

Town Of Nederland  
NEDERLAND DOWNTOWN DEVELOPMENT  
AUTHORITY

NEDERLAND COMMUNITY CENTER 750 Hwy 72 Nederland, CO 80466  
Conference Room  
April 24, 2012 at 6:00pm

Regular<sup>(rescheduled)</sup> Meeting Minutes

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**A. CALL TO ORDER**

Meeting was called to order by Chairman Ron Mitchell at 6:04 pm.

**B. ROLL CALL**

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

Absent: Will Guercio

Also present: Eva Forberger

Attended Later: 6:33 pm - Katrina Harms, Annette Croughwell

**C. PUBLIC COMMENT** – there were 3 members of the community present introducing themselves and briefly commented that they were at the meeting to observe.

Barbara Hardt of Nederland signed up for Public Comment for Agenda Item F3.

**D. CONSENT AGENDA**

**1. Approval of February 20, 2013 Regular Meeting Minutes and March 6, April 3, 2013 Special Meeting Minutes**

Motion to consolidate and approve all minutes without additional corrections was made by Pat Everson, seconded by Mary Ann Rodak-Friedman and approved unanimously.

**2. Approval of Warrants for 2/25/13 through 4/5/13**

Explanation of the Warrants was given by Eva Forberger with some discussion regarding billing and legal representation and by Spencer, Fane and Grimshaw. Ron Mitchell offered to contact them to negotiate the current charges. Pat Everson made a motion to approve the Warrants as presented with the understanding that a search committee be formed to research using new or existing attorneys specializing in "special districts". This will be put on the 5/15/13 Regular Meeting Agenda. Mary Ann Rodak-Friedman voiced a second with unanimous approval and a Roll Call Vote passed this unanimously as well.

## **E. INFORMATIONAL ITEMS**

### **1. NedPed Project Updates – Presentation by Brian McLaren of Huitt-Zollars, Inc. and Conor Merrigan of C2 Sustainability**

Conor Merrigan of C2 began this update with the NPP Process stating that most people were generally on board with the project without any real vocal opposition. There were some suggestions from groups, such as incorporating biomimicry and sustainability, delineation of the roadways / pathways and better access from the Post Office to Hwy.119. Maintenance concerns and future work regarding taps into the pipes were mentioned as well as possible Town involvement with pipe assessment. Pat Everson stated that she had taken part in several of the NPP process meetings coming away with positive reactions to the project with the SAB and BOT not as positive as she had hoped. Brian McLaren discussed the engineering aspect of the drainage system stating that it is highly unique. He added that if it is designed properly the drainage should work even if it has never been done before. Brian also spoke about the geo-tech field work completed (results were not in yet) and the remaining tests needed and the possibility facing some engineering hurdles and impacts to the current time frame.

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Pat Everson asked Chair Ron Mitchell if the NedPed Action Items could be moved up in the agenda to allow the NedPed Team to present at a Planning Commission Meeting upstairs. This was approved.

## **F. ACTION ITEMS (moved up)**

### **1. Consideration of a revised schedule for the NedPed Project to guide the Project Manager and the Design Firm – Pat Everson**

Pat Everson introduced the action item stating the Design team is asking for guidance from the board with respect to the viability of the current timeline moving forward with the 4/30/13 notification deadline with DRCOG for a 2013 construction budget. Pat stated that she was very uncomfortable moving at such a rapid pace. She introduced valid concerns with design points to be decided, time for the town to assess existing pipes, possible additional drawings, concern over the taps, and the historical cultural survey. Everson posed the question – should the process slow down to do the research necessary to do the job well? Brian McLaren's stated his professional opinion that it wouldn't hurt to take more time and that it might help with working out the details on the drainage. Ron Mitchell added it might help to have some procedures for cutting into the complex system after installation. Pat Everson stated that there continues to be practicality issues and there is a need for more time. Mary Ann Rodak-Friedman asked about the price increase issue with a delayed schedule. Pat and Brian indicated that the construction cost rate of increase has averaged around a 1.5-2% per year. Brian McLaren assured the Board that even if not under contract, he will be here for the construction process of the project. Pat Everson briefly went over the schedule options, with a motion to approve the Proposed Deliberative Process Schedule dated 4/22/13. This motion passed with 4 in favor and because Katrina Harms and Annette Croughwell arrived late for the discussion – thus they (2) abstained.

