



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

Frederick Town Hall  
Board Chambers  
401 Locust Street  
Tuesday, September 6, 2022

### **5:30 PM**

Livestreaming of the Board of Trustees meetings have been transitioned to a livestream on the Town of Frederick website. Livestream can be accessed on the Town of Frederick's Website 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:

Meghan Martinez  
[mmartinez@frederickco.gov](mailto:mmartinez@frederickco.gov)  
720-382-5500

Or

Taylor Kittilson  
[tkittilson@frederickco.gov](mailto:tkittilson@frederickco.gov)  
720-382-5500

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

Frederick Town Hall  
Board Chambers  
401 Locust Street  
Tuesday, September 9, 2022

**5:30 P.M.**

### **Special Meeting**

#### **Call to Order – Roll Call:**

#### **Pledge of Allegiance:**

#### **Approval of Agenda:**

#### **Special Presentations:**

Rocky Mountain Christian Church Shine Prom Community Funding Request – Matt Cote

#### **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.

#### **Discussion Agenda:**

- A. Legislative Update – Ryan Johnson, Assistant Town Manager
- B. Commissions Recruitment – Meghan Martinez, Town Clerk

#### **Mayor and Trustee Reports:**

#### **Potential Executive Session:**

For a conference with the town attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); oil and gas.

#### **Adjournment:**

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401 LOCUST STREET • P.O. BOX 435 • FREDERICK, CO 80530-0435

PHONE: (720) 382-5500 • FAX: (720) 382-5520

[WWW.FREDERICKCO.GOV](http://WWW.FREDERICKCO.GOV)

## **TOWN OF FREDERICK COMMUNITY GRANTS CRITERIA AND GUIDELINES**

The Town of Frederick is pleased to sponsor community organizations and community-minded individuals offering programming for the benefit of the community.

The Town wishes to provide assistance for programs, events or projects that contribute to the positive image of Frederick and provide opportunities for informal education, community building and family entertainment. The entity must demonstrate a financial need and exhibit how the event connects to the Frederick Community.

The Town is able to provide both direct financial support and some types of in-kind support (i.e. police, public works assistance, etc.) to which a monetary value is assigned. Grants are awarded by the Town Board of Trustees based on the applicant meeting the requirements of the application and on the merits of the project as described in the application.

The Town strongly encourages applicants to speak with the Town Clerk, who processes the applications for the Board, before completing and submitting applications. The Town Clerk is able to answer questions and help ensure the application is complete and appropriate for Board review.

Everyone receiving funds will be required to submit a follow-up report on the event/project and the use of funds. The report must be provided to the Town Board within 60 days following the completion date of the project, event, etc. Failure to submit a report could impact future grant awards from the Town.

# **TOWN OF FREDERICK COMMUNITY GRANTS**

## **SUBMISSION GUIDELINES**

### **Who can apply?**

- Non-profit organizations registered with the Colorado Secretary of State as such.
- A qualified 501(c)(3)tax-exempt organization as recognized by the Internal Revenue Service.
- Taxing authorities may not apply; however, groups such as PTOs, booster clubs and athletic teams may apply under the umbrella of their respective schools.

### **What do I need to include in my application?**

- Complete Application including all required attachments.
- A copy of your organization's Certificate of Good Standing from the Secretary of State indicating your non-profit status.
- A copy of the IRS Determination Letter.
- A list of your organization's Board of Directors or other body of officers.

### **What restrictions are there?**

- Donated funds must be used in connection with the request and may not be utilized for administrative costs.
- Requests may not exceed \$500; however, organizations may request additional funding by demonstrating a financial need. If you are requesting funding exceeding \$500 please complete the additional funding form.

### **What do I need to include in my follow-up report?**

- Brief explanation of the event/program and its' impact and benefit to the Town of Frederick including a breakdown of the use of funds provided by the Town of Frederick.

### **How do I submit my materials?**

- Please provide a completed application with any additional page attachments either hard copy or email to [mmartinez@frederickco.gov](mailto:mmartinez@frederickco.gov)

## ORGANIZATION SUMMARY

Organization Name: Rocky Mountain Christian Church

Mailing Address: 5860 Majestic St. Frederick, CO 80504

Contact Person:

Matt Cote  
Name

Frederick Campus Pastor  
Title

303 - 301 - 7805  
Phone Number

Fax Number

mattcote@rocky.church  
Email Address

Federal Tax ID: 84-0942472

State Tax ID: 98-05751-0000

Please describe your project and the reason for your request:

Rocky Mountain Christian Church is hosting a prom for people in our community with special needs. This is a free event for our honored guests and their caregivers. The night entails professional photographers, flowers, a catered dinner, games, carriage rides, and a dance. Each guest is crowned King or queen at the end of the night.

We request funds yearly to continue offering the best event possible for our guests for free. Thank you so much for your consideration.

Amount Requested: \$ 2,500

Number of Town of Frederick Residents and/or visitors that will participate and/or benefit from the program you are proposing: 500

In what way will this program enhance the Town of Frederick's positive image, provide opportunity for informal education, community building and/or family entertainment:

This is a Prom where we serve a portion of our community that often times is overlooked. I love how our community comes together to serve.

Has your organization applied for a grant from the Town of Frederick before? YES ☒ NO ☐

How much did you receive? \$ 2,500

How was the grant money used?

Funds were used to provide our guest with a SHINE Prom to remember.

Were there funds left over? If so how those funds utilized by your organization?:

NO

Please provide a list of organizations you have already solicited or will be soliciting?:

STAPP TOYOTA, Town of Frederick, TCR Solutions, Chick-fil-A, BoulderBoulder, HWI

Please include the following attachments:

1. Board of Directors and Key Staff noting any paid staff.
2. Copy of the IRS Determination Letter indicating Tax-Exempt Status of the organization.

Name and Signature of Organization's Project Chairperson:

Matthew Cote  
Name (Please Print)

303-591-7528  
Telephone Number

[Signature]  
Signature

8/30/2022  
Date

## PROGRAM / PROJECT BUDGET

Program Name: Shine Prom 2022

Total Project Budget (Please Itemize):  
(Personnel, Promotion, Supplies, Services, etc.)

Amount:

|                        |                  |
|------------------------|------------------|
| Catering               | \$ 5,900         |
| Decorations            | \$ 6,000         |
| Flowers                | \$ 100           |
| Marketing              | \$ 500           |
| Photo booth            | \$ 1300          |
| Carriage rides         | \$ 2400          |
| Dress shop             | \$ 500           |
| T-shirts               | \$ 5000          |
| Take Away Gifts        | \$ 3800          |
| Red Carpet crawls      | \$ 1000          |
| <b>Total Cost (A):</b> | <b>\$ 26,200</b> |

Sources of Funding for the Program:  
(Gifts and Grants pledged or paid)

Corporations:

\$ 18,500

Foundations:

\$

Individuals:

\$

Government:

\$

Other:

\$

**Total Funds Available (B)**

\$ 18,500

**Balance Required (A minus B)**

\$ 7,700

**Amount Requested:**

\$ 2,500

## REQUEST FOR ADDITIONAL FUNDING

(COMPLETE ONLY IF REQUESTING FUNDS EXCEEDING \$500.00)

Funds Requested: \$2,500

Please explain why your organization has requested additional funding: \_\_\_\_\_

The city of Frederick has generously supported this event in years past. These funds help make sure we provide the best prom at NO cost to our guests. Thank you for your consideration.

