



**Board of Trustees
Workshop and Regular Meeting Agenda
Fraser Town Hall, 153 Fraser Avenue and Virtually
Wednesday September 21, 2022
6:00 PM- 9:00 PM**

**Members of the Board may have dinner together @ 5:30
p.m.**

**NOTE: Times are approximate and agenda subject to
change**

**Watch the meeting live on Fraser's YouTube
Channel** <https://www.youtube.com/channel/UCs5aHnl7d-kk0j1cxV28DSg>

**Participate in the meeting through our virtual platform
Zoom Meeting Information**

<https://us02web.zoom.us/j/2590408013>

Meeting ID:259 040 8013

Phone 1-346-248-7799

1. **6:00 P.M. Workshop - Budget Personnel**
2. **7:00 P.M. Roll Call**
3. **Approval Of Agenda**
4. **Consent Agenda**
 - a. Minutes September 7, 2022

Documents:

[TBM 2022-09-07.Pdf](#)
[Sign In Sheet September 7, 2022.Pdf](#)
5. **Open Forum**
 - a. Business not on the agenda (If you would like to request time on a future agenda please contact the Town Clerk)
6. **Discussion And Possible Action Regarding**

- a. Treasurer's Report - Rob
- b. Ordinance 489 Restricting The Use Of Engine Braking - Michael

Documents:

[Ordinance 489 Restricting The Use Of Engine Braking.pdf](#)

7. Updates

- a. Town Manager

8. Executive Session

- a. 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). Regarding Water Rights

- b. 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. Regarding Town Manager Review

9. Discussion And Possible Action Regarding

- a. Exchange Study, Consolidate Wastewater Treatment Plant

Documents:

[20220523 Letter B-T GCWSD And Fraser Re Exchange Study.pdf](#)

10. Adjourn

UPCOMING MEETING

WEDNESDAY, OCTOBER 5, 2022 BOARD OF TRUSTEES

<u>Board</u>	<u>Staff</u>
<u>Direct</u> : Define the service, product or value to be delivered	<u>Lead</u> : Future focused planning
<u>Protect</u> : Establish the operational boundaries to be respected by Staff and monitored by the Board	<u>Manage</u> : Now focused policy and procedural guidance to ensure on time, on budget, and on target service delivery
<u>Enable</u> : Advocacy, resource development, and role discipline	<u>Accomplish</u> : Ensure the work defined by the direction of the Board of Trustees is accomplished

Please contact the Town Clerk to request accommodations to assist people with disabilities to participate in public meetings. Listening devices for people with hearing impairment are available upon request.

Town Clerk, Antoinette McVeigh 970-531-9943 or amcveigh@town.fraser.co.us

**FRASER BOARD OF TRUSTEES
MINUTES**

- DATE:** September 7, 2022
- 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, Ed Cannon; Town Clerk, Antoinette McVeigh; Assistant Town Manager, Michael Brack; Finance Director, Rob Clemens; Marketing and Communications Manager, Sarah Wieck; Police Chief, Glen Trainor
- Others:** See attached list

Mayor Vandernail called the meeting to order at 7:02 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 Gregory moved, and Trustee Quinn seconded the **motion** to approve the amended agenda, moving Open Forum to Item #4. **Motion carried: 7-0.**
3. **Consent Agenda:**
 - a) Minutes August 17, 2022

Trustee Quinn moved, and Trustee Soles seconded the **motion** to approve the consent agenda. **Motion carried: 7-0.**
4. **Open Forum:**
none
5. **Board of County Commissioners Update**
No Commissioners present
6. **Discussion and Possible Action:**
 - a) Fraser Riverbank Stabilization Project, Letter of Interest

Trustee Soles moved, and Trustee Waldow seconded the **motion** to approve the mailing of the letter and to include the cost of the project in the Letter of Interest. **Motion carried: 7-0.**
 - b) Resolution 2022-09-01 Contract for The Lions Pond Bathroom Foundation and Utility Stub-Out

