

Town Of Nederland  
NEDERLAND DOWNTOWN DEVELOPMENT  
AUTHORITY

NEDERLAND COMMUNITY CENTER 750 Hwy 72 Nederland, CO 80466  
Conference Room

September 26, 2012 at 6:30pm

Special Meeting Minutes

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**A. CALL TO ORDER**

Meeting was called to order by Chairman Ron Mitchell at 6:32 pm.

**B. ROLL CALL**

Members Present: Ron Mitchell, Pat Everson, Donna Kirkpatrick,  
Mary Ann Rodak-Friedman, Annette Croughwell

Absent: Will Guercio, Katrina Harms

Also present: Paul Turnburke, Executive Director, Eva Forberger, Treasurer,  
Alisha Reis, Town Administrator, Joe Gierlach, Mayor

**C. PUBLIC COMMENT** – there was 1 member of the community present:

Glenna Carline of Sugarloaf Rd, in Nederland. She indicated that she was attending the meeting as a matter of general interest.

**D. CONSENT AGENDA**

**1. Approval of Warrants**

Mary Ann Rodak-Friedman motioned for approval of the warrants, and Ron Mitchell seconded. The motion carried with 3 votes and Pat Everson abstaining.

**E. ACTION ITEMS**

**1. Consideration of the contract for Design Services with Huitt-Zollars, Inc. for the NedPeds project.**

Alisha explained the items included in the packet with her AIM. Specifically, copies of the town's Standard Agreement used for professional services and attached Points of Agreement with Huitt-Zollars. She also handed out the numbers associated with the design contract and even though the preliminaries have been reviewed by the financial

task force, she was presenting the final figures along with the offer to answer any questions about the contract. The numbers presented are conservative estimates and some tweaking to the original numbers did occur as the understanding of the project had surfaced.

There was some discussion about “spurs” and optional tasks that might be determined as the project commenced. Pat Everson and Ron Mitchell had questions about additional work or trade-off possibilities along with their potential costs. Alisha explained that as a “do not exceed” contract, additional costs would only be added if the original scope of the project were to change. Approval by the NDDA – serving as the recommending authority - and by the BOT would be needed if any changes to the project or project costs would occur. Alisha also stated that she found Huitt-Zollars to be compliant with the RFP. Ron Mitchell had a request to put into the contract a requirement for interviews of local labor and contractors – and even if it appears in the RFP - that it be built into the construction contract. He stressed the importance of giving locals opportunities for work.

A motion that the DDA recommend approval of the Design contract to the BOT for their Oct. 2<sup>nd</sup> meeting was put forth by Pat Everson and seconded by Donna Kirkpatrick and a vote was taken with 4 votes in favor with Annette Croughwell abstaining as a member of the BoT.

## **2. Consideration of the preliminary budget for the NDDA for 2013**

Eva Forberger indicated that she changed the format on the Budget to show more financial history (since 2008) and summarized the loan amounts as well as clarified the TIF fund allocation. For budget purposes, there was discussion about the details of the plan Donna Kirkpatrick will put into place for the 2013 Adopt-a-Planter Program and other beautification projects. The Board discussed that volunteers would be helpful in this entire process. There would be business donations, some TIF funds and the Community Garden Grant funds and all would be re-evaluated before any money would be spent. Ron Mitchell inquired about the preliminary property tax numbers and Eva Forberger will be coming up with finals on those late November / early December and that the numbers shown would probably fluctuate slightly. As a draft budget, Eva also indicated that things can change in the next budget hearing as well as prior to presenting to the BoT for final approval on December 4 and advised that the NDDA meet at some point in November to finalize the budget.

A motion to refer the Draft of the Budget to the October 16<sup>th</sup> Budget Hearing was made by Pat Everson and seconded by Mary Ann Rodak-Friedman. The motion carried and the roll call vote was unanimous.

**3. Consideration of the loan request to the BoT to access TIF Funds for the Design portion of the NedPeds project.**

Eva Forberger began the discussion concerning the loan to cover the Project manager and Design portion of the Ned Peds project. As a 2 year loan it would be in place with time enough to pay without financial stress and would not exceed 7%. A motion to refer loan resolution #2012-29 to go before the BoT on October 2, 2012 was made by Pat Everson and seconded by Donna Kirkpatrick. A roll call vote passed this unanimously.

**F. DISCUSSION ITEMS**

**1. Discussion of a budget item of \$5,000 for potential Brown Fields Applications within the DDA boundaries.**

Ron Mitchell introduced this as an item that interested him from last meeting and wanted to elaborate on his explanation. If a municipality or public authority applies for this, at a minimal cost, it would have the potential to clear titles to several properties in town that are in need of environmental testing. Joe Gierlach explained that Vista intern volunteers could be used for a portion of the process and Ron offered to house the volunteers. Pat Everson also offered the potential of the interns to help write grants for bigger projects.

**2. IGA between the Town and DDA regarding the governing of CDOT NedPeds funding**

Eva Forberger received the revisions back from Carmen (legal) with minimal revisions. Pat Everson wants to get clarification concerning the IGA and the CDOT right of way vs. the Town's right of way. She will research when it came before the Planning Commission and the BOT and will check on the State's requirement. Pat Everson also referenced Chapter 5 of the IGA and will do some research to clarify whether the NDDA provides the oversight between the town and CDOT.

**3. Discuss a change to the November – Regular Meeting schedule**

There was brief discussion and it was agreed that the date of the November Regular Meeting will be November 28<sup>th</sup> and will be held in the Conference Room.

**G. OTHER BUSINESS (NEW)**

Joe Gierlach explained the unique attributes of successful DDA's in Colorado and Ron Mitchell followed up with some specific examples of cities like Montrose and Pueblo.

Joe Gierlach also proposed that the NDDA publish a positive message that identifies why the NDDA is good for Nederland.

Eva Forberger discussed the river rocks that the wastewater plant construction crews

were digging up. Some ideas were mentioned about utilizing these rocks as landscape elements or small retaining walls and as a local resource for the Ned Peds project. Donna Kirkpatrick offered to donate 3 large items to the DDA from the Mining Museum.

#### **H. ADJOURNMENT**

At 7:54 pm a motion to adjourn was made by Annette Croughwell, seconded by Mary Ann Rodak-Friedman and approved unanimously. The Special Nederland DDA Meeting was adjourned.