Date:

JUL 18 1984

Employer Identification Number:

84-0942472

Accounting Period Ending:

December 31

Form 990 Required: ☐ Yes ☒ No

Rocky Mountain Christian Church  
P.O. Box 743  
Longmont, CO 80501

Person to Contact:

EO TECHNICAL ASSISTOR

Contact Telephone Number:

(214) 767-3526

EO:7216:BLW

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code.

We have further determined that you are not a private foundation within the meaning of section 509(a) of the Code, because you are an organization described in section 170(b)(1)(A)(i) & 509(a)(1).

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status. Also, you should inform us of all changes in your name or address.

As of January 1, 1984, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Since you are not a private foundation, you are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other Federal excise taxes. If you have any questions about excise, employment, or other Federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Code. Requests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

The box checked in the heading of this letter shows whether you must file Form 990, Return of Organization Exempt from Income Tax. If Yes is checked, you are required to file Form 990 only if your gross receipts each year are normally more than \$25,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. The law imposes a penalty of \$10 a day, up to a maximum of \$5,000, when a return is filed late, unless there is reasonable cause for the delay.

ja

(over)

# **Rocky Mountain Christian Church**

## **Key Staff**

- Shan Moyers
- Matt Cote
- Amanda Rohrbaugh
- Ron Leach
- Nic Carver
- Mitch Comstedt

## **Board of Elders**

- Jack Nugent
- Joe Crisman
- Erle Mast
- James Wittler
- Wes Statley



# TOWN OF FREDERICK

## Board of Trustees

### Information Memorandum

Tracie Crites, Mayor

Chad TeVelde, Trustee  
Mark Lamach, Trustee  
Adam Mahan, Trustee

Dan March, Mayor Pro Tem  
Kevin Brown, Trustee  
Windi Padia, Trustee

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#### Legislative Update

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**Agenda Date:** Town Board Work Session - September 6, 2022

**Attachments:** A. Presentation

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**Submitted by:** **Ryan Johnson**  
Assistant Town Manager

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

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**Strategic Plan Alignment:**

- Focus Area: Community and Economic Vitality

**Detail of Issue/Request:**

For many years, Frederick and Weld County have been prime locations for the energy industry, particularly the oil and gas industry. This includes both above ground operations as well as subterranean activities like directional hydraulic fracking.

Currently, Article 9 of the Land Use Code regulates these operations. This includes site planning considerations as well as application requirements and an inspection fee protocol. At one time, years ago, this fee structure was used and fees were being collected. Following a variety of factors including a former Town Administration, Board composition and a challenge in court, these activities ceased. To date, portions of this Code are not being administered namely the inspection process. Additionally, there are other impacts to the community (i.e. significant wear and tear to roadways) resulting from these activities which we don't have a framework for addressing, even though we could. Further, there is nobody on Staff that has the technical expertise to adequately review and understand the limits of what can be required of applicants considering oil and gas operations.

Since that time, we have seen unfortunate examples of some of the safety considerations related to these operations in close proximity to homes, schools and the planned commercial development in Frederick

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and surrounding communities. Further, this infrastructure is listed as the one of the most challenging impediments to development by commercial developers second only to water resources. The costs (if passed on to developers by the O&G operators) are substantial to say the least.

Recently, the Town engaged a well known attorney specializing in oil and gas legislation and operations who represents several municipalities. This was done because of ongoing activities regarding a specific operator in Town that has been under considerable scrutiny Statewide regarding several alleged safety concerns with their operations. Additionally, it was thought that many if not most of our oil and gas infrastructure was either non-producing or minimally producing. This contributes to blight which creates substantial challenges for development.

Matt Sura will be present at the study session on Tuesday. He will be delivering a presentation to the Board to provide an overview of what operations are in Frederick. Further, he will provide a legislative update on major things that have changed the landscape regarding how a municipality may address some of these concerns. Lastly, a tentative executive session will be placed on the agenda where legal counsel may provide further information to the Board as well as consider next steps (if any) under the direction of the Board.

#### **Alternatives/Options:**

The Board could choose to not receive this presentation. This is not recommended as there are upcoming timelines where direction from the Board would greatly aid Staff in knowing to what extent we should participate in such activities. Some of these activities relate to advocating to ensure that operators actually have a financial plan in place to return land in Frederick to its unaltered state once extraction is complete. Absence of deliberate and intentional participation in these activities may result in facilities in Frederick being prioritized lower or near the bottom of a closure list Statewide.

#### **Financial Considerations:**

No financial considerations exist at this time.

#### **Staff Recommendation:**

Staff recommends receiving the presentation and providing feedback to legal counsel and Staff. Following this feedback, Staff will proceed to make any adjustments (if any) to current land use code requirements and/or any programmatic elements the Board desires to see.



# FREDERICK

COLORADO



## TOWN OF FREDERICK

SEPTEMBER 6, 2022

Matt Sura

Matthew Sura, LLC  
[mattsuralaw@gmail.com](mailto:mattsuralaw@gmail.com)

# Attorney Matthew Sura

## Introduction...

- Graduate of University of Colorado Law School
- Attorney specializing in representation of local governments, community organizations, landowners, and mineral owners in oil and gas transactions and disputes
- Represents more than ten local governments on oil and gas matters including drafting oil and gas code revisions, oil and gas permitting, and oil and gas leases.

