OF NEDERLAND  
BOARD OF TRUSTEES  
REGULAR MEETING:  
June 1, 2010**

RESPONSIBLE DEPARTMENT: Administration  
CONTACT STAFF MEMBER: Teresa Myers, Town Clerk

**CONSENT AGENDA\***

**\*Items which are not controversial in nature; have been previously  
discussed and considered**

- A. Approval of June 18, 2010 Accounts Payable**
- B. Approval of May 18, 2010 Regular Meeting minutes**

**BOARD MEMBERS MAY:**

**Move TO APPROVE the Consent Agenda**

**Or**

**Move TO AMEND by removing or adding from the Consent Agenda**

**By A roll call vote of the Board of Trustees**

**TOWN OF NEDERLAND**

**WARRANTS**

**WARRANTS FOR 06/18/2010**

<b>Date</b>	<b>Number VENDOR</b>	<b>AMOUNT</b>	<b>DESCRIPTION</b>
1-Jun	24299 Co Association of Police	\$150.00	annual dues
1-Jun	24300 Caribou Mercantile	\$850.00	monthly rent for PD
1-Jun	24301 CEBT	\$7,304.67	monthly insurance for Town employees
1-Jun	24302 Colorado Code Publishing	\$1,687.20	update town code books/CD
1-Jun	24303 Colo Dept of Revenue	\$750.00	renewal of liq license for Brew Pub (accidentally deposited check for state into our account)
1-Jun	24304 Alpenet	\$738.50	IT services for PD (April/May)
1-Jun	24305 East Street Garage	\$187.24	food for transition board meeting/misc supplies
1-Jun	24306 Grainger	\$34.52	minor equipment -streets
1-Jun	24307 In'l Institute of Municipal Clerks	\$150.00	annual dues
1-Jun	24308 Clarence Jagt	\$437.24	janitorial services/kitchen/flood cleanup
1-Jun	AUTO Mutual of Omaha Credit Card	\$1,106.35	trustee plaques/minor equipment/food for workshops
1-Jun	24309 Michael Pearce	\$35.00	refund overpayment for breath tests
1-Jun	24310 The Mountain Ear	\$290.00	classified ads/9news health fair ad
1-Jun	24311 Nederland Mechanical Technologies	\$2,500.00	payment of 71.5% towards Kitchen per agreement- Total agreement \$3,500
1-Jun	24312 Nederland Comm Library District	\$1,006.25	refund for overpayment of fees associated w/building permit
1-Jun	24313 Office Depot	\$253.54	office supplies
1-Jun	24314 Safebuilt	\$5,693.50	monthly professional fees for building permits and review
1-Jun	24315 Timberline Mechanical Systems	\$609.90	community center hvac system contact update/repairs
1-Jun	24316 Toshiba America	\$391.00	monthly copier lease
1-Jun	24317 Toshiba Business Solutions	\$192.98	monthly copier maintenance
1-Jun	24318 University of Colorado	\$722.00	week long course for clerks at Univ of Colorado
1-Jun	AUTO Wells Fargo Finance	\$2,743.12	monthly lease for backhoe and PD vehicle
1-Jun	24319 Xcel Energy	\$6,014.29	monthly electric and gas bill for town facilities.
<b>Total Non Payroll Warrants</b>		<b>\$33,847.30</b>	

# **TOWN OF NEDERLAND AGENDA**

## **REGULAR BOARD OF TRUSTEES MEETING**

NEDERLAND COMMUNITY CENTER  
750 Hwy 72 Nederland, CO 80466

May 18, 2010

7:00 P.M.

### **A. CALL TO ORDER**

### **B. ROLL CALL**

Present: Mayor Abu-Haidar, Mayor Pro Tem Gierlach, Trustees Wheelock, Joseph, Mueller, Nowicki, and Perret

Absent: None.

Also Present: Cheri Andersen, Interim Town Administrator; Carmen Beery, Town Attorney; Teresa Myers, Town Clerk

### **C. CONSENT AGENDA**

- Warrants
- May 4, 2010 Regular Meeting Minutes

A motion to approve the consent agenda was made by Trustee Joseph, seconded by Trustee Wheelock, and approved unanimously.

### **D. Staff Reports**

Eva Forberger, Town Treasurer, reported that revenue was on-target, except for police fines. Sales tax through April is on budget, but the Town is actually ahead for May. Water, sewer and community center revenues are also on target. Severance pay for Jim Stevens, former Town Administrator, was a considerable depletion from the general fund, and the general fund is now down \$28,000 from where it needs to be for the approved budget. Ms. Forberger suggested that the Board convene a budget work session soon to review the budget.

Eric Pendley, Project Manager with Safebuilt and contracted Building Manager, reported that permits and inspections are on target with last year. He described the Activity Reports that he will be filing with the Board to demonstrate compliance with the agreed-upon scope of services.

