

**Town of Cedaredge Board of Trustees**  
**Regular Meeting**  
**Record of Proceedings**  
**August 19, 2021**

The Town Board of Trustees met for its Regular Meeting on August 19, 2021 at the Cedaredge Civic Center, 140 NW 2<sup>nd</sup> Street, Cedaredge, Colorado, with a virtual meeting option available via Zoom webinar. The meeting notice was posted in the designated area at Cedaredge Town Hall at least 24 hours prior to the meeting in accordance with the Sunshine Law. All documents included in these minutes by reference are available for review at Cedaredge Town Hall.

**Call to Order:** Mayor Hanson called the meeting to order at 5:03 p.m. and led the Pledge of Allegiance.

**Roll Call:** Present in person were Mayor Raymond F. Hanson, Mayor Pro Tem Patti Michael and Trustees Jim Atkinson, Cathy Brown, Charlie Howe, Richard Udd and Heidi Weissner; Town Administrator Greg Brinck; Town Clerk Kami Collins; and Deputy Clerk Jess Shelton. Present virtually was Town Engineer Dan Quigley.

**Agenda Approval:** Trustee Atkinson requested to move Item #16, Contract Award: SE Independence Ave. Sidewalks, to below #6, Golf Course Pump Project. Mayor Pro Tem Michael moved and Trustee Weissner seconded to approve the agenda as amended.

Roll Call Vote: Voting 'aye' were Mayor Hanson, Mayor Pro Tem Michael and Trustees Atkinson, Brown, Howe, Udd and Weissner; no Trustees voted 'nay.' Motion passed unanimously and the agenda was approved as amended.

**Consent Agenda:** Mayor Pro Tem Michael moved and Trustee Weissner seconded to approve the Consent Agenda (4a – 4h):

- a. Minutes: 7/15/2021 Regular Meeting
- b. Minutes: 7/22/2021 Public Hearing
- c. Minutes: 8/5/2021 Public Hearing
- d. Financial Report: 7/31/2021
- e. Disbursements: 7/2021
- f. Ratification: Letter of Support for Grand Mesa Water Users Association to Colorado River District
- g. Colorado Main Street Program Affiliate Membership & Letter of Intent
- h. Amended Agreement: Technical College of the Rockies Commercial Kitchen Equipment

Roll Call Vote: Voting 'aye' were Mayor Hanson, Mayor Pro Tem Michael and Trustees Atkinson, Brown, Howe, Udd and Weissner; no Trustees voted 'nay.' Motion passed unanimously and the Consent Agenda was approved.

**Constituent Time:**

**Barb Klein, 460 SE Old Goat Trail:** Ms. Klein is a Townhome owner and addressed the

drought rates. She said the Townhomes pay a lot of money when drought rates are in effect. She said the Townhomes and the Town need to work together to get the homes on the Town's irrigation system. She said she watches the water during all times of the day and said she has many facts and figures about water usage she could share.

**Larry Lefner, 405 NW Cedar Ave:** Mr. Lefner has owned his home for four years and has an organic garden. He said when the Town sprays for mosquitoes, he covers his plants if he has advance notice. The last time the date got changed due to the weather and he was unaware. He said he has spoken with mosquito experts and the North Fork Abatement District, and was told the fogging doesn't work that well. It kills mosquitoes that are in flight but nowhere else. Mr. Lefner suggested the Town use larvicide instead of fogging. He said the Town's system for abatement is inefficient. He said he heard the Town is allowing people to handle their own larviciding. He reiterated he did not think the Town's mosquito abatement policy was efficient.

Trustee Udd and Mayor Hanson mentioned that it is a Town ordinance that private property owners are required to larvicide.

**Mary Gotchey, representing Stonebridge Townhomes, 855 SE Stonebridge Drive:** Ms. Gotchey asked the Board to consider inviting the Townhome owners to a Work Session to discuss forgiveness for the amount of water they had to pay in the drought rates. She said the Townhome owners tend to be older and on fixed incomes. She said other municipalities bill similar situations commercial rates, but locally the Townhomes are not billed that way. She said one building on the account doesn't have access to running water and yet still has a large bill, due to the billing type. Ms. Gotchey noted earlier this year she was arrested for failure to license her animals. She said that punishment, and the punishment of drought rates, do not fit the crime. She said the drought rates would affect the sale of future homes in the golf course area.