# Outline of Presentation

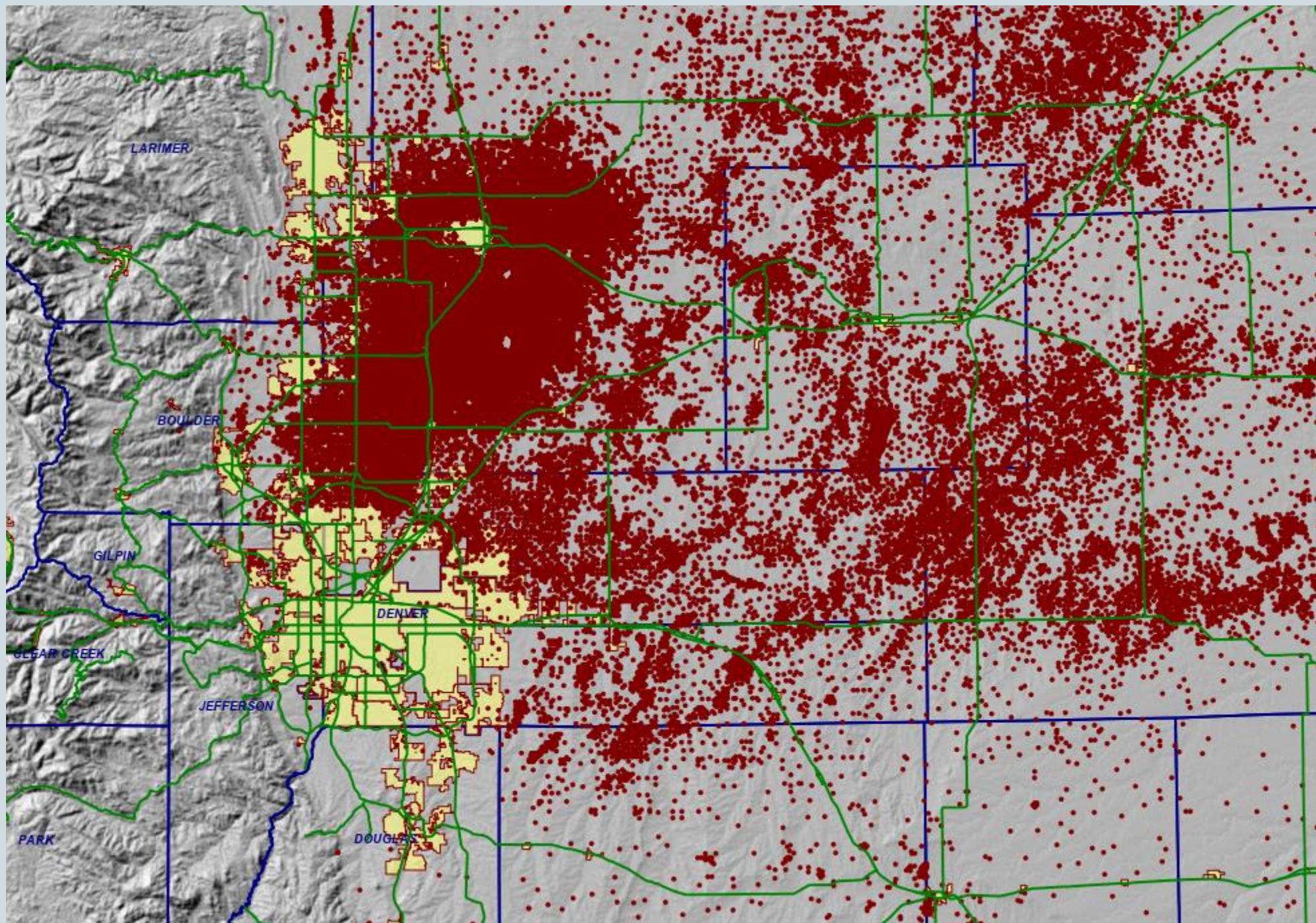
1. Scale of wells in Frederick
2. Opportunities from recent legislation and COGCC rules
3. Plugging low producing wells
4. KPK remediation projects in Frederick
5. Discussion of potential next steps

# **Oil and Gas Regulation**

**The impacts of oil and gas development is primarily regulated by three entities:**

- 1. Colorado Oil and Gas Conservation Commission**
- 2. Colorado Department of Public Health and Environment**
- 3. Local Governments**

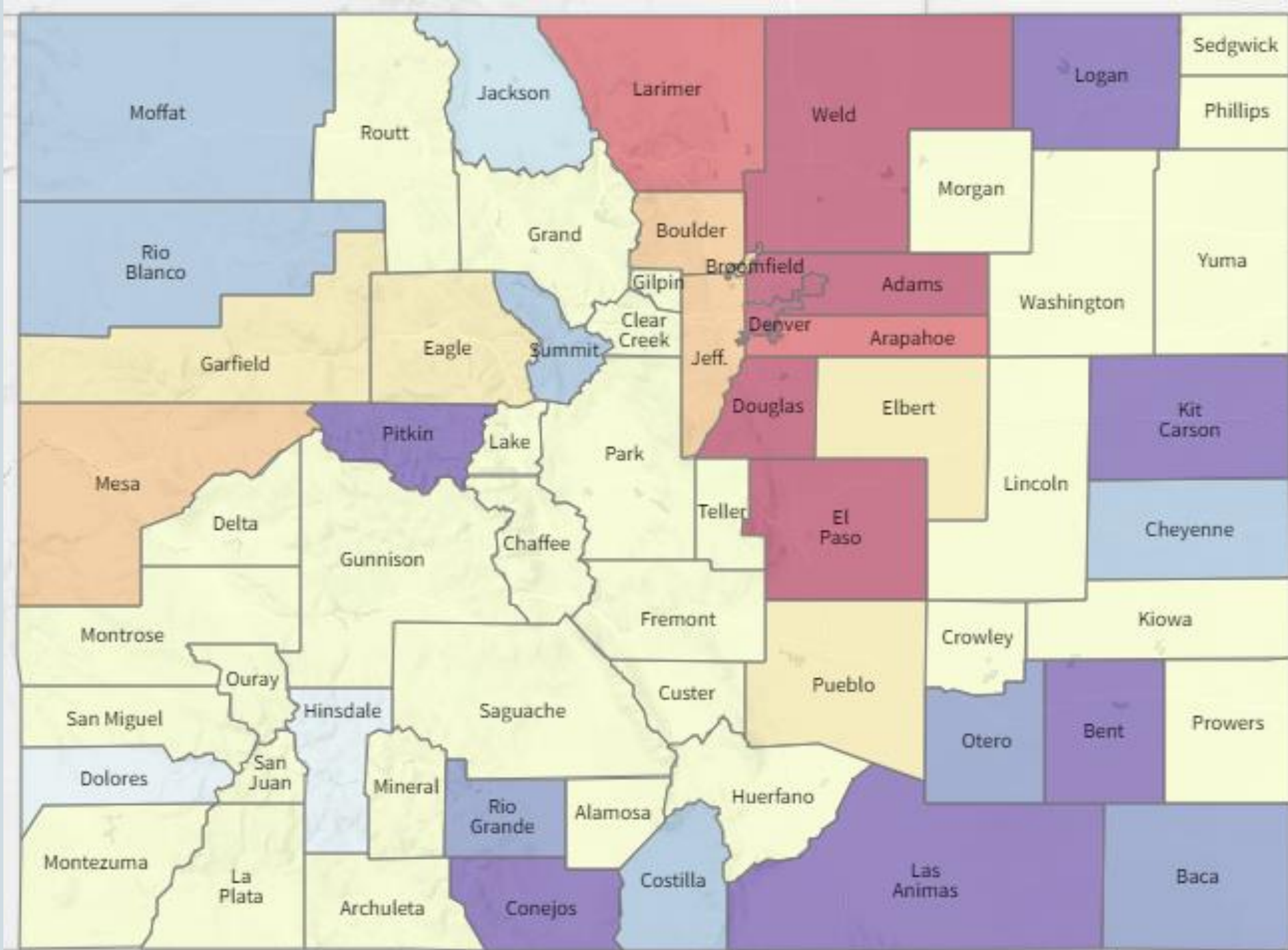
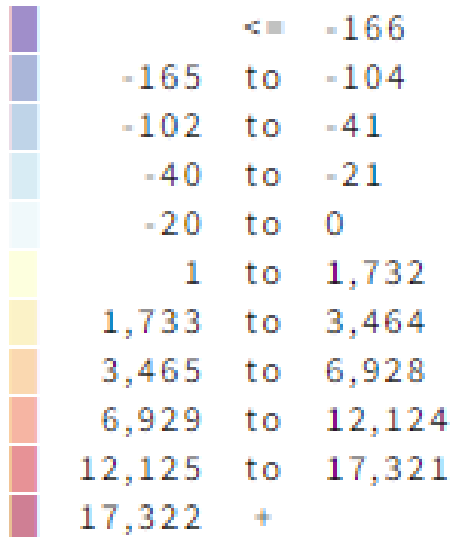
**SB 181**  
***BACKGROUND***

