

**FRASER BOARD OF TRUSTEES
MINUTES**

DATE: October 5, 2022

MEETING: Board of Trustees Regular Meeting

PLACE: Fraser Town Hall Board Room and Virtually

PRESENT

Board: Mayor Philip Vandernail; Mayor Pro-Tem Eileen Waldow; Trustees; Brian Cerkvenik, Kaydee Fisher, Lewis Gregory (arrived at 6:15 p.m.), and Katie Soles

Staff: Town Manager, Ed Cannon; Town Clerk, Antoinette McVeigh; Assistant Town Manager, Michael Brack; Finance Director, Rob Clemens; Marketing and Communications Manager, Sarah Wieck

Others: See attached list

Mayor Vandernail called the meeting to order at 6:00 p.m.

1. **Rollcall:** Mayor Philip Vandernail; Mayor Pro-Tem Eileen Waldow; Trustees; Brian Cerkvenik, Kaydee Fisher, and Katie Soles

2. **Approval of Agenda:**
Trustee Soles moved, and Trustee Waldow seconded the **motion** to approve the agenda. **Motion carried: 5-0.**

3. **Consent Agenda:**
a) Minutes September 21, 2022

Trustee Soles moved, and Trustee Waldow seconded the **motion** to approve the consent agenda. **Motion carried: 5-0.**

4. **Open Forum:**
none

5. **Discussion and Possible Action:**
a) Resolution 2022-10-01 Colorado Main Street

Paula Stewart presented to the Board. The Colorado Main Street Committee consists of Paula Stewart EDAC Chair, Diane Butler, Greg Bechler, Autumn Bishop, Kelsey Young, Lewis Gregory, Steve Fitzgerald, Debbie Young, Erin Nichols, Kaydee Fisher, Neil Funk, Graham Powers and Shanna Ganne

Trustee Soles moved, and Trustee Cerkvenik seconded the **motion** to approve Resolution 2022-10-01 Colorado Main Street. **Motion carried: 5-0.**

b) 2023 Preliminary Budget

Finance Director, Rob Clemens presented the preliminary budget per C.R.S. § 29-1-105.

c) West Meadow Metropolitan District Board Appointment Discussion

Public comment will be entered into the record and has been provided in the packet. Public comment was taken at the meeting from Joseph Landen, Jacob Schlesinger, Paula Stewart, and Steve Watts.

The West Meadow Metropolitan District Board currently has two members Clark Lipscomb and Meredith Lipscomb and three vacancies.

Special Council John Chmil wrote a Memorandum to the Trustees advising that §32-1-905(2), C.R.S., does not expressly grant authority to a town or city board to fill the open vacancies on a special district board. Council Chmil and Town Attorney Whitmer do not advise appointing board members to the Metro District. Memo is included in the packet.

The Board encouraged interested parties to apply to the Board of County Commissioners to fill the vacancies.

Trustees Soles and Waldow do not want to make a final decision regarding the West Metro District Service Plan Amendment until the Metro District has a full board.

6. Updates

a) Fraser River Valley Regional Housing Partnership Update

This update will occur at the October 19, 2022 meeting.

b) Byers Avenue Waterline Replacement Update

The staff will hold a meeting for the homeowners on Byers Avenue in early November to give an update, discuss a bleeder option, and explain the service line replacement incentive program.

7. Executive Session:

For a conference with the Special Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) and 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 litigation. Including Town Attorney Kent Whitmer, Town Manager Ed Cannon, and Assistant Town Manager Michael Brack.

Trustee Cerkvenik moved, and Trustee Soles seconded the **motion** to open the Executive Session at 6:49 p.m. **Motion carried: 6-0.**

Trustee Soles moved, and Trustee Cerkvenik seconded the **motion** to close the Executive Session at 8:28 p.m. **Motion carried: 6-0.**

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.

Town Attorney, Kent Whitmer

8. Adjourn:

Trustee Cerkvenik moved, and Trustee Gregory seconded the **motion** to adjourn.

Motion carried: 7-0. Meeting adjourned at 8:29 p.m.

Antoinette McVeigh, Town Clerk