

**FRASER BOARD OF TRUSTEES  
MINUTES**

**DATE:** July 3, 2019

**MEETING:** Board of Trustees Regular Meeting

**PLACE:** Fraser Town Hall Board Room

**PRESENT**

**Board:** Mayor Philip Vandernail; Mayor Pro-Tem Eileen Waldow; Trustees; Andy Miller, Herb Meyring, Katie Soles, Parnell Quinn and Ryan Barwick

**Staff:** Town Manager Jeff Durbin; Town Clerk, Antoinette McVeigh; Town Planner, Catherine Trotter; Sarah Wieck, Marketing and Economic Development Manager; Public Works Director Russell Pennington; Town Attorney Rod McGowan Police Officer Ranson

**Others:** See attached list

Mayor Vandernail called the meeting to order at p.m.

1. **Rollcall:** Mayor Philip Vandernail; Mayor Pro-Tem Eileen Waldow; Trustees; Andy Miller, Herb Meyring, Katie Soles, Parnell Quinn and Ryan Barwick (arrived at 6:10 PM)

2. **Approval of Agenda:**  
Trustee Meyring moved, and Trustee Miller seconded the **motion** to approve the agenda  
**Motion carried: 6-0.**

3. **Executive Session Instructions And Negotiations:**  
For a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) and the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) regarding potential litigation to include TA McGowan, PWD Pennington and TM Durbin.

Trustee Waldow moved, and Trustee Meyring seconded the **motion** to enter the executive session at 6:02 pm. **Motion carried: 6-0.**

Trustee Miller moved, and Trustee Waldow seconded the **motion** to exit the executive session at 6:50 pm. **Motion carried: 7-0.**

Attorney's Opinion Required by C.R.S. 24-6-402(2)(d.5)(II)(B).

As the attorney representing the Town of Fraser, I am of the opinion that the entire executive session, which was not recorded, constituted a privileged attorney-client communication.

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Rod McGowan, Town Attorney

**4. Consent Agenda:**

- a) Minutes June 5, 2019
- b) Resolution 2019-07-01 Modification of Easement Agreements
- c) Resolution 2019-07-02 Expenditures for Water Communication, SCADA

Trustee Soles moved, and Trustee Barwick seconded the **motion** to approve the consent agenda. **Motion carried: 7-0.**

**5. Public Hearing and Possible Action:**

- a) Comcast Franchise Agreement First Reading

Andy Davis from Comcast presented to the Board.

TA McGowan opened the public hearing regarding the Comcast Franchise Agreement First Reading. McGowan read Ordinance 470 Comcast Franchise Agreement by title. The proof of publication was provided in the packet.

Trustee Miller moved, and Trustee Meyring seconded the **motion** to approve Ordinance 470 Comcast Franchise Agreement at the first reading and continue the public hearing to August 7, 2019 for the second reading. **Motion carried: 7-0.**

TA McGowan was excused from the meeting after the Public Hearing.

**6. Discussion and Possible Action Regarding**

- a) East Mountain Filing No. 12 Final Plat and Final Plan

Jeff Vogel from Rendezvous and Town Planner Trotter presented to the Board.

Trustee Miller moved, and Trustee Quinn seconded the **motion** to approve Resolution 2019-07-03 Rendezvous East Mountain Filing 12 Final Plat and Final Plan with the additional condition #7, TB approves variance request #3. **Motion carried: 7-0**

- b) Fraser To County Road 5, US Highway 40 Study

Trustee Soles moved, and Trustee Miller seconded the **motion** to approve Resolution 2019-07-04 Authorizing a Contract and IGA for the Fraser to CR5 US 40 Study. **Motion carried: 7-0**

**7. Open Forum**

**8. Board Updates**

- a) Waldow- 2020 Censes
- b) Miller- Safety Study Red Dirt Hill, Watershed Conference

**9. Executive Session Instructions And Negotiations:**

For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) regarding annexation to include TM Durbin.

The executive session was postponed to a future Town Board Meeting.

**10. Adjourn:**

Trustee Soles moved, and Trustee Quinn seconded the **motion** to adjourn. **Motion carried: 7-0.** Meeting adjourned at 9:00 p.m.

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Antoinette McVeigh, Town Clerk