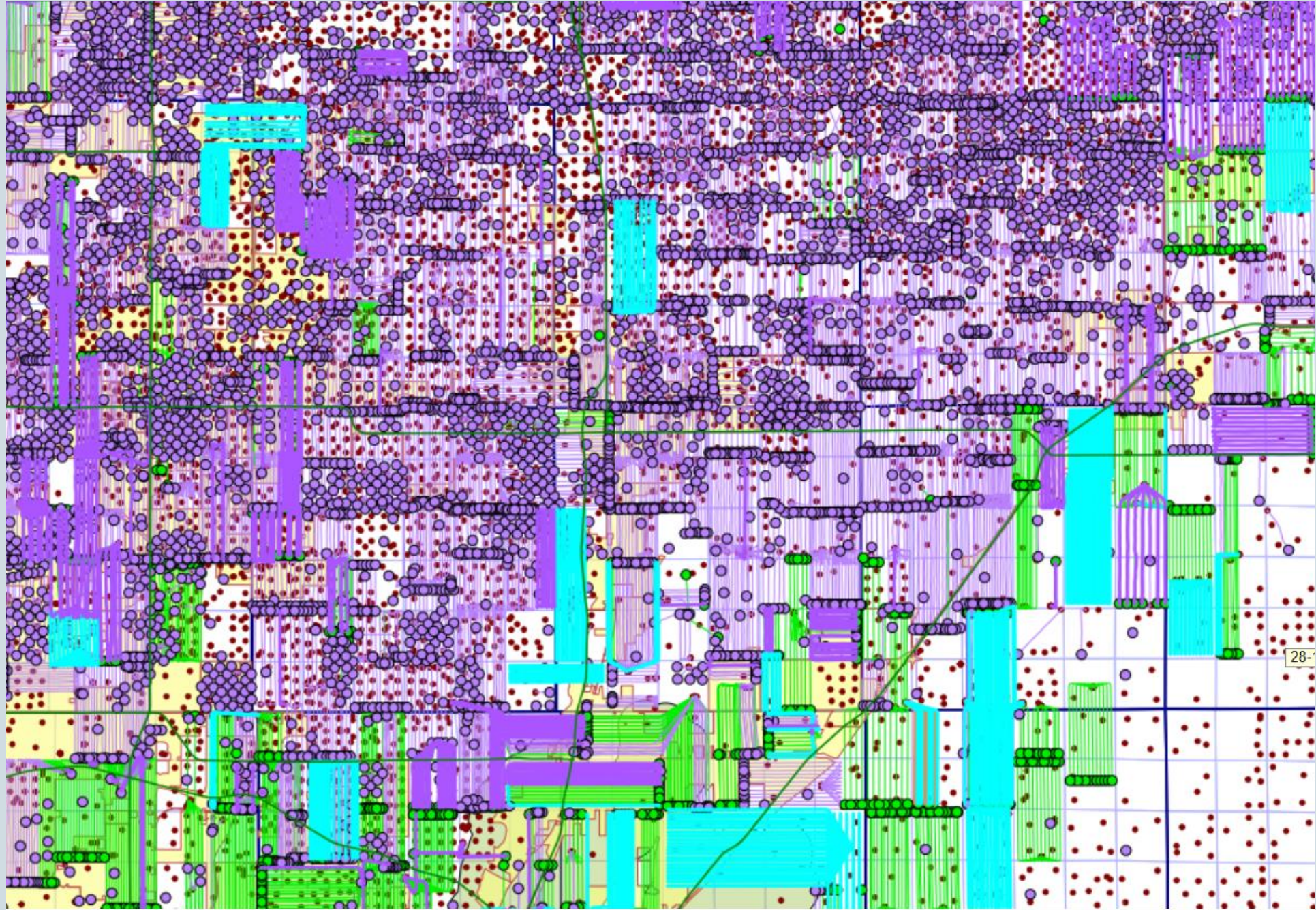


Statistic:

Total Population Change ▼

From: 2018 ▼ To: 2022 ▼



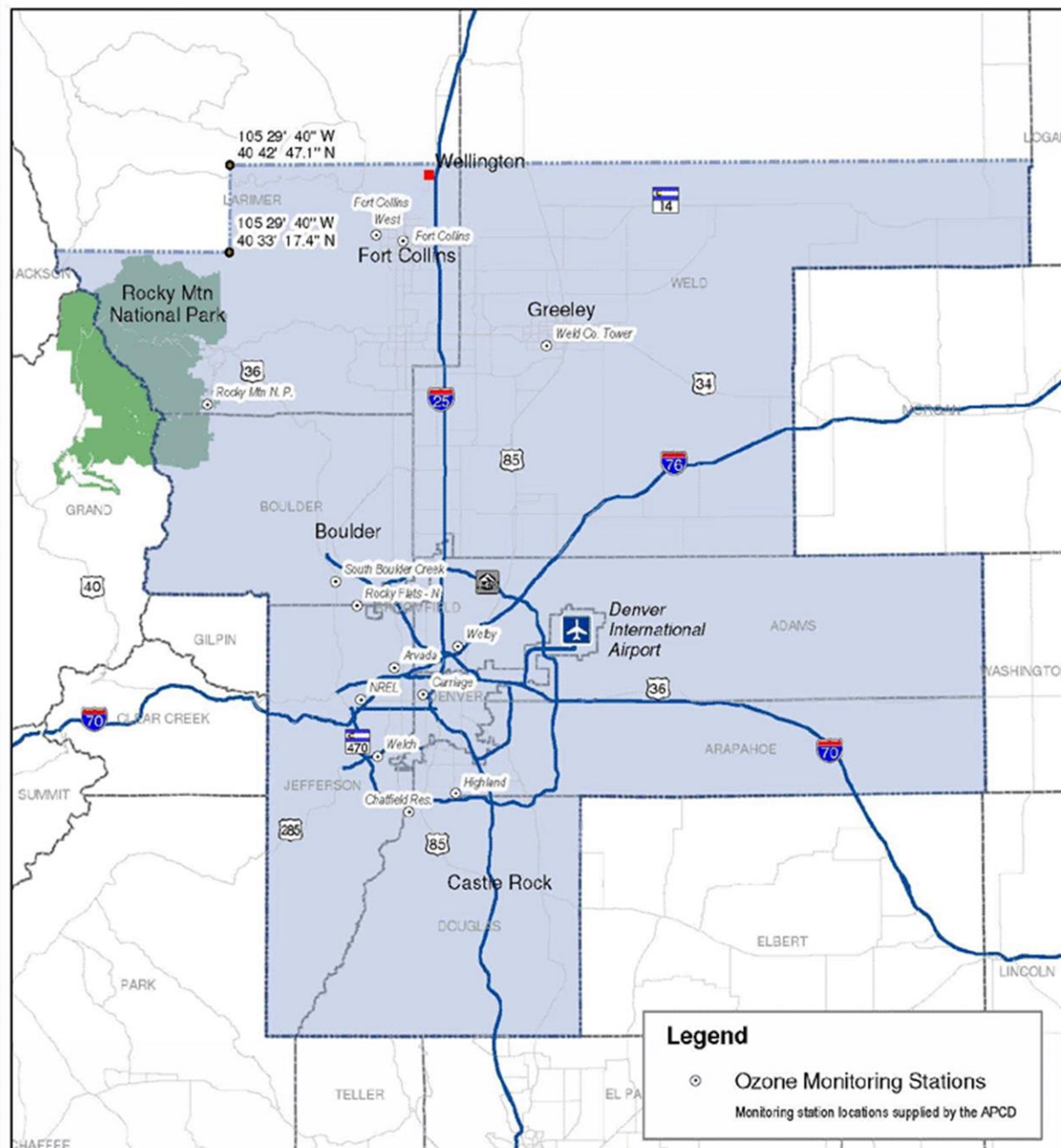




# ***Town of Frederick v. North American Resources Co.,*** **60 P.3d 758 (Colo. App. 2002)**

The Court found:

