

25-Jul-2024 Communication from Mayor Hollie Rogin to various individuals related to accusation of malfeasance by IGA Task Force chair.

Background: The following email was sent without any other communication to the task force chair (no phone call, text, or other outreach of any type to validate the points raised in the email). As of 31-Jul-24 AM, no further explanation or other insight related to the intent of this email has been received.

From: Hollie Rogin <hrogin@townoflyons.com>

Sent: Thursday, July 25, 2024 5:45 PM

To: matthews.douglas.d@gmail.com; EAB Chair <EAB_Chair@townoflyons.com>; Kurt Carlson <floytis@hotmail.com>; David Hamrick <dhamrick@townoflyons.com>

Cc: Victoria Simonsen <vsimonsen@townoflyons.com>

Subject: EAB Input / Task Force Packet Materials

Importance: High

Hello,

It has come to my attention that the Task Force chair has asked the EAB for input into the draft IGA, and that the EAB has done so. Our Boards and Commissions are stood up to provide recommendations and advice to the Board of Trustees, not to other Boards and Commissions or to task forces unless requested by the Board of Trustees to do so. Each B&C had an opportunity to contribute to the Comprehensive Plan, and each did. Each had an opportunity also to review and provide feedback on the Comprehensive Plan.

I can find no minutes of the EAB meeting where the conversation related to the IGA Task Force took place. There is no record of any discussion or vote on these recommendations. There is an item on the July 12 agenda titled, “Boulder County/Lyons IGA Task Force Status” and a “new item” titled “Boulder County IGA ecological review request.” It seems unlikely that there was a request, a discussion about whether to accept the request, a discussion on content, and a vote on approval of Mr. Brakenridge’s long and detailed observations at the same meeting. Please correct me if I am mistaken. Again, the Board of Trustees did not make this request; the Chair of the task force did.

It is unfair and out of bounds for the task force to consider EAB input without input from other Boards and Commissions as well. The Board of Trustees may well ask our Boards and Commissions for their input on the draft IGA; the EAB should not have provided it to the task force without a Board discussion and request first, and the task force should not consider it.

It has also come to my attention that staff-provided information is being excluded from packets for task force meetings. This should be rectified immediately. Otherwise, the task force is making decisions without complete information, and it runs the risk of appearing to attempt to weigh the scales in one respect or another.

To sum up, the Task Force should not consider the EAB input, and all materials submitted by Staff to the Task Force chair should be included in the packets for all Task Force members. I trust this will be communicated to all Task Force members. As always, I am available to discuss.

Thank you,

Hollie

Hollie Rogin (she, her, hers)

Mayor, Town of Lyons

970-617-3168 c

My working time may not be your working time. Please don't feel obligated to respond outside of your working hours.

From D. Matthews -- The following response with needed insights was provided to Mayor Rogin related to the above email message. No response or explanation has been received as of 31-Jul-24 AM

From: matthews.douglas.d@gmail.com <matthews.douglas.d@gmail.com>

Sent: Thursday, July 25, 2024 8:12 PM

To: 'Hollie Rogin' hrogin@townoflyons.com

Cc: 'Victoria Simonsen' <vsimonsen@townoflyons.com>; 'Andrew Bowen' <abowen@townoflyons.com>; 'EAB Chair' <EAB_Chair@townoflyons.com>; 'David Hamrick' <dhamrick@townoflyons.com>; 'Kurt Carlson' <floytis@hotmail.com>

Subject: RE: EAB Input / Task Force Packet Materials

Mayor Rogin,

The facts stated and the accusations being lodged by you directly on me personally, as the chair of the IGA Task Force are not only completely false but are gravely hurtful and just plain unnecessary. A simple phone call could have avoided this situation. I thought that the efforts you and I put forward together over the past months to keep communication open and to lower the temperature of this matter would have prevailed but given the choice to voice your concerns in this manner, I feel obliged to respond. I am disappointed at the approach chosen.

Neither the Task Force as a group, nor the Task Force Chair, have made any such request to the EAB and that is a fact that needs to be publicly retracted. Period.