**Steve Pierce, 1525 SE Stonebridge Drive:** Mr. Pierce reminded the Board that last year in the early winter the restrooms on the fifth fairway and the car wash at the clubhouse both froze, and swamp cooler lines weren't drained and had to be replaced. Additionally the swamp coolers weren't covered, which impacted the heating bill in the clubhouse. Mr. Pierce said he volunteered three years ago to check on the building; he reiterated his offer to volunteer to check the building during this winter. Mr. Pierce said when he was in the Army his work there was driven by a logbook. He said Cedaredge may want to consider utilizing a similar policy. He said six years ago the golf course had a similar situation when winterizing the course was late.

**Golf Course Pump Project – Town Engineer Dan Quigley, Buckhorn Engineering:** Town Engineer Dan Quigley presented the bid package for the proposed pump project, including engineer's estimate and a draft Request for Proposal for publication. He is working with Superintendent Conway for a few remaining specs on the pump, and noted the bid package is in draft. He said the project is almost ready to go out for bid, and staff will be ready to begin the project with the timeline outlined in the bid package.

Trustee Atkinson noted that the 150,000 gallon pump was for the cemetery; he asked Mr. Quigley if that could be removed from the scope of the project. Trustee Atkinson asked if anything included the filtration system. Mr. Quigley said he would confirm the cemetery pump

with Mr. Conway, and that the proposal did not include the filtration system.

Trustee Udd noted that the Board did not get a technical specification with the bid package. Mr. Quigley noted there was a project drawing included, but not full specs; Trustee Udd asked if the drawing Mr. Quigley was working on was a site plan; Mr. Quigley said yes. Trustee Atkinson noted that was the same schematic that a consultant provided. Trustee Atkinson asked if there was a similar drawing in the package; Mr. Quigley said no, that he was working on a more generic drawing that would transfer between different manufacturers. Mayor Hanson noted that would make it better for the bid process. Mayor Hanson said once a full plan is completed, Staff would forward the completed package to the Board for review.

**Contract Award: SE Independence Ave. Sidewalks:** Mayor Hanson asked Mr. Quigley if he had a chance to review the bids; Mr. Quigley said he saw the totals but did not review the full bids. Mayor Hanson asked Mr. Quigley to review the full bid package and come back to the Board with some suggestions as to the variances in the bids and the discrepancies in the projected cost and the received bids. Mr. Quigley noted he based his estimates on a similar project in Montrose that is only two months old. Trustee Weissner asked if Mr. Quigley had submitted an estimate including the raised sidewalk; Administrator Brinck said he had included that in earlier conversation. Mayor Hanson asked Mr. Quigley to review the full package and report at a future Work Session.

**Management Report:** Town Administrator Greg Brinck submitted a written report on each department's work and activities from the past month. Regarding mosquito fogging, there have been two confirmed cases of human West Nile Virus in the County, one of which is in the Surface Creek Valley. Trustee Howe asked what time "dusk" means for fogging; he mentioned the truck came by around 7 pm. He said he has honeybees and many died with the last fogging. Trustee Weissner noted the timing was much earlier than "dusk." Trustee Brown asked if the Town even needed to fog; she cited concerns about the chemicals used. Administrator Brinck said he would follow up with the company to make sure they are close to dusk and no earlier. Trustee Howe asked if there was a way to opt out; Administrator Brinck noted the Town doesn't have such a policy, but those with chemical sensitivities can register with the State. Trustee Atkinson asked to revisit the ordinance and the fogging practice to see if the Town can make a better financial decision as to abatement. Trustee Atkinson said aerial spraying was more effective; Mayor Hanson noted that was no longer allowed. Trustee Brown noted that was because it is poisonous. Administrator Brinck noted that aerial spraying is about \$30,000 per application. He said he would work with the contractor to see if there is a better, more cost effective way to abate mosquitoes, and would inquire about larviciding. Trustee Weissner asked for a Work Session in early 2022 to research various options.