## **E. Board of Trustees Reports**

Trustee Joseph provided an update on the Chamber of Commerce. The Chamber is looking at options to keep the Neder Nederland Race here in town, and is also considering sponsoring an Oktoberfest the first weekend in October.

## **F. Mayor's Report**

1. Update on the Town Administrator hiring process: Mayor Abu-Haidar reported that the Board has met twice with Don Sandoval, the Town's state Department of Local Affairs representative, to discuss the hiring process and desired attributes for candidates. The Board will be considering including members of the public and business community in the first round candidate interviews and community meetings for the final round interviews. The position has been advertised, resume packages are being received and will be reviewed beginning mid-June.
2. Overall goal development process is focusing on short-term goals and long-term visioning, which will be called "Vision 2020." Community input will be sought.
3. The Board will be filing commission and advisory board vacancies over the coming weeks.
4. Mayor Abu-Haidar has started a Facebook page under the name "MayorSumaya Abu-Haidar". She encouraged members of the community to fan the page and follow her updates and reports.
5. Mayor Abu-Haidar attended her first Metro Mayors Caucus Meeting and described some of the issues discussed, including Amendments 60 and 61 and Proposition 101, which will be on the ballot in November. She cited the efforts of Commissioner Gene Nicholson to bring mountain wildfire concerns to the forefront.

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

Maureen Ewing told the Board of her organization's, CareConnect of Boulder County, efforts to expand to serve low-income seniors and adults with disabilities in the Nederland area. She described the various services CareConnect offers, including Medical Mobility (drivers to escort clients to medical appointments), Carry-Out Caravan (grocery, pharmacy shopping and delivery and errand services to clients), Fix-It (minor home repairs and installation of safety bars and mechanisms), and RSVP (visiting services to combat emotional and physical

isolation). Her research has shown that 1 in 5 seniors in Boulder County experiences isolation. CareConnect works to build a culture of volunteerism among community members to help serve these populations.

## **H. NEW BUSINESS**

### **1. Discussion and appointments of trustees to the Planning Commission, Downtown Development Authority, Board of Zoning Appeals, and the Community Center Foundation Board.**

New Board liaisons were appointed to the above boards, as follows:

1. Trustee Joseph to the Downtown Development Authority; motioned by Trustee Wheelock, seconded by Trustee Perret, and approved unanimously.
2. Mayor Abu-Haidar appointed Trustee Mueller to the Planning Commission; the motion was made, seconded by, and approved unanimously.
3. Mayor Pro Tem Gierlach to the Community Center Foundation Board; motioned by Trustee Perret, seconded by Trustee Nowicki, and approved unanimously.
4. Trustee Nowicki as the Chair of the Park and Open Space Advisory Board; motioned by Trustee Mueller, seconded by Trustee Joseph, and approved unanimously.
5. Trustee Perret to the Sustainability Advisory Board; motioned by Trustee Nowicki, seconded by Trustee Joseph, and approved unanimously.
6. Trustees Joseph and Perret to the Chamber of Commerce, motioned by Trustee Mueller, seconded by Trustee Nowicki, and approved unanimously.

### **2. Discussion and approval of Ordinance 681 amending sections 10-144 and 10-146 of the Nederland Municipal Code to remove all penalties related to marijuana.**

The Town Attorney explained the background of the voter-approved initiative. Trustee Joseph inquired about the amount of marijuana that is permissible under the possession aspect of the ordinance, and whether the Board has the power to create any parameters around the broadness of the ordinance. The Town Attorney explained that the Board does

not have the power to narrow the law. Ms. Beery also explained that the Board's approval of the initiative does not necessarily demonstrate support of the initiative.

Mayor Pro Tem Gierlach stressed that individuals will still be held accountable under state and federal laws, just as they are for other offenses.

Trustee Perret asked Marshall Robinson to clarify some of the aspects of the law and how it will affect prosecution of drug abuse in Nederland. Marshall Robinson explained that the local enforcement remedy was mainly used to allow juvenile offenders to attend local court rather than court in Boulder. Enforcement will continue under state and county laws.

Marshall Robinson cited some reported indicators of people coming to Nederland because of the perceived ease of obtaining marijuana within the Town limits. These included an increase in dispensary visits without proper prescriptions, an increase in the number of transients to come to town due to national publicity, and some troubles experienced by business owners.

Trustee Nowicki asked Marshall Robinson to write articles for the Daily Camera and other newspapers to clarify that Nederland will still be enforcing federal and state laws with regard to marijuana, and to describe the effects of the new law on the town.

Mayor Abu-Haidar reported that the Town has experienced a rash of inquiries to open dispensaries and growing operations.

