



**Town of Frederick**  
**Board of Trustees Agenda**

Frederick Town Hall  
Board Chambers  
401 Locust Street  
Tuesday, February 13, 2024

**7:00 PM**

Livestreaming of the Board of Trustees regular meetings have been transitioned to the Town of Frederick website. Work Sessions are not livestreamed. The livestream for the regular meeting can be accessed at [www.frederickco.gov/civicmedia](http://www.frederickco.gov/civicmedia)

Public Comment will only be taken in person unless an accommodation is requested through the Town Clerk's Office. If you require an accommodation or have questions about making public comment please contact the Town Clerk's Office:

Kelly Green, Deputy Town Clerk  
[kgreen@frederickco.gov](mailto:kgreen@frederickco.gov)  
720-382-5500

Or

Emily Nitcher, Assistant Town Clerk  
[enitcher@frederickco.gov](mailto:enitcher@frederickco.gov)  
720-382-5500

**Built on What Matters.**



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Tuesday, February 13, 2024

**6:00 P.M.**

**Work Session**

**Snow Program Update**

**People and Culture / Risk Management Update**

**7:00 P.M.**

**Regular Meeting**

**Call to Order – Roll Call:**

**Pledge of Allegiance:**

**Approval of Agenda:**

**Special Presentations:**

**Public Comment:** This portion of the agenda is provided to allow members of the audience to provide comments to the Town Board. Please sign in and the Mayor will call you. If your comments or concerns require an action, that item(s) will need to be placed on a later Agenda. Please limit the time of your comments to three (3) minutes.

**Staff Reports:**

A. Administrative Report – Bryan Ostler, Town Manager

**Consent Agenda:** Consent Agenda items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda Items unless a Board member so requests, in which case the item may be removed from the Consent Agenda and considered at the end of the Consent Agenda.

B. List of Bills – Kurtis Adams, Finance Director

C. January 09, 2024 Minutes – Emily Nitcher, Assistant Town Clerk

**Built on What Matters.**

D. January 23, 2024 Minutes – Emily Nitcher, Assistant Town Clerk

**Action Agenda:**

- E. Resolution 24-R-08 A Resolution of the Town of Frederick, Colorado, Accepting a Grant of Permanent Easement from Town of Firestone– Zack Robertson, Civil Engineer
- F. Resolution 24-R-09 A Resolution of the Board of Trustees Approving the Town of Frederick Youth Commission Bylaws Governing the Operations of the Commission – Anthony Bixby, Accountant II/ Payroll Administrator
- G. Resolution 24-R-10 A Resolution of the Board of Trustees of the Town of Frederick Approving Bylaws Governing the Operations of the Planning Commission – Christine Francescani, Deputy Town Attorney

**Discussion Agenda:**

- H. Legislative Update – Ryan Johnson, Assistant Town Manager

**Mayor and Trustee Reports:**

**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)(1) regarding floodplain and stormwater issues.

**Adjournment:**



# Town of Frederick Admin Report 2.13.24

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## Upcoming Board of Trustees Work Sessions:

The following is the schedule for upcoming meetings, though topics are subject to be changed or rescheduled:

- February 6, 2024 – Work Session
- February 13, 2024 – Regular Meeting
- February 20, 2024 – Work Session
- February 27, 2024 – Regular Meeting
- March 5, 2024 – Work Session



## Effective, Efficient & Strategic Government Operations

- Landon Ridgeway obtained his Certified Operator Pesticide Applicator's License with the State of Colorado.
- Several employees in Parks and Open Space attended the 2024 PGA of America Conference, as well as the 2024 Golf Course Superintendent's Association of America Conference. These conferences host a wealth of educational seminars to improve our golf and turf maintenance and business operations.
- Training:
  - PII/IT ongoing
  - ICMA webinar – Strategic Planning in the Age of AI, January 23



## Community and Economic Vitality

- Attendance at Toro's ribbon cutting ceremony.
- Silverstone Marketplace signs completed and posted.
- The third and final concept for Frederick Recreation Area will be released to the public in mid-February. The Board of Trustees and PROST Commission will receive the draft during that time as well. Staff will work with the project partner to engage the community on this last concept which will be refined into the final site design during summer.
- The Crist Park re-design is open for community engagement as a part of the third Comprehensive Plan survey.

**Built on What Matters.**

- A Request for Proposals was issued to create a conceptual site plan with cost estimates for the Mendoza Open Space in January. Staff will have a project partner selected in late February. The purpose of this site plan is to gain community input and awareness of this regional park and open space and to begin gathering development fees for future construction costs.
- A Request for Proposals will be issued for a revision to the 2021 Parks, Open Space and Trails Master Plan in early February. Dubbed “Go Outdoors Frederick 2050,” this plan’s primary purpose is to guide parks and open space improvements and developments for the next 25 years, by building upon the existing 2010 and 2021 POST Master Plans. The plan will provide guidance on: improvements to the Town’s neighborhood and pocket parks; the Town’s open spaces; abandoned oil and gas sites; to develop a strategic and sustainable funding strategy for all park and open space operations, staffing and capital improvements; to develop a more robust Trails Master Plan; provide public engagement strategies for improving existing open space maintenance to improve wildlife habitat and public use; among other things. Staff have completed preliminary planning work on all of these areas and will be soliciting a project partner to help drive finalization by January 2025.
- The Parks Department’s 2023 Annual Report and 2024 Action Plan were approved by the PROST Commission in January and are available on the Town’s website on the Parks and Open Space Planning page.
- The following is a list of all active development applications under review by the Town’s Planning Department, Engineering Department, Legal Counsel, Frederick-Firestone Fire Protection District, and external review agencies.

<b>Project Name (Date of Application)</b>	<b>General Location</b>	<b>Brief Description</b>	<b>Project Type</b>
Bear Industrial Business Park, Replat 3, Block 1, Lot 8 (2/21/23)	4210 Bruin Street	Proposed 14,400 sf warehouse/office building for an excavation company.	Site Plan
Bear Industrial Business Park, Replat 4, Lot 12A (1/2/24)	4109 Bruin Boulevard	Proposed warehouse/office building for construction contracting company with outdoor storage component.	Site Plan
Carriage Hills Filing 1, Replat A, Block 6, Lot 1 – 10 (3/6/23)	6500 – 6554 11 <sup>th</sup> Street	Building design review for single family detached and attached housing.	Construction Document Review
Clearview Villages (10/31/23)	Southwest corner of Godding Hollow and Silver Birch	Water demand analysis for the subdivision.	Water Demand Analysis
CWCWD 30” Waterline Easement (9/29/22)	Between Tipple Parkway and Highway 52 from Colorado Boulevard to Wheatland Boulevard.	30” waterline easement proposed.	
Dreamers Ridge Phase 1, Replat A (7/3/23)	Southwest of Godding Hollow and Colorado 5.	Proposed new tracts B, C and a new Lot 1. Lot 1 proposed as a 70-acre residential estate lot.	Minor Subdivision
Eagle Business Park Filing 4C, Lot 1 (1/16/24)	7200 Eagle Boulevard	Create a site plan document which reflects changes already made to the site such as the lot expansion.	Site Plan Amendment
Eagle Business Park Filing 5, Lot 3&4 (10/16/23)	4609 & 4701 Falcon Place	Proposed St Vrain Sanitation District administration maintenance facility.	Subdivision Amendment; Site Plan
Evezich Amendment 2, Lot 3A (10/23/23)	131 Aspen Drive	Proposed “Brigit’s Village” 40 unit affordable mixed-use residential building.	Site Plan

<b>Project Name (Date of Application)</b>	<b>General Location</b>	<b>Brief Description</b>	<b>Project Type</b>
Frederick West Business Center, Filing 2., Block 2, Lot 6 (1/2/24)	7701 Miller Drive	Proposed building addition to the west side of an existing building.	Site Plan Amendment
Indian Peaks, Filing 12, Lot 1 (7/17/23)	8123 Indian Peaks Avenue	Proposed replacement of aboveground extended detention basin with an underground detention facility and the modification of right-of-way landscaping with a waterwise design.	Site Plan Amendment
Columbine Heights (8/9/23)	Currently "Johnson Farms/Sindle Hill Energy Minor"	Proposed single family detached residential community.	Preliminary Development Plan; Preliminary Plat
Meadowlark Business Park, Filing 3, Replat B, Block 1, Lot 1 (12/15/23)	5681 Iris Parkway	Proposed 6,000 sf storage warehouse addition.	Site Plan Amendment
Meadowlark Business Park, Replat A, Block 1, Lot 2 (8/21/23)	5978 Iris Parkway	Proposed 20,250 sf industrial building as phase 1. Phase 2 to include addition of outdoor storage area. Phase 3 to include removal or storage to be replaced with 20,500 sf building and additional parking.	Site Plan
Miners Park Town Centre (3/6/23)	Northeast corner of Colorado Boulevard and Highway 52.	Planned development directly south of downtown Frederick.	Construction Document Review; Final Plat; Rezone
Silverstone Filing 7	Currently "Miner's Village Filing 1"	Proposed development of 581 single home residential lots.	Preliminary Plat, Preliminary Development Plan
Nelson Farms	Northeast corner of I-25 and Highway 52.	Proposed development of 236 acres as single-family detached, duplex, and townhome lots.	Preliminary Plat; Preliminary Development Plan; Subdivision Amendment
No Name Creek Estates, Filing 1, Replat C, Block 14, Lot 1-3 (11/27/23)	Eastern part of No Name Creek	Water demand analysis for the three lots listed.	Water Demand Analysis
Park n Ride Annexation (12/26/23)	Northwest corner of I-25 and Highway 52	Proposed QuikTrip	MOAPI Amendment; Site Plan; Variance
Prosperity (12/8/23)	Southeast of Tipple Parkway and Ridgeway Boulevard	Water demand analysis for the subdivision	Water Demand Analysis
Raspberry Hill Business Park Lot 12 (10/17/23)	8208 Raspberry Way	Proposed Hyundai outdoor vehicle inventory storage lot and carwash.	Site Plan
Raspberry Hill Business Park Lot 15 (12/15/23)	8360 Raspberry Way	Proposed facility for an HVAC contractor to include a warehouse/shop, office space, and an outdoor storage component.	Site Plan
Shores on Plum Creek (6/20/22)	Northwest of Highway 52 and Colorado 3 ¼	Proposed master planned community with retail/commercial	Minor Subdivision; Preliminary Plat; Preliminary Development Plan; Rezone

Project Name (Date of Application)	General Location	Brief Description	Project Type
		opportunities and a wide range of housing types.	
Silverstone Commons (9/29/23)	Currently "Silverstone Filing 1, Block 8, Lot 1". Northwest of Highway 52 and William Bailey Avenue	Proposed development of a commercial/retail project that is cohesive with the adjacent commercial/mixed use property to the east.	Final Development Plan
Silverstone Marketplace (3/6/23)	Northwest of Colorado Boulevard and Highway 52.	Proposed commercial development centered around new King Soopers grocer.	Final Development Plan; Final Plat; Site Plan
Wheatlands (4/4/22)	Currently "Brunemeier Annexation"	Proposed high-quality residential neighborhood that will include single-family detached and attached housing.	Preliminary Development Plan; Preliminary Plat
Wildflower Filing 1, Amendment 1, Block 27, Lot 2 (1/2/24)	3833 Tipple Parkway	Proposed United Power battery energy storage system.	Site Plan
Wyndham Hill Filing 10 (11/16/20)	Currently "6855 Aggregate Boulevard"	Proposed single family detached housing.	Final Development Plan; Final Plat



## Dynamic, Inclusive & Connected Community

- All Public Works employees attended the Public Works Kick-off meeting, as well as a safety meeting. The main focus of the safety meeting was wellness and living healthy lifestyles, which was hosted by staff from the Carbon Valley Recreation Center.
- Monthly Newsletter: Electronic and mailer
- Weekly Flash: Features four articles weekly
- Daily postings on social media platforms
- Communication and campaign planners
- Town Event Preparation – Monthly meeting
  - Event banners installed in Town kiosks
  - Sponsor commitments for 2024 totaling \$22,600
  - 10 chainsaw carver applications
  - 39 food vendor applications
  - 25 market vendor applications
- Community Partnerships
  - Frederick High School Foundation meeting January 11
  - CVEM meeting January 11
  - Carbon Valley Rec Center - Connect on Snow Buddies Program
  - Carbon Valley Volunteer Fair on Saturday, January 27, hosting 21 nonprofit organizations with 54 engaged participants in attendance committing to volunteer positions.

