



## Town of Nederland, Colorado

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March 29, 2022

Re: 2022 Frozen Dead Guy Day Festival

Dear Sarah Martin and Amanda MacDonald,

The Town of Nederland recognizes the value that special events bring to our community. In addition to serving as a sales tax boost for our municipality and local businesses, we acknowledge that events provide an opportunity for people to come together, celebrate arts, culture and music, and overall, just have a great time. Frozen Dead Guy Days (FDGD) is truly a one-of-a-kind event that is treasured by locals and visitors, and we were happy that you were able to hold this year's event in Nederland following a two-year hiatus due to the pandemic.

Leading up to the event, Town scheduled Technical Review Committee meetings, where FDGD event organizers could meet with representatives from the Nederland Fire Protection District, Police Department, Public Works – Streets & Parks, Community Center, and administrative personnel. Upon receiving your application in September 2020, ten TRCs were held where Town worked with FDGD to develop plans to ensure that the event was well-executed and safety concerns were addressed. Town staff also communicated with the event organizers one-on-one on numerous occasions to offer further clarification on Town requirements related to the event.

Following this year's FDGD, Town received quite a bit of positive feedback from the community, with many noting that it was one of the best events with regards to traffic flow, noise, and positivity among event attendees and FDGD volunteers. The Town echoes many of those positive sentiments. There were, however, significant challenges that resulted from FDGD not adhering to the plans submitted, discussed, and finalized during TRCs, ultimately creating confusion, disorganization, and safety concerns.

Outlined in this letter are some of the positive notes as well as some of the challenges that arose during the event. We recognize that FDGD is assessing whether you will hold future festivals in Nederland. Therefore, we want to ensure the event organizers are aware that these challenges will need to be taken into consideration and addressed should FDGD seek to hold this event in Nederland in 2023.

Area of Focus	Positives	Challenges
<b>Communication</b>	FDGD worked quickly to ensure that residents and businesses directly impacted were able to obtain barricade passes before the event.	FDGD did not follow the communications plan that was provided. <i>Example:</i> Indian Peaks Radio Club (IPRC) was told that all security traffic would be on the 4-channel VHF radio system owned by CC Enterprises; that the 16-channel UHF radio

<p><b>Communication (cont.)</b></p>	<p>FDGD volunteers were receptive to working on the fly and jumping in where needed.</p>	<p>system would be used only for event logistics traffic; and that IPRC, which served as the Emergency Communication Center (ECC), would not need to monitor that system. It became evident very early on, however, that security traffic was being heard on the 16-channel UHF system, and not isolated to any one particular channel. When the head of security was contacted about this, he did not know about the 4-channel VHF system and did not have any of them in their possession. There was also security and other critical traffic being aired on several channels which were not identified or listed on the FDGD communications plan. In addition, when IPRC needed to get a hold of security, they had to do so via cell phone and struggled to make a connection with the head of security.</p> <p>Getting the radios last minute created challenges with being able to test them and verify the communications plan would work before the start of the event.</p> <p>It was noted that many of the personnel Town staff were instructed to contact (security, parking, non-emergent issues, etc.) were not familiar with Nederland, which created a lot of challenges in communicating issues that needed to be addressed and in what areas of Town.</p> <p>Owners of the event were not on the same page, which created a lot of unnecessary back and forth and a lack of consistency in responses.</p> <p>Vendors did not appear to be aware of the site plan and/or event logistics. Many vendors contacted Town staff for directions and also shared that communicating with FDGD was challenging.</p>
<p><b>Mud and Snow Mitigation Plan</b></p>	<p>A rubber blade was used when plowing the field as discussed and outlined in the mitigation plan.</p>	<p>FDGD developed a mud and snow mitigation plan which stated that they would have “ground cover, either control blankets, recycled Astroturf or netting” to</p>

