

Town of Cedaredge Board of Trustees
Regular Meeting
Record of Proceedings
May 19, 2022

The Town Board of Trustees met for its Regular Meeting on May 19, 2022 at the Cedaredge Civic Center, 140 NW 2nd 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 Richard L. Udd called the meeting to order at 5 p.m. and led the Pledge of Allegiance.

Roll Call: Present in person were Mayor Udd; Trustees Jim Atkinson, Tracy Gist, Tim Hawbaker and Mick Murray; Town Administrator Kami Collins; and Town Clerk Amy Perkins. Absent was Trustee Dick Cartin.

Agenda Approval: Trustee Atkinson moved and Trustee Murray seconded to approve the agenda as presented.

Roll Call Vote: Voting 'aye' were Mayor Udd and Trustees Atkinson, Gist, Hawbaker and Murray; no Trustees voted 'nay.' Motion passed unanimously and the Agenda was approved.

Consent Agenda: Trustee Atkinson moved and Trustee Gist seconded to approve the Consent Agenda as presented (4a – 4h):

- a. Minutes: 5/5/2022 Regular Meeting
- b. Minutes: 5/12/2022 Special Meeting
- c. Double J Recycling MOU
- d. Cedaredge Community Garden Lease
- e. Sidewalk Service Area: Lost Mesa Grill
- f. Ratification: Letter of Support: Delta Health Foundation
- g. Disbursements: 4/2022
- h. Financial Statements 4/30/2022

Roll Call Vote: Voting 'aye' were Mayor Udd and Trustees Atkinson, Gist, Hawbaker and Murray; no Trustees voted 'nay.' Motion passed unanimously and the Consent Agenda was approved.

Swearing in of Town Clerk & Economic Development Coordinator Amy Perkins: Judge Bruce Joss swore in Amy Perkins as Town Clerk and Economic Development Coordinator.

Swearing in of Officer Derek Wagner: Judge Bruce Joss swore in Officer Derek Wagner.

Constituent Time: No constituents addressed the Board.

Proclamations

- a. **National Public Works Week:** Mayor Udd read the proclamation.
- b. **National Police Week:** Mayor Udd read the proclamation.
- c. **Mental Health Week:** Mayor Udd read the proclamation.

Community Organizations:

- a. **Cedaredge Community Garden Annual Update:** Dea Jacobson, Cedaredge Community Gardens Association President, gave the annual update to the Board. This is the 14th season for the association. The gardens are located at 290 SE Frontier Avenue. Ms. Jacobson shared that the garden includes: a total of 28 plots (10 x 10 ft.) which lease for \$40 each, heirloom apple trees, raspberries, cherries and blueberries. Ms. Jacobson shared that the association works closely with the Cedaredge Food Bank and contributed around 650 pounds of fresh produce last season. The Cedaredge Community Gardens is a 501c3 non-profit and is funded by sponsorships, grants, plot leases and a contribution from Delta County. Ms. Jacobson provided fliers with the garden's information for the Board and for public distribution at Town Hall.

Department Head Reports

- a. Public Works - Director Jerry Young submitted a written report.
- b. Police Department - Chief Dan Sanders was ill and unable to attend the meeting. He reached out to via text to Ms. Collins. Ms. Collins shared his report with the Board: the Cedaredge Police Department has plans in the works to begin the process of hiring a Sargent, the Police Department vehicle fleet is functional and performing well.
- c. Golf Shop Manager - Manager Atley Harris updated the Board in regards to the Golf Shop. The Friends of Cedaredge Tournament is coming up soon, and there are plans in the works to schedule more tournaments this summer. Memberships are up from last year at this time but play is currently slow due to weather. Trustee Gist inquired if merchandise sales have started for the season. Mr. Harris confirmed it started May 19, 2022. Ms. Collins added to the report a "thank you" to the thirteen volunteers from the Men's Club who helped with the aerification of the greens.
- d. Golf Course & Parks Superintendent - Superintendent Adam Conway submitted a written report.

- e. Town Administrator - Administrator Kami Collins updated the Board. Ms. Collins started with a thank you to the staff of Cedaredge for stepping up and filling in multiple roles during the interim process of hiring a new Town Clerk, Golf Pro Shop Manager and finalizing her position as Town Administrator. The Northridge Waterline Replacement Project will be funded by a loan from the State of Colorado, a \$750,000 grant from DOLA and a contribution from the Town of Cedaredge. DOLA has asked that the current application be withdrawn and resubmitted in August pending a formal commitment from the State of Colorado and completion of the engineering process, including easements that need to be submitted and a complete breakdown in the estimates of cost and time. Staff has complied with this request and is moving forward with the plan to re-submit in August 2022. Ms. Collins' final item addressed was the Golf Course Clubhouse and Restaurant. Ms. Collins stated there are multiple repairs needed including, plumbing issues, coolers, prep tables and most pressingly, electrical updates. The electrical system is overloaded and presents a safety issue. Staff recommends an inspection and report from Wilkins Electric to assist in formulating a plan to move forward. Staff also recommends a Strategic Planning session for the Golf Advisory Board to address the safety and maintenance concerns. Ms. Collins also noted that repairs for the restaurant are close to \$1,800 over budget at this point. General repairs budget for the Golf Course were budgeted for 2022 at \$80,000 and YTD cost are totaling around \$30,000.

