

**Town of Cedaredge Board of Trustees**  
**Regular Meeting**  
**Record of Proceedings**  
**January 6, 2022**

The Town Board of Trustees met for its Regular Meeting on January 6, 2022 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 Michael called the meeting to order at 5 p.m. and led the Pledge of Allegiance.

**Roll Call:** Present in person were Mayor Michael, Mayor Pro Tem Cathy Brown and Trustees Jim Atkinson, Charlie Howe and Richard Udd; and Interim Town Administrator & Town Clerk Kami Collins.

**Agenda Approval:** Mayor Pro Tem Brown moved and Trustee Atkinson seconded to approve the agenda with the amendment

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

**Consent Agenda:** Trustee Udd moved and Trustee Atkinson seconded to approve the Consent Agenda (4a – 4c):

- a. Minutes: 12/9/2021 Regular Meeting
- b. Minutes: 12/16/2021 Special Meeting
- c. Financial Report: 11/30/2021

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

**Constituent Time: Barbara Hladik, 22044 Unitah Road, Cedaredge:** Ms. Hladik encouraged the Board to seat Kami Collins as the permanent Town Administrator.

**PUR CannaBliss Licensee Requests:** Antyn Heatley and Jan Prosser were in attendance regarding the two requests. Before they address the Board, Mayor Michael asked Ms. Collins to

explain to the Board the ownership issue. Ms. Collins explained that in researching Ms. Prosser's liquor license, she received communication from the Marijuana Enforcement Division that showed only four applicants on the State license: Mr. Heatley, Ms. Prosser, Marilyn Gist and Stephen Black. When the group applied for a license with the Town, they had five part owners of the company, Mr. Heatley, Ms. Prosser, Mr. Black, Ms. Gist and Dennis Mitchell Jr. Ms. Collins said this appeared to be a change in ownership structure which, by Cedaredge Municipal Code, cannot happen until the store has been open for one year and only be approval of the Board of Trustees.

Mayor Michael asked Mr. Heatley to clarify the ownership issue. Mr. Heatley said they were under the impression they only had to request a change in structure if the owners are 25 percent or more owner of the company. He said the municipal code and the application state only 25 percent. He said Mr. Mitchell is moving to California and no longer interested in being part of the company.

Trustee Udd asked if the group had enough funds to start and open the business; Mr. Heatley replied they have \$475,000. Trustee Udd asked why more work has not been done by the group to get the store open; Ms. Prosser explained there had been several delays that impacted breaking ground. She is currently waiting on her building permit to be approved; Mr. Heatley said they hope to open by April 20<sup>th</sup>.

Trustee Howe asked about the liquor license; Ms. Prosser said she is open to transferring the license to another location.

In discussion, the Board directed Ms. Collins to seek legal opinion from Attorney Carol Viner on removing Mr. Mitchell from the ownership group.

- a. **Extension:** The Grand Mesa Group requested an extension on their opening date of the retail/medical marijuana store. In light of the ownership structure question, the Board discussed tabling this request until Attorney Viner weighs in with a legal opinion on the ownership structure. Trustee Udd moved and Trustee Howe seconded to table Item 9A, Extension Request for PUR CannaBliss.

**Roll Call Vote:** Voting 'aye' were Mayor Michael, Mayor Pro Tem Brown; and Trustees Atkinson, Howe and Udd; no Trustees voted 'nay.' Motion passed unanimously and the Item 9A was tabled.

- b. **Delivery:** The Grand Mesa Group requested to indefinitely postpone marijuana delivery. In light of the ownership structure question, the Board discussed tabling this request until Attorney Viner weighs in with a legal opinion on the ownership structure as well as a legal opinion on amending the license to remove delivery. Mayor Pro Tem Brown

moved and Trustee Udd seconded to table Item 9A, Delivery Request for PUR CannaBliss.

**Roll Call Vote:** Voting 'aye' were Mayor Michael, Mayor Pro Tem Brown; and Trustees Atkinson, Howe and Udd; no Trustees voted 'nay.' Motion passed unanimously and the Item 9A was tabled.

**Resolution 01-2022: Designated Posting Place:** The Resolution is an annual resolution that sets the Town's official posting place for meeting notices on the corkboard at Town Hall. Trustee Brown moved and Trustee Atkinson seconded to approve Resolution 01-2022.

**Roll Call Vote:** Voting 'aye' were Mayor Michael, Mayor Pro Tem Brown; and Trustees Atkinson, Howe and Udd; no Trustees voted 'nay.' Motion passed unanimously and Resolution 01-2022 was approved.

**Resolution 02-2022: 2022 List of Highway User Tax Fund (HUTF) Streets:** The Resolution is an annual requirement to certify the HUTF funds from the gasoline tax. Mayor Pro Tem Brown moved and Trustee Atkinson seconded to approve Resolution 02-2022.