- Initiate annual intern recruitment process
- Local Emergency Planning Committee of Weld County) LEPC Meeting January 25
- Website Updates
  - Update 2024 Scholarship webpage and online form
  - Progress on website redesign and miscellaneous page updates
- Town App
  - Monthly Analytics Report
- Interdepartmental Collaboration
  - Departmental project support
    - Comms & Engagement KPI updates for financial report
    - Community Notification (letter) regarding sanitation survey
    - Town 2023 Annual Report completed
    - Strategic Planning mtg
    - Innovation Team mtg
    - 2024 Scholarship mtg Jan. 24, comms campaign, submission support
    - Comms campaign - Frederick Forward – survey 3
    - Comms campaign - Water Conservation Programs
    - Process Mapping for CRM Summit a Report
    - Support Town Clerk’s office Election items and Comms campaign for Election
    - Attend Leadership Partnership meetings
    - PIO comms notifications: water leak, crash, snow event, FFFPD – gas line work
- Board Meeting
  - Attendance at Board meetings to ensure Town communications align with Board’s vision and work in progress
  - Closed captioning on meeting recordings
- Board Room photography proposal completed.
- A message from Director of People & Culture Noël Mink:
  - Board of Trustees—This week marks the fourth week at the Town of Frederick. I have spent my first month meeting with leaders and employees in the town to hear about needs and concerns. I have worked with my supervisor, Jason Leslie, to develop my 30/60/90-day goals and highlights for 2024 and 2025. My focus in the first 90 days is in three central areas. The first is the Compensation and Classification study. This includes things like a pay philosophy/policy, leader and employee education, and implementation. My second focus is policy. I am partnering with Jason Meyers and other key stakeholders to rework the employee handbook. This will essentially be a complete re-write to modernize our handbook building a solid foundation for the future while aligning to our town values. We are currently undergoing a risk analysis to develop a plan on to complete the re-write in addition to employee training. The last focus area is training for our employee base with intentional thoughtfulness towards our leaders. Equipping employees at all levels with the tools they need to be successful. I am looking forward to spending time with you at soon to be scheduled study session so I can provide a full briefing on compensation and classification.



## Strategic, Reliable and Sustainable Infrastructure

- Parks maintenance staff have been working on tree pruning, open space cleanups and Milavec Dam maintenance this month.
- Golf maintenance staff are working through winter equipment maintenance and projects on the golf course, including capital irrigation repairs.
- Streets and Stormwater staff completed yearly ditch cleaning projects in Eagle Valley, No Name Creek, and Fox Run.
- Replacement of street signs, stop signs, and posts has taken place in the Countryside and Savannah subdivisions.
- Streets staff repaired the school crossing flashers and replaced its computer module on Godding Hollow for Legacy Elementary; they also replaced three street signs damaged in traffic accidents.
- Road maintenance teams have been conducting street sweeping operations, repairing potholes, and clearing up roadside debris.
- The last of the Christmas lights along Fifth Street and Colorado Boulevard have been removed.
- Maintenance crews assisted the Police Department in shutting down the on-ramp to I-25 using barricades after a tractor trailer overturned.
- A pad was poured for Frederick High School's January 30<sup>th</sup> wood carving.
- Water staff have been working on water leak concerns for local businesses and residents; they also responded for a water break inside an unoccupied home to shut it down for the homeowner.
- Fleet is down to the final three units being repaired from hail damage.
- After a few upfits by Fleet, a new Ford Ranger has been delivered to the Engineering Department. The new Chevrolet Blazer also arrived and is in service at Town Hall.
- Fleet has been working with different vendors on getting quotes for heavy equipment and trucks. A purchase order has been signed with John Deere for a new loader.
- All GeoTab GPS units have been installed in the snow plow trucks; all plow trucks are now data logging and can now track usage. I.T. is working on producing a map of the plows in use, which will be a fantastic tool for Fleet to utilize.



## Safe and Secure

- Chief Todd Norris was reappointed for a 2-year term on the Weld County Regional Communications Center 911 Authority Board. The Board consists of department heads from many of the fire/EMS and law enforcement agencies across Weld County that utilize the dispatching services of the Communications Center. As a voting member, Chief Norris attends monthly meetings and has decision making capacity for changes in policy and procedure that impact his officers' daily job duties.
- Sergeant Herbert and Officer Farson recently attended the Northern Colorado Police Job Fair and had several positive interactions with candidates interested in Frederick PD. The next round of officer interviews is scheduled for February 8th, and the department currently has four immediate openings for officers as well as two academy positions to fill prior to August. In addition to attending recruitment events and job fairs, the department is partnering with Public Information Officer Renae Lehr and her team to enhance recruitment materials, including a

pamphlet to hand out at events, a new informational web page, and eventually a video highlighting the department and all we have to offer.

- Police Recruitment Brochure
- PD Annual Report print
- Meet with PD regarding post contact survey for Comms campaign
- Collaborate with PD regarding Recruitment webpage
- Process weekly Police Case Report



### **Fiscally Responsible Governance**

- Finance is currently focused on wrapping up 2023 year-end activities and writing and assembling the 2024 budget book.

Town of Frederick - List of Bills  
December 29, 2023 - January 25, 2024

1800DRYCLEAN NORTH METRO DENVER	Uniform cleaning services	244.55
21ST CENTURY EQUIPMENT LLC	Mower equipment	430.16
4 RIVERS EQUIPMENT LLC	Equipment repairs and parts	8,305.49
5STARWASHCV LLC	Car wash fees	897.30
AAA PEST PROS LLC	Pest control	85.00
ACE HARDWARE OF FIRESTONE	Supplies	1,611.71
ACTIVE THREAT TRAINING GROUP LLC	Rifle Training Class	598.00
ACUSHNET COMPANY	Golf shop merchandise	469.62
ADAM MARCOVICH	Dirt hauls	1,400.00
ADAMSON POLICE PRODUCTS	Police equipment	44,453.52
AGFINITY	Fuel and tank maintenance	10,981.47
ALERT / SAM	ALERT SAM membership dues	100.00
ALI VANDEUTEKOM	Reimbursement for medical premium	86.00
ALL COPY PRODUCTS INC	Postage meter ink	289.95
ALTITUDE AWARDS AND APPAREL	PW uniforms	1,354.50
AMANDA DEBORD	Planning contract services	840.00
AMERICAN EAGLE DISTRIBUTING	Beverage order for restaurant	0.79
APPLIED SOFTWARE TECHNOLOGY LLC	Bluebeam Revu complete renewal	4,940.00
ASCAP	Music licensing	434.00
ASPHALT SPECIALTIES CO INC	Hydrant Meter deposit refund	4,500.00
AVI PC	Colorado Blvd & Bella Rosa Drainage Projects	5,167.50
AXIS SURVEYING & LAND SERVIECS LLC	Mendoza Open Space/ Land title survey	13,500.00
AXON ENTERPRISE INC	Police equipment & license	75,676.80
BETTER BUSINESS CLEANING	Monthly cleaning service	5,856.00
BK TIRE, INC.	Tire disposal	20.00
BLACK HILLS ENERGY	Natural gas utility	5,471.47
BOBCAT OF THE ROCKIES	Equipment maintenance supplies	1,790.35
BREAKTHRU BEVERAGE COLORADO	Beverage order for restaurant	557.34
CALLAWAY GOLF	Golf shop merchandise	1,246.09
CAPITAL BUSINESS SYSTEMS INC	Town copier lease payment	2,295.97
CARBON VALLEY CHAMBER OF COMM.	Sponsorship - Casino Night	500.00
CARBON VALLEY ROTARY CLUB	Membership dues	400.00
CENTRAL WELD COUNTY WATER DIST	Water purchased	70,289.60
CENTRAL WELD CTY WATER DIST	Plant Investment fee reimbursement	12,000.00
CERVANTES CONCRETE	Fence repair	2,250.00
CINTAS CORPORATION	PW mat service and uniforms	573.15
CITY OF GREELEY	NOCO Job Fair	250.00
CIVIC PLUS	Subscription renewals and additions	14,225.25
COLORADO ASSOC. OF PERMIT TECHNICIANS	CAPT membership	25.00
COLORADO BARRICADE CO	Street signs	19,454.00
COLORADO GOLF & TURF	Parts for equipment repair	307.41
COLORADO STATE UNIVERSITY	Detailed testing	575.00
COLORADO WATER CONGRESS	Membership dues	551.00
COMCAST CABLE	Internet service for Town facilities	1,924.95
COMCAST PHONE	Town wide internet service	2,655.00
COMMUNITY COUNSELOR INC	Counseling services	375.00
CORKAT DATA SOLUTIONS LLC	Adobe Acrobat Pro software/ GIS server	1,868.37
COSTAR REALTY INFORMATION INC	Monthly subscription	590.00
CURALINC HEALTHCARE	SupportLinc Employee Assistance Program	931.50
CUSTOM TRUCK ONE SOURCE LP	Bucket truck repairs	1,981.37
DAKOTA CUSTOM TURF LLC	SIP Grinder set	50,000.00
DANA KEPNER CO	Water meter and hydrant supplies	18,444.51
DATASHIELD CORPORATION	Document Shredding	65.00
DENVER METRO CHAMBER OF COMMERCE	Delegate fee for a 2023 recruitment trip	2,000.00
DESIGN CONCEPTS CLA INC	RFP Development Assistance/CP Master Plan	40,529.49
DLT SOLUTIONS LLC	Civil 3D Government Subscription	9,962.60
DUNAKILLY MANAGEMENT GROUP CORP	Owner's representation services	3,285.00