<p><b>Mud and Snow Mitigation Plan (cont.)</b></p>		<p>address both snow and mud issues. The ice was not properly mitigated as noted by people falling. When the snow melted and the mud became an issue, FDGD opted to put down hay/straw, which was not an approved material. It was noted that FDGD was in possession of some of the approved ground cover material, however, did not use it.</p>
<p><b>Parade/Events</b></p>	<p>The parade flowed smoothly despite challenges with the crowd control fencing.</p> <p>Stephanie Andelman did a great job trying to mitigate people throwing snowballs at the attendees participating in the polar plunge and the coffin races.</p>	<p>While it was noted that FDGD was in possession of crowd control fencing, it was not placed throughout the parade route which meant that FDGD did not have a means of keeping the crowd away from the parade except with personnel instructing people to do so. Despite Town's request for assistance from FDGD personnel, it appeared that the crowd management was done primarily by Town staff and law enforcement. Law enforcement and CC Enterprises made last minute adjustments to set up the small amount of provided fencing and created makeshift barriers with cones and caution tape.</p> <p>Town staff notified FDGD before the event that hearses could not be parked on Second Street after the parade because it blocked emergency access. Despite that directive, FDGD did so anyway and had to be notified to move them by Town staff.</p> <p>Snowballs were being thrown at people participating in the polar plunge and coffin race, resulting in people getting injured. Per Town staff who were serving as judges, there was minimal crowd control by FDGD staff. Stephanie Andelman made announcements as MC asking for this behavior to stop, but that did not help much. Security did not appear to be present to support. Rangers assisted with trying to address this issue.</p>
<p><b>Parking &amp; Traffic</b></p>	<p>CC Enterprises, the traffic control company, did an amazing job. They were willing to help if and where</p>	<p>FDGD did not have an adequate number of personnel to park vehicles and the majority of the lots where there should have been FDGD parkers went without staffing,</p>

<p><b>Parking &amp; Traffic (cont.)</b></p>	<p>needed and always had a positive attitude.</p>	<p>resulting in cars being poorly parked and a lack of maximization of the spaces. The Town was informed that Ron Mitchell was in charge of parking despite being told on numerous occasions that Town was not approving him to serve in that role. The backup for Ron, however, was not appropriate as Martin shared with Town staff that he had not been to Nederland in 4-5 years and, therefore, did not know where any of the streets or parking lots were.</p> <p>Despite certifying FDGD flaggers Saturday morning, none of those flaggers were placed at key intersections as outlined on the parking/traffic plan.</p> <p>FDGD noted that they had a contract with a tow company, however, when towing was needed to move cars crossing the fog shoulder lines into the highway, there was no point of contact for a towing company that FDGD could provide.</p> <p>The parking plan noted that Peaceful Rides would be handling transport from The Caribou Room to the event. After speaking with Chris Perret, it was noted that no contact had ever been made with Chris to perform that service until Saturday morning when Town staff questioned what the plan was.</p> <p>There were cars parked on the east side of the performance space, which is City of Boulder property. Based on the approval FDGD received from City of Boulder, the event was only permitted to use the parking lot.</p> <p>Per the site plan, East Street was going to be closed, however, there were cars parked all along the east and west side. Cars navigating East Street were a safety concern as there were also event attendees walking along the road.</p>
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<p><b>Safety</b></p>	<p>There were no serious incidents.</p>	<p>Even though it was not the preferred choice by law enforcement, it was agreed that FDGD would have vehicle barricades at 119 and E 1<sup>st</sup>, on Snyder at E 2<sup>nd</sup>, on E 2<sup>nd</sup> at Snyder, and on East St near 3<sup>rd</sup> St. Vehicle barricades were never positioned in those places as discussed.</p> <p>People were walking all over the highway after the event ended Saturday night. It is noted that there was no plan to get people back to their vehicles and law enforcement had to support with transporting people in an effort to prevent people from walking down the middle of the highway.</p>
<p><b>Security</b></p>	<p>N/A</p>	<p>Security personnel were supposed to be dressed in a manner that would make them easy to spot. They were wearing black shirts which did not set them apart from event attendees. Their coats were also not labeled security. It was noted that security staff were ill prepared for the weather or other conditions.</p> <p>Rather than using FDGD volunteers to check IDs and issue wrist bands, security was staffed in those tents, leaving an inadequate number of security personnel staffing the exits/entrances or moving throughout the event.</p> <p>FDGD contacted Nederland Police Department to ask if they could support with security patrolling Saturday night after event organizers realized that their security was lacking.</p> <p>Security personnel at entrances/exits did not know what their responsibilities were (example: they did not know they were supposed to stop people from leaving with open containers) and many worked a significant number of hours without breaks.</p> <p>Security personnel gave very vague information when reporting medical calls, which made it challenging for medical support to know where and how to respond.</p>