Trustee Perret asked Ms. Beery if approval of the ordinance could be tabled. The Town Attorney explained that to do so would open the Town to the risk of a lawsuit by anyone who voted for the initiative.

Motion was made to approve the ordinance by Trustee Wheelock, seconded by Trustee Nowicki, and approved unanimously.

### **3. Discussion and Approval of Resolution 2010-17, appointing new signers for the Colorado Revolving Loan Fund.**

Town Treasurer Eva Forberger explained that when the election of a new mayor and appointment of a new interim town administrator necessitates appointing new signatories for this loan fund. Trustee Perret asked if a Trustee should be a signatory, given that the Town Administrator would not be serving indefinitely, but Ms. Forberger clarified that this change will have to be made again when the Town has a permanent Town Administrator regardless.

Motion was made to approve the resolution by Trustee Joseph, seconded by Trustee Nowicki, and approved unanimously.

**4. Discussion and approval of a TEC task order for water meter project bidding and implementation.**

The Town Treasurer provided some background on TEC's proposed role in the bidding process for the installation of the new water meters, and Trustee Perret provided additional background information on the water meter project and how it will benefit the Town.

Trustee Mueller suggested that staff be given more direction to rewrite the scope of work so that contractors are used as minimally as possible, and that local contractors be favored.

Trustee Perret asked Interim Town Administrator Cheri Andersen to work with the Department of Public Works to guide them in the process.

Trustee Nowicki suggested that staff determine if the bidding process can be handled within the Town Hall or whether TEC is a necessary component of the process.

Trustee Gierlach wants staff to review and determine how much staff can do and to involve local contractors and the community in the process.

Trustee Joseph also supported the idea of retaining as many dollars for this project in town as possible.

Motion for staff to research and develop a plan was made by Trustee Perret, seconded by Trustee Joseph, and approved unanimously.

**5. Discussion and approval of contract for bond counsel for wastewater treatment plant financing.**

The Town Treasurer provided background on the issue and noted that she has conducted additional research since the last Board meeting. Ms. Forberger obtained additional quotes from other bond counsel firms and found that the original proposal was still the most cost-effective. Services will include advice on easements and other legal concerns. The Town's bond rating will not be affected by this bond issuance because it is a USDA bond loan.

Motion to approve bond contract counsel was made by Trustee Joseph, seconded by Trustee Mueller, and approved unanimously.

**6. Discussion and approval of grant application to Boulder County for slash pick-up program.**

Trustee Nowicki explained the background for the slash pick-up program and its success and popularity when run last August. Part of the push from the County this year is to have the slash program run before the pine beetles fly; since the Town's slash dump will not be open until later in the year, the County has suggested that Nederland would especially benefit from the program.

Mayor Pro Tem Gierlach expressed support for the program and suggested that the Town should apply for the largest amount available under this grant. Trustee Joseph asked for greater detail regarding how the slash pick-up project works in terms of publicity and actual operations. Trustee Nowicki explained. Trustee Perret asked if Trustee Nowicki would be willing to write a newspaper article about the program to help publicize it, and Trustee Nowicki agreed.

Motion to approve grant application to Boulder County for slash pick-up program was made by Trustee Joseph, seconded by Trustee Mueller, and agreed unanimously.



**7. Discussion and approval of SRU application by Wild Bear Center for a licensed child care facility at 20 Lakeview Drive, Unit 107.**

Trustee Mueller, who is a Board Member for Wild Bear Center, recused himself for the duration of the discussion and vote.

Jill Dreves, Executive Director of the Wild Bear Center, provided background on the necessity of a larger space for the Wild Bear Center offices, workshops, and gift shop. She clarified that the new location was not going to be a day care center, but a base for the workshops and summer camps. Ms. Dreves stressed the training and adult/child ratio of her Center as the basis for their safety measures, regardless of where the campers are.

Mayor Abu-Haidar commended the Wild Care Center for their work and presence in our community.

Motion to approve the SRU application was made by Trustee Joseph, seconded by Trustee Perret, and passed unanimously, with Trustee Mueller abstaining.

**I. OTHER BUSINESS**

- 1. Trustee Joseph attended the Newly Elected Officials Workshop through the Colorado Municipal League and found it very useful.**
- 2. The Board has decided to contribute more frequent articles to the Mountain Ear to better communicate with the community.** Trustees Joseph and Wheelock will be taking the lead on this initiative, rotating writing one article per month.
- 3. The annual dinner between the BOT and the Boulder County Commissioners is scheduled for June 14<sup>th</sup>, probably at a local restaurant.** It is traditionally both a working and social meeting for the two boards. Mayor Abu-Haidar asked Trustees to rsvp to her as soon as possible.
- 4. Trustee Nowicki and the Town Clerk will coordinate the effort to fill the current vacancies on Town boards and commissions.**