As a member of the task force, over the past 6+ weeks, I have spoken to anybody / everyone that had insight and history on a wide range of topics, from developers, to planners, to environmentalist, geologist, map specialist, wildfire specialist, towns citizens, "outside of town" citizens, former trustees, former mayors, BoCo Executives, etc. My goal as chair was to learn as much as I could about the multitude of issues associated with the IGA so that our approach would be fact based, no just opinion based.

Given the veil of secrecy that exist around the executive sessions (where the Draft IGA seems to have been mostly created), I had to dig deep to find what logic and approach may have been applied and where we, as a task force, might offer some suggestions to improve the document and process itself. I remain committed to that goal.

During that process, I did indeed talk with R. Brackenridge, as a citizen who has published a well-crafted statement about these concerns with the IGA (see Facebook and the multitude reposts). At no time did I as a citizen or as a member of the task force ask for a "referral". That said, I did very much appreciate the insight, history, and knowledge that this individual, and any others, had on this topic. I find it silly to think that anyone serving on a committee or board of this town was not at least somewhat aware of the concerns around the IGA given the widely disbursed of comments, outreach, and inputs I have received from citizens from all corners of this town.

Second, your accusation that I (again called out personally) did not include data from the staff, is insulting and inappropriate without first asking me. I am at a loss as to what accusations are being made here. I can only assume that this is related the particle answer received from Planner Bowen (*whom I added to this email to validate my statements*) related to a question about what density definitions were used in the town codes. Our goal was to better understand the wording, titles, and density definitions -- something I thought the task force should know if we were to discuss how those are applied in the IGA given that "low density" in the IGA appeared to be approx. 3x the highest density of existing developments as reported in the data to the task force by Planner Bowen.

I have attached my email chain to / from Andrew and myself that you can review and determine if the approach was appropriate. Given that I had been unable to reconcile his zoning code data with the actual density levels he reported to the task force several weeks earlier, I dug deeper for clarity. Trustee Hamrick, whom was in copy on all those emails, was able to provide me with a link to the housing zoning codes that allowed me to clearly extract the density data I was looking to provide to the Task Force. I completed that summary document (also attached here) after the deadline for the agenda submission. This data was therefore planned to be introduced in the next meeting (as I communicated to Andrew earlier today). Should you find anything inappropriate in the attached communication or if you feel there is other data that was you feel was "withheld", you are free to share that with all.

Disappointed to have to send this email....

Douglas Matthews

C: 303 378 7863

E: Matthews.douglas.d@gmail.com

The following message was sent from R. Brakenridge (member of EAB) to Mayor Rogin

From: G. Robert Brakenridge <robert.brakenridge@colorado.edu>
Sent: Friday, July 26, 2024 10:26 AM
To: Hollie Rogin <hrogan@townnoflyons.com>
Cc: Lowell Greg <lowellgregory@gmail.com>; Kurt Carlson (floytis@hotmail.com)
<floytis@hotmail.com>
Subject: Re: Questions for you

Hello Hollie,

There was no formal "referral" request; instead the IGA Task Force chair indicated that our group input would be useful in the Task Force's work and he emphasized that our review would be in the meeting packet: to provide information for their discussions. He was apprised that we were doing this work and made us aware they would be used. He did not make any "referral" and/or request to our board for such review, however.

Our BoT liaison, Greg Lowell, had also suggested to our group that review of the Draft document would be important work for us to do. I believe EAB would also be happy to provide such directly to the BoT.

Such review was part of our last (duly advertised) EAB meeting agenda. Whether or not to provide such input to the task force was indeed discussed, it was agreed to do so, we had a very substantive discussion (which made the meeting run over its normal length), and we came to a consensus on what our response would be and how it would be submitted. It was conveyed to the Task Force and posted on the town web site. Each member of the EAB stands behind this input.

This was before, as a private citizen, I also posted the text in FB Open Discussion. I have this morning added a short note to that posting to make very clear that this reposting is entirely my own action; EAB made no decision to post anything on FB or to do anything other than to provide our group input to the Task Force.

By the way, our advisory role does include, when appropriate, providing input to other advisory boards and commissions: "Advise the Board of Trustees and other boards and commissions.." is in the town ordinance establishing EAB for at least riverine matters, and presumably extends to most other matters EAB is to consider.

I hope this answers your questions.

Thanks,

Bob
