

**TOWN OF JAMESTOWN
REGULAR TOWN BOARD MEETING
June 13, 2016 MINUTES**

Mayor Schoedinger called the meeting to order at 7:02 PM. Present at roll call were Trustees Jen Lucas, Heather Yahnke, Carolyn Donadio, Chad Droste, and Ken Lenarcic.

Approval of Agenda:

Discussion: Mayor Schoedinger suggested moving the Committee Reports to the end of the community updates. She also suggested tabling the following two resolutions.

- Resolution 2016 6 - ____ - A Resolution of the Board of Trustees of the Town of Jamestown, Colorado Approving a Contract with _____ for James. 029 Demolition, Site Grading, and Erosion Control of Six Properties for FEMA HMGP Buyout Program
- Resolution 2016 6 - ____ - A Resolution of the Board of Trustees of the Town of Jamestown, Colorado Approving a Contract with _____ for James. 030 Engineering /Architectural Design and Bid Support Services for the for FEMA HMGP Elevation Program

Discussion: They potentially need to go back out to bid. The bids received were substantially higher than the Town's budget.

Trustee Donadio moved to approve the agenda as amended. Trustee Droste seconded. The vote was unanimous.

Approval of the April 18, 2016 Minutes

Trustee Yahnke moved to approve the April 18, 2016 Minutes. Trustee Lenarcic seconded. The vote was unanimous.

Approval of the April 25, 2016 Minutes

Trustee Lucas moved to approve the April 25, 2016 Minutes. Trustee Donadio seconded. The vote was unanimous.

Approval of the May 2, 2016 Minutes

Trustee Lenarcic moved to approve the May 2, 2016 Minutes. Trustee Droste seconded. The vote was unanimous.

Approval of the May 16, 2016 Minutes

Discussion: Mayor Schoedinger stated she would like to table approval of the May 16 Minutes until the next meeting in order to finish her review.

Trustee Lenarcic moved to table the approval of the May 16, 2016 Minutes. Trustee Lucas seconded. The vote was unanimous.

Clerk & Treasurer Report:

Mayor Schoedinger reported the following on behalf of Interim Town Clerk, Chris Krolick (absent):

- Tax fees has been filed
- CIRSA renewal has been sent
- Payroll taxes (941) have been paid
- \$1448 in bank fees have been refunded, thanks to Chris's efforts. These were accumulated in the parks fund over the past years.
- One Water Operator salary has been adjusted for 2016. This was overpaid in the last year by \$300 (for March and April).
- The 2015 audit is underway. Auditors were in the week before last.

Announcements:

Mayor Schoedinger announced that the Picnic with the Commissioners has been scheduled for August 8th, from 5:00pm-6:00pm, to be followed by a Community Meeting.

Community Updates:

Discussion, Direction, Action: Flood Response, Recovery and Rebuilding

Mayor Schoedinger presented Flood Recovery Updates in a presentation found here: <http://www.jamestownco.org/community-meetings>

The topics presented were:

- **Long-Term Recovery Plan Implementation** – No update.
- **LUHAC Update** – Community meeting upcoming on Thursday to discuss ADUs.
- **Road Update** – Grading/compaction of Pine, Mesa, Andersen, 16th, 15th, Lower Main, Cemetery and Rose M (Slaughterhouse) have occurred. Heavy rains have caused some issues – pictures have been sent to the contractor. Trustee Lucas stated that we are developing a plan to complete some items.
- **Aging in Community** – Millissa Berry (Staff) reported that the group met on June 3rd – Via Mobility was there to discuss options with the town. The group will take the summer off and resume in October.
- **Little James/James Creek Design Meeting** (LWOG/BoCo) – Millissa reported that they held a Community Open House on June 1st, and that the comment period ended last Friday.
- **Sustainability Grant Update** (\$15K grant is for a sustainability project) – Erika Archer (Staff) reported that we are looking into whether the Town can install solar

on the fire station as part of this sustainability project. The feedback, so far, has been positive.

