

**FRASER BOARD OF TRUSTEES
MINUTES**

- DATE:** August 4, 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, Parnell Quinn and Kaydee Fisher
- Staff:** Town Manager, Ed Cannon; Town Clerk, Antoinette McVeigh; Marketing and Economic Development Manager, Sarah Wieck; Assistant Town Manager, Michael Brack; Public Works Director, Russell Pennington; Town Planner, Catherine Trotter; Police Chief, Glen Trainor
- 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, Brian Cerkvenik, Parnell Quinn and Kaydee Fisher
2. **Approval of Agenda:**
Trustee Miller moved, and Trustee Fisher seconded the **motion** to approve the agenda.
Motion carried: 6-0.
3. **Consent Agenda:**
 - a) Minutes July 21, 2021

Trustee Waldow moved, and Trustee Miller seconded the **motion** to approve the consent agenda. **Motion carried: 6-0.**
4. **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 Kent Whitmer, Town Manager Ed Cannon, Town Clerk Antoinette McVeigh, Assistant Town Manager Michael Brack, Public Works Director Russell Pennington, Town Planner, Catherine Trotter

Trustee Cerkvenik moved, and Trustee Miller seconded the **motion** to open the Executive Session. **Motion carried: 6-0.**

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

Rod McGowan, Town Attorney

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). To discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. Section 24-6-402(4)(a) Regarding Property Acquisition Including Town Attorney Rod McGowan, Attorney Kent Whitmer, Town Manager Ed Cannon, Town Clerk Antoinette McVeigh, Assistant Town Manager Michael Brack

Trustee Cerkvenik moved, and Trustee Waldow seconded the **motion** to open the Executive Session. **Motion carried: 6-0.**

Trustee Miller moved, and Trustee Cerkvenik seconded the **motion** to close the Executive Session. **Motion carried: 6-0.**

6. Executive Session:

For discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f)(I) and not involving any specific employees who have requested discussion of the matter in open session. Town Manager Performance. Including Town Manager Ed Cannon, Town Attorney Rod McGowan and Attorney Kent Whitmer

Trustee Cerkvenik moved, and Trustee Miller seconded the **motion** to open the Executive Session. **Motion carried: 6-0.**

Trustee Cerkvenik moved, and Trustee Miller seconded the **motion** to close the Executive Session. **Motion carried: 6-0.**

7. Discussion and Possible Action Regarding:

a) Open for Business/ American Rescue Act

The American Rescue Act allows for local business to apply for Grants through DOLA, Open for Business. The requested money must meet specific criteria of the program. This requires 20% of the requested funds to be paid for by the business. The Board agreed that the business will pay 10% and the Town will match the other 10%. The Town will use the money received through the American Rescue Act for the matching funds.

b) Livestock

No Action was taken and the discussion will be brought back to future meeting.

c.i.) Remote Meeting Participation Policy by Town Public Bodies

No Action taken. The staff will look into remote participation of the public body for a quasi-judicial hearing and removal of a Board or Commissioner.

c.ii.) Remote Meeting Participation Policy by The Public

No Action Taken.

d) Resolution 2021-08-01 Letter of Agreement for Legal Services, Whitmer Law Firm, LLC

Trustee Miller moved, and Trustee Waldow seconded the **motion** to approve **Motion carried: 6-0.**

8. Open Forum:

a) Clark Lipscomb spoke

b) TM Cannon updated Board on Xcel Energy. Xcel wants to put a pressure tank in the Town behind Safeway. The Board would like to explore another location and know the decibel levels.

9. Updates

a) ATM Brack Broadband. Mountain Parks Electric is installing the middle mile fiber optic installation between Winter Park and Hot Sulphur Springs. They will install a “meet me room” which will hold the equipment, it is proposed at the Middle Park facility in Fraser. DOLA will provide a 50% match for the “meet me room” and may request the match from Winter Park and Fraser, approximately a \$50,000 match.

b) TC McVeigh, CML policy committee member will remain as Eileen Waldow. The Zoppe Italian Circus will be in Fraser for the Labor Day weekend.

10. Adjourn:

Trustee Miller moved, and Trustee Cerkvenik seconded the **motion** to adjourn. **Motion carried: 6-0.** Meeting adjourned at 9:28 p.m.

Antoinette McVeigh, Town Clerk