Town of Frederick - List of Bills  
December 29, 2023 - January 25, 2024

DYNAMIC BRANDS	Golf cart supplies	58.78
E & G TERMINAL INC	Supplies	101.45
EDUARDO LOPEZ	Equipment Loan Program	2,000.00
ELDORADO ARTESIAN SPRINGS INC	Water delivery service	139.30
ELEMENT WATER CONSULTING INC	Water Engineering Services	62,174.57
ELEVATED PUBLIC SAFETY	Vehicle equipment	1,591.55
ELITE HOOD CLEANING & FIRE PROTECTION CO	Kitchen hood system repair	25.00
EMILY C JOHNSON PLLC	Counseling services	100.00
EMPLOYERS COUNCIL SERVICES INC	Employment Law Posters	354.00
ENGLAND THIMS & MILLER INC	Esri GIS & Cartegraph Asset Management	1,800.00
ENTENMANN-ROVIN CO	Police badge	233.75
ENTERPRISE FM TRUST	Vehicle lease program	51,647.99
ENVIRONMENTAL SYSTEMS RESEARCH INST.	ESRI Annual Subscription	34,260.00
ENVIROSERVE INC	Disposal of pesticides and chemicals	1,661.25
ENVIROTECH SERVICES, INC.	Ice Slicer	3,686.28
FACTORY MOTOR PARTS CO	Supplies	606.16
FAIRFIELD AND WOODS PC	Legal services	5,544.00
FASTENAL COMPANY	Supplies	42.06
FLOCK SAFETY	Flock cameras	27,700.00
FORSGREN ASSOCIATES INC	Non/Potable Water Infrastructure Master Plan	37,137.90
FREDERICK FIRESTONE FIRE PROTECTION DIST	EMC/EMD/EOC support services	37,535.25
FREEDOM MAILING SERVICES LLC	WQR inserts and postage	2,686.63
GLOBAL INDUSTRIAL	Maintenance shop improvements	21,740.27
GREEN MILL SPORTMAN'S CLUB	Range use	450.00
GREEN MOUNTAIN PROMOTIONS	Marketing materials for golf expo	631.50
HAIL PRO COLLISION LLC	Vehicle hail damage	69,606.05
HARDLINE EQUIPMENT	Sweeper equipment	3,593.84
HEADSTRONG COUNSELLING LLC	Counseling services	100.00
HIGH COUNTRY BEVERAGE	Canned beer for restaurant	56.85
HOLCIM WCR INC	2023 Pavement Maintenance/Retainage	79,198.85
HOME DEPOT CREDIT SERVICES	Supplies	1,081.40
ICMA	ICMA membership renewal	1,141.21
IMAGEFIRST HOSPITALITY	Linen service for restaurant	273.91
INFOSEND INC	UB statements, postage and newsletters	3,592.73
INNOVATE! INC	GIS support	4,302.18
INTERSTATE FORD	Vehicle repair supplies	78.70
INTERSTATE RENTAL & SALES, INC.	Equipment rental - Manlift	1,928.81
JC GOLF ACCESSORIES	Golf shop merchandise	186.06
JUAN HERRERA	Restitution payment	200.00
KANSAS GOLF AND TURF INC	Parts for equipment repair	123.94
KP & ASSOCIATES	Retail Consulting Services	2,400.00
KYLE A RICHARDS	Livestream BOT meeting	150.00
LEXIPOL LLC	Annual membership & policy manuals	11,833.65
LONGMONT HUMANE SOCIETY	Animal impound fees	1,052.25
LUKE JOHNSON	Reimbursement for Police Academy supplies	46.19
MAC EQUIPMENT INC	Supplies	31.40
MADISON MCINTOSH	Reimbursement for Christmas supplies	112.46
MARONEY CONSULTING SERVICES LLC	Responsible alcohol beverage training	400.00
MAX DAFFRON	Mileage reimbursement - NOCO Redi Retreat	32.50
MOSES WITTEMYER HARRISON & WOODRUFF	Legal services	19,314.00
MOTOROLA SOLUTIONS INC	Police radios with accessories	26,620.55
NEW CONSOLIDATED LOWER BOULDER RESERVO	Capital Stock Assessments Common/Preferred	19,329.79
NORTH RANGE BEHAVIORAL HEALTH	Portion of Co-Responder MOU	12,500.00
NORTHERN CO. WATER CONSERVANCY DISTRICT	NISP	1,774,500.00
O.J. WATSON COMPANY INC	Work truck service body cab and installation	33,765.00
OCCUPATIONAL HEALTH CENTERS	Pre-Employment Screening	164.00
O'KEEFE PUBLISHING INC	Advertising in divot magazine	300.00

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OPENGOV INC	Open Gov Asset Domain/Use	20,780.65
O'REILLY AUTOMOTIVE INC	Vehicle maintenance supplies	380.77
P & W GOLF SUPPLY LLC	Golf course range supplies	1,342.22
PAUL C BENEDETTI	Legal Services - FURA	4,800.00
PAUL MCHUGH	Plan Review fee refund	3,287.54
PAYPOINT HR LLC	Compensation analysis	16,000.00
POLCO	Engage subscription	5,500.00
POLICE AND SHERIFFS PRESS INC	Photo IDs	195.85
PRAIRIE MOUNTAIN MEDIA	Publishing costs	1,093.69
PRE ACTION FIRE INC	AES Quarterly Monitoring	525.00
PRINT EXPERTS	Printing services	850.70
PRO GOLF REPAIR LLC	Pro Golf services	525.50
RAFTELIS	Core services business plan	19,851.50
RAMEY ENVIRONMENTAL COMPLIANCE	ORC Services Distribution System	894.23
RANGE SERVANT AMERICA INC	Golf equipment	5,031.00
RED DOG RADIOS LLC	Vehicle two-way radio installation	8,631.30
REIF & HUNSAKER PC	Legal services	364.86
RICK ENGINEERING COMPANY - COLORADO	Downtown Outdoor Recreation Master Plan	28,856.89
RINGCENTRAL INC	Town phone system	3,810.92
SAFEWAY	Supplies	228.51
SESAC	Music licensing	581.00
SI PRODUCTS LLC	Staff uniforms	419.52
SIERRA FEDDER	Mileage reimbursement	68.75
SIGNALFIRE TELEMETRY INC	Sim/Extend Data Plan - Cloud Connectivity	1,440.00
SMITH ENVIRONMENTAL & ENGINEERING	Frederick GW Impacts Study	3,486.58
SPORT & FITNESS INC	Maintenance of gym equipment	200.00
ST VRAIN SANITATION DISTRICT	03463-01 Police Department	5,129.54
STAPLES ADVANTAGE	Desk chair	1,006.60
TEENA ESTRADA	Tuition reimbursement	2,105.88
TELOS ONLINE INC	Back-up link	75.00
THOMAS MANN	Restitution payment	1,000.00
TLO LLC	Investigation fees	220.80
TRAFFIC SIGNAL CONTROLS INC	Signal control supplies	24.00
TRANSWEST TRUCK	Shop supplies	89.86
TRI-TECH FORENSICS INC	Supplies	59.00
TRT CONSTRUCTION	Office door replacement	2,850.00
TRUEPOINT SOLUTIONS LLC	System Configuration and support	2,871.60
TWIN PEAKS GARAGE DOORS LLC	Garage door repair	472.00
TYLER TECHNOLOGIES	Court Management, Insite fees and UB calls	21,963.95
U.S. POSTAL SERVICE (CMRS-FP)	Postage for meter machine	700.00
UNITED POWER	Electric utility	7,346.17
UNIVERSITY AUTO PARTS INC	Vehicle maintenance supplies	127.28
UPPER CASE PRINTING, INK.	Printing services	660.87
UTILITY NOTIFICATION CENTER OF COLORADO	Water locates	532.77
VERIZON WIRELESS	Wireless services	8,675.23
VIA MOBILITY SERVICES	Transportation	4,800.00
VICTIM ASSISTANCE FUND	CVMVAP - VALE Grant reimbursement	2,333.27
WARD ELECTRIC COMPANY INC	Electrical work for maintenance shop	4,340.00
WASTE CONNECTIONS OF COLO INC	Monthly trash & recycle service	1,074.99
WELD COUNTY	Annual Dispatch Services/Radio Maintenance	90,004.60
WELD COUNTY CHIEF'S OF POLICE ASSOC	Membership dues	950.00
WELD COUNTY DEPARTMENT OF PUBLIC	Water testing	504.00
WELD COUNTY INFORMATION TECHNOLOGY	Computer software RSA tokens	930.00
WEX BANK	Fuel	1,216.87
WILLDAN FINANCIAL SERVICES	Water Rate Study	8,400.00
	Total	<u>3,111,152.05</u>



# Town of Frederick Board of Trustees

Regular Board Meeting Minutes  
Frederick Town Hall, 401 Locust Street  
January 09, 2024

**Call to Order:** At 7:04 p.m. Mayor Crites called the meeting to order and requested roll call.

**Roll Call:** Present were Mayor Crites, Mayor Pro Tem March, Trustee Lamach, Trustee teVelde, Trustee Padia, and Trustee Brown.

Also present were Town Manager Bryan Ostler, Deputy Town Manager Jason Leslie, and Town Attorney Jason Meyers.

**Pledge of Allegiance:**

**Approval of Agenda:**

**Special Presentations:**

Dr. Haddad, Superintendent St. Vrain Valley School District.

**Public Comment:**

**Staff Reports:**

Administrative Report: – Bryan Ostler, Town Manager

**Consent Agenda:**

November 28, 2023 Minutes – Emily Nitcher, Assistant Town Clerk

December 05, 2023 Minutes – Emily Nitcher, Assistant Town Clerk

December 12, 2023 Minutes – Emily Nitcher, Assistant Town Clerk

Resolution 24-R-01 Establishing Posting Places for Meetings and Legal Notices – Kelly

Green, Deputy Town Clerk

Motion by Trustee Lamach and seconded by Trustee Padia to approve the consent agenda.

Upon roll call vote, motion passed unanimously.

**Action Agenda:**

**Built on What Matters.**

Resolution 24-R-02 Certification of Mill Levies - Kurtis Adams, Finance Director

presented. Motion by Mayor Pro Tem March and seconded by Trustee teVelde to approve Resolution 24-R-02.

Upon roll call vote, motion passed unanimously.

Resolution 24-R-03 Consideration of CDOT IGA for the WCR 13 and WCR 20

Intersection Operation Improvement Project DRCOG Grant – Jason Berg, Civil Engineer

presented. Motion by Mayor Pro Tem March and seconded by Trustee Padia to approve Resolution 24-R-03.

Upon roll call vote, motion passed unanimously.

**Mayor and Trustee Reports:**

**Executive Session:**

At 8:00 pm Motion by Trustee Lamach and seconded by Trustee Brown to move into 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 26-6-402(4)(e)(1) regarding Miners Park.