- **Andersen Hill Bridge and Rd.** – Mayor Schoedinger stated that the road was officially open on May 25th.
- **Water Upgrades** – Complete. Work is still in progress at the plant.
- **Rose M Water Project** – Complete
- **Water Tank Valve** – The Town will replace one valve on the water tanks and will install a cut-off valve, then painting the inside. We are getting approval on the bid from FEMA.
- **FEMA HMGP** – Buyouts are complete for all six properties. Grading and erosion control is scheduled to be complete the beginning of August.
- **Elevations Grant** – Two properties are included, 40 and 99 Main St. We had one bid – we are determining our next steps since the bid came back in at 10 times the Town’s budget.
- **Lower Main St Bridge** – We were awarded this project for engineering and design so that the Town could consider options that take into consideration FEMA’s eligibility. Replacing the bridge is not an option. We could then submit the design to FEMA so they can determine if they will award a Phase 2. We awarded Phase 1 to RockSol. We expect the design to be complete by the end of the year.
- **Rain Gage Project** – Not yet begun.
- **Town Square** – We had to stop work a week and a half ago to consider the difference in the new elevation of the streambed. We did a full analysis and looked at current flows (50-70 cfs) and designed to the 10-year event (900 cfs). There will need to be a berm in the SW corner. They are bringing in 18 inches of gravel and 6 inches of topsoil. This phase should be complete in Mid-July. Phase 2 will then begin with a ramada structure (NW), a drinking fountain, a bike rack, seating around the edges, a walkway around the outer edges of the park, a concrete pad with steps, vegetation, and a concrete pad for a port-a-potty option. The church parking lot was discussed, as well as the memorial tree at the border of the Town Square and the Church parking lot. Nina Andalaro and Mayor Schoedinger have volunteered to manage the project and contract out more cost effectively using local contractors. Martine Amade has done a lot of work on the landscape plan.
- **Gillespie Gulch** – Edge Construction has been awarded the contract. However, FEMA has announced that they wish to do the reconciliation of our changes before the project. This would mean a significant delay. A plan is being put into place to argue that a review should not happen pre-project as we do not know if we have staff in place next year and the cost could change.
- **Irrigation ditch Project** – Project is moving forward. Final design review with the board will happen at the board meeting Tuesday, July 5th.

OPEN FORUM

1) Trustee Lenarcic made comments regarding Town Clerk issues brought up at the May 16,

2016 Board Meeting and wanted to clarify. He felt that the Interim Town Clerk role would be best handled by current staff, but thought the following might be barriers: 1) Attendance and the need to attest minutes, 2) Funding by DOLA, and 3) Approval by either a motion or a resolution. He stated he would rather err on the side of conservatism.

Mayor Schoedinger stated that it would be helpful to her if he would collaborate with her and call her when he has questions.

Trustee Lenarcic stated that the reason he doesn't is that he feels the other members of the board need to participate in the discussion, and added that he is not trying to ambush her.

Trustee Lucas pointed out that what Trustee Lenarcic was asking about had already been gone over in a previous meeting. She stated that she didn't think Mayor Schoedinger was asking Trustee Lenarcic to call her to make or discuss policies, but to exchange information.

Trustee Donadio stated that she senses Trustee Lenarcic wants to do more and suggested that information gathering does not need to be through the Board Meetings, but rather through participation in committees and/or stopping in to check-in throughout the week.

Trustee Lucas added that information may be gathered appropriately without taking the Board's time.

Trustee Lenarcic asked whether everyone agreed that replacing the Town Clerk is a matter that the Board has to be involved in.

Trustee Donadio confirmed that they do, but that it happened fast and that they have agreed upon a time to get together and talk more about it, at the Board Workshop on June 27th.

Trustee Lenarcic suggested that as we get farther from the flood, other things need to be considered.

Mayor Schoedinger stated that he has a lot of good ideas and information to share. She doesn't find it to be the most productive way to bring it up at the Board Meetings. She is not asking to craft things in secret, but asking to collaborate by putting information together so meetings can be more productive.

Denise Straus thanked Trustee Lenarcic and expressed her desire that the Town Clerk is replaced with someone from the community. She stated that she does not feel Mayor Schoedinger is easy to collaborate with at this point. She agreed with Trustee Lenarcic in

that she held the Town together and got the Town where it is.

Trustee Lucas stated that she finds Mayor Schoedinger incredibly easy to work with and is the only reason she remains with the Roads and Bridges Committee.

Trustee Droste clarified some of the reasoning behind filling the Interim Town Clerk position with staff and reiterated that this is rehashing what has already happened and that a plan is in place to discuss.

Anne Hasse commented that she missed the last meeting because of an incorrect date on the Town web site and requested that minutes be made available to her when they are approved for the May 16, 2016 meeting.

Mayor Schoedinger stated they would be on the Town web site once approved.

2) John Bernart then made comments regarding the potential benefit of authorizing marijuana sales within the Town. He stated that the impact on towns that have marijuana sales is large and allows for funding of projects. He stated he would like to see a survey created.