The Town continues to see increases in building permits.

An update on Applefest financials was given.

In Economic Development, the Town will apply for a grant to assist two Main Street businesses as part of the COVID recovery.

In the Police Department, Jake Hernandez will be rejoining the team as a School Resource Officer and code enforcement officer. Chief Sanders has also identified a possible candidate at the police academy; an offer has been sent to the candidate that upon successful completion of the candidacy, he would have a position at CPD.

Asphalt overlays were completed with help by the County on SE 2<sup>nd</sup>, SE Buffalo, SE Centennial and SE Eagle. SE Greenwood will be completed this fall. The Beech/Birch waterline project is going very well. Mayor Hanson asked what would happen with the rocks in that project; Administrator Brinck said the contractor will haul them away. Public Works painted the clearwell at the water plant; having Public Works staff do the project saved the Town tens of thousands of dollars. A new trail was cut to gain access to Last Chance Reservoir. Last month, Public Works hydro-seeded the hillside near the wastewater treatment facility; the recent heavy rains have caused issues with the hillside. DOLA sent the contract for the dewatering equipment, and we are waiting on a permit from CDPHE for the chemicals, which is causing the delays in the project. The permitting department denied our chemical permits but the Town has submitted a letter requesting a reevaluation.

At the Golf Course, rounds and user fees are up; the restaurant has high costs in labor and food costs. Mr. Conway is struggling to find maintenance help at the course. The fall greens aeration was bypassed, due to the lack of staff. Trustee Atkinson asked Mr. Conway which trees had been removed; Mr. Conway said it was the birch trees that died during the cold snap last winter. Trustee Howe asked Mr. Conway's opinion of the cost of the pump project. Mr. Conway noted that if the Town assumes the Cemetery, the pump project would change some; for instance, we would not need two control panels, which would save the Town money. Trustee Howe asked if Mr. Conway could come up with a better pump proposal for less money; Mr. Conway said he could work with local vendors to bid on the RFP and thought the project would come in far under the engineer's estimate. Mr. Conway noted that service is better with local vendors. Trustee Howe asked if we are still calling for water, given the recent rains. Mr. Conway said he closed the gate and altered the Water Commissioner, which in theory will save the Town water.

- a. **Town Administrator Resignation:** Administrator Brinck submitted a letter of resignation. His last day with the Town will be Oct. 1, 2021.

Mayor Pro Tem Michael moved and Trustee Weissner seconded to Administrator Brinck's resignation.

Roll Call Vote: Voting 'aye' were Mayor Hanson, Mayor Pro Tem Michael and Trustees Atkinson, Brown, Howe, Udd and Weissner; no Trustees voted 'nay.' Motion passed unanimously.

Mayor Hanson said a Work Session would be called for the following week to discuss this process moving forward. He said he and Trustee Udd would like to form a committee to review candidates. Mayor Hanson suggested the Board work with a firm to find a new candidate. Trustee Howe suggested the Board should draft a list of desired candidates and qualifications.

Administrator Brinck said the Town has a couple of options. For an interim, the Board could appoint a current staff member, but Administrator Brinck said he would not suggest that due to capacity, especially for a long period of time. The Board can also put out an RFP to an executive search firm to find an interim replacement; that firm would help the Board determine what type of candidate the Town is looking for. Moving forward, Administrator Brinck strongly suggested the Board retain a firm to find the full time replacement. Mr. Brinck said he has approached two firms and a handful of candidates that the Town is moving in this direction to alert them. Trustee Weissner noted that the full Board should be involved in the vetting process for both interim and administrator. Trustee Udd asked Administrator Brinck to send the Board a copy of the job description, to allow the Board to begin the process there. Trustee Atkinson said in his experience, a good interim could work into a full time administrator.