At 9:07 the executive session ended and returned into regular session.

**Adjournment:**

There being no further business of the Board. Mayor Crites adjourned the meeting at 9:08 p.m.

Approved by the Board of Trustees:

ATTEST:

\_\_\_\_\_  
Tracie Crites, Mayor

\_\_\_\_\_  
Kelly Green, Deputy Town Clerk



# Town of Frederick Board of Trustees

Regular Board Meeting Minutes

Frederick Town Hall, 401 Locust Street

January 23, 2024

**Call to Order:** At 7:00 p.m. Mayor Pro Tem March called the meeting to order and requested roll call.

**Roll Call:** Present were Mayor Pro Tem March, Trustee Lamach, Trustee teVelde, Trustee Padia, Trustee Mahan, and Trustee Brown.

Also present were Town Manager Bryan Ostler, Deputy Town Manager Jason Leslie, and Town Attorney Jason Meyers.

**Pledge of Allegiance:**

**Approval of Agenda:**

**Special Presentations:**

**Public Comment:**

Abigail Herbert – Introduction for the Carbon Valley Parks and Recreation District Board. Invited the Town of Frederick Board of Trustees to attend the Carbon Valley Parks and Recreation District Meeting on February 07, 2024.

Tina Martin – Introduction for the Carbon Valley Parks and Recreation District Board. Invited the Town of Frederick Board of Trustees to attend the Carbon Valley Parks and Recreation District Meeting on February 07, 2024.

**Staff Reports:**

Administrative Report: – Bryan Ostler, Town Manager

Golf Update – Tim Schwartz, Golf Course General Manager

**Consent Agenda:**

List of Bills – Kurtis Adams, Finance Director

Resolution 24-R-04 A Resolution of the Town of Frederick, Colorado Authorizing the

Mayor to Execute an Application to Northern Colorado Water Conservancy District for an

Annually Renewable Perpetual Water Contract for Right to use C-BT Shares – Sarah

Watson, Civil Engineer.

**Built on What Matters.**

Motion by Trustee Lamach and seconded by Trustee Brown to approve the consent agenda.

Upon roll call vote, motion passed unanimously.

**Action Agenda:**

**Re-appointment of Parks, Recreation, Open Space and Trails Commissioners -Colby**

Johnson, Parks Director presented. Motion by Trustee Lamach and seconded by Trustee Mahan to approve the Re-appointment of Parks, Recreation, Open Space and Trails Commissioners.

Upon roll call vote, motion passed unanimously.

**Resolution 24-R-06 A Resolution of the Town of Frederick, Colorado to Award a Contract for Addition of Two Pumps to the West Pump Station and Authorizing the Town**

**Manager to Execute the Contract**– Sarah Watson, Civil Engineer presented. Motion by Trustee Mahan and seconded by Trustee Padia to approve Resolution 24-R-06.

Upon roll call vote, motion passed unanimously.

**Resolution 24-R-07 A Resolution of the Town of Frederick, Colorado Authorizing the Mayor to Execute the Twentieth Interim Agreement with the Northern Integrates Supply**

**Project Water Activities Enterprise (NISP)** – Sarah Watson, Civil Engineer Presented.

Motion by Trustee Padia and seconded by Trustee teVelde to approve Resolution 24-R-07.

Upon roll call vote, motion passed unanimously.

**Mayor and Trustee Reports:**

Trustee Lamach mentioned the TORO Robotics Ribbon cutting.

Trustee Padia provided a DRCOG Update.

Trustee Mahan informed the board that there will be a Miner's Day Committee Meeting next month.

**Executive Session:**

At 7:49 pm Motion by Trustee Mahan and seconded by Trustee Lamach to move into Executive Session.\

Upon roll call vote motion passed unanimously.

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) regarding oil and gas.

At 8:52 pm motion by Trustee Padia and seconded by Trustee Brown to end the executive session return into regular session.

Upon roll call vote, motion passed unanimously.

**Adjournment:**

There being no further business of the Board. Mayor Pro Tem March adjourned the meeting at 8:55 p.m.

Approved by the Board of Trustees:

ATTEST:

\_\_\_\_\_  
Tracie Crites, Mayor

\_\_\_\_\_  
Kelly Green, Deputy Town Clerk



# TOWN OF FREDERICK

## Board of Trustees

### Action Memorandum

Tracie Crites, Mayor

Dan March, Trustee  
Mark Lamach, Trustee  
Kevin Brown, Trustee

Adam Mahan, Trustee  
Windi Padia, Trustee  
Chad teVelde, Trustee

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### Firestone Trail Drainage Easement

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**Agenda Date:** Town Board Meeting - February 13, 2024

**Attachments:**

- a. Resolution 24-R-08
- b. Drainage Easement

**Finance Review:** N/A  
Finance Director

**Submitted by:** Zackery Roberson  
Stormwater Engineer

**Approved for Presentation:** Bryan Ostler  
Town Manager

Quasi-Judicial

Legislative

Administrative

---

### **Strategic Plan Alignment:**



Strategic, Reliable & Sustainable Infrastructure - This request aligns with the Town's Infrastructure strategy. The easement will allow for drainage improvements to be constructed allowing infrastructure to be built that will increase flood-carrying capacity and protect Colorado Boulevard.

**Built on What Matters.**

### **Summary Statement:**

Per the drainage analysis for the Colorado Boulevard CIP. Drainage improvements need to take place on Firestone's property. Before we can install infrastructure, a drainage easement between the two Towns needs to be executed.

### **Detail of Issue/Request:**

Per the OSP drainage improvements need to take place under Colorado Blvd. During the analysis, it was determined that a berm is needed to direct the flow to the proposed box culvert. Without the berm, water would simply flow past the proposed culvert and would make an unsafe condition during a flood event. Before drainage improvements can be installed, an easement across Firestone's property is required. Considering it is the Town of Frederick's infrastructure we will be taking on the long-term maintenance for stormwater improvements.

### **Legal Comments:**

Frederick and Firestone Legal have reviewed the easement. The two towns are in agreement.

### **Alternatives/Options:**

1. **Proceed with the easement**- Frederick will sign the easement. Engineering staff will take the document before the Board of Firestone for final execution.
2. **Deny the easement** – This means the drainage improvements will not be constructed. Leaving Colorado Boulevard vulnerable to future flooding events.

### **Financial Considerations:**

The improvements will require maintenance from time to time. This will expand the maintenance responsibility for Public Works crews.

### **Staff Recommendation:**

Staff recommends option one (1) to proceed with the easement. As this, I will allow for drainage improvements.

**TOWN OF FREDERICK, COLORADO  
RESOLUTION NO. 24-R-08**

**A RESOLUTION OF THE TOWN OF FREDERICK, COLORADO, ACCEPTING A  
GRANT OF PERMANENT EASEMENT FROM TOWN OF FIRESTONE**

**WHEREAS**, the Town of Firestone (“Grantor”) is the owner of certain real property described as:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 19; THENCE SOUTH 01°31'44" EAST, A DISTANCE OF 1165.10 FEET TO A POINT ON THE EASTERN RIGHT OF WAY LINE OF COLORADO BOULEVARD AND THE WESTERLY PROPERTY LINE BELONGING TO THE TOWN OF FIRESTONE AS DESCRIBED IN BOOK 320 PAGE 187 OF WELD COUNTY; BEING THE POINT OF BEGINNING;

1. THENCE SOUTH 75°04'06" EAST, A DISTANCE OF 155.48 FEET TO THE EASTERN LINE OF SAID PROPERTY;
2. THENCE SOUTH 00°04'19" EAST, A DISTANCE OF 202.63 FEET ALONG SAID EASTERLY PROPERTY LINE TO A POINT;
3. THENCE LEAVING SAID PROPERTY LINE NORTH 90°00'00" WEST, A DISTANCE OF 18.63 FEET TO A POINT;
4. THENCE NORTH 00°00'00" EAST, A DISTANCE OF 51.81 FEET TO A POINT;
5. THENCE NORTH 90°00'00" WEST, A DISTANCE OF 131.67 FEET TO A POINT ON THE WESTERLY LINE OF SAID PROPERTY AND THE EASTERLY RIGHT OF WAY LINE OF COLORADO BOULEVARD;
6. THENCE NORTH 00°03'12" WEST, A DISTANCE OF 190.89 FEET ALONG SAID PROPERTY LINE TO THE POINT OF BEGINNING.

**WHEREAS**, the Town of Firestone desires to grant, and the Town of Frederick desires to accept, a perpetual easement for the purpose of installation of drainage improvements adjacent to Colorado Boulevard (attached hereto) over a portion of the Town of Firestone’s property described above.

**BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, COLORADO, AS FOLLOWS:**

**Section 1. Acceptance of a Perpetual Easement.**

- a. The Board of Trustees approves the perpetual Easement, generally located as set forth above and more particularly described in Exhibit A.
- b. The Board of Trustees authorizes the execution of the Easement by the Mayor on behalf of the Town of Frederick.

**Section 2. Effective Date.** This resolution shall become effective immediately upon adoption.

**Section 3. Repealer.** All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

**Section 4. Certification.** The Town Clerk shall certify the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

**INTRODUCED, READ, PASSED, AND ADOPTED THIS 13<sup>th</sup> DAY OF FEBRUARY, 2024.**

**ATTEST:**

**TOWN OF FREDERICK**

By \_\_\_\_\_  
Kelly Green, Deputy Town Clerk

By \_\_\_\_\_  
Tracie Crites, Mayor

**EXHIBIT A**

**Easement Agreement**

## UTILITY EASEMENT AND AGREEMENT

This **UTILITY EASEMENT AND AGREEMENT** (“Agreement”) is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2024, by and between the TOWN OF FIRESTONE, COLORADO, a municipal corporation organized and existing under and by virtue of the laws of the State of Colorado, whose address is 9950 Park Avenue, Firestone, Colorado, 80504 (“Firestone” or “Grantor”) and the Town of Frederick, a Colorado statutory town whose address is 401 Locust Street, P.O. Box 435, Frederick, Colorado 80530 (“Town” or “Grantee”).