Trustee Soles moved, and Trustee Cerkvenik seconded the **motion** to approve Resolution 2022-09-01 Contract for The Lions Pond Bathroom Foundation And Utility Stub-Out. **Motion carried: 7-0.**

c) Koselig On Main Deed Restricted Units

No Action

7. Updates

a) Mural Festival Update

Communication and Marketing Manager Sarah Wieck presented to the Board, presentation was in the packet.

b) Notary Services

Town Clerk Antoinette McVeigh, Notary services will be offered at Town Hall Monday, Wednesday, and Fridays from 9am-3pm, no charge for the service.

c) Town Manager Ed Cannon, Middle Park Health Center in Fraser

d) Trustee Waldow, Stage One fire restrictions in place

e) Trustee Cerkvenik, Halloween and Mill Levy for Affordable Housing

8. Executive Session:

a) For a conference with the Special 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 litigation. Including Town Attorney Kent Whitmer, Town Manager Ed Cannon, Special Council John Chmil.

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 first executive session, which was not recorded, constituted a privileged attorney-client communication.

Town Attorney, Kent Whitmer

b) 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 Water Rights. Including Town Manager Ed Cannon

c) 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. Regarding Town Manager Review Including Town Manager Ed Cannon and Finance Manager Rob Clemens

Trustee Cerkvenik moved, and Trustee Gregory seconded the **motion** to open three Executive Sessions. **Motion carried: 7-0.**

Trustee Soles moved, and Trustee Cerkvenik seconded the **motion** to close the Executive Session regarding litigation at 10:00 p.m. The Executive Sessions Regarding Water Rights and Town Manager review were not discussed and will be on a future agenda. **Motion carried: 7-0.**

9. Discussion And Possible Action Regarding

a) Exchange Study, Consolidate Wastewater Treatment Plant

The item was tabled and will be on a future agenda.

10. Adjourn:

Trustee Cerkvenik moved, and Trustee Waldow seconded the **motion** to adjourn.

Motion carried: 7-0. Meeting adjourned at 10:01 p.m.

Antoinette McVeigh, Town Clerk



**TOWN BOARD REGULAR MEETING
REGISTRATION SHEET
SEPTEMBER 7, 2022**

The Public Forum is an opportunity for the public to present their concerns and recommendations regarding Town Government issues to the Town Board. Those wishing to address the Town Board will be allowed a five-minute presentation. A maximum of six (6) people will be allowed to address the Town Board at each Public Forum. If a topic that you wish to discuss has been scheduled for a formal Town Board Meeting, we would ask that you reserve your remarks for that specific date and time. Topics that are in litigation with the Town will not be heard during this forum. All presenters are urged to: (1) state the concern; and (2) list possible solutions. Please keep the following guidelines in mind:

- Remarks that discriminate against anyone or adversely reflect upon the race, color, ancestry, religious creed, national origin, political affiliation, disability, sex, or marital status of any person are *out of order* and may end the speaker's privilege to address the Board.
- Defamatory or abusive remarks or profanity are *out of order* and will not be tolerated.

Anyone attending Town Board meetings must sign in to ensure accurate records and minutes. Sign your name, address, and email on the sign in sheet. Thank you for your cooperation.

NAME	PHYSICAL ADDRESS	EMAIL
Andy Miller	267 Mill FC	

**TOWN OF FRASER
ORDINANCE NO. 489
SERIES 2022**

AN ORDINANCE AMENDING CHAPTER 8 OF THE FRASER MUNICIPAL CODE
RESTRICTING THE USE OF ENGINE BRAKING IN THE TOWN OF FRASER.

WHEREAS, under Colorado law, the Board of Trustees of the Town of Fraser is authorized to adopt and amend vehicle and traffic regulations applicable within the Town; and

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FRASER, COLORADO, THAT:

PART 1: AMENDMENT OF MUNICIPAL CODE.