**Financial:**

- a. Trustee & Treasurer Udd reported that with 58 percent of the year elapsed the Town has collected 55 percent of budgeted revenues and spent 33 percent of budgeted expenditures. Sales and use taxes through July are up 21.2 percent from 2020. Year to date sales and use taxes collected through July are up 14 percent from budget. The Town's share of the County Law Enforcement tax is \$102,744 YTD. Use Taxes are up 92 percent from last year and building starts continue at the same pace as the first five months of the year. Revenues in the General Fund exceeded expenditures by \$30,118 for the month of July not including the first payment of the American Rescue Plan Act funding of \$288,423.84 received in July. Water Fund revenues exceeded expenditures by \$96,790 for the month of July. Wastewater Fund expenditures exceeded revenues by \$11,587 in the month of July due to a one time expenditure of \$22,985 for computer systems update as budgeted. Golf Course Fund expenditures exceeded revenue by \$35,651 for the month of July due partly to a loss of \$23,416 in restaurant operations. The Golf Course restaurant has collected \$60,288 and expended \$126,663 year to date. Trust Fund expenditures YTD are \$55,434 (85 percent of budget) primarily for the Town Park playground equipment update. There were no significant expenditures from the Capital Improvement Fund in July.

**Strategic Plan:** Administrator Brinck presented the Strategic Plan. Trustee Weissner moved and Mayor Pro Tem Michael seconded to approve the 2021-22 Cedaredge Strategic Plan. In discussion, Trustee Atkinson how to keep this plan front and center as the Board works. Administrator Brinck noted the Board should keep the document in front of them as they pass legislation and suggested that the Board readdress the document every time a new Board is seated, or during each budget planning session. Trustee Udd noted a Strategic Plan is general and heads up the other Town's plans, including the Master Plan and Capital Improvement Plan.

Roll Call Vote: Voting 'aye' were Mayor Hanson, Mayor Pro Tem Michael and Trustees Atkinson, Brown, Howe, Udd and Weissner; no Trustees voted 'nay.' Motion passed unanimously and the Strategic Plan was approved.

**Contract Award: Denali Water Solutions for Wastewater Treatment Facility Sludge Removal:** The contract outlines the work Denali will perform to remove the sludge from the wastewater treatment facility. It is a multi-year contract. One of the reasons the Town is looking at this contract is because while the Town was awarded a grant to build a dewatering facility, the chemical permit is being held up by CDPHE. In the meantime, there is no time to wait for the permit to get cleared up as the sludge needs to be removed this fall. The Town has gone to bid a few times for sludge removal, and the contract cost is comparable. Trustee Atkinson asked how this year's contract compared to last year's; Administrator Brinck said there were a few additional costs, but not many. Trustee Howe asked when the Town first applied for the change of chemicals. Administrator Brinck said that was done with the grant application, in early spring, to amend the chemical application. The CDPHE adopted new regulations in early 2021 for chemical applications. Trustee Howe said the process took too long. Administrator Brinck noted that the Town's permit expired in summer of 2018, and the Town applied for the renewal permit in January of 2018. CDPHE extended the Town's permit under an "administrative review" period that still has not yet been resolved, due to no fault of the Town or Staff. Because the Town's current chemical permit is under administrative review, that is part of the reason why the dewatering permit has been denied. Trustee Atkinson asked if that meant that anything the Town tries to do at the plant would not be approved; Administrator Brinck and Trustee Udd agreed with that assertion. CDPHE suggested the Town could go through a general permitting process, but there are risks associated with that process, mainly that at anytime CDPHE could change the regulations of the permit. Trustee Udd suggested the Town reach out to the Colorado Municipal League to assist with working with CDPHE, and possibly our legislators. Administrator Brinck said he has reached out to CML but hasn't yet heard back. Trustee Atkinson asked Public Works Director Jerry Young asked if we had the dewatering equipment, how quickly we could do the sludge removal in house. Mr. Young said that if we get the equipment in and installed by March 1, the Town could handle what has accumulated, but that if the equipment is late in arriving or getting installed, the risk is that we would not have capacity to do the work in-house and would need to contract the process again.

Trustee Weissner moved and Trustee Brown seconded to award the contract to Denali Water Solutions. In discussion, Trustee Howe asked if the CDPHE issue gets resolved if the Town could break the contract, by putting a clause into the contract now to that effect. Mr. Young suggested an "up to" clause instead, related to the gallons that will be pumped. Trustee Weissner amended her motion to amend the amount to be pumped would be up to 500,000 gallons.