1. Grantor’s Property. Firestone is the owner of that certain parcel of real property (the “Property”) located in Weld County, Colorado, legally described as **Exhibit A**.
2. Grant of Easement –Consideration. Firestone grants to Grantee a perpetual, non-exclusive easement (the “Easement”) over, under, in and across that portion of the Property as more fully described in **Exhibit A**, attached to and made a part of this Agreement (the “Easement Area”), subject to the terms and conditions set forth below.
3. Purpose and Uses of Easement. Grantee may use the Easement: (a) to construct, install, access, operate, use, maintain, repair, reconstruct, replace, inspect, and remove, at any time and from time to time, **Colorado Boulevard Drainage Improvements** (the “Improvements”) upon, across, over, under through and within the Easement Area; (b) to remove obstructions to the Improvements; and (c) to mark the location of the Easement Area and Improvements by suitable markers set and maintained in the ground. Nothing herein shall be construed to permit any overhead utilities or any surface or underground facilities or equipment associated with any utilities other than the Improvements within the Easement Area.
4. Access. Grantee shall only use the existing roads for ingress and egress.
5. Grantor’s Rights in Easement Area. Firestone reserves the right to use the Easement Area for any purposes that will not impair, endanger or unreasonably interfere with any of the Improvements or with Grantee’s full enjoyment of the rights hereby granted. Firestone shall not erect or cause to be erected any permanent buildings or structures within the Easement Area without the prior written consent of Grantee, which shall not be unreasonably withheld, with the exception of the existing Firestone Trail and pedestrian bridge. Firestone shall have the right to maintain, repair, and replace the trail and bridge at anytime without written consent of Grantee.
6. Construction.
  - A. Grantee shall provide Firestone a complete set of "As-Built Plans" for the Improvements, in paper and electronic format, within thirty days following construction and installation of the Improvements.
  - B. Grantee shall ensure that construction of the Improvements shall be undertaken by a licensed contractor, and shall cause all work to be performed by such contractor to be in accordance with all applicable statutes, ordinances, rules, regulations and permitting requirements.
7. Operation and Maintenance.

A. Grantee shall be solely responsible for the maintenance and replacement of the Improvements now or hereafter constructed and located within the Easement Area.

B. Upon completion of any construction work in the Easement Area, Grantee will maintain the surface of the Easement area in compliance with any applicable weed, nuisance or other legal requirements.

C. Upon completing any work in the Easement Area, Grantee will make such repairs or take such other action as may be necessary to restore the surface of the Easement Area to a condition comparable to its condition prior to Grantee's activities in the Easement Area, including but not limited to the reseeding and replanting of any disturbed areas in a manner reasonably satisfactory to Firestone, correction of any subsidence, and restoration of any other pre-existing improvements or conditions impacted by Grantee's activities.

8. Liability and Responsibility.

A. Firestone shall have no obligation to contribute to the costs or expenses of initial construction or installation of the Improvements.

B. Except for any negligent or willful act or omission, Firestone shall not be responsible or held liable for damages to the Improvements resulting from any work conducted by Firestone on the Property or in connection with performing authorized emergency repairs and maintenance of any existing improvements on the Property.

C. Nothing in this Easement Agreement shall be construed to be a waiver of the limitations on liability which are provided to Firestone or the Town of Frederick under any provision of law or the Colorado Governmental Immunity Act, C.R.S. §§ 24-10-101, et seq., as currently enacted or subsequently amended ("CGIA").

9. Binding Effect - Runs With Land. This Agreement shall extend to and be binding upon and inure to the benefit of the Parties to this Agreement and their respective successors and assigns, including without limitation, all subsequent owners of the Property, and all persons claiming under them. The rights and responsibilities set forth in this Agreement are intended to be covenants upon the Easement Area and are to run with the land.

10. Notices. Any notice, request, consent, offer or demand required or permitted to be given in this Agreement, shall be in writing and be sufficiently given if delivered in person or sent by mail or email, addressed to the party to whom such notice is intended to be given at the address set forth below:

Firestone:

Town of Firestone  
A.J. Krieger, Town Manager

Grantee:

Town of Frederick  
Bryan Ostler, Town Manager

P.O. Box 100  
Firestone, CO 80520

P.O. Box 435  
Frederick, CO 80530

William P. Hayashi  
Williamson and Hayashi, LLC  
1650 38<sup>th</sup> Street, Suite 103  
Boulder, CO 80301

Christine M. Francescani  
Town of Frederick  
P.O. Box 435  
Frederick, CO 80530

11. Governing Law; Venue: This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Colorado. Jurisdiction and venue for any actions arising from this Agreement and any amendments hereto shall rest exclusively in Weld County, Colorado.

12. Amendment; Waiver: No provision of this Agreement may be amended, waived or otherwise modified without, except by a writing executed by both Parties. The waiver by any party of a breach of any provision or condition contained in this Agreement shall not operate or be construed as a waiver of any subsequent breach or of any other conditions hereof.

13. Authority. Firestone warrants that it has full right and lawful authority to convey the real property interests contained in the Easement granted above. Each party represents and warrants to the other that it has full power and authority to enter into this Agreement and to bind itself, its respective successors and assigns, and that no other contract or agreement to which it is a party prevents it from executing this Agreement or concluding the transactions described herein.

14. Entire Agreement. This Agreement constitutes the entire agreement between the Parties hereto relating to the Easement and sets forth the rights, duties and obligations of each to the other as of this date. Any prior agreements, promises, negotiations or representations not expressly set forth in this Agreement are of no force and effect.

15. Severability. If any part, term or provision of this Agreement shall be held unenforceable or invalid, the remainder of this Easement and the application of such part, term or provision to persons or situations other than those to which it shall have been held unenforceable or invalid shall not be affected thereby, but shall continue to be enforceable and enforceable to the greatest extent permitted by law.

**IN WITNESS WHEREOF**, the parties have executed this Utility Easement and Agreement, effective as of the date first set forth above.

*SIGNATURE PAGES FOLLOW*

**GRANTOR:**

**THE TOWN OF FIRESTONE,  
COLORADO, a Colorado municipality**

By: \_\_\_\_\_  
Drew Peterson, Mayor

Date: \_\_\_\_\_

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Kristi Bashor, Town Clerk

\_\_\_\_\_  
William P. Hayashi, Town Attorney

**GRANTEE:**  
**TOWN OF FREDERICK,**  
**COLORADO, a Colorado statutory town**

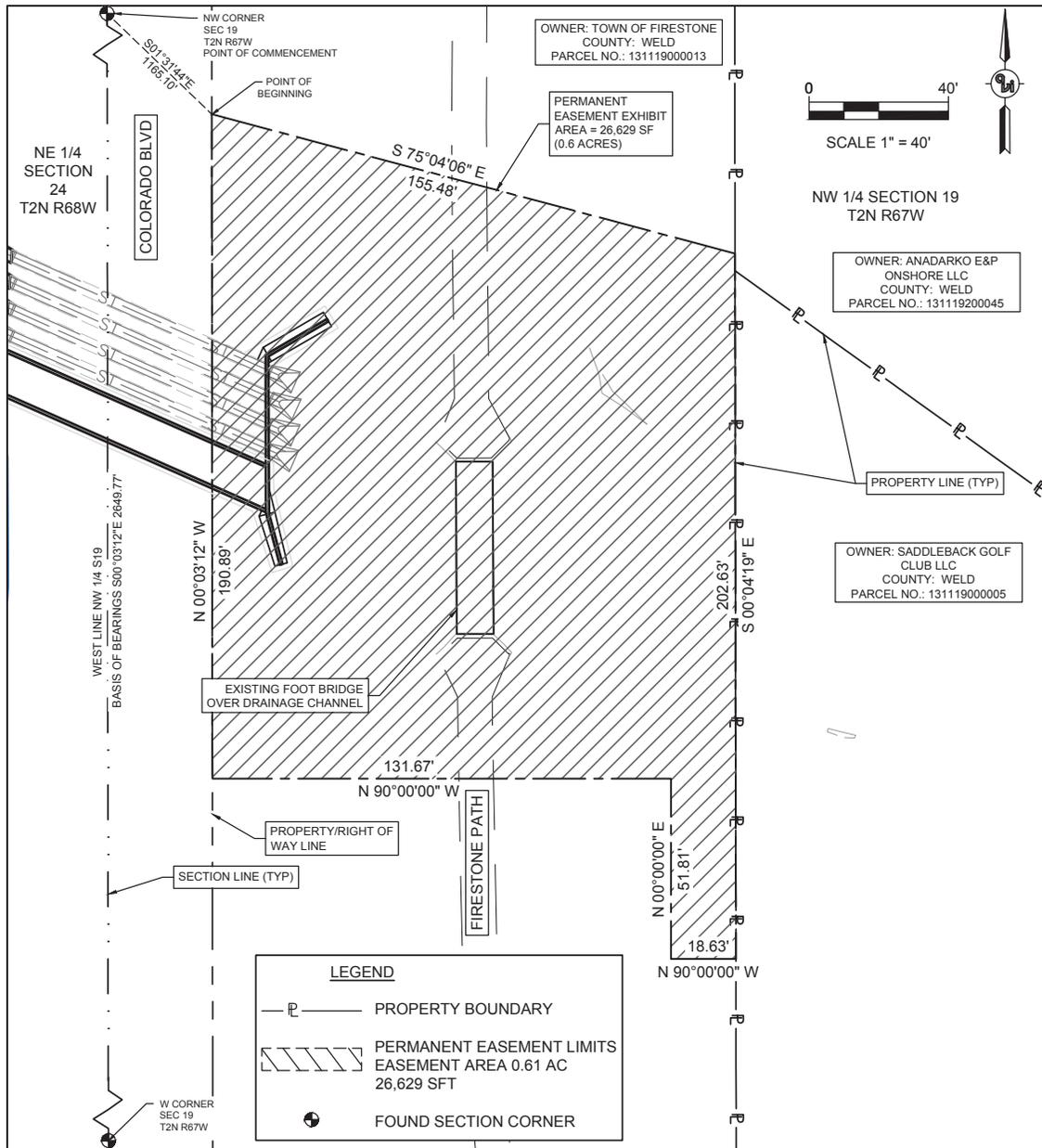
APPROVED BY resolution \_\_\_\_\_ at the meeting of \_\_\_\_\_, 2022.

ATTEST:

Town of Frederick, Colorado

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Tracie Crites, Mayor



**LEGAL DESCRIPTION**

THE FOLLOWING IS A DESCRIPTION FOR A PERMANENT EASEMENT. THE PERMANENT EASEMENT WILL BE LOCATED IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 2 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 19; THENCE SOUTH 01°31'44" EAST, A DISTANCE OF 1165.10 FEET TO A POINT ON THE EASTERN RIGHT OF WAY LINE OF COLORADO BOULEVARD AND THE WESTERLY PROPERTY LINE BELONGING TO THE TOWN OF FIRESTONE AS DESCRIBED IN BOOK 320 PAGE 187 OF WELD COUNTY; BEING THE POINT OF BEGINNING;

1. THENCE SOUTH 75°04'06" EAST, A DISTANCE OF 155.48 FEET TO THE EASTERN LINE OF SAID PROPERTY;
2. THENCE SOUTH 00°04'19" EAST, A DISTANCE OF 202.63 FEET ALONG SAID EASTERLY PROPERTY LINE TO A POINT;
3. THENCE LEAVING SAID PROPERTY LINE NORTH 90°00'00" WEST, A DISTANCE OF 18.63 FEET TO A POINT;
4. THENCE NORTH 00°00'00" EAST, A DISTANCE OF 51.81 FEET TO A POINT;
5. THENCE NORTH 90°00'00" WEST, A DISTANCE OF 131.67 FEET TO A POINT ON THE WESTERLY LINE OF SAID PROPERTY AND THE EASTERLY RIGHT OF WAY LINE OF COLORADO BOULEVARD;
6. THENCE NORTH 00°03'12" WEST, A DISTANCE OF 190.89 FEET ALONG SAID PROPERTY LINE TO THE POINT OF BEGINNING.;

THE ABOVE DESCRIBED PARCEL CONTAINS 26,629 SQUARE FEET (0.61 ACRES) MORE OR LESS.