- The ordinance provision imposing **setback requirements** for the location of wells conflicted with COGCC Rules which requires lesser setbacks in non-high-density areas;
- The **noise abatement provisions** conflicted with COGCC Rules in that they permitted the Town to require noise abatement measures beyond those required by the state.
- The ordinance regulating the **visual impact** of oil and gas operations included mandatory requirements that conflicted with the detailed requirements in COGCC Rules
- To the extent that the ordinance incorporated the COGCC's penalty schedule, then gave the Town the authority to assess penalties in addition to those provided for the COGCC, the ordinance conflicted with the COGCC's rules because the statute "demonstrates that the General Assembly did not contemplate that local governments could assess **fees for violations** of COGCC rules."



Denver-Boulder-Greeley-Fort Collins, Colorado  
Eight-Hour Ozone Control Area

**Firestone tragedy**  
**April 17, 2017**



JANUARY 2019

*COGCC v. Martinez*, found that the COGCC's mandate was to

- (1) ***foster*** the development of oil and gas resources, and
- (2) protect public health, safety, and welfare, **but only after taking into consideration cost-effectiveness and technical feasibility.**

# Senate Bill 19-181

*Protecting Public Welfare in Conduct of Oil and Gas Operations*

1. GIVES LOCAL GOVERNMENTS CLEAR LAND USE AUTHORITY OVER OIL AND GAS AND ENDS STATE PREEMPTION.
2. REFORMS THE COGCC MISSION TO PROTECT PUBLIC HEALTH AND ENVIRONMENT
  - ✓ Requires the COGCC to regulate the industry to protect public health, safety, welfare and the environment
  - ✓ Required extensive rulemaking
  - ✓ New professional COGCC Commission

# COGCC Mission Change Rulemaking

*The Mission Change rules were adopted on November 23<sup>rd</sup> and took effect on January 15, 2021*

*Matt Sura represented eight entities in rulemaking including local governments, community groups, a water provider and a public school district*

# **Permitting Requirements**

## *Apply to New Facilities*

# Changes to process

## **INCREASED PLANNING**

- More than 20 planning documents for new surface permit called “Oil and Gas Development Plan”

## **NOTICE AND COMMENT**

- Increased notice to 2,000 feet
- Longer comment period of 30 days
- Required consultation with local governments and public water suppliers

## **HEARINGS ON APPLICATIONS**

- Currently, all location decisions are made administratively.
- Now there will be a hearing on new oil and gas locations with an opportunity to comment

# Changes to process

**STANDING** – “any person who may be affected or aggrieved by an application”  
(Rule 507)

- Rule 507 – Relevant and **proximate** local governments (within 2,000 feet) and public water systems may request to be a party to the hearing on the oil and gas development plan application.
- Rule 507 – residents within 2,000 feet of working pad surface are given automatic standing
- Rule 520.c – If dissatisfied with decision of hearing officer, the affected person can appeal to full COGCC commission.

# Changes to siting new facilities

## ALTERNATIVE LOCATION ANALYSIS

- (a) where the location is within 2,000 feet of building units,
- (b) if a location is within 2,640 feet of a Public Water System supply well that is completed in a Type III Aquifer or is a groundwater under the direct influence of surface water well as defined in Rule 411.b.(1) (Rule 304)
- (c) Within 2,000 feet of a municipal or county boundary
- (d) in floodplains,
- (e) high priority habitat,
- (f) where there is a surface owner protection bond.

# Changes to siting requirements

## Setbacks from Schools

- **2,000-foot setback from school facilities** – current and future school property
  - Non-waivable

## Setbacks from Homes

- **2,000-foot setback from homes is default** – but may be closer if Operator provides *substantially equivalent* protections.
- **500-minimum setback**

# **Health and Safety Requirements**

*Apply to ALL Facilities*  
*(Including Existing Facilities)*

# Reducing Oil and Gas Noise

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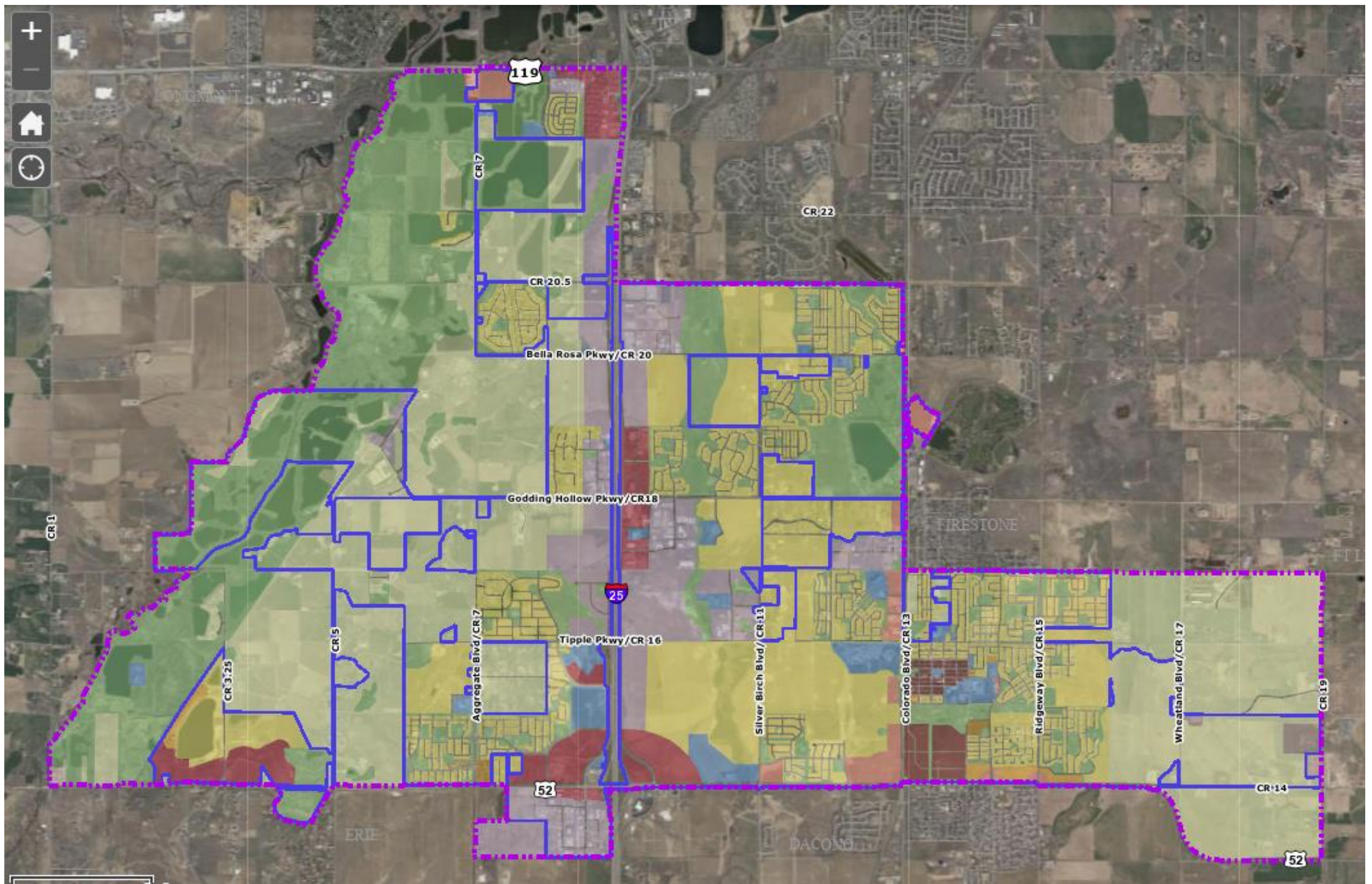
- Lowered maximum A-scale noise levels from oil and gas development
- Adopted a noise standard for C-scale noise of 60db(C). (Rule 423.b.)