Roll Call Vote: Voting 'aye' were Mayor Hanson, Mayor Pro Tem Michael and Trustees Atkinson, Brown, Howe, Udd and Weissner; no Trustees voted 'nay.' Motion passed unanimously and the contract was approved with the amendment that the amount to be pumped is up to 500,000 gallons.

**Resolution 29-2021: Rescinding Resolution 27-2021: Stage I Open Fire Restrictions:** The Resolution rescinds Resolution 27-2021, which implemented Stage I Open Fire Restrictions. Trustee Udd moved and Trustee Weissner seconded to approve Resolution 29-2021.

Roll Call Vote: Voting 'aye' were Mayor Hanson, Mayor Pro Tem Michael and Trustees Atkinson, Brown, Howe, Udd and Weissner; no Trustees voted 'nay.' Motion passed unanimously and Resolution 29-2021 was approved.

**Resolution 30-2021: Rescinding the Declaration of Disaster Emergency due to the COVID-19 Virus Issued on March 19, 2020:** The Resolution rescinds the emergency declaration the Town has operated under since March 19, 2020, due to COVID-19. In discussion the Board discussed continuing to allow the Board to meet virtually.

At 6:34 pm Trustee Atkinson left the meeting.

Administrator Brinck noted that by Resolution or Ordinance, the Board could address allowing the Board to continue to meet virtually outside of an emergency declaration.

Trustee Atkinson rejoined the meeting at 6:35 pm.

Trustee Udd moved to table Resolution 30-2021 until a companion resolution was brought to the Board amending virtual meetings; Trustee Weissner seconded.

Roll Call Vote: Voting 'aye' were Mayor Hanson, Mayor Pro Tem Michael and Trustees Atkinson, Brown, Howe, Udd and Weissner; no Trustees voted 'nay.' Motion passed unanimously and Resolution 30-2021 was tabled.

**Resolution 31-2021: Rescinding Resolution 23-2021: Stage 2 Drought Response Plan Declaration:** The Resolution rescinds Resolution 23-2021, which implemented drought restrictions and water rates. Administrator Brinck noted this only applies to drought rates and does not rescind Stage II Drought declaration. Trustee Udd moved and Trustee Weissner seconded to approve Resolution 31-2021. In discussion, Trustee Howe asked when it would be implemented; Administrator Brinck said it would be for the August billing cycle, meaning August usage would be amended. The rates would not be retroactive to earlier billing periods.

Roll Call Vote: Voting 'aye' were Mayor Hanson, Mayor Pro Tem Michael and Trustees Atkinson, Brown, Howe, Udd and Weissner; no Trustees voted 'nay.' Motion passed unanimously and Resolution 31-2021 was approved.

**Ordinance 2021-04: Title 5 Liquor/Winery Sales Rooms:** The Ordinance gives the Board, as the Local Licensing Authority, the ability to weigh in on the proposal of a permanent sales room that operates within Town, but which is not required to get a local license. Trustee Weissner moved and Trustee Udd seconded approve Ordinance 2021-04.

Roll Call Vote: Voting 'aye' were Mayor Hanson, Mayor Pro Tem Michael and Trustees Atkinson, Brown, Howe, Udd and Weissner; no Trustees voted 'nay.' Motion passed unanimously and Ordinance 2021-04 was approved.

