

**FRASER BOARD OF TRUSTEES
MINUTES**

DATE: September 2, 2020

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 Cerkvencic, Katie Soles, Parnell Quinn and Ryan Barwick

Staff: Town Manager Jeff Durbin; Town Clerk, Antoinette McVeigh; Town Planner Catherine Trotter; Marketing and Economic Development Manager, Sarah Wieck; Finance Manager, Beth Williams; Public Works Director Russell Pennington; Police Chief, Glen Trainor

Others: Jill Edwards, Jim Jordon, Joseph Landen, Josh, Libby Landen, Luke Bradly, Michele, Deborah Buhayar, Diane Bennett, Lewis Gregory, Pamela Hidling, Steve Remington, Tony Krempin of TKE, Lisa Miller, Dave Purdy, Peggy Smith. Paul Wisor Special Council, Casey Malon Winter Park Times and McKenna Harford Sky Hi News. See sign in sheet

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

1. **Rollcall:** Mayor Philip Vandernail; Mayor Pro-Tem Eileen Waldow; Trustees; Andy Miller, Brian Cerkvencic, Katie Soles, Parnell Quinn and Ryan Barwick

2. **Approval of Agenda:**
Trustee Barwick moved, and Trustee Waldow seconded the **motion** to approve the agenda. **Motion carried: 7-0.**

3. **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 development infrastructure matters. Including Town Attorney Rod McGowan and Town Manager Durbin

Trustee Cerkvencic moved, and Trustee Soles seconded the **motion** to open the Executive Session at 6:00 p.m. **Motion carried: 7-0.**

Trustee Soles moved, and Trustee Miller seconded the **motion** to close the Executive Session at 6:58 p.m. **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

4. **Consent Agenda:**

- a) Minutes August 19, 2020

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

5. **Discussion and Possible Action Regarding:**

- a) Resolution 2020-09-06 Civility Policy and Rules of Decorum

Trustee Miller moved, and Trustee Soles seconded the **motion** to approve Resolution 2020-09-06 Civility Policy and Rules of Decorum deleting the first Whereas “a majority of American believe that our society is increasingly uncivil and that this problem is particularly acute and particularly detrimental in national, state and local political arenas where it threatens government’s ability to function democratically and effectively” **Motion carried: 7-0.**

- b) Resolution 2020-09-04 RV EMF10 Final Acceptance and Surety Reduction

Trustee Soles moved, and Trustee Waldow seconded the **motion** to approve Resolution 2020-09-04 RV EMF10 Final Acceptance and Surety Reduction with the addition of the condition, Payment of all applicable fees with in fifteen days of approval of the resolution or the resolution will relapse. **Motion carried: 7-0.**

- c) Emergency Interconnect

The Board directed staff to work on a cost estimate to evaluate the emergency interconnect. East Grand Fire and Grand County Water and Sanitation District #1 supports the interconnect and Grand Park opposes it. Clark Lipscomb, with Grand Park, indicated a willingness to consider an Interconnect in Grand Park. Rendezvous will not contribute to the cost of the project nor profit from it.

- d) Resolution 2020-09-01 The Willows at Grand Park, Filing No 1 Final Acceptance and Surety Release

Trustee Waldow moved, and Trustee Barwick seconded the **motion** to approve Resolution 2020-09-01 The Willows at Grand Park, Filing No 1 Final Acceptance and Surety Release with the addition of the condition, Payment of all applicable fees with in fifteen days of approval of the resolution or the resolution will relapse. **Motion carried: 7-0.**

- e) Resolution 2020-09-02 The Willows at Grand Park, Filing Nos 2-3 Final Acceptance and Surety Release

Trustee Cerkvenic moved, and Trustee Waldow seconded the **motion** to approve Resolution 2020-09-02 The Willows at Grand Park, Filing Nos 2-3 Final Acceptance and Surety Release with the addition of the condition, Payment of all applicable fees with in fifteen days of approval of the resolution or the resolution will relapse. **Motion carried: 7-0.**

- f) Resolution 2020-09-03 Elk Creek Filing No. 2 Final Acceptance and Surety Release

Trustee Quinn moved, and Trustee Waldow seconded the **motion** to approve Resolution 2020-09-03 Elk Creek Filing No. 2 Final Acceptance and Surety Release with the addition of the condition, Payment of all applicable fees within fifteen days of approval of the resolution or the resolution will relapse. **Motion carried: 7-0.**

- g) Resolution 2020-09-08 Elk Creek Filing 3 And 4 Partial Surety Reduction

Trustee Miller moved, and Trustee Soles seconded the **motion** to table Resolution 2020-09-08 Elk Creek Filing 3 And 4 Partial Surety Reduction until the September 16, 2020 meeting. **Motion carried: 7-0.**

- h) Resolution 2020-09-07 Authorizing Execution Of Improvement Agreement For Mill Avenue Apartments

Trustee Barwick moved, and Trustee Quinn seconded the **motion** to approve Resolution 2020-09-07 Authorizing Execution Of Improvement Agreement For Mill Avenue Apartments with a surety amount of \$500,000, motion amended to have Town Attorney McGowan fill in the blanks in the Improvement Agreement with the Developer. **Motion carried: 5-2,** Nay Waldow and Miller.

- i) Market Street Buildings Update

Clark updated the Board, no action taken.

6. Executive Session:

For a conference with the Legal Counsel for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). Regarding ballot question. To include legal counsel Paul Wisor and Town Manager Jeff Durbin.

Trustee Cerkvencic moved, and Trustee Barwick seconded the **motion** to open the Executive Session at 9:10 p.m. **Motion carried: 7-0.**

Trustee Miller moved, and Trustee Waldow seconded the **motion** to close the Executive Session at 9:28 p.m. **Motion carried: 7-0.**

7. Discussion And Possible Action Regarding:

- a) Resolution 2020-09-05 November 2020 Election Gallagher Ballot Question

Trustee Miller moved, and Trustee Waldow seconded the **motion** to approve Resolution 2020-09-05 November 2020 Election Gallagher Ballot Question. **Motion carried: 7-0.**

8. Open Forum:

- a) Peggy Smith, Cows in the Cozens and Elk Creek Meadow and Conservation Easement.
b) Jim Gordon, Grading and Drainage in Elk Creek, Alderbrook Trail
c) Josh, Grading and Drainage in Elk Creek, Alderbrook Trail

d) Dave Purdy, Mill Avenue Apartments entrance

9. Updates:

10. Adjourn:

Trustee Soles moved, and Trustee Miller seconded the **motion** to adjourn. **Motion carried:7-0.** Meeting adjourned at 9:50 p.m.

Antoinette McVeigh, Town Clerk