Trustee Donadio suggested that he take the lead and perform the survey. She also stated that allowing the wholesale of marijuana might open the door for retail sales, which is not necessarily what the majority wants in Jamestown.

John Bernart suggested that the ordinance be crafted to benefit residents.

Trustee Lenaric commented that there was an election in 2011 or 2012 for medical marijuana through which people voted against. For recreational marijuana, there has been a moratorium since 2013.

John Bernart suggested that they do education and get a ballot initiative for the next election.

Trustee Lenaric stated that it could be done by an election or an ordinance.

Trustee Droste commented that the proximity to the school was an issue for many according to state legislation.

Mayor Schoedinger suggested that John Bernart work through the Jamestown Speaks web site to get a survey out to the community and launch a committee. She also stated that the committee he starts would need to look at the administrative overhead (revenue, sales tax, attorney fees, town clerk, etc.) to do something like this.

John Bernart stated that he hoped the Town didn't wait until another natural disaster to happen before we can get more money to fix the town. He asked how he would go about starting a committee.

Mayor Schoedinger invited him to call her so they can look into a resolution to be written up for the Board to begin a committee.

OLD BUSINESS - Discussion, direction, action:

Resolution 2016 04-17: A Resolution of the Board of Trustees of the Town of Jamestown, Colorado Approving a Contract with RockSol Consulting Group for James.022 HMGP Engineering Services for Lower Main Street James Creek Crossing Project

Mayor Schoedinger requested approval of Resolution 2016 4-17, to formally award a contract with Rock Sol Consulting Group. A motion had already been passed.

The total Budget was for \$180K. Mayor Schoedinger pointed out that the Town needs to adjust the attest to Trustee Droste.

Trustee Lucas moved to approve Resolution 2016 04-17: A Resolution of the Board of Trustees of the Town of Jamestown, Colorado Approving a Contract with RockSol Consulting Group for James.022 HMGP Engineering Services for Lower Main Street James Creek Crossing Project. Trustee Yahnke seconded.

Further Discussion:

Trustee Lenarcic asked for clarification on the amount. Mayor Schoedinger stated that the entire budget was \$180K for the HMGP Grant. She stated she would add the exact amount to the Resolution.

The vote was unanimous.

Xcel LED Program Update:

Millissa Berry (Town Staff) recapped that Xcel Energy will pay for 100% of the cost to convert the Town's streetlights to LED lights that produced less light pollution and have a blue cast. The Town had questions before concerning light spread and whether the fixtures could be lowered. The answer was no. She asked if there were further concerns or whether she could request Xcel to proceed.

Trustee Lucas commented that the night sky lighting was addressed in the Long Term Recovery Plan and that it was well-received by the community.

Millissa Berry commented that several community members she had talked to, as well, were positive.

Mayor Schoedinger suggested that the Town could go ahead and do it because Excel would probably eventually proceed anyhow. Also, we know there will be less light pollution. In that sense, we know the community is in favor. We could proceed and address location as

we go. We had asked if we could remove some of the lights, and the answer was that there have been cases where towns have been sued for removal of lights.

Trustee Donadio asked about timing if approved now.

Millissa Berry responded that she had heard it would be next spring.

Trustee Donadio moved to request that Xcel proceed with replacing the streetlamps with LED bulbs at their expense. Trustee Droste seconded. The vote was unanimous.

NEW BUSINESS – Discussion, direction, action:

Board Meeting Minutes Process:

Mayor Schoedinger requested approval of a proposed process change: document attendance, agenda approval, minutes, new and old business motions, adjournment, announcements, keeping written reports electronically submitted to the Town Clerk prior or at the meeting. While discussion would not be documented, full recordings would be retained digitally on the Google Drive with back up on CD and available upon request and on the Town's website (as storage allows).

Discussion: Mayor Schoedinger stated that she was able to find what she was looking for on the digital audio quite easily. Chuck Reid (Contracts Manager) had suggested this previously and said that other communities do this, as well. This will help allow the Town Clerk to focus on Clerk duties instead of secretarial duties.

Trustee Lenarcic expressed that the acoustics in the Town Hall are not good and that one can't discern who the speaker is on the audio if they are not identified. A solution would be to recognize the speaker or have the speaker self-identify. Also, Trustee Harris had some concerns regarding recording and was concerned about finding items. He would feel more comfortable if they made a decision with the full board present.

