

Nederland Downtown Development Authority Minutes for October 11, 2011

Board members present: Steve Culver, Jonathan Beggs, Ken Adler, Teresa Warren, Director Paul Turnburke, Udo Sille and Peter Stader.

Also present: Mike Massa, Pam North, Alisha Reis, Gail Eddy, Janet Perry and Betsy Buck.

Meeting called to order at 8:04 A.M. Steve Culver took roll call.

1. Public comment. Gail Eddy asked the NDDA what our mil levy was set at. Teresa Warren said it was 5 mils, and that this is the maximum we can have. Gail wanted to know if this was a firm amount and Teresa said it was until our next mil levy election. Gail said that the NDDA has projected our tax revenue at \$21,000.00, but that we have collected \$25,000.00 and wanted to know why we have collected more. Gail had some more questions and Teresa said we would cover those items during our financial report and that Gail could direct her questions to Mike Massa at that time.

2. Teresa Warren gave her Chair report. Teresa started by explaining our new seating arrangement for the NDDA Board meeting today and that she will continue with this seating arrangement for future meetings. Teresa said she felt she hadn't been able to do an adequate job of running these meetings with both NDDA Board members and members of the public seated together at the same table.

Teresa said she would like to clarify a couple of things that were printed in the local paper. The paper said there was some interaction between the silent majority marchers and the anti-sidewalk protesters. Teresa said there wasn't any exchange of words because the silent majority marchers were wearing duct tape over their mouths to signify that they weren't saying anything they were just taking a walk. Teresa also said that when she can get 25 or more people to march she will get a permit.

Udo Sille mentioned that Barb, the owner of The Mountain Ear Newspaper, who participated in the silent majority March was getting abusive anonymous emails for taking this walk.

Another thing Teresa wanted to clarify is that it was mis-interpreted at our last meeting that on their trip to Durango for the DCI Conference, when they stopped in Saguache, Colorado, that Gail Eddy got the idea that they met with town officials. Teresa said they did not meet with any town

officials; they stopped to visit an Antique Store and while Teresa was inside the store, Udo Sille was out on the sidewalk talking to people passing by. Teresa wanted to make it perfectly clear that they did not meet with any town officials. Gail Eddy again stated that was not what was reported and Teresa said that this is what was reported and that Gail didn't hear it correctly.

3. Paul Turnburke began his Director report by saying that he ran into former NDDA Board member Bunny Spangler yesterday. Paul also presented a card for the NDDA Board members to sign to send to Rob Joseph in appreciation for all the work he did for the NDDA Board.

Paul said NDDA website was up and running in a draft stage for our members to check out. Paul asked the NDDA Board members if they all had a chance to look at it. Paul asked board members if they were comfortable with the site and were there any other changes that they would like to see done before it goes live to the public. Paul said the official launch will be tomorrow on Oct. 12th. Paul said this will be a soft launch and there will be a newsletter coming out also. Paul would like the NDDA Board members to get a list together of emails of people we know that are in support of what the NDDA is doing so he can send them a newsletter announcing the website. Paul said send this list to Jennipher Murphy.

Paul asked Alisha Reis if Jason Morrison, Town Public Works Director, has hired the person they were looking at for sidewalk maintenance. Alisha said yes. Paul said Jason is in the process of hiring the staff for the sidewalk maintenance. They are looking for two primary drivers and maybe a couple of spare drivers. Paul said the Mountain Youth Corps had been out to work on the sidewalks on Brian Mahon Way.

Teresa asked if everyone got the email from Teresa Myers about the BOT Retreat. Teresa Myers is looking for an Action Plan from the NDDA and the other advisory boards. Paul said he had sent the NDDA action plan to Teresa Myers, it is the same plan that was presented to the BOT at the beginning of the year. Paul said he was hoping to get a workshop with the BOT sooner than the Feb. 14th date they have suggested on their schedule. Paul said we are trying to prepare a budget and we won't know until Nov. 15th where we are at with the Phase 2 sidewalk project which will be a significant part of our budget. If we need to provide a budget to the BOT by Dec. 6th, we need to know where we stand as soon as possible and if they want an action plan for next year it would be helpful to develop that before Feb.

14th. Hopefully we will be able to schedule a meeting sooner than Feb. 14th to talk about our shared visions of where we are going.

4. Teresa Warren wanted to add one more thing to her Chair report and that was the Riverwalk Planning Grant we decided not to apply for this year. She asked if PROSAB could take over this project with support from the NDDA. If they need money or technical assistance they could come to the NDDA for help. At the very least Teresa said we could work together on this project. Paul said he would let the PROSAB Board know what we were thinking.

5. Alisha Reis said she would stand in for Rob Joseph for the BOT report. Alisha said that at the Oct. 13th retreat, the BOT would be looking at all their liason assignments with the various groups in town. The NDDA and NACC both are without a BOT representative at this time and they have two new BOT members, Annette Croughwell and Peter Fiori. The SAB Board will be the first group on their agenda to work with on Oct. 25th. They will also be looking at how to move forward with the Envision 2020 vision plan, to incorporate that into the planning for the various advisory boards.