BASIS OF BEARINGS: THE BASIS OF BEARING FOR PROJECT REFERENCE IS FROM THE WEST LINE OF THE NW 1/4 OF SECTION 19, TOWNSHIP 2 NORTH, RANGE 67 WEST, OF THE SIXTH PRINCIPAL MERIDIAN HAVING A BEARING OF SOUTH 00°03'12" EAST, AT A DISTANCE OF 2,649.77 FEET.

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Dwg: F:\0504\_Frederick Bella Rosa\design\0504\_PRT0.dwg, Layout: PERM EASEMENT AREA, Pld: 12/14/23, 7:38am



CHECKED BY: AED	DATE PLOTTED: Dec 14, 2023
JOB NO: 0360	DRAWN BY: FH



**EXHIBIT 'A'**  
**TOWN OF FIRESTONE**  
**PERMANENT EASEMENT**

SITUATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 19, T2N, R67W OF THE 6TH P.M. LARIMER COUNTY, COLORADO  
PAGE 1 OF 1



# TOWN OF FREDERICK

## Board of Trustees

### Action Memorandum

Tracie Crites, Mayor

Dan March, Trustee  
Mark Lamach, Trustee  
Kevin Brown, Trustee

Adam Mahan, Trustee  
Windi Padia, Trustee  
Chad teVelde, Trustee

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#### Town of Frederick Youth Commission Bylaws

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**Agenda Date:** Town Board Meeting – February 13th, 2024

**Attachments:**

- a. Resolution 24-R-09
- b. TOFYC Bylaws

**Finance Review:** N/A  
Finance Director

**Submitted by:** Anthony Bixby  
Town Liaison to the Commission

**Approved for Presentation:** Bryan Ostler  
Town Manager

Quasi-Judicial

Legislative

Administrative

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#### **Strategic Plan Alignment:**

- **Effective, Efficient & Strategic Government Operations**
  - A youth advisory commission for our Town to ensure a culture of efficiency, innovation, and strategic partnerships in services to both engage the community and exceed their expectations, exemplifying that Frederick is Built on What Matters, its people.
- **Community and Economic Vitality**
  - The commission acts in an advisory capacity with development that may interest the youth.
- **Dynamic, Inclusive & Connected Community**
  - The commission increases accessibility for youth public engagement.

**Built on What Matters.**

### **Summary Statement:**

This resolution will adopt Bylaws governing operations of the Commission.

### **Detail of Issue/Request:**

This action will adopt Bylaws governing the operations of TOFYC. The Bylaws were created specifically for Frederick but are generally similar to those of other Colorado communities.

The Bylaws outline the general purpose of the Commission, which is to:

- The Town of Frederick Youth Commission is charged with developing and recommending policies, programs, and services that empower, support, and inform youth to create an inclusive and vibrant community that enables and encourages youth to be active and engaged in local government. The Commission shall study, investigate, and recommend the implementation of programs, services, and policies on all matters related to youth while building partnerships with individuals, groups, and organizations that impact youth and families in Frederick.

While the Commission may focus on certain specific areas of operation within this broad scope of purpose, the Bylaws specifically encourage the Commission to advise on:

1. Frederick Arts Committee
2. Historic Preservation Advisory Committee
3. Miners Day Committee
4. Parks, Recreation, Open Space, and Trails Commission
5. Planning Commission

They also govern Membership and Election of Officers, Regular and Special Meetings, Study Sessions, Committees, Ethics and finally, Amendments to the Bylaws.

### **Legal Comments:**

The Town Attorney has reviewed and approved the attached Resolution and Bylaws.

### **Alternatives/Options:**

1. Adopt the Resolution – Adopt the Resolution without change and authorize bylaws governing its operations.
2. Adopt the Resolution with changes – Adopt the Resolution with prescribed changes and authorize bylaws governing its operations.
3. Deny the Resolution - Advise staff on substantial changes desired to be brought back to the Board at a future date.

### **Financial Considerations:**

There is no financial consideration to this resolution.

### **Staff Recommendation:**

Staff recommends the Board adopt this Resolution.

**TOWN OF FREDERICK, COLORADO  
RESOLUTION NO. 24-R-09**

**A RESOLUTION OF THE BOARD OF TRUSTEES APPROVING THE TOWN OF  
FREDERICK YOUTH COMMISSION BYLAWS GOVERNING THE OPERATIONS OF  
THE COMMISSION**

**Whereas**, the Town of Frederick Youth Commission (TOFYC) plays a pivotal role in helping develop policies and programs to empower and engage youth within the Carbon Valley Area, fostering inclusivity, and advocating for their voices to be heard and valued in local government decisions; and

**Whereas**, the bylaws of the Town of Frederick Youth Commission outline the structure, purpose, decision-making processes, and responsibilities of its members, ensuring transparency, accountability, and efficiency in its operations; and

**Whereas**, the bylaws also establish a commitment to inclusivity, diversity, and non-discrimination, reflecting the values of the Youth Commission and the Town of Frederick as a whole;

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, COLORADO, AS FOLLOWS:**

**1.** The Board of Trustees hereby approves the Bylaws of the Town of Frederick’s Youth Commission, attached hereto.

**INTRODUCED, READ, PASSED, AND SIGNED THIS 13th DAY OF FEBRUARY, 2024.**

**TOWN OF FREDERICK**

By: \_\_\_\_\_  
Tracie Crites, Mayor

**ATTEST:**

By: \_\_\_\_\_  
Kelly Green, Deputy Town Clerk

**Bylaws of the Youth Commission**  
**Town of Frederick, Colorado**

**Article I: Name**

The organization shall be referred to as the “Town of Frederick Youth Commission” (TOFYC).

**Article II: Purpose and Mission**

**Purpose:**

The Town of Frederick Youth Commission is charged with developing and recommending policies, programs, and services that empower, support, and inform youth to create an inclusive and vibrant community that enables and encourages youth to be active and engaged in local government.

The Commission shall study, investigate, and recommend the implementation of programs, services, and policies on all matters related to youth while building partnerships with individuals, groups, and organizations that impact youth and families in Frederick.

**Mission:**

This Commission is dedicated to fostering an inclusive community in the Carbon Valley Area by empowering and serving youth, creating opportunities for their growth and development, and ensuring that their voices are heard and valued.

**Article III: Membership**

**Membership Selection:**

Current Commissioners and support staff of the Town of Frederick Youth Commission will select Commission members using an application and interview process.

**Eligibility:**

The Commission shall consist of up to 21 voting members, two ex officio nonvoting Town staff representatives, and one ex officio nonvoting school district staff representative. The Commission shall consist of the following:

- I. Up to 20 persons between grades eighth - twelfth
- II. The Town of Frederick Youth Commissioners must be a member of the Carbon Valley Community with a vested interest in Frederick. In addition, the commissioner must be between grades eighth - twelfth (must be entering 8th grade in the fall).

Members may not have direct or indirect financial or economic interest in any business or undertaking that may have business before the Board/Commission/Committee for which the applicant is applying.

**Article IV: Leadership and Structure**

The Frederick Youth Commission shall have six Executive Officers who will provide collaborative leadership to the Commission for a one-year term, with eligibility for re-election. An exception exists for the Vice-Chairperson, who may assume the role of Chair without the need for re-election, in order to maintain cohesiveness. Decisions by the Executive Officers will be made by a simple majority vote of the Commissioner members present.

**The Executive Officers shall consist of:**

- Chairperson
- Vice-Chairperson
- Secretary
- Deputy Secretary
- Public Relations
- Membership Liaison

Chair: In the 2023 inaugural year this position will be elected by a simple majority vote. In subsequent years, the position shall be filled by the outgoing Vice-Chairperson to create cohesion and knowledge transfer. The Chair shall provide leadership to the Commission and keep the Commission on track toward reaching common goals. The Chair works closely with the Board appointee.

Vice Chair: Provides supportive capacity to Commission members. Serves as Chair in event of Chair's absence. Will assume the role of Chair in year following term as Vice Chair.

Secretary: Takes meeting minutes and provides notes to the Town Clerk or Designee. Works with the Town Clerk's Office to abide by open meetings laws and to maintain records of the Commission.

Deputy Secretary: Provides supportive capacity to Commission members. Serves as Secretary in event of Secretary's absence.

Public Relations: Is responsible for developing and delivering a clear and pronounced message on behalf of the Commission to relevant media outlets and general public. Works directly with the Town's Public Information Officer to accomplish these goals.

Membership Liaison: Assists with initiatives, coordinates the membership, and ensures that the Commission has a presence at community events and meetings. Responsible for Commission recruitment.

**Article V: Meetings**

**Meetings:**

Regular Meetings: The Youth Commission shall hold regular meetings on a monthly basis. Meetings will be held on the second Monday of every month at 6 pm unless otherwise communicated in advance by the Chairperson or a designated representative.

Special Meetings: Special meetings may be called by the Chairperson or upon written request of three Commission members. The purpose of the special meeting shall be communicated to all Commission members at least seven days in advance.

Quorum: A quorum for all Commission meetings shall consist of 50% of the total membership. Business may be conducted only when a quorum is present. If a quorum is not met, the meeting may proceed as an informational session, but no official actions or decisions requiring a vote can be taken.

Agenda: An agenda shall be prepared for each meeting and distributed to all Commission members at least three days before the meeting. Members may request items to be included on the agenda.

Meeting Procedures: Meetings shall be conducted according to general parliamentary procedure. The Chairperson shall preside over meetings, maintain order, and ensure adherence to the agenda.

Voting: Decisions shall be made by a simple majority vote of members present, unless otherwise specified in these bylaws. In the event of a tie vote, the Board of Trustee representative shall cast the deciding vote.

Minutes: Accurate minutes shall be taken for all meetings, including regular and special meetings. These minutes shall be made available to all Commission members within two weeks after each meeting.

Public Meetings: Meetings of the Youth Commission shall generally be open to the public, except when executive sessions are necessary to address confidential or sensitive matters. Notice of executive sessions shall be given in accordance with applicable laws and regulations.

## **Article VI: Attendance**

### **Attendance:**

Regular Meetings: Members are expected to attend all regular meetings of the Youth Commission unless excused by the Chairperson, Vice-Chairperson, Board of Trustees Liaison, Town Representative Liaison, Police Liaison, Saint Vrain Valley School District Liaison, or in case of extenuating circumstances. A Member may be excused due to illness, family emergency, or other valid reasons. Excused absences will be recorded in the meeting minutes.

Special Meetings: Members are expected to attend all special meetings called for by the Chairperson. Notification of absence must be provided in advance.

Consequences for Non-Compliance: The Commission may periodically review attendance records, and persistent non-compliance may be addressed by the Chair or the Commission as a whole. Members who consistently fail to meet attendance requirements without valid reasons may face removal from the Youth Commission, subject to a simple majority vote.