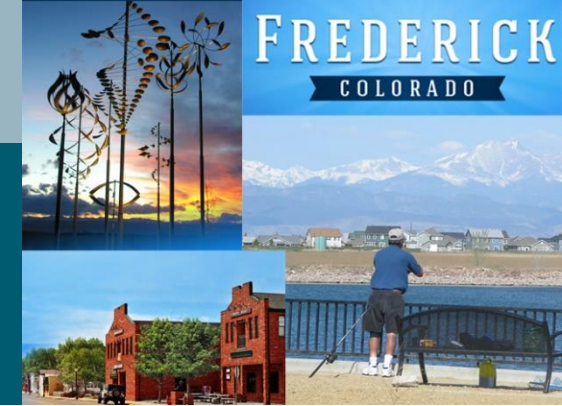
**Prohibition of venting and flaring**







# FREDERICK WELLS



| Name of Company                  | Number of wells in Town | Low Producing / Inactive wells | Low Producing wells** |
|----------------------------------|-------------------------|--------------------------------|-----------------------|
| CIVITAS<br>(Crestone/Extraction) | 137                     | 7                              | 19                    |
| Occidental<br>(Kerr McGee)       | 70                      | 41                             | 56                    |
| KP KAUFFMAN                      | 110                     | 0                              | 100                   |
| PDC ENERGY                       | 4                       | 3                              |                       |
|                                  |                         |                                |                       |
| <b>TOTAL</b>                     | <b>321</b>              | <b>51</b>                      | <b>175</b>            |

**\*\*Low-producing wells include inactive wells and less than 2 BOE / day**

**(55% OF THE WELLS ARE LOW PRODUCING)**



# **Low Producing Well Locations to Homes** **1183 Homes effected - Based on parcel boundary**

- Low Producing Well Location
- 500 Ft Buffer
- Residential Homes (existing or in the process of being built)
- Frederick Town Boundary

August 25, 2022

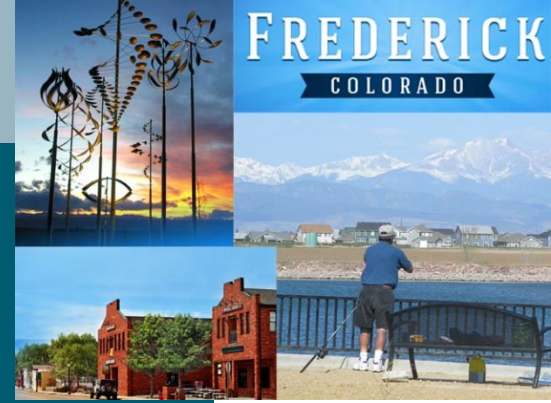
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The Town of Frederick does NOT warrant the precise boundaries and shall assume no liability for any errors, omissions, or accuracies in the information provided regardless of cause. The Town of Frederick assumes no liability for any decisions made or actions taken or not taken in reliance upon this map or any information provided on this map.

**1,183 homes in  
Frederick are within  
500 feet of an oil and  
gas well**

# FINANCIAL ASSURANCE RULES

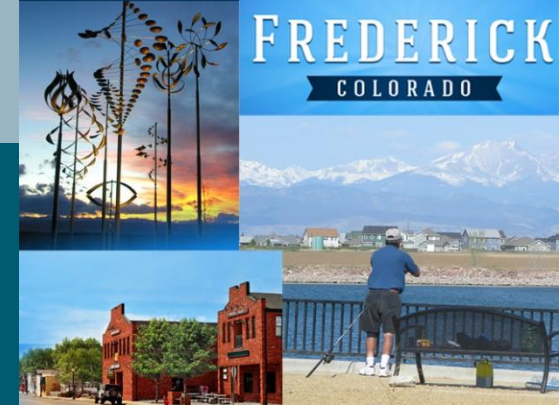


1. Required by Senate Bill 19-181.
2. Started in January 2021
3. Adopted on March 1, 2022 – April 30 effective date.
4. Financial Assurance plans are due on
  - October 10<sup>th</sup> for operators with 50 or more wells;
  - November 1<sup>st</sup>, 10-50 wells;
  - December 31<sup>st</sup> less than 10 wells