In discussion, Trustee Howe questioned the accuracy of the street report and the condition of the streets detailed. Ms. Collins explained the report came from CDOT and that the HUTF funds are paid out by mileage, not condition of streets. Trustee Atkinson asked that when the Town completed its street survey, that data be shared to update this report.

**Roll Call Vote:** Voting 'aye' were Mayor Michael, Mayor Pro Tem Brown; and Trustees Atkinson, Howe and Udd; no Trustees voted 'nay.' Motion passed unanimously and Resolution 02-2022 was approved.

**Resolution 03-2022: Modifying the Surface Creek Saddle Club Utility Account:** The Resolution outlines charging the Surface Creek Saddle Club, a non-profit, a lesser amount on their utility account. The Saddle Club has a two-inch water line but historically uses water closer to that of a ¾-inch line. The Saddle Club also uses water typically only in the summer months and not year round.

Mayor Pro Tem Brown moved and Trustee Atkinson seconded to approve Resolution 03-2022.

**Roll Call Vote:** Voting 'aye' were Mayor Michael, Mayor Pro Tem Brown; and Trustees Atkinson, Howe and Udd; no Trustees voted 'nay.' Motion passed unanimously and Resolution 03-2022 was approved.

**Wage Scale:** Ms. Collins presented the updated Wage Scale. This scale has the addition of different levels of staff to more accurately reflect the current staff make up. Ms. Collins reiterated that there are funds available in the Budget to accommodate all current staff salaries at the proposed rates in the Wage Scale.

Trustee Howe moved and Mayor Pro Tem Brown seconded to approve the Wage Scale.

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

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

Trustee Atkinson asked for a Work Session specifically on the Golf Course; Ms. Collins said she has a course staff meeting planned for Jan. 11, and then part of the Work Session on Jan. 20 would be dedicated to course issues. Trustee Howe asked Ms. Collins if the Board could send her any comments or concerns about the course prior to the staff meeting; Ms. Collins said yes. Trustee Atkinson asked about the status of the Employee Handbook update; Ms. Collins replied that she and Finance Director Tammera Francis plan to work on it, but with their current workloads and fewer staff, the handbook was put on a lower priority. Ms. Collins said she hopes to get to that in February.

Mayor Pro Tem Brown questioned if the people currently building homes on the golf course were aware the course had operational deficits. She suggested the homeowners be surveyed. Ms. Collins asked if Mayor Pro Tem Brown's concerns could be discussed in conjunction with the upcoming golf course Work Session; Ms. Brown said yes.

Trustee Udd asked if the bid for the dewatering equipment had been sent out; Ms. Collins replied yes. Town Engineer Dan Quigley has sent it out, it was published in the Delta County Independent and Public Works staff had sent it out to contractors as well. Ms. Collins said there is a pre-bid meeting on Jan. 20 and bids are due Feb. 3. She said she hopes to present a contract award on the Board's Feb. 17 meeting. Trustee Udd asked about the Managed Services RFP; Ms. Collins said that had gone out and proposals were due by Jan. 14 so that the Board can award a contract at its Jan. 20<sup>th</sup> meeting. Trustee Udd asked about the codification project; Ms. Collins explained that, similar to the Employee Handbook, she hadn't had time to tackle that project due to fewer staff and several projects going. Trustee Udd asked about the progress of the Title 16 update; Trustee Atkinson, who sits on the Committee, explained they are reviewing another draft of the rewrite. The Committee will finalize the draft and send it to the Planning & Zoning Commission, which will hold a Public Hearing to gather comments. After that, the Title will be amended with any changes and then sent to the Board for final approval, hopefully at the March


17<sup>th</sup> meeting. Trustee Udd asked if Staff was reviewing the update; Ms. Collins replied that Public Works Director Jerry Young and Building Inspector Bruce Stanley will be asked to review it once the draft is complete.

Mayor Michael said she had attended the recent Planning & Zoning meeting, where Commissioners amended their bylaws to remove the Mayor and a Trustee as Ex-Officio members. Final approval of the bylaws must be approved by the Board; those will be on the Jan. 20<sup>th</sup> agenda.

Trustee Atkinson asked for an update on candidates for the election; Ms. Collins said only one person had picked up a candidate packet at that time, and that she had given one packet to someone who was considering running but who hadn't committed. She asked the Board and those in the audience to let their friends and neighbors know the election is coming up and to think of serving on the Board.

Trustee Atkinson moved and Trustee Udd seconded to adjourn the meeting; Mayor Michael adjourned the meeting at 8:12 p.m.

Respectfully Submitted,



Kami Collins

Town Clerk