**Graywater:** Trustee Udd noted that two state agencies involved in regulating graywater do not speak with one another to have clear guidelines. Trustee Udd noted that Golden had a comprehensive ordinance that Cedaredge should follow. Trustee Weissner suggested a Work Session be held to discuss the topic more. Trustee Brown asked why the Town would consider graywater; Trustee Udd noted it was for water conservation. Trustee Weissner noted she reached out to the Governor's Office to see if there are plans to incentivize use of graywater; she said she was told it was under consideration. Mayor Hanson noted that statewide plumbers were against this, as it puts the burden on that profession to regulate graywater. He noted the reason Golden, in their ordinance, can accomplish this, is because that municipality inspects plumbing systems. Mayor Hanson said the Town should not consider inspecting plumbing in town and should leave that to the state. Administrator Brinck noted that in conversations with staffs in other areas, that graywater puts a lot of work on administrative staff. He noted that in his tenure here only one request has come in to adopt graywater. Trustee Weissner noted that more people will consider graywater with the drought. Trustee Udd noted that Regulation 86 has a lot of reporting requirements, which will turn many homeowners off. Trustee Howe asked how much a graywater system costs; Mayor Hanson noted that it was expensive due to the regulations and required testing. Trustee Atkinson asked for clarification on who has to do the reporting; Trustee Udd said it was the property owner, not the Town. Trustee Udd noted the state may soon implement a special certification on plumbers who can inspect graywater systems. Trustee Atkinson asked if the reporting requirements were more strenuous than septic systems; the Board agreed that the regulations are similar. Trustee Atkinson asked if the Town allows graywater what controls there would be; Administrator Brinck noted it would become part of the building permit process.

**Discussion Topics with Possible Action:**

- a. **Title 16 Steering Committee – Will Snowdon:** Trustee Wiessner moved and Trustee Atkinson seconded to seat Mr. Snowdon to the Title 16 Steering Committee.

Roll Call Vote: Voting 'aye' were Mayor Hanson, Mayor Pro Tem Michael and Trustees Atkinson, Brown, Howe, Udd and Weissner; no Trustees voted 'nay.' Motion passed unanimously and Mr. Snowdon was appointed to the Steering Committee.

- b. **Partners Request to Waive Greens Fees for Aug. 28 Golf Tournament:** Trustee Brown moved and Trustee Weissner seconded to waive greens fees for Partners. In discussion, Trustee Howe noted the Town has already made a decision on this issue and no new information was brought to the Board to amend the decision. Trustee Howe noted the Town is not responsible and shouldn't waive fees. Trustee Atkinson noted that while the Town does not bear responsibility, those who are suffering are the kids served by the organization. Trustee Atkinson suggested a donation be made instead to the organization, which would come from the General Fund. Trustee Weissner noted that would be an expense to the Town. She noted that the Town has had a longstanding relationship with



Partners. Mayor Pro Tem Michael asked what the cost was; the Partners letter suggested \$2,800 in fees be waived. She recommended waiving half of the greens fees. Trustee Udd noted this is a large tournament that brings many people to town.

Roll Call Vote: Voting 'aye' were Trustees Brown, Udd and Weissner; voting 'nay' were Mayor Hanson, Mayor Pro Tem Michael, Trustee Atkinson and Trustee Howe. Motion failed 3-4 and the greens fees will not be waived.

Mayor Hanson said he would entertain a motion to make a donation to the organization from the General Fund. Trustee Weissner moved and Trustee Udd seconded to donate to Partners \$3,000 from the General Fund.

Roll Call Vote: Voting 'aye' were Mayor Hanson, Mayor Pro Tem Michael and Trustees Atkinson, Brown, Udd and Weissner; Trustee Howe voted 'nay.' Motion passed 6-1.

**Trustee Comments and Upcoming Work Session and/or Board Meeting Discussion**

**Topics:** Trustee Udd asked for the budget work session schedule; Administrator Brinck reviewed the schedule.

Trustee Weissner asked to have the meeting schedule changed to have the work sessions the week before the regular meeting, and also have the work session agenda include the Regular Meeting draft agenda.

Trustee Atkinson asked that the draft community survey, the cemetery, the pump project and other outstanding items be included on the October work session agenda.

Trustee Howe asked for a list of eligible items for the funds for the American Rescue Plan Funds from the Capital Improvement Plan. Trustee Udd noted that was part of the budget process. Administrator Brinck said he would compile a list.

Trustee Udd asked if the well study at the Town Park has been done yet; Administrator Brinck said he has reached out to engineers for the study.

Mayor Hanson said he would follow up with Ms. Gotchey about the Townhomes.

Trustee Weissner moved and Trustee Howe second to adjourn the meeting; Mayor Hanson adjourned the meeting at 7:23 pm.

Respectfully Submitted,



Kami Collins  
Town Clerk