# Highlights for local governments

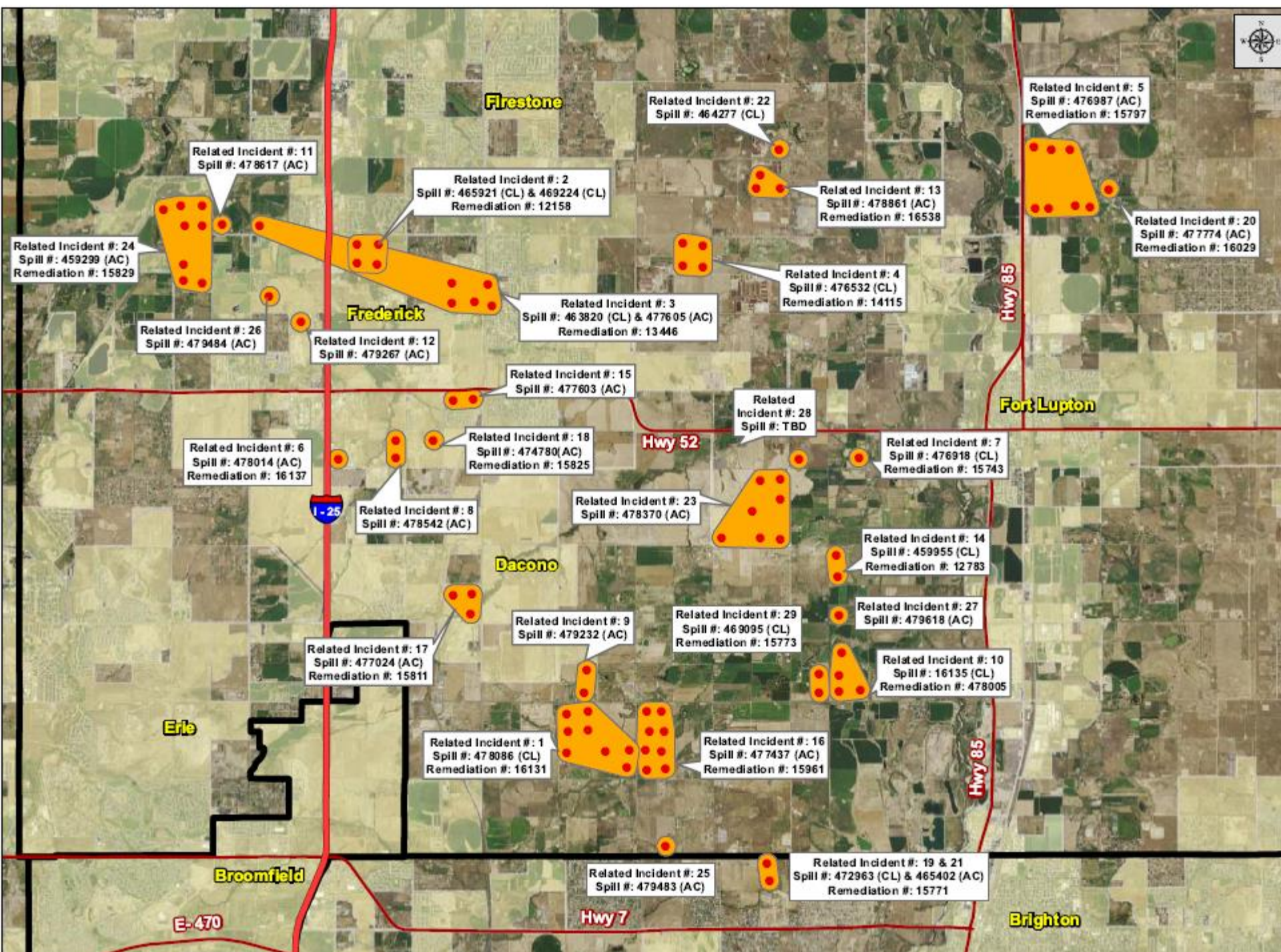
- 1) Greatly increased financial assurance requirements for all operators in the state
- 2) Required full cost bonding (single well financial assurance) for low producing wells.
- 3) Required single well financial assurance for low producing wells at transfer.
- 4) Increased insurance requirements (minimum \$5 million general liability).
- 5) Local governments and surface owners now have ability to require COGCC hearing to order a well to be plugged and abandoned that is no longer “used or useful.” This is a significant new authority and could assist The Town of Frederick to address its excessive inactive wells. *With this new authority, the Town could request as many as 175 wells to be plugged and abandoned.*
- 6) The \$20 million / year orphan well fund will include a provision for local governments to apply for funding to plug and abandon orphaned wells
- 7) State financial rules will be applied to all wells in the state – including those wells on federal public lands.
- 8) Financial assurance plans are updated every year and whenever a well is transferred.

# FINANCIAL ASSURANCE RULES



Colorado's new financial assurance rules offer three layers of protection to address the risk of operators walking away from their obligations to plug and abandon wells.

- (1) **Option levels.** The new rules require increased financial assurance obligations for those operators that represent the greatest threat to the state. Operators are required to carry increased financial assurance as their average daily production decreases.
- (2) **Single well financial assurance for low producing wells.** The new rules also require increased financial assurance for “low producing wells.” Low producing wells (uneconomic) wells are those wells that are most likely to be orphaned if an operator files for bankruptcy.
  - \$100,000 for each location (reclamation) and \$10,000 - \$40,000 per well (plugging costs)
- (3) **Orphan Well Fund.** Recognizing that the state is not going to get to zero risk, the Commission has also created an enhanced \$20 million / year “orphan well fund” that will be capable of plugging and abandoning up to 200 wells per year.



K.P. Kauffman –

Has more than  
50 open  
remediation  
projects on the  
front range.

# “Oil company contaminated soil, groundwater near Frederick school”

By [Miguel Otárola](#), CPR News

**Grant Tank Battery** –  
only 800 feet from  
Legacy Elementary  
School.

Excavation has shown  
minimal progress since  
July, 2019



# Ongoing KPK Remediation Projects

There are at least seven open KPK remediation projects in Frederick:

1. **Grant Tank Battery** – only 800 feet from Legacy Elementary School. Excavation has shown minimal progress since July 2019
2. **Facility #4** - Oil actively surfacing on Tipple Pkwy across from Frederick High School.
3. **Jilson A #1** – Produced water bubbling out of surface casing.
4. **Longmont Farms Unit #5 Flowline** – Surface staining along pipeline path
5. **Facility #4 Flowline Release** – Historical release discovered by third party.
6. **Wooley #1** – Pipeline leak. Contaminated soil without adequate fencing.
7. **UPRR 42** – Historic Pipeline leak near homes. 8 months without remediation.



# KP Kauffman Low Producing Well Locations to Homes Based on parcel boundary

- Low Producing Well Location
- 500 Ft Buffer
- 1000 Ft Buffer
- Residential Homes (existing or in the process of being built)
- Frederick Town Boundary

August 25, 2022

## KP Kauffman

- Total number of wells in Town: 110
- Number of Low-Producing wells: 100

### Disclaimer:

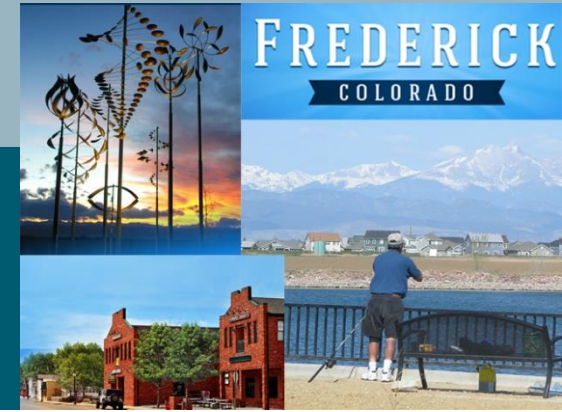
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0 0.275 0.55 1.1 1.65 2.2 Miles



## **Discussion of potential next steps**



Thank-you



# TOWN OF FREDERICK

## Board of Trustees

### Information Memorandum

Tracie Crites, Mayor

Dan March, Mayor Pro Tem  
Mark Lamach, Trustee  
Kevin Brown, Trustee

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

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#### Boards, Commissions and Committees Recruitment

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**Agenda Date:** Town Board Meeting – September 6, 2022

**Attachments:**

- a. Recruitment Information
- b. General Application

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**Submitted by:** Meghan Martinez  
Town Clerk

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

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

Dynamic, Inclusive and Connected Community - This discussion aligns with the Town's active engagement of residents by increasing engagement on activities and initiatives in the Town. Participation on Boards, Commissions, and Committees increases resident engagement in the public process and encourages diverse opinions and ideas to assist the Town Board of Trustees in strategic decision-making for the community.