Trustee Donadio agreed on tabling the issue to include Trustee Harris and stated that the amount of time to draft minutes makes this new process a necessity.

Trustee Lenarcic agreed that taking minutes as they had been was a challenge for the staff trying to work on recovery.

Mayor Schoedinger stated that Mary Ellen (former Town Clerk) would sometimes do the minutes on her day off because it was the only place she could get peace and quiet.

Trustee Yahnke asked if there was a way to digitally transcribe voice-to-text for a transcript.

Mayor Schoedinger stated that we have not found free software for that purpose.

Trustee Droste stated that using the written minutes in conjunction with the audio allows for easier use. Also, use of parliamentary procedure would specify that people should self-identify. His concern is also that audio be recorded on CD.

Mayor Schoedinger asked if Trustee Droste and Erika Archer would work together to do a test run on hardwiring the audio mic into the PA for better recording quality.

Trustee Donadio moved to table this issue until Trustee Harris' return. Trustee Lucas seconded. The vote was unanimous.

Boulder County Stream Restoration Project:

Millissa Berry referred to handout: Participant Agreement with LWOG and Boulder County for the James and Little James Creek Restoration. She explained that part of their scope is to evaluate EWP areas that are not performing as intended and cited three areas (example: drop structure on east end of Town, by Mill St., and "Little James Falls").

Trustee Lenarcic stated he would want clarification whether the Little James Falls work might affect Jyoti Sharp's previous request for septic in that area.

Millissa Berry stated that for work on town-owned property, the town would have a chance to approve.

Trustee Lenarcic stated his understanding is that LWOG hired the engineering, and that the county would do the work. Millissa Berry confirmed.

Mayor Schoedinger requested authorization to sign the Participant Agreement with LWOG and Boulder County.

Trustee Lenarcic stated that he is supportive as the work "hurries nature up" and doesn't cost the property owner anything.

Trustee Lenarcic moved to authorize Mayor Schoedinger to sign the Participant Agreement with LWOG and Boulder County for the Stream Restoration. Trustee Donadio seconded. The vote was unanimous.

Andersen Hill Irrigation Installation:

Authorization to contract with Michael Box to install Andersen Hill irrigation System for \$998.40 and authorization to use \$998.40 of Rebuild Jamestown Funds

Michael Box described his plan to install an automated drip line irrigation system on Andersen Hill to water the 200 plants planted by the landscaper on the Andersen Hill Bridge and Road Project for \$998.40, including labor and materials. His plan is to attach poly tubing to the hose bib at the top of Andersen Hill and directly water each plant via emitters. He referred to the landscaper's recommendation to water each of the plants 5 gallons per week.

Trustee Donadio moved to pay independent contractor Michael Box \$998.40 from the Rebuild Jamestown Fund. Trustee Lucas seconded. The vote was unanimous.

Resolution 2016 06 -25: A Resolution of the Board of Trustees of the Town of Jamestown, Colorado Approving the Use of Rebuild Jamestown Funds for Andersen Hill Irrigation System Installation Project

Trustee Donadio moved to approve Resolution 2016 06-25: A Resolution of the Board of Trustees of the Town of Jamestown, Colorado, approving the use of Rebuild Jamestown Funds for Andersen Hill Irrigation System Installation Project. Trustee Yahnke seconded. The vote was unanimous.

Approval to use an Indemnification Agreement since Michael Box does not have liability insurance

Discussion: Chuck Reid (Town Contracts Manager) had recommended this since Michael is an independent contractor and does not carry liability insurance. Erika will work to get the Agreement to Michael.

Trustee Lucas moved to approve the use of an Indemnification Agreement with Independent Contractor, Michael Box, for the Irrigation Project on Andersen Hill. Trustee Donadio seconded. The vote was unanimous.

3801 James Canyon Drive Subdivision Request by Quinter Fike

Quinter Fike provided notice to the Board of Trustees of his intention to subdivide 3801 James Canyon Dr. (11 acres – 5 parcels divided to at least 2.3 acres), using a cistern as a primary source of water. All sites are well above the floodplain. He pointed out that the Town needs safe building sites and that cisterns are a viable source of water as long as the property owner has an agreement with a water provider. He asked for the Town to authorize moving ahead with a public meeting.

Mayor Schoedinger asked if an easement was in place for access.

Quinter Fike stated they are not asking to build on it and stated they have access through an

agreement with the mining company.

Trustee Lenarcic asked whether he was looking for an agreement from the Town for water before he submits his application for subdivision.