Retail & Medical Marijuana License Amendments: PUR CannaBliss

- a. **Change of Entity Structure:** Ms. Collins gave a re-cap to the Board of the information included in the packet, summarizing the progress of PUR CannaBliss in their journey to open and leading up to the current issues/request at hand. Ms. Collins explained that she spoke with Agent Rachelle Redmond with the State's Marijuana Enforcement Division, and Ms. Collins said there appears to be concerns about the business at the State level as well as at the local level. Janice Prosser and Antyn Heatley spoke to the Board to address the concerns. The current changes to ownership would remove Steve Black (who, on the application, was listed as the top financial contributor to the company) and Marilyn Gist. The newly proposed ownership structure would be as follows: 35% Janice Prosser, 35% Antyn Heatley and 30% undisclosed private investors. Mayor Udd suggested, to the general agreement of the Board, a need for documentation of the financial status of the company to be provided to the Board, along with the complete ownership list. Mr. Heatley and Ms. Prosser were willing to provide financial documentation but stated that their investors have a Non-Disclosure Agreement and as such, they (PUR CannaBliss) cannot violate and disclose the names of said investors publicly.

Trustee Gist disclosed for the record that she is not involved in nor has any financial interest or conflict of interest in the business.

Trustee Hawbaker moved and Trustee Gist seconded to amend the Entity Structure of Grand Mesa Group dba PUR CannaBliss to remove Steve Black and Marilyn Gist.

Roll Call Vote: Voting 'aye' were Mayor Udd and Trustees Atkinson, Gist, Hawbaker and Murray; no Trustees voted 'nay.' Motion passed unanimously and the Entity Structure was amended.

In further discussion, the Board agreed to table the other requests pending more information from Ms. Prosser on the CDOT timeline. Trustee Hawbaker moved and Trustee Gist seconded to table the request to issue the license prior to the CDOT access permit and the request to hold off on paving the parking lot, pending both the financial statements and more information from Ms. Prosser on the CDOT timeline.

Roll Call Vote: Voting 'aye' were Mayor Udd and Trustees Atkinson, Gist, Hawbaker and Murray; no Trustees voted 'nay.' Motion passed unanimously and the items were tabled until June 2, 2022.

Treasurer's Report:

Mayor Udd submitted a written report. All cash balances have been reconciled with the financial statements. A written financial report was also submitted and prepared by Tammera Francis, Finance Director. With 33.3% of the year elapsed we have collected 22.4% of budgeted revenues and spent 17.6% of budgeted expenditures. Cash in Bank of Colorado general checking is \$414,552.23, cash in C-Safe Investment Pool is \$697.75, cash in ColoTrust General Investment Pool is \$295,4915.94, cash in Xpress Bill pay is \$43,587.83, and cash in Major Street Improvement reserved investment pool is \$602,776.93 at the end of April.

Boards, Committees & Commissions

- a. **Planning & Zoning Commission:** Chairman Skip Bertram addressed the Board and indicated favor of the appointments of Ardon Barnes and Macy Peterson to the Planning & Zoning Commission. Trustee Gist moved and Trustee Hawbaker seconded to seat Mr. Barnes and Ms. Peterson to the Planning & Zoning Commission.

Roll Call Vote: Voting 'aye' were Mayor Udd and Trustees Atkinson, Gist, Hawbaker and Murray; no Trustees voted 'nay.' Motion passed unanimously and the appointment of Ardon Banes and Marcy Peterson to the Planning & Zoning Commission was approved.

Process to Fill Board Vacancy:

There will be a Special Meeting May 24, 2022 5 pm at Cedaredge Civic Center to fill the vacancy on the Cedaredge Board of Trustees by appointment by the Board. This will include an introduction of each candidate and a question and answer session for the four applicants, and will be decided by individual ranking ballots with a total composite Score. The four applicants who submitted letters of interest by the due date were Al Brown, Cathy Brown, Kathy Hirschboeck and Charlie Howe.

Resolution 19-2022: Employee Wage Scale: The Resolution formally adopts the parameters outlined by the Board on implementation of the Wage Scale. In discussion, the Board discussed striking “not to exceed four percent (4%)” as that was not mentioned in the initial Board discussion. The Board also discussed adding “subject to Board approval” for COLA raises. At the request of Finance Director Francis, the Board amended the date of January 2 to say “the first pay period end in January.” Trustee Atkinson moved and Trustee Hawbaker seconded to approve Resolution 19-2022 with the changes.

Roll Call Vote: Voting ‘aye’ were Mayor Udd and Trustees Atkinson, Gist, Hawbaker and Murray; no Trustees voted ‘nay.’ Motion passed unanimously and Resolution 19-2022 was approved as amended.