## **Article VII: Decision-Making Process**

### **Decision-Making Process:**

Quorum: A quorum shall be established at the beginning of each meeting. A quorum shall consist of a majority of the Youth Commission members.

Voting: As stated in Article V: Voting, all decisions made by the Youth Commission shall be determined by a majority vote of the members present at the meeting, provided a quorum is met. Each member shall have one vote.

Chairperson's Role: The Chairperson, or in their absence, a designated representative, shall preside over the meetings and ensure that the meeting agenda is followed. The Chairperson shall also only vote in the event of a tie.

Agenda Setting: Prior to each meeting, the Chairperson shall distribute an agenda outlining the items for discussion and decision. Members may request to include additional items by notifying the Chairperson in advance.

Discussion: Each agenda item shall be discussed thoroughly, allowing all members the opportunity to express their opinions and provide input.

Motions: Any member may propose a motion for consideration. Motions shall be seconded by another member before a vote is taken.

Amendments: Amendments to proposed motions may be made and must be voted on separately.

Minutes: Accurate minutes shall be kept for each meeting, recording all motions, amendments, and votes.

Conflict of Interest: Any member with a potential conflict of interest on a specific matter shall disclose it before discussion or voting on that matter.

Decision Records: The results of all votes, including the names of members who voted for or against, shall be recorded in the meeting minutes.

Decision Notification: Once a decision is reached, it shall be communicated to relevant parties, and actions shall be taken accordingly.

Appeals: In the event that a member disagrees with a decision, they may request a reconsideration of the matter at a subsequent meeting, provided they follow the established procedures for doing so.

Emergency Decisions: In urgent situations where a decision cannot wait until the next regular meeting, the Chairperson or a designated representative may make an emergency decision, which shall be promptly communicated to all members.

## **Article VIII: Committees and Working Groups**

### **Committees and Working Groups:**

The purpose of this section is to outline the advisory role of the Youth Commission in providing input and recommendations to various committees and commissions within the Town of Frederick.

#### Frederick Arts Committee:

The Arts Committee was established by ordinance in 2000 by the Board of Trustees as an advisory body to the Board for the administration of the Art in Public Places Program. Committee responsibilities include advising the Board of Trustees on the pursuit and placement of art within the community.

The Youth Commission shall serve in an advisory capacity to the Frederick Arts Committee, providing insights and recommendations on initiatives related to art and public places within the community.

Responsibilities of the Youth Commission in its advisory role on the Frederick Arts Committee shall include:

- Offering perspectives on how to engage and involve young artists in art-related projects.
- Providing input on the pursuit and placement of art to make it appealing and relevant to the youth population.
- Suggesting ways to promote and showcase youth talent within the community's artistic endeavors.

#### Historic Preservation Advisory Committee:

The Historic Advisory Committee can consist of seven members, and is constituted to create and maintain an inventory of historical assets within the Town of Frederick; to advise the Board of objects, structures, or other features in the Town with historic significance that may be in danger of being lost or damaged; and to assess the community for key community places, buildings, and historic resources, and develop an historic preservation policy that will enable the Town to designate historic structures.

The Youth Commission shall act in an advisory capacity to the Historic Preservation Advisory Committee, offering valuable insights on historical preservation initiatives.

Responsibilities of the Youth Commission in its advisory role on the Historic Preservation Advisory Committee shall include:

- Assisting in identifying historical assets that resonate with and interest the youth community.
- Providing input on strategies to engage young people in preserving and promoting the Town's historical heritage.
- Offering recommendations on creating educational programs or interactive experiences for youth related to local history.

#### Miners Day Committee:

Miners Day is our premier community event that originated as a celebration to honor and remember Frederick's mining heritage. This annual event features family-oriented fun and entertainment throughout the day including a parade, burro race, vendors, food trucks, activities, contests, and live entertainment. Per tradition, Miners Day will conclude with a spectacular evening concert and fireworks display. The Miners Day Committee is advisory to the Town staff in the planning and execution of the event.

The Youth Commission shall serve as advisors to the Miners Day Committee, ensuring that youth perspectives and interests are considered in the planning and execution of the Miners Day event.

Responsibilities of the Youth Commission in its advisory role on the Miners Day Committee shall include:

- Suggesting family-oriented activities, entertainment, and contests that cater to the youth demographic.
- Assisting in promoting the event to the youth community.
- Offering ideas for making the event appealing and memorable for young attendees.

Parks, Recreation, Open Space, and Trails Commission:

The PROST Commission is comprised of seven members appointed by the Board of Trustees as well as a Trustee Liaison. The Commission has the following responsibilities:

- Advising the Board of Trustees and Staff on all matters relating to acquisition, care, use, management, control, and planning of all town-owned parks and open space
- Advising the Board of Trustees and Staff regarding the preparation and maintenance of long-range parks and open space acquisition, care, and maintenance plan
- Making recommendations to the Board of Trustees and Staff regarding parks, open space, and trails-related budget items

The Youth Commission shall act as advisors to the PROST Commission, providing input on matters related to parks, open space, and trails within the Town.

Responsibilities of the Youth Commission in its advisory role on the PROST Commission shall include:

- Advocating for the creation of recreational spaces and facilities that cater to the interests and needs of young people.
- Participating in discussions regarding the allocation of resources and budget items related to parks, open space, and trails.
- Offering suggestions to make outdoor spaces more attractive and accessible to youth.

### Planning Commission:

The Planning Commission is composed of five members appointed by the Board of Trustees. The Commission reviews annexations, zoning amendments, subdivision plats and other planning actions, and makes recommendations to the Board of Trustees. The Commission is also involved in revising and updating the Town Comprehensive Plan and the Land Use Code.

The Youth Commission shall serve as advisors to the Planning Commission, ensuring that the perspectives and needs of the youth are considered in urban planning and development decisions.

Responsibilities of the Youth Commission in its advisory role on the Planning Commission shall include:

- Providing input on zoning amendments and planning actions that affect the youth population.
- Suggesting youth-friendly spaces, affordable housing options, and safe transportation alternatives.
- Collaborating in the revision and updating of the Town Comprehensive Plan and the Land Use Code to reflect youth interests.

## **Article IX: Bylaw Amendments**

### Proposal of Amendments

Any member of the Youth Commission may propose amendments to these bylaws by submitting a written proposal to the Town of Frederick Board of Trustees. The proposal shall include a clear and concise statement of the proposed changes and the rationale behind them.

The Town of Frederick Board of Trustees shall review all proposed amendments and, if deemed necessary, may seek input from the general membership or committees.

### Review and Approval Process

Proposed amendments shall be presented to the Youth Commission at a regularly scheduled meeting. The members shall have the opportunity to discuss and provide feedback on the proposed changes.

Following the discussion, a vote shall be conducted to determine the approval of the amendments. The voting process may include a show of hands, electronic voting, or other methods as determined by the Town of Frederick Board of Trustees.

A simple majority vote may be required for the approval of amendments unless otherwise specified in these bylaws.

### Consensus or Supermajority Vote

In certain cases, amendments may require a higher level of support to ensure Commission consensus or a significant mandate for change. The specific threshold for consensus or

supermajority vote shall be outlined in these bylaws or determined by the Town of Frederick Board of Trustees based on the nature and significance of the proposed amendments.

Consensus may be defined as a general agreement without substantial opposition, while a supermajority vote typically requires a specified percentage greater than a simple majority, as stipulated in these bylaws.

#### Documentation and Recordkeeping

All approved amendments shall be documented and incorporated into the official copy of the bylaws.

The Youth Commission Secretary shall be responsible for maintaining a comprehensive record of all amendments, including the date of proposal, the nature of the changes, and the results of the vote.

#### Emergency Amendments

In exceptional circumstances, the Youth Commission may consider emergency amendments to address urgent matters. Emergency amendments may be proposed, reviewed, and approved in an expedited manner as determined by the Town of Frederick Board of Trustees.

The necessity and urgency of an emergency amendment shall be clearly communicated to the membership before the vote.

Any emergency amendments approved shall be subject to regular review and approval procedures at the subsequent regular meeting of the Youth Commission.

### **Article X: Non-Discrimination Clause**

#### Section 1: Commitment to Inclusivity

The Youth Commission is committed to fostering an inclusive and diverse environment that respects the dignity and worth of every individual.

In accordance with this commitment, the Youth Commission shall not discriminate against any person on the basis of race, color, ethnicity, national origin, gender, gender identity, gender expression, sexual orientation, age, religion, disability, or any other characteristic protected by applicable law.

#### Section 2: Equal Opportunity

The Youth Commission shall provide equal opportunities and fair treatment to all members, participants, and volunteers, without regard to the factors listed in Section 1.

All aspects of the Youth Commission's operations, including but not limited to recruitment, selection, appointment, and access to programs and activities, shall be conducted in a manner consistent with the principles of equal opportunity and non-discrimination.

#### Section 3: Harassment-Free Environment

The Youth Commission is dedicated to maintaining a harassment-free environment for all individuals involved in its activities.

Harassment based on any of the factors mentioned in Section 1, as well as any other form of unwelcome conduct, is strictly prohibited.

#### Section 4: Reporting Mechanism

The Youth Commission shall establish and maintain a confidential and accessible reporting mechanism for any instances of discrimination, harassment, or related concerns.

Individuals who believe they have experienced or witnessed discrimination or harassment are encouraged to report such incidents to the designated authority. The designated authorities are as follows: Board of Trustees Liaison, Town Representative Liaison, Police Liaison, Saint Vrain Valley School District Liaison.

#### Section 5: Consequences for Violations

Violations of this non-discrimination clause may result in appropriate disciplinary action, up to and including termination of membership or involvement in Youth Commission activities.

#### Section 6: Public Communication

The Youth Commission shall communicate its commitment to non-discrimination and inclusivity through public statements, outreach materials, and other relevant means.

The non-discrimination clause shall be prominently displayed in official documents, websites, and communication channels associated with the Youth Commission.

#### Section 7: Periodic Review

The Youth Commission shall periodically review and update its policies and procedures to ensure alignment with the principles outlined in this non-discrimination clause.

Any amendments to strengthen the commitment to inclusivity and non-discrimination shall be made in accordance with the amendment procedures outlined in these bylaws.



# TOWN OF FREDERICK

## Board of Trustees

### Action Memorandum

Tracie Crites, Mayor

Dan March, Trustee  
Mark Lamach, Trustee  
Kevin Brown, Trustee

Adam Mahan, Trustee  
Windi Padia, Trustee  
Chad teVelde, Trustee

### Planning Commission Bylaws

**Agenda Date:** Town Board Meeting – February 13, 2024

**Attachments:**

- a. Resolution 24-R-10
- b. Planning Commission Bylaws

**Finance Review:** N/A  
Finance Director

**Submitted by:** Christine Francescani  
Town Attorney’s Office

**Approved for Presentation:** Bryan Ostler  
Town Manager

Quasi-Judicial                       Legislative                       Administrative

### **Strategic Plan Alignment:**

- **Effective, Efficient & Strategic Government Operations**
  - The Frederick Planning Commission implements § 31-23-201, *et seq.*, of the Colorado Revised Statutes, which provides municipalities with the authority to establish a planning commission to provide guidance on the Town’s comprehensive plan and Town land use matters.
  