The other big thing was the approval of the Waste Water Plant construction contract and they are in the process of getting a building permit. The public hearing for the 2012 budget was presented and Town staff answered quite a few questions about the NDDA funding structure and that seemed to help quite a few people in their understanding of the NDDA. Alisha said she and Eva were working on a plan A & B budget for the NDDA, depending on what happens with the Phase 2 sidewalk plans. Phase 2 will be discussed at the Nov. 15th BOT meeting and action will take place on the plan at the Dec. 6th meeting, which is also the same day the Town Budget will be approved. Alisha said that Oct. 25th is the last of the budget workshops and that is when the NDDA budget will be discussed. Alisha said the turnover on the BOT has delayed the action on some items, including the Phase 2 sidewalks.

Teresa Warren asked Alisha how the wrap up on Phase 1 of the sidewalks is going. Alisha said the contractor doesn't seem to be in hurry and that the Town staff has taken care of some of the punch list items that were outstanding. The contractor isn't responsive at this time. They have received a check, for \$8000.00, from RTD for their funding. Mike Massa said we are still waiting on \$60,000.00 from CDOT.

Teresa asked about moving the informational sign in front of the Pedestrian Bridge that is in the wrong place, pointing visitors in the wrong direction.

Paul asked Alisha about the Waste Water Treatment Plant and the building permits that were on hold until construction began on the plant. Alisha said the permits were still on hold until they get into the ground on the plant construction which they hope will get started in the next four weeks so they can get the foundation in this year. The holders of the building permits all signed a waiver stating they understood they would not receive a CO, (Certificate of Occupancy), until the plant was in the ground, under construction. This was a State mandate they had to follow.

6. Under old business was approval of bills. Teresa said she had received a bill from the Business Connection for \$30.00, a bill from Accounting Specialists for \$775.00 and a bill to renew our membership to RHI Institute for \$125.00. RHI does a lot of webinars on nightlife, restaurants, and hospitality businesses. Teresa said by having a membership in RHI, members of the NDDA would be able to take advantage of attending these webinars and seminars to help improve their businesses. Mike Massa said we need to reimburse the Town for wages on sidewalk maintenance for \$391.33.

Ken Adler made a motion:

To approve the following bills; Business Connection for \$30.00, Accounting Specialists for \$775.00, RHI Institute for \$125.00, and Town of Nederland for \$391.33.

Udo Sille 2nd the motion.

Paul Turnburke mentioned that he would look into seeing if we could post these bills on our website so our NDDA constituents could see where our expenditures are going and how they might benefit from membership in RHI.

Motion passed unanimously. #101111-1.

7. Approval of minutes. Teresa Warren asked if everyone had a chance to read the draft minutes from our last NDDA meeting on Sept. 27th.

Teresa asked if there were any changes needed to be made.

Udo Sille made a motion:

To approve the NDDA Board meeting minutes for Sept. 27th, 2011, as written in the draft minutes.

Jonathan Beggs 2nd the motion. Motion was approved unanimously.
#101111-2.

8. Mike Massa gave us an update on our NDDA finances. Mike said he hadn't been to our meetings recently because nothing had changed with our finances. Mike said the BOT now wants quarterly reports from NDDA and Mike will work with Eva on getting those done. Mike said our statements are up to date at all times and he will bring that information to us once a month.

Mike handed out financial information on our operating budget and balance sheet. Mike said our taxes are separated on the operating budget sheet with the first item being our 5 mil property taxes collected. Mike said we are over budget for these taxes in 2011 and 2010. There was a question on if we collect more taxes than allowed do we have to refund the difference back? Teresa Warren said she didn't think we could over collect 5 mils. Mike said he would talk with Eva about the reason there is a difference in amount that was budgeted and collected. Paul Turnburke asked Alisha Reis if this has happened to the Town. Alisha said it happens all the time and is called surplus and at the end of the year you do a supplemental budget that accounts for the difference. Alisha recommended that the NDDA get in touch with an expert on special district taxes and she said Eva has a contact for that. Teresa Warren said we get an estimate in the fall for what we think we will collect in the following year, but it is really just an estimate and we won't know what the exact figure will be until all the taxes have been collected. Mike stated again that he will work with Eva at Town Hall to find out more about how over collection of taxes might work.

Gail Eddy asked how much of the budgeted amount for Phase 2 of the sidewalks went to Turnburke & Associates? The answer was none of that money was paid to Turnburke & Associates for Phase 2. Of the \$14,624.00 for design work, \$11,000.00 went for survey work and the other amount went to Loris & Associates for work on cost estimates for writing the grant.

Mike showed us the Phase 1 budget. Paul Turnburke had a question on the difference in amounts on what was budgeted for DDA Paid design and what was actually spent. Mike seemed to think everything was right and we did have extra expenses in design. Teresa and Paul both asked Mike to look into this further and bring that information to our next meeting.

Mike said he, Paul Turnburke and Ken Adler had met and gone over the 2012 budget and he would like to meet again to fine tune some of the amounts before they present the budget to the Town. Paul Turnburke said he would like to see the NDDA Finance committee meet again before the

BOT budget meeting on Oct. 25th. Teresa said it might help if Eva were present for this meeting also.