		<p><i>Note: It has been determined by Town that All Seasons Security will not be permitted to serve as the security company for future FDGD events due to the overall inadequacies of their services.</i></p>
<b>Site Plan</b>	<p>Larry Higgins was great to work with. Larry noted that the site plans FDGD developed were not going to work for the event and made the needed adjustments to ensure there was a north access road and addressed other issues outlined in the site plan. Larry was very communicative and a good point person for Town staff, despite not being listed on their contact sheet as such.</p> <p>We appreciate that Jesse Seavers and his team picked up the bleachers for the event and brought them back to Public Works afterward.</p> <p>The Wastewater Treatment Plant access remained open during the event and Town staff did not have to provide any directive to keep it open.</p>	<p>Despite being told on numerous occasions Town was not permitting the moving of the boulders at Guercio, FDGD took it upon themselves to move the boulders anyways (one of which is pushed up tightly against an electrical wire). It was explained to FDGD on numerous occasions that the southwest corner of Guercio was never to be used as an entrance point.</p> <p>The fence at Guercio was damaged in numerous locations by the snowplow driver.</p> <p>The alcohol fencing was left open at times allowing people and security to flow in and out of none entrance/exit points.</p> <p>A light tree was noted on the site plan, however, was not installed which created an issue after dark on First Street with people walking the event path with minimal lighting and golf carts also navigating that area.</p> <p>FDGD was given the location of “causality collection points” by the Nederland Fire Protection District but those never made it to the site plan and the red crosses indicating “ambulance pick up points” remained. This caused some confusion at the police briefings.</p>
<b>Tents</b>	<p>Tents helped to mitigate noise. Some neighbors reported not being able to hear the music the majority of the time.</p>	<p>Propane bottles were not secured at the start of the event. FDGD did not secure them until late Saturday.</p> <p>A hay/straw-like material was used in the tents, which was prohibited by the Fire Department. Despite being told that it was fire resistant, the Fire Marshal was able to readily ignite the material.</p>

<b>Tents (cont.)</b>		<p>Exits from the tents did not meet code. It was noted, however, that posting security at the exits assisted with addressing some of the egress challenges.</p> <p>Tents reached above capacity level on Saturday and law enforcement had to provide directives to security personnel to limit entrance until the tent had been cleared out.</p>
<b>Visitors Center</b>	<p>Record-breaking sales out of the Visitors Center. The team sold both FDGD and Town merchandise.</p>	<p>FDGD shared that they would provide merchandise tents and personnel to support and monitor the backup merchandise at the Visitors Center (VC). That did not occur, but rather the VC team were responsible for handling merchandise sales and making sure backup merchandise was secured. In addition, when a request was made for more merchandise, the VC team was told someone would bring it up Sunday morning but that did not occur either. To ensure the VC had merchandise, a Town staff member walked to Teens Inc. and carried back numerous boxes.</p> <p>FDGD did not stock and/or monitor the bathrooms at the VC as agreed.</p>
<b>Zero Waste</b>	<p>Sara Starr was a wonderful addition to the FDGD team. She was great to work and communicate with, and led the team in their ZW efforts.</p> <p>Minimal trash following the completion of the event.</p>	<p>As discussed during the TRCs, there were supposed to be receptacles located by Town's receptacles which FDGD asked to be closed. That did not occur and at some points, trash was piled up outside of receptacles vs. in them.</p>

Given what is outlined in this letter, should FDGD want to hold the 2023 festival in Nederland, the following must be adhered to:

- Applications and complete plans must be received by **Thursday, June 30, 2022.**
  - Plans must address everything outlined in this letter. What FDGD commits to in their plans will also be outlined in their license agreement. Town staff will be recommending to the Board of Trustees that fees be applied for any failure to execute plans as written outside of incidents beyond FDGDs control.

- Once the application is received, Town staff will develop a timeline of when certain things need to be completed to prevent the continuation of last-minute changes.
- An event organizer must be identified that is not one of the owners, as Town staff feel that the organizers struggle with being transparent and with effective communication.
  - This event organizer must have experience with large events and proof of their experience will be required (example: resume).
  - This event organizer will be required to attend all TRCs and should be the primary person present. It will be the event organizer's responsibility to ensure that information from Town is passed on to the appropriate personnel.
- FDGD will notify the residents and businesses about the event 60 days in advance and will provide copies of site, parking, and traffic plans.
- FDGD should also be aware of the following:
  - Increased cost for personnel may be needed to address any areas of inadequacy (example: dispatch, law enforcement).
  - As FDGD is aware, Town put off reseeding Guercio for the 2022 FDGD event. With the GOCO grant needing to be completed by March 2023, Guercio will not be available to use for the event. Therefore, it is recommended FDGD assess using the streets only as previously discussed with Town staff.

Attached is a breakdown showing why we will be keeping your full deposit of \$13,250 to cover damages in the event area.

In addition, we have attached invoices for law enforcement services, the tow truck, and the water used to fill the polar plunge area. Nederland Fire Protection District sent their invoice separately.

We are happy to discuss what is outlined in this letter during the TRC on Wednesday, March 30, 2022 at 11am.

Thanks,

Miranda Fisher  
Town Administrator  
Town of Nederland