Chapter 8 (Vehicles and Traffic), Article 5, of the Fraser Municipal Code (herein sometimes referred to as the "Municipal Code") are hereby amended as follows [Note: additions are shown in **bold underlined** print; deletions are shown as ~~strikethrough~~ print]:

ARTICLE 5 – Engine Braking Prohibited

Sec. 8-5-10. – No Engine Braking on Roads or Highways.

It shall be deemed unlawful to emit any noise created from the operation of any motor vehicle with an engine brake engaged. An engine brake is defined as an engine compression or dynamic braking device used primarily on large trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes.

PART 2: REPEAL. Any and all existing ordinances or parts of ordinances of the Town of Fraser covering the same matters as embraced in this Ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed; provided, however, that such repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this Ordinance.

PART 3: SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town of Fraser hereby declares that it would have adopted this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases thereof be declared invalid or unconstitutional.

PART 4: EFFECTIVE DATE. This Ordinance shall take effect thirty (30) days after passage, adoption and publication thereof as provided by law.

PART 5: PUBLICATION. This Ordinance shall be published by title only.

READ, PASSED, ADOPTED AND ORDERED PUBLISHED BY THE BOARD OF TRUSTEES AND SIGNED THIS _____ DAY OF _____, 2022.

Votes in favor: _____
Votes opposed: _____
Votes abstained: _____

BOARD OF TRUSTEES OF THE
TOWN OF FRASER, COLORADO

BY: _____
Philip Vandernail, Mayor

(S E A L)

ATTEST: _____
Antoinette McVeigh, Town Clerk

Published in the *Middle Park Times* on _____.



P. O. Box 3077
Winter Park, CO 80482-3077
970.726.5583 Phone
970.726.5636 Fax

May 23, 2022

Board of Trustees
Town of Fraser
P.O. Box 370
Fraser, Colorado 80442

Re: Exchange Study – Consolidated Wastewater Treatment Plant

Dear Board:

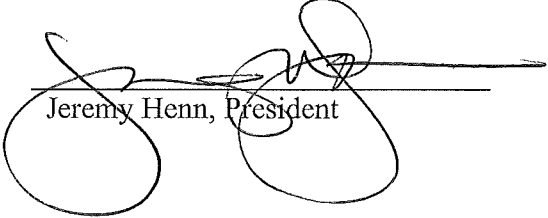
On behalf of the Board of Directors of the Grand County Water and Sanitation District No. 1 (the “District”), I write to confirm the agreement between the District and the Town of Fraser (“Fraser”) concerning a study of the potential impacts of exchanges of water rights on the wastewater treatment plant (“WWTP”) jointly owned by Fraser, the District, and Winter Park Ranch Water and Sanitation District (“WPR”).

Specifically, the District and Fraser jointly agree to retain a qualified water rights engineering firm to conduct a comprehensive analysis of the impacts of all decreed (absolute and conditional) exchanges and exchanges proposed in a water rights application that have the potential to dewater Fraser River flows at the WWTP’s permitted discharge point. The District and Fraser will jointly propose to the Joint Facility Operating Committee (“JFOC”) of the WWTP that this study be undertaken as a project of the JFOC and paid for as an Operation and Maintenance cost (“O&M Cost”) of the WWTP. However, if the JFOC does not agree to such payment, the District and Fraser will otherwise share equally for study costs incurred in excess of their existing proportionate responsibility for O&M Costs.

Following completion of the study, the JFOC, or the District and Fraser, shall consider a common strategy and approach to developing minimum flow targets at the WWTP discharge point, and steps to implement such a strategy with other local stakeholders, including without limitation, WPR and other water users upstream of the WWTP discharge point. The parties may also consider appropriate actions to reasonably address impacts, if any, to the cost of wastewater treatment at the WWTP by dilution or otherwise.

Please confirm your agreement to the terms set forth above by signature of a duly authorized person in the space provided below

Very truly yours,



Jeremy Henn, President

TOWN OF FRASER

By: _____
Name: _____
Title: _____
Date: _____