9. New Business. Teresa said she has met with Roy Young on the lot lease on First Street. Teresa said Roy is good with the terms of the lease and having to wait for payment until we have a building permit finalized. Teresa is working on researching liability insurance for the lots. Alisha Reis said to check with Teresa or Eva at Town Hall about CIRSA Insurance. Paul Turnburke asked if maybe an IGA with the Town might be a different option. Teresa said that as the owner of the property Roy Young wants an additional insured certificate with his name on it. Alisha said that since it is private property we might have to look at other options. Peter Stader asked how much work can we put into this project before we have all of these items settled. Paul said we need to get the lease finalized before we begin to work on other parts of the project. Teresa said let us get the lease worked out with the insurance and then we can bring this back up before the NDDA Board. Ken Adler was concerned that we need some idea on what the costs will be for next year's budget. Ken said we need to include costs for the deck and website in the 2012 budget. Paul said he could see next year as a design and planning stage for the deck without it actually being built. Teresa said she would hope we could have it built by next summer. Gail Eddy asked, have we figured out how spending public money on private property works out and Teresa said that State Statutes state that we are allowed to own property, lease property and there would not be any issues with this.

10. Teresa said we haven't had a NDDA Treasurer since Bunny Spangler resigned from the NDDA. Teresa said that Mike Massa does most of the functions of a Treasurer, but it would be very nice to have a second person able to sign our checks other than her. Jonathan Beggs said that he had offered to serve as Treasurer, but his other out of town businesses keep him away a lot and that could be a problem if a check needs to be signed. Teresa said she would like someone to be here in town more often. Udo Sille said he would like to offer himself as a possible Treasurer. Udo said he has a lot of experience with accounting through running his own business.

Steve Culver made a motion:

To nominate Udo Sille to be Treasurer of the NDDA.

Ken Adler 2nd the motion. Motion was approved unanimously. #101111-3.

11. Teresa discussed the results of the performance review for our NDDA Executive Director Paul Turnburke. Teresa talked about what Paul is doing and what his priorities should be. She said we want Paul to continue to work closely with other Town Staff and meet with the public and continue to attend meetings that are of interest to the NDDA. We would like him to work on maintenance plans for NDDA projects and keep on top of our new website. Paul pointed out that our new website will provide a lot of facts and other information for the public so he hopefully won't have to answer as many questions one on one as he has in the past.

Teresa said we felt Paul was doing an excellent job and got high points from the NDDA Board members present at the review. Teresa said that we appreciate Paul's involvement with our NDDA and we couldn't do this without him. Teresa said that Paul is currently spending about 30 hours a week on NDDA work and that we would like to see him trim his work down to around 20 hours a week on average. Teresa said we also discussed a pay increase of \$300.00 a month to \$1800.00.

Paul said he would recuse himself from this discussion and asked that we consider if the NDDA budget could afford this raise at the mid-budget point of this year and that with all the other discussions concerning the NDDA and the Town and the public did we want to consider this raise at this time. Paul then left the room.

Ken Adler said that we are almost through this year and he didn't think the raise would be much of a substantial impact at this time. Teresa said wanted to make it clear that Paul did not ask for a raise at his review or at this time. His current salary is \$1500.00 a month. Udo Sille thinks the raise would not be a problem and feels that Paul is well worth it. Teresa said that administrative costs come out of our mil levy. Mike Massa questioned if that is really the case and Alisha said they are looking into that with the Lawyers and Bond Lawyers and they will have more information on that at their Oct. 25th meeting. Ken Adler asked what is included in administrative costs. The current budget increase would be around \$700.00 for this year and Mike said this would not be a problem.

Udo Sille made a motion:

To increase the salary of the NDDA Executive Director Paul Turnburke's to \$1800.00 a month starting on Nov. 1, 2011.

Steve Culver 2nd the motion. Motion was approved unanimously. #101111-4.

12. Final item on the agenda was purchasing a broom attachment for the tractor to help in removing snow from the sidewalks. Paul Turnburke said that when we originally purchased the tractor we had looked into the possibility of a snow broom, but that we didn't do anything about it at that time because we wanted to see how things went with the attachments we had. Paul said that he and Ken Adler and Jason Morrison of Public Works had talked about a snow broom and all agreed that this would be a good addition for the tractor when snow falls are light. Paul said the broom moves the snow out of the way and doesn't pile it to the side like the plow. Teresa asked about the cost and Paul wasn't sure of an exact amount but said it would probably be around \$3500.00. Teresa asked that we have a more exact cost amount at our next meeting on the 25th. Jonathan asked if this kind of attachment could be used in the summer to remove gravel and the answer was yes. Ken Adler said it would be able to angle and so we could direct the sand and gravel where we want it. We will get more information on a snow broom for our next meeting.

Meeting was adjourned at 9:25 AM.

Our next regular NDDA meeting will be on Tuesday, October 25th. The meeting will take place at 8:00 AM at the Pioneer Inn, unless otherwise notified.

Submitted by Stephen Culver, Secretary NDDA.