Resolution 20-2022: Appointment of Officers: The Resolution outlines the requirement of the Board to appoint officers to carry on business of the Town. This resolution formally appoints Mayor Pro Tem Jim Atkinson and Treasurer Mick Murray. Trustee Hawbaker moved and Trustee Gist seconded to approve Resolution 20-2022.

Roll Call Vote: Voting ‘aye’ were Mayor Udd and Trustees Atkinson, Gist, Hawbaker and Murray; no Trustees voted ‘nay.’ Motion passed unanimously and Resolution 20-2022 was approved.

Resolution 21-2022: Appointment of Town Clerk: The Resolution formally appoints Amy Perkins as the permanent Town Clerk. Trustee Murray moved and Trustee Gist seconded to approve Resolution 20-2022.

Roll Call Vote: Voting ‘aye’ were Mayor Udd; Mayor Pro Tem Atkinson; and Trustees Gist, Hawbaker and Murray; no Trustees voted ‘nay.’ Motion passed unanimously and Resolution 21-2022 was approved.

Resolution 22-2022: Financial Signers: The Resolution formally authorizes Financial Signers as follows: Kami Collins, Town Administrator; Amy Perkins, Town Clerk & Economic Development Coordinator; Richard L. Udd, Mayor; and Mick Murray, Treasurer/Trustee. Mayor

Pro Tem Atkinson moved and Trustee Gist seconded to approve the Resolution with the amendments of the correct names on the Mayor and Clerk signature lines.

Roll Call Vote: Voting 'aye' were Mayor Udd; Mayor Pro Tem Atkinson; and Trustees Gist, Hawbaker and Murray; no Trustees voted 'nay.' Motion passed unanimously and Resolution 22-2022 was approved.

Resolution 23-2022: Appropriating Additional Sums of Money to the Conservation Trust Fund: The Resolution formally resolves that the Conservation Trust Fund Expenditure appropriations be increased by \$500 from \$1,000 to \$1,500 for the Cedaredge Community Garden (71-490-400), due to Delta County allocating additional funds to the Garden. Mayor Pro Tem Atkinson moved and Trustee Murray seconded to approve Resolution 23-2022.

Roll Call Vote: Voting 'aye' were Mayor Udd; Mayor Pro Tem Atkinson; and Trustees Gist, Hawbaker and Murray; no Trustees voted 'nay.' Motion passed unanimously and Resolution 23-2022 was approved.

Committee Assignments: The Board discussed Committee assignments as follows;

- Delta County Juvenile Division: Chief Sanders
- Gunnison River Basin Round Table: Mayor Udd
- Planning & Zoning Commission: Trustee Cartin and Mayor Pro Tem Atkinson
- Mayor Pro Tem: Trustee Atkinson
- Personnel Liaison: Trustee Gist
- Treasurer: Trustee Murray
- Cedaredge Economic Development: Trustee Murray
- Recreation Advisory Committee: Trustees Gist and Cartin
- Golf Advisory Committee: Trustee Cartin and Mayor Pro Tem Atkinson

Additional Committee Assignments will be made once the seventh Trustee seat is appointed. A motion to accept the committee assignments as set was properly moved by Trustee Murray and seconded by Trustee Hawbaker.

Roll Call Vote: Voting 'aye' were Mayor Udd; Mayor Pro Tem Atkinson; and Trustees Gist, Hawbaker and Murray; no Trustees voted 'nay.' Motion passed unanimously and Committee Assignments were approved.

Employment Agreement: Town Administrator Kami Collins: The Board reviewed the Employment Agreement for Town Administrator Kami Collins.

A motion to accept the Employment Agreement was properly moved by Trustee Murray and seconded by Mayor Pro Tem Atkinson.

Roll Call Vote: Voting 'aye' were Mayor Udd; Mayor Pro Tem Atkinson; and Trustees Gist, Hawbaker and Murray; no Trustees voted 'nay.' Motion passed unanimously and the Employment Agreement for Town Administrator Kami Collins was approved.

Upcoming Meetings & Events: Mayor Udd announced the following upcoming meetings and events:

- a. Monday, May 23, 10 am: Cedaredge High School Class of 2022 Graduation
- b. Tuesday, May 24, 5 pm : Special Meeting of the Board
- c. Town Offices Closed; Monday, May 30, for memorial Day
- d. Wednesday, June 1, 1pm: BOPT Tour of water/Wastewater Plants
- e. Thursday, June 2, 5pm; BOT Meeting/ Work Session

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

The Board recapped the meeting and a small discussion followed. Trustee Gist commented the Board had made lots of progress during the meeting. Trustee Murray voiced concerns about PUR CannaBliss and asked Town Administrator Kami Collins to follow up with Attorney Viner and the State of Colorado in regards to the regulations about Non-Disclosure Agreement and medical marijuana samples. Ms. Collins said she would do so. All Trustees agreed the Community Gardens are a positive component to the Town.

Trustee Murray moved and Trustee Gist seconded to adjourn the meeting; Mayor Udd adjourned the meeting at 7:38 p.m.

Respectfully Submitted,



Kami Collins

Town Administrator

On Behalf of Amy Perkins