

**FRASER BOARD OF TRUSTEES  
MINUTES**

**DATE:** May 17, 2023

**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, Parnell Quinn and, Katie Soles

**Staff:** Town Manager, Michael Brack; Town Clerk, Antoinette McVeigh; Deputy Town Clerk Leslie Crittenden; Water Superintendent, Lucus Seffens; Finance Director, Rob Clemens; Police Chief, Glen Trainor

**Others:** Virtual online: Julie Kohler, Steven Spafford and Joe Landen

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, Lewis Gregory, Parnell Quinn and, Katie Soles
2. **Approval of Agenda:**  
Trustee Soles moved, and Trustee Quinn seconded the **motion** to approve the agenda.  
**Motion carried: 7-0.**
3. **Consent Agenda:**
  - a) Minutes April 26, 2023
  - b) Minutes May 3, 2023
  - c) Treasurer's Report
  - d) Resolution 2023-05-04 Annual Maintenance and Repair Activities for The Fraser Collection System
  - e) Resolution 2023-05-05 Purchase and Install Additional Booster Pump for The North Water Treatment Facility
  - f) Resolution 2023-05-06 Adopting the Water Efficiency Plan

Trustee Cerkvenik moved, and Trustee Quinn seconded the **motion** to approve the consent agenda. **Motion carried: 7-0.**
4. **Open Forum:**  
Joey Mulhearn
5. **Discussion and Possible Action:**
  - a) Resolution 2023-05-03 Adopting the Water System Ten Year Capital Improvement Plan

Trustee Gregory moved, and Trustee Cerkvenik seconded the **motion** to approve Resolution 2023-05-03 Adopting the Water System Ten Year Capital Improvement Plan. **Motion carried: 7-0.**

**6. Continued Public Hearing:**

a) First Amendment to Amended and Restated Consolidated Service Plan - Byers View, West Mountain, West Meadows MD

Clark Lipscomb and Nicole R. Peykov presented on behalf of the Metro Districts.

John Chmil and Kent Whitmer, Town Attorney, presented on behalf of the Town of Fraser.

Mayor Vandernail opened the continued public hearing regarding First Amendment to Amended and Restated Consolidated Service Plan - Byers View, West Mountain, West Meadows MD.

Public Comment was taken from Peggy Smith and Joe Landen

**7. Executive Session:**

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 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 Metro District Service Plan Amendments. To include Town Manager Michael Brack, Town Attorney Kent Whitmer and Special Council Jon Chmil.

Trustee Quinn moved, and Trustee Soles seconded the **motion** to open the Executive Session regarding Metro District Service Plan Amendments. **Motion carried:7-0.**

Mayor Vandernail closed the Executive Session regarding Metro District Service Plan Amendments at 8:40 p.m.

Mayor Vandernail closed the continued public hearing regarding First Amendment to Amended and Restated Consolidated Service Plan - Byers View, West Mountain, West Meadows MD at 8:41 p.m.

Please add the attorney's certificate to the minutes following the executive session.

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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Kent Whitmer, Town Attorney

**8. Discussion and Possible Action:**

a) Resolution 2023-05-07 First Amendment to Amended and Restated Consolidated Service Plan - Byers View, West Mountain, West Meadows Metro Districts

Trustee Quinn moved, and Trustee Soles seconded the **motion** to approve Resolution 2023-05-07 First Amendment to Amended and Restated Consolidated Service Plan - Byers View, West Mountain, West Meadows Metro Districts **Motion carried: 7-0.**

**7. Updates**

- a) Trustee Cerkvenik, CDOT allocated \$11.6 million to repair HWY 40 from the top of Berthoud Pass to the Mary Jane entrance and \$700,000 for repairs on HWY 40.
- b) Town Manager Brack, the developer for Victoria Village, will present the option of smaller parking spaces or reduced parking requirements.

**8. Adjourn:**

Trustee Cerkvenik moved, and Trustee Quinn seconded the **motion** to adjourn. **Motion carried: 7-0.** Meeting adjourned at 8:47 p.m.

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Antoinette McVeigh, Town Clerk