**2. Approval of a change order for Huitt-Zollars, Inc. to modify their contract to include a Class III Cultural Resource Inventory & Report in their Scope of Work – Pat Everson / Eva Forberger**

Brian McLaren explained that when Huitt-Zollars was contracted, CDOT was responsible for the cultural and historic clearances. At the 30% design meeting CDOT said that they probably couldn't do that work due to lack of personnel delaying the project considerably. Conor Merrigan, as project manager, will investigate the potential of CDOT's ability to perform this task in a timely fashion. The proposed amount will come out of the construction budget, and facilitate the process, with the understanding that something might come up during the clearances. Pat Everson made a motion for approval of the change order from Huitt-Zollars, Inc. to modify their contract to include resource inventory to forward to the BOT for approval. Mary Ann Rodak-Friedman seconded the motion and a roll call vote was taken with unanimous approval.

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**E. INFORMATIONAL ITEMS (continued)**

**2. Treasurer Report – Eva Forberger**

Eva Forberger referenced her report of where the DDA / NedPeds is as of the end of March. There were \$260 in donations given for the Adopt-a-Planter Program. Also a discussion about the Boulder County Tax Assessor breaking out valuations on multi-use property and it's influence on the DDA's funding, and sales tax questions.

**3. Adopt-a-Planter Brochure – Donna Sue Kirkpatrick**

Donna Sue Kirkpatrick brought everyone up to date with the Adopt-a-Planter project and handed out the brochure included in the packet. She is getting responses back and offering a deal to businesses for flower purchases as donations to the DDA. Donna Sue is looking for people to adopt the planters and caring / watering the plants, and there are a couple of interested families.

**4. Website Update – Katrina Harms**

Katrina Harms discussed briefly the tie in with the Secretary's position and the hope that Sue Churches could help her organize and post files to the archives page. Katrina and Sue will schedule a time to go over all of the existing files and post what is missing. Pat mentioned input on what needs to be included on the site. There was also a brief discussion about the difference between the Plan of Development (ink) and the Master Plan (pencil), and both of these plans were approved.

**F. ACTION ITEMS (continued)**

**3. Discussion of a proposal to request the Board of Trustees to reduce the NDDA Board to 5 members effective June 30, 2013 – Pat Everson**

Pat Everson quoted state statute for DDA membership and related percentages of

potential members, stating the numbers of people who would be eligible to serve, referencing the Boulder County Property records. She suggested to the board that it be reduced to 5 and then the quorum needed for board meetings would be 3. This would provide a smaller amount of people to replace in a district with limited resources and Pat also put forth the idea of utilizing task forces to work on projects. Pat Everson put forth a motion that as of the next DDA statutory year to ask the BOT to reduce the board membership to 5 for a minimum of 1 year. Donna Sue Kirkpatrick seconded this and it was opened up for discussion.

Annette stated that with future projects, she was concerned with the amount of voices on the board and she would prefer a larger board for more brains behind decisions. Barbara Hardt had signed up for public comment and stated that she considers 5 board members “not enough” and feels that it needs more representation by keeping the number as 7 board members. There was some discussion about the amount of people who would be interested in a board position, level of representation, and some perceived conflict of interest issues. Donna Sue Kirkpatrick spoke about Ron’s development project and Ron stated that he will be re-applying to the board and believes that he has the expertise to help it continue. There was a vote taken and with a tie the motion died on the table. Annette asked that the Town Clerk solicit new members understanding that it would be as of July1, 2013.

**4. Appointment of a representative to the Regional Mountain Trails Master Plan meeting on April 25, 2013, at the Community Center – Pat Everson**

Katrina Harms happily had plans to represent the DDA for this meeting. Pat Everson made a motion to appoint Katrina Harms as the DDA representative to the Regional Mountain Master Plan meeting and to report back in writing for our board meeting packet. Annette Croughwell seconded the motion and it passed unanimously.

**G. DISCUSSION ITEMS**

**1. Discussion of Sue Churches’ role as Secretary of the DDA  
–Katrina Harms**

Katrina Harms wants to update Sue’s job description to include organizing and updating the archives on the NDDA website, Facebook page, and project files NPP process for NedPeds. Alecia Reis, Town Administrator suggested to change her title to Clerk and Pat Everson referenced state statute regarding the Secretary title. There would be more hours and there is enough in the budget due to Paul’s resignation. Sue Churches will check with Michele about ordering the NDDA official seal. She will work on updating her job description with Pat Everson.

**H. ADJOURNMENT**

At 7:43 pm a motion to adjourn was made by Mary Ann Rodak-Friedman, seconded by Annette Croughwell and approved unanimously. The April Nederland DDA Regular Meeting was adjourned.