



Board of Trustees
Special Meeting
Thursday, February 2, 2023, 5:00 p.m.

Call to Order & Pledge of Allegiance: Mayor Udd called the meeting to order at 5:00 pm.

Roll Call: Present were Mayor Richard Udd; Mayor Pro Tem Jim Atkinson; Trustee Tracy Gist, Trustee Greg Hart, Trustee Tim Hawbaker, Trustee Kathy Hirschboeck, and Trustee Mick Murray; Attorney Bo Nerlin; Town Administrator Kami Collins; and Town Clerk Jess Shelton are also in attendance

Agenda Approval: Mayor Pro Tem Atkinson moved, and Trustee Hirschboeck seconded to approve the agenda as presented. Voting 'aye' were Mayor Udd; Mayor Pro Tem Atkinson; and Trustees Murray, Gist, Hawbaker, Hirschboeck and Hart; no Trustees voted 'nay.' Motion passed unanimously and agenda was approved as presented.

Review of Codification of Municipal Code Chapter 11: Retail and Medical Marijuana Regulations: Attorney Bo Nerlin lead discussion on what the changes to Title 11 were. There were spelling and grammar errors that the Board directed to have corrected, however listed below are the changes to the code itself.

Mayor Udd stated that the point and weight form used in the marijuana application needed to be updated. TA Collins asked the Board if they would like amendments to the point and weight worksheet, and the Board agreed that it also needed to be updated.

Mayor Pro Tem Atkinson stated that the percentage of ownership of anyone who owns 10% or more must be disclosed on the application, and not to leave it at the current 25%.

Mayor Udd stated that the marijuana license cap clause should state that there be up to 4 licenses not to exceed 2 retail and 2 medical licenses. Attorney Nerlin stated that the code could be clarified to be co-located centers and not 4 stand-alone stores. Then if someone wanted a third location because there is not any medical, a third license location could be possible.

TA Collins stated that in section 11.01.040c Attorney Nerlin took out MU-R zoning.

The Board agreed to leave the current operating hours 9 am – 9 pm for marijuana stores.

Discussions about the delivery services were had. The Board stated that the delivery services section of the code should be removed; section 11.01.050 B and other portions of the code relating to delivery. The Board discussed that the area for delivery was too small and therefore cost prohibitive.

Discussions were held on the topic of site plans. Mayor Pro Tem Atkinson stated that having a site plan was useful when the applications were coming in.

Mayor Pro Tem Atkinson stated that he would like to still see traffic studies included in the application process. He stated that he was concerned about CDOT approval of the ingress and egress, since that was an issue at prior sites. Attorney Nerlin stated that the Board should look at putting the language traffic analysis in the code, and in this analysis, there should be consideration of recreational vehicles.

Mayor Udd stated that he would like to see financial and business plans include the available funds that the applicants have.

Attorney Nerlin stated that section 11.02.20 E was modified to better align expiration dates for the state and local licensing agencies.

Attorney Nerlin discussed that page 14 had information on the suspension and revocation of licenses.

Attorney Nerlin stated that he would make the noted changes to Title 11 and bring it back to the Board at a later time.

Enterprise Zone Tax Contribution:

TA Collins stated that Region 10 had already approved Applefest as an event that this would support. The Board approved having staff proceed with the application. Trustee Murray moved and Trustee Gist seconded to approve staff to apply for the EZ tax credit. Voting 'aye' were Mayor Udd; Mayor Pro Tem Atkinson; and Trustees Murray, Gist, Hawbaker, Hirschboeck and Hart; no Trustees voted 'nay.' Motion passed unanimously.

Updated Managers Report: TA Collins stated that there had been a few updates since the Board last met, but her report was verbal this time and not written. TA Collins stated that she spoke with a representative for the Chipmunk project and discussed offering both money and water shares in the negotiation.

TA Collins stated that she would be putting a housing contract together for the Board to review, so that the apartment can be rented out. TA Collins stated that the money raised from the rental of the apartment as an Air B & B, go into the fund to renovate the civic center for the new Town Hall, in an effort to get staff under one roof. Trustee Hirschboeck stated that TA Collins needs to bring back a business plan. TA Collins stated that she would bring numbers back at the next regular meeting.

Trustee Murray stated that TA Collins had received her master's degree and congratulated her on a job well done.

Mayor Udd stated that he would take constituent comments.

Constituent Time

Cordell Chapman: address 1170 SE Fairway Drive Cedaredge, CO 81413. Mr. Chapman stated that he did not agree with the Northridge project. He stated that he sees no point in throwing fuel on a mistake and that the Town mismanaged. Mr. Chapman stated that the Northridge project would hurt the GID process, and the Town needed to fix that mistake.

Executive Session

- a. Pursuant to C.R.S. 24-6-402 (4)(e): *for the matters subject to negotiation regarding the Northridge Subdivision and water line upgrade.*
Topic: Northridge Subdivision water line upgrade

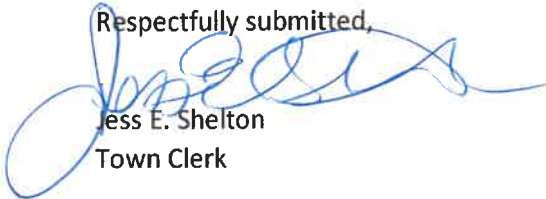
Trustee Murray moved and Mayor Pro Tem Atkinson seconded to move into executive session. Voting 'aye' were Mayor Udd; Mayor Pro Tem Atkinson; and Trustees Murray, Gist, Hawbaker, Hirschboeck and Hart; no Trustees voted 'nay.' Motion passed unanimously and the Board entered the Executive Session at 6:37 pm.

Reconvene Special Meeting

The Board reconvened the Special Meeting at 7:53 pm.

Adjourn: Trustee Hirschboeck moved to adjourn the meeting; the meeting adjourned at 7:54 pm.

Respectfully submitted,



Jess E. Shelton
Town Clerk