- **Community and Economic Vitality**
  - The Commission provides guidance on the master planning process, including for Frederick Recreation Area, and on overall updates to the comprehensive plan.

### **Summary Statement:**

The Resolution will establish bylaws governing operations of the Planning Commission.

## **Built on What Matters.**

**Detail of Issue/Request:**

This action will adopt bylaws governing the operations of the Town’s Planning Commission. The proposed Bylaws were created specifically for Frederick but are generally similar to those of other Colorado communities.

The Bylaws outline the authority, membership, and procedures of the Planning Commission, including election of officers, regular and special meetings, parliamentary procedure, executive sessions, and amendments to the Bylaws.

**Legal Comments:**

The Town Attorney has reviewed and approved the attached Resolution and Bylaws.

**Alternatives/Options:**

1. Adopt the Resolution – Adopt the Resolution without change, approving proposed Bylaws governing Planning Commission operations.
2. Adopt the Resolution with changes – Adopt the Resolution with prescribed changes to Planning Commission Bylaws.
3. Deny the Resolution - Advise staff on substantial changes desired to be brought back to the Board at a future date.

**Financial Considerations:**

There is no financial consideration to this resolution.

**Staff Recommendation:**

Staff recommends the Board adopt this Resolution.

**TOWN OF FREDERICK, COLORADO  
RESOLUTION NO. 24-R-10**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK  
APPROVING BYLAWS GOVERNING THE OPERATIONS OF THE PLANNING  
COMMISSION**

**WHEREAS**, the Town of Frederick’s Planning Commission is vested with the authority set out in §§ 2-9-110, 2-9-140, and 2-9-150 of the Town’s Municipal Code; and,

**WHEREAS**, the Town of Frederick’s Planning Commission implements § 31-23-201, *et seq.*, of the Colorado Revised Statutes, governing municipal planning commissions, and provides essential guidance on the Town’s comprehensive plan and Town land use matters; and,

**WHEREAS**, establishing bylaws for the Planning Commission will assist in effective and efficient Commission operations.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, COLORADO, AS FOLLOWS:**

- 1.** The Board of Trustees hereby approves the Bylaws of the Town of Frederick’s Planning Commission, attached hereto.

**INTRODUCED, READ, PASSED, AND SIGNED THIS 13th DAY OF FEBRUARY, 2024.**

**TOWN OF FREDERICK**

By: \_\_\_\_\_  
Tracie Crites, Mayor

**ATTEST:**

By: \_\_\_\_\_  
Kelly Green, Deputy Town Clerk

**Bylaws of the Planning Commission  
Town of Frederick, Colorado**

In order to properly carry out the powers and duties required of it and to transact its business in an orderly and consistent fashion, the Planning Commission of the Town of Frederick, Colorado (“Commission”), pursuant to § 2-9-20 of the Frederick Municipal Code (“Code”), hereby adopts the following bylaws.

**ARTICLE 1.**        Authority.

The Town of Frederick Planning Commission is vested with the authority set out in §§ 2-9-110, 2-9-140, and 2-9-150 of the Code.

**ARTICLE 2.**        Membership.

*Section A.* Membership in the Town of Frederick Planning Commission is pursuant to § 2-9-110 of the Code. Removal of any member from the Commission is pursuant to § 2-9-40 of the Code.

*Section B.* The regular membership of the Planning Commission consists of five Town residents appointed by the Board of Trustees, pursuant to § 2-9-120(a) of the Code.

*Section C.* Alternate members are appointed pursuant to § 2-9-120(b) of the Code and serve as a voting alternate when a regular member is absent. An alternate member vote is the same as a regular member vote.

*Section D.* Alternates are encouraged to attend Commission meetings and may sit with the Commission in all meetings and public hearings and may participate in all discussions as though regular members. Code § 2-9-120(b)(3).

**ARTICLE 3.**        Officers.

*Section A.* The officers of the Planning Commission shall consist of a Chairperson and a Vice-Chairperson, who shall be elected annually by majority vote of the members of the Commission pursuant to § 2-9-120(a) of the Code.

*Section B.* The Vice-Chairperson shall succeed the Chairperson if the position is vacated before the term is completed. The Vice-Chairperson serves the remainder of the term, and a new Vice-Chairperson shall be

elected at the next regular meeting by majority vote of the members of the Commission.

*Section C.* The Chairperson shall preside at all meetings of the Planning Commission. The Chairperson shall call the meeting to order and shall preserve the order of the meeting. If a person violates a rule of the Commission, the Chairperson will call them to order.

*Section D.* The Vice-Chairperson shall perform the duties and have the responsibilities of the Chairperson during the absence, disqualification, or disability of the Chairperson.

*Section E.* In the absence of the Chairperson and the Vice-Chairperson, the most senior member of the Commission, in regard to length of service, shall perform the duties and have the responsibilities of the Chairperson.

**ARTICLE 4.**

Attendance.

*Section A.* Members of the Planning Commission shall notify Town staff as soon as possible if they will not be able to attend a meeting.

*Section B.* Unexcused absences from meetings are governed by § 2-9-120(c) of the Code.

**ARTICLE 5.**

Meetings.

*Section A.* All meetings of the Planning Commission shall be open to the public and shall be held only after notice is made in accordance with the Frederick Municipal Code and shall be the responsibility of Town staff.

*Section B.* The number of meetings per month are established by § 2-9-130 of the Code.

1. Regular Meetings: Regular meetings may be held on the first and/or third Thursday of each month at 6pm at the Frederick Town Hall, unless otherwise noticed.
2. Work Sessions: Work sessions may be called by the Chairperson, a majority of the Commission, or the Board of Trustees, as deemed necessary, provided notice is posted in the designated public location as soon as possible. Work sessions do not require a quorum and no action is taken at work sessions.

3. Special Meetings: Special meetings may be called by the Board of Trustees, the Commission, or Town Staff, provided notice is given in accordance with subsection A. of this section.

4. A majority of the Commission shall constitute a quorum. A quorum must be in attendance before the Planning Commission can call any meeting to order or take any action, except that a number smaller than a quorum may adjourn the meeting to another date.

*Section C. Late Hour.* If a Planning Commission meeting goes late, Commission members may vote by a majority to adjourn the meeting at or after 9pm. In the event a meeting is adjourned due to the late hour, all items not addressed shall be continued and scheduled to either a special meeting or the next available meeting, whichever is sooner.

*Section D. Continuances and Recesses.* The Commission may, by majority vote, continue any meeting or hearing to another time or may recess any meeting or hearing if the situation may demand. However, the Commission may not indefinitely table any item before it that requires official action.

## **ARTICLE 6.**

### Proceedings.

*Section A.* The Planning Commission is not required to take action on any request that is not properly represented by interested parties, or for which all documents have not been submitted.

*Section B. General Order of Business:* Any regular meeting of the Planning Commission should follow this order of business (agenda):

1. Call to order
2. Roll call
3. Pledge of Allegiance
4. Approval of minutes of the preceding meeting
5. Changes to the agenda
6. Hearing of the consent agenda
7. Public hearings
8. Citizen participation: Any citizen wishing to speak on a matter not scheduled on the agenda may do so during this time.
9. Communications with staff
10. Adjournment

*Section D.* Order of Public Hearings: Generally, the following will be the order of presentation for public hearings after introduction of any item by the Chairperson. The order may be amended by the Chairperson if deemed necessary.

1. Chairperson opens the public hearing
2. Staff report
3. Applicant presentation
4. Any interested parties make presentations, stating their name and address, whether or not they support the application, and why or why not. The Commission may choose to limit the time allowed for interested party presentations. If the Commission imposes a time limit, each interested party shall be given the same amount of time for presentation.
5. The Planning Commission asks any questions of staff, the applicants, or others who have presented
6. Planning Commission discusses the application
7. Chairperson closes the public hearing
8. Planning Commission votes after a motion is made and seconded

## **ARTICLE 7.**

### Motions and Voting.

*Section A.* All members of the Commission, including the Chairperson, are required to cast a vote on each motion, except that a member may abstain in the case of a conflict of interest.

*Section B.* Votes cast shall be by voicing a “Yes” or “No.”

*Section C.* The concurring vote of a majority of the Commission members present shall be required to take any official action, including but not limited to, adoption of policy, offering of recommendations, and decisions on application.

*Section D.* Any Commissioner acting on a matter, including the Chairperson and Vice-Chairperson, may make and second motions.

*Section E.* In the event a motion is not seconded by another member, the motion shall die for lack of a second.

*Section F.* A motion shall succeed upon receiving a majority vote in favor of the motion. Any motion failing to receive a majority vote in favor of the motion shall fail.

**ARTICLE 8.**

Executive Session.

*Section A.* The Commission may adjourn from a regular or special meeting into an executive session pursuant to Colorado Revised Statutes § 24-6-401, *et seq.*

*Section B.* An executive session may be convened only by a vote of two-thirds of a quorum present (C.R.S. §24-6-402(4)).

*Section C.* The subject of a Planning Commission executive session may include only conferences for the purpose of receiving legal advice on specific legal issues from the Town Attorney.

*Section D.* Upon a vote to go into executive session, the Town Attorney shall announce to the public the topic for discussion in the executive session, explicitly citing to C.R.S. §24-6-402(4)(b), which authorizes the Commission to go into executive session for the purpose of receiving legal advice, and the Town Attorney shall identify the particular matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized.

*Section E.* Attendance at the executive session shall be limited to the members of the Commission and staff members, including the Town Attorney, required for advice and information.

*Section F.* No formal action may be taken on any matter under discussion during executive session.

*Section G.* The executive session must be recorded in accordance with C.R.S. §24-6-402(2)(d.5)(II)(B).

*Section H.* Upon conclusion of the executive session, the Commission shall reconvene in open session prior to taking action or adjournment.

**ARTICLE 9.**

Ethics and Conflicts of Interest.

Members of the Planning Commission are governed by § 2-9-30 of the Town's Municipal Code. Members are encouraged to notify staff prior to the meeting if any member believes they may have a conflict, in order that staff may contact the Town Attorney, if necessary.

**ARTICLE 10.**        Quasi-Judicial Hearings.

The nature of applications pending before the Planning Commission is considered quasi-judicial. Commission members are required to consider only such evidence and testimony that is presented during the hearing. Consequently, Commission members cannot consider evidence outside of the confines of the hearing and should not engage in conversations or communications about any application with an applicant, members of the public, or other Commissioners before the hearing or during any recess from the hearing. The purpose of this restriction is to afford applicants due process in terms of a fair and unbiased process and to allow the Planning Commission to make an impartial and objective decision.

**ARTICLE 11.**        Amendments.

Amendments of the bylaws are made pursuant to § 2-9-20 of the Code.