Quinter Fike confirmed.

Mayor Schoedinger added that Quinter's purpose is also so that the Board of Trustees are aware of his intentions so that initial questions may be addressed.

Trustee Donadio stated that she believed water would be a huge concern and asked how an arrangement with the Town would work.

Mayor Schoedinger responded that in the past, a spigot had been installed at the fire station, but that the water there is disgusting. Potentially, the Town could discuss putting a spigot at the water treatment plant that would allow a hauler to fill up for a cost. The Town has the ordinance drawn up from before that could be reevaluated.

Trustee Lenarcic stated that he recalled the annual cost was around \$1,000. The water would be unlimited, but a quarterly fee would be paid. The cost may have been related to the number of bathrooms.

Mayor Schoedinger agreed and stated that our water rights dictate that we can not sell water down the canyon, but that we can sell to residents.

Trustee Donadio asked whether we had capacity.

Mayor Schoedinger stated that this should be looked into and that we currently do have capacity.

Quinter Fike stated that he could also look into getting an agreement with Mile Hi.

Trustee Lenarcic suggested we write a provision in to allow water from Jamestown into the subdivision agreement – should this move forward.

Mayor Schoedinger restated that this is part of an entire process for subdivision and public hearing. Quinter is asking whether the Town would consider selling him water. She suggested what he could do is to get an agreement with Mile Hi Water or A1 now to be able to make an application to town for a public meeting. Then we go through all of the steps that are laid out. This would move him forward. (Neighbors would be notified, administrative costs passed on, attorney fees, etc.)

Resolution 2016 06-26: A Resolution of the Board of Trustees of the Town of Jamestown, Colorado Approving a Contract with Cherry Inc. for 21 Ward Street Asbestos Abatement

Mayor Schoedinger stated that as part of the HMGP Buyout Program, the Town was required as part of the program to do an environmental inspection. Weecycle found no lead paint, but did find asbestos in the drywall of 21 Ward St. Abatement must be performed so that demolition can proceed. The Town had four bidders for this project. The recommendation is for Cherry Inc. as the lowest bidder who could complete in our timeframe. Weecycle will provide the air clearance.

Trustee Lenarcic moved to approve Resolution 2016 06-26: A Resolution of the Board of Trustees of the Town of Jamestown, Colorado Approving a Contract with Cherry Inc for 21 Ward Street Asbestos Abatement in the amount of \$18,760. Trustee Yahnke seconded. The vote was unanimous.

Before adjourning, Trustee Droste asked for a moment of silence to recognize the people who are going through the aftermath of the Orlando shooting. The Board and community in attendance sustained silence on their behalf.

The following Committee Reports were then made:

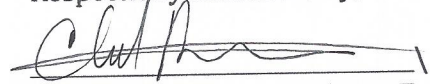
Committee Reports

1. Boulder County Recycling and Composting Authority – No report.
2. Floodplain Administrator – In Mark Williams’ absence, Mayor Schoedinger reported that the LOMR responses had been submitted to FEMA.
3. Water System Operations – In Emma Hardy and Jon Ashton’s absence, Mayor Schoedinger reported that the plant was in violation over the weekend at a Tier 2 advisory regarding turbidity. Notices had been sent out to water customers. A sanitary survey (CDPHE inspection) would take place on Friday.
4. Water Committee – No report.
5. Jamestown Volunteer Fire & EMS – Trustee Lenarcic stated they are still struggling with inspection of fire suppression. The quote received was \$750/year. Boulder Rural might come instruct someone from fire station to do inspection. He will talk to Chief Arne Metzger. Mayor Schoedinger reported they did Pac tests.
6. Streets & Bridges (Jen) – No additional report from Community Update.
7. Elysian Park & Town Square (Vic/) – No additional report from Community Update.
8. Cemetery (Chad) – Trustee Droste reported he is waiting for wet weather to end to raise the flagpole.
9. Town Hall Maintenance - Trustee Donadio had nothing to report.
10. James Creek Watershed Initiative – No report.
11. Left Hand Watershed Oversight Group – Trustee Lenarcic reported that he had been going to meetings and was looking forward to seeing reports in writing.

ADJOURN

Trustee Droste moved to adjourn the meeting; this motion was seconded by Trustee Donadio. The motion carried unanimously and the meeting was adjourned at 9:00 PM.

Respectfully submitted by,



Chad Droste, Town Clerk Pro Tem

Approved,



Tara Schoedinger, Mayor