#### **Summary Statement:**

The Board of Trustees halted boards, commissions, and committee applications in order to amend the municipal code to properly reflect the needs of the community and to provide clarity to the purpose and categorization of each commission. That ordinance was adopted by the Board of Trustees and ultimately codified in the municipal code. The Board of Trustees requested the Town Clerk provide framework for commission recruitment.

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

The attached information is suggested for placement on the website for prospective applicants as explanation of the process of recruitment for Boards, Commissions, and Committees (BCCs).

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Generally, the recruitment process would be a bi-annual recruitment and applications will be accepted for one month prior to the designated interview date. Interviews with the recruitment teams would be held in May and October of each year as needed due to vacancies on the BCCs. Announcements of vacancies and recruitment would be announced on all town social media channels, the town newsletters, as well as on the town website. Applicants will submit their application materials on the town website in a fillable form and the applications will be received and organized by the Town Clerks Office.

Staff is requesting that one or two members of the Board of Trustees work with the Town Clerks Office on establishing an interview date and establishing interview questions and serve as the Board liaison during the interview process.

The Town Clerks Office has created a general application for consideration by the Board and each staff representative has been sent a questionnaire for each BCC for feedback on specific questions for applicants to each commission. We anticipate including those for consideration at the September 27, 2022 Board Meeting.

Staff is suggested interview panels be convened to conduct interviews of prospective appointees. Those panels would be comprised representatives of the Board of Trustees, Representatives of the BCC that is being applied for and the staff representative. However, the makeup of the interview panels is at the complete discretion of the Board of Trustees.

Staff is seeking direction as to whether this process meets the needs of the Board of Trustees and community and requests feedback and potential appointment of the representatives of the Board of Trustees.

#### **Legal Comments:**

The framework was discussed with the Town Attorney.

#### **Alternatives/Options:**

The Board may choose to direct staff to develop any framework they feel meets the needs of the community.

#### **Financial Considerations:**

None

#### **Staff Recommendation:**

Staff makes no recommendation as this is strictly a decision of the governing body.



## Town of Frederick Commissions and Committees Recruitment

### Boards, Commissions, and Committees

The Town of Frederick Board of Trustees invites residents of the Town of Frederick to participate on Boards, Committees, and Commissions to help guide the community to areas such as planning, art in public places, historic preservation, events, parks and open space, and youth. Applicants are required to complete an application and participate in an interview process with representatives from the Board of Trustees, Commissions, and staff. Interviews are conducted on a bi-annual basis if there are vacancies on the various groups.

The Town of Frederick Board of Trustees may by resolution establish commissions, boards and committees as the Town Board deems fit. The Board of Trustees has established the following commissions, boards and committees to serve as advisory to the Board of Trustees and staff.

#### Commissions:

- **Planning Commission:** Serves as advisory to the Board of Trustees on land use matters in the Town of Frederick. In addition, the commission is responsible for adopting a comprehensive plan for the physical development of the municipality including planning areas outside of the current municipal boundaries, subject to approval by the Board of Trustees.
- **Parks, Open Space, and Trails Commission:** Serves as advisory to the Board of Trustees on matters concerning the acquisition, development, and maintenance of municipally owned parks, open space, and trails.
- **Youth Commission:** Serves as advisory to the Board of Trustees and other commissions and committees on all matters that empower, support and inform youth.

#### Committees:

- **Frederick Arts Committee:** Serves as advisory to the Board of Trustees and staff on acquisitions of works of public art and their placement in community and enhances the availability of all art forms in the community including visual, performing, and cultural arts.
- **Historic Committee:** Serves as advisory to the Board of Trustees and staff on preservation of history in the Town of Frederick as well as programming the Miners Memorial Museum including conducting tours and managing the collection.
- **Miner's Day Celebration Committee:** Serves as advisory to staff on the planning and execution of the Annual Miner's Day Celebration.

- Scholarship Committee: Provides annual recommendations to the Board of Trustees in the administration of the Frederick Scholarship Programs.

#### Boards:

- Building Appeals Board: To hear and decide appeals of orders, decisions, or determinations made by the Building Official relative to the application and interpretation of the Frederick Building Code.

#### Ad-Hoc Committees:

- Miner's Day Celebration Committee: Serves as advisory to staff on the planning and execution of the Annual Miner's Day Celebration.
- Downtown Beautification Committee: Serves as advisory to the Board and staff on improvements that contribute to the beautification of the downtown area.

## Guidelines

### **Who can apply?**

- Residents of the Town of Frederick
- Interest and/or experience in the business of the commission or committee applied for.
- Commitment to the FRED values of Family, Respect, Empowerment and Dedication.
- Individuals that meet the individual qualifications as outlined in commission questionnaires.

### **What do I need to include in my application?**

- Commission Application
- Questionnaire for the Commission, Committee, or Board the applicant is applying for.
- An applicant may choose to provide a letter of interest and/or resume.

### **What restrictions are there?**

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

### **How do I submit my materials?**

- Please provide a completed application and questionnaire with any additional attachments by completing the form on the Town of Frederick website. \*\*\*Clerk's staff will include links to each commission/committee application\*\*\*

## Application Process

### **When does the Board accept applications?**

- Biannually – Generally May and October

### **Is there an interview process?**

- Applicants are required to attend an interview with representative(s) from the Board, the commission/committee/board of which they are applying, and staff as required by the Board of Trustees.

### **What is the process of Appointment?**

- The interview panelists will make a recommendation to the Board of Trustees following the interviews. The recommended applicant(s) will be invited to an upcoming Board meeting for appointment by the Board of Trustees.



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### BOARD AND COMMISSION APPLICATION

\*This application is subject to the Colorado Open Records Act and should not be considered confidential.

Application for Appointment to: \_\_\_\_\_  
(Name of Board or Commission)

Name: \_\_\_\_\_

Home Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Occupation: \_\_\_\_\_ Employer: \_\_\_\_\_

Phone #: \_\_\_\_\_ Work Phone #: \_\_\_\_\_

Education Years Completed: \_\_\_\_\_ College(s): \_\_\_\_\_

Degree(s): \_\_\_\_\_

How much time are you able to devote?: \_\_\_\_\_

The Town of Frederick is committed to a culture of FRED (Family, Respect, Empowerment, and Dedication), how do you feel you can contribute to the advancement of the FRED culture in the community?

What is a decision of the Board of Trustees in the last year that you either support or disagree with and why?

#### Conflict of Interest Disclosure

Several state laws and municipal ordinances prohibit conflicts of interest on the part of Town Boards and Commission members. A member of a Board/Committee/Commission shall not perform an official act that may have an economic benefit on a business or other undertaking (whether or not for profit) in which the member has a direct or substantial financial interest. Board/Commission members must not be interested in any contract made in their official capacities; or made by any other body, agency or board of which they are members or employees.

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Applicant Signature: \_\_\_\_\_

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