

**FRASER BOARD OF TRUSTEES
MINUTES**

DATE: May 19, 2021

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; Andy Miller, Brian Cerkvenik (arrived at 4:04), Katie Soles, Parnell Quinn and Kaydee Fisher (arrived at 4:05)

Staff: Interim Town Manager Wesley LaVanchy; Town Clerk, Antoinette McVeigh; Marketing and Economic Development Manager, Sarah Wieck; Assistant Town Manager, Michael Brack; Town Planner, Catherine Trotter

Others: N/A

Mayor Vandernail called the meeting to order at 4:03 p.m.

1. **Rollcall:** Mayor Philip Vandernail; Mayor Pro-Tem Eileen Waldow; Trustees; Andy Miller, Brian Cerkvenik (arrived at 4:04), Katie Soles, Parnell Quinn and Kaydee Fisher (arrived at 4:05)

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

3. **Consent Agenda:**
a) Minutes May 5, 2021

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

4. **Town Manager Interviews:**
a) Erin Hirn
b) Edward Cannon
c) Greg Brinck

5. **Executive Session:**
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). Town Manager Including Attorney Rod McGowan, Interim Town Manager Wesley LaVanchy, Assistant Town Manager Michael Brack and Jon Stavney of NWCCOG

Trustee Cerkvenik moved, and Trustee Soles seconded the **motion** to open the Executive Session. **Motion carried: 7-0.**

Trustee Cerkvenik moved, and Trustee Quinn seconded the **motion** to close the Executive Session. **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.

Rod McGowan, Town Attorney

6. 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 Conservation Easement. Including Town Attorney Rod McGowan, Attorney Melinda M Beck, Interim Town Manager Wesley LaVanchy, Town Clerk Antoinette McVeigh, Assistant Town Manager Michael Brack, Town Planner, Catherine Trotter

Trustee Cerkvenik moved, and Trustee Soles seconded the **motion** to open the Executive Session. **Motion carried: 7-0.**

Trustee Cerkvenik moved, and Trustee Miller seconded the **motion** to close the Executive Session. **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.

Rod McGowan, Town Attorney

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 Economic Inducements. Including Town Attorney Rod McGowan, Interim Town Manager Wesley LaVanchy, Town Clerk Antoinette McVeigh, Assistant Town Manager Michael Brack, Town Planner, Catherine Trotter

Trustee Cerkvenik moved, and Trustee Soles seconded the **motion** to open the Executive Session. **Motion carried: 7-0.**

Trustee Cerkvenik moved, and Trustee Waldow seconded the **motion** to close the Executive Session. **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.

Rod McGowan, Town Attorney

8. Discussion and Possible Action Regarding:

- a) Incentive Agreement Extension for Market Street Buildings Updates

Interim Town Manager LaVanchy stated, The Building permits are ready to be picked up. Per Resolution 2021-04-09 the developer received a statement of conditions that were required to be met by May 21, 2021. The developer rejected these conditions. The extension is denied and the Town will now take steps for enforcement per the Resolution.

9. Open Forum:

- a) none

10. Updates:

- a. Ordinance 479 Series 2020 AN EMERGENCY ORDINANCE REQUIRING FACE COVERINGS DURING THE CORONAVIRUS (COVID-19) PUBLIC HEALTH EMERGENCY. Section 11 States: Repeal. This ordinance shall be automatically repealed at such time as the Town Board of the Town of Fraser declares that the COVID-19 public health emergency within the Town has passed.

Trustee Quinn moved, and Trustee Cerkvenik seconded the **motion** In accordance to Ordinance 479 series 2020 section 11, I declare that the public health emergency has passed and the State has mandated masks are not required. **Motion carried: 7-0.**

- b. Property Tax Assessment Question, Trustee Miller. Property assessment value can be protested to the Grand County Assessor no later than June 1, 2021.

11. Adjourn:

Trustee Soles moved, and Trustee Miller seconded the **motion** to adjourn. **Motion carried: 7-0.** Meeting adjourned at 9:48 p.m.

Antoinette McVeigh, Town Clerk