



Board of Trustees
REGULAR MEETING
Thursday, June 15, 2023, 5 p.m.

Call to Order & Pledge of Allegiance: Mayor Udd called the meeting to order at 5:00 p.m. and led the Pledge of Allegiance.

Mayor Udd stated that former Mayor Ray Hanson's wife Sandy Hanson passed away last week and held a moment of silence.

Roll Call: Present were Mayor Richard Udd; Mayor Pro Tem Jim Atkinson; Tracy Gist, Trustees Greg Hart, Kathy Hirschboeck, Mick Murray, and Tim Hawbaker; Town Administrator Kami Collins and Town Clerk Jess Shelton.

Agenda Approval: Mayor Udd stated that the OB Promotions was purchasing the ball machine for the golf course so item 11 would be removed from the agenda. TA Collins stated the Town would need to purchase the ball machine so there would be a warranty. Mayor Udd stated OB Promotions would hold onto the warranty for the duration of the warranty, should anything happen to the ball machine. TA Collins asked Mayor Udd to get that in writing, since warranties are not transferable.

Trustee Hart stated there should be a second constituent time at the end of the meeting to allow for additional thoughts before the Trustee Comments, moving forward.

Mayor Pro Tem Atkinson moved, and Trustee Hawbaker seconded to approve the agenda with the removal of item 11 and an addition of a second constituent time. All voted 'aye,' no one voted 'nay,' the motion passed unanimously, and the agenda was approved with the two amendments.

Consent Agenda

- a. Minutes: 5/18/2023 Regular Meeting
- b. Minutes: 6/1/2023 Public Hearing
- c. Financial Report: 05/31/2023
- d. Disbursements: 05/2023
- e. Ratification: Letter of Support: City of Delta Business Innovation Grant.

Trustee Hart moved, and Mayor Pro Tem Atkinson seconded to approve the consent agenda. All voted 'aye,' no one voted 'nay,' the motion passed unanimously, and the consent agenda was approved.

Constituent Time

- 1) Justin Hoffbauer: 115 NE Fir Ave. Cedaredge, Colorado. Mr. Hoffbauer stated the 5 p.m. meeting times were hard to get to, especially for those in construction, and suggested a later meeting time.

2022 Audit & Annual Comprehensive Financial Report – Brian Blair, Blair & Associates P.C.

Brian Blair gave the financial report on the 2022 audit. Mr. Blair thanked staff for their help with the audit; stated that the audit went well and presented the report to the Board. Mr. Blair stated none of the Town budgets were overspent. All funds came in at a healthy level.

Mayor Udd asked Mr. Blair for a reserve study. Mr. Blair stated their firm does not do those, but he would give TA Collins recommendations.

Marijuana (Medical & Retail) License Renewal: Grand Mesa Group dba PUR CannaBliss

a. Ownership Change Request made by Janice Prosser.

Mayor Udd stated the Town Code said there cannot be a change in ownership for two years, per code section 11.02.060(b) and 11.02.080(b). The Board of Trustees waive the requirements that no change can be made for two years and state that the fees for the change in ownership must be paid. Mayor Udd stated there will still need to be a hearing and the fees for changing the ownership must be paid per section 11.02.080(c). TA Collins stated Ms. Prosser paid the fees already, so the Board would need to approve a refund of fees to Ms. Prosser. Attorney Moriarty for PUR CannaBliss stated they will refund Ms. Prosser the fees she paid for her removal of ownership. Ms. Prosser stated the company has delayed her removal and incurred violations that Ms. Prosser must pay for. Mayor Udd stated Ms. Prosser can come back in two weeks and set up a special meeting to have her removed.

Attorney Nerlin stated there was a dispute between owners consistently for PUR CannaBliss. Attorney Nerlin stated once there was a solution between the parties, then they could come back to the Board.

Mayor Pro Tem Atkinson moved, and Trustee Hirschboeck seconded to deny the change of ownership request. All voted 'aye,' no one voted 'nay,' the motion passed unanimously, and the change of ownership request was denied.

b. Renewal of Retail and Medical Licenses

Mayor Pro Tem Atkinson moved, and Trustee Murray seconded to administratively continue the renewal of the license for PUR CannaBliss until such time the State of Colorado has completed all their investigations and has stated their recommendations, for both the Retail and Medical Marijuana Licenses. The licenses must be renewed or denied by the State before PUR CannaBliss comes back to the Board for their local renewal. Once the State has made their recommendations, then the Town will make their determination. All voted 'aye,' no one voted 'nay,' the motion passed unanimously, and the renewal of the Retail and Medical Licenses was approved to be administratively extended.

Mayor Udd amended the motion to state the Board would readdress the issue a minimum of 30 days after the completion of the State investigation and then the renewal would be placed at the next scheduled meeting following that completion date. PUR CannaBliss will then be able to come in front of the Board for consideration of their license renewals for both Medical and Retail Marijuana. All voted 'aye,' no one voted 'nay,' the amended motion passed unanimously, and the renewal of the Retail and Medical Licenses was approved to be administratively extended with date restrictions for the renewal hearing to be held.

Financials:

a. Treasurer's Report – Trustee & Treasurer Mick Murray. Trustee Murray submitted a written report.

b. 2022 Audit & Comprehensive Annual Financial Report

Mayor Pro Tem Atkinson moved, and Trustee Murray seconded to table the 2022 Audit and Comprehensive Annual Financial Report until the July 20 regular meeting. All voted 'aye,' no one voted 'nay,' the motion passed unanimously, and the 2022 Audit and Comprehensive Annual Financial Report was tabled until the July 20 regular meeting.

c. Financial Statements: December 31, 2022, Period 14

Mayor Pro Tem Atkinson moved, and Trustee Murray seconded to table the Period 14 Financial Statements. All voted 'aye,' no one voted 'nay,' the motion passed unanimously, and Period 14 Financial Statements were tabled until the July 20 regular meeting.

Management Report: TA Collins gave a written report to the Board.

- The Board has requested another tour of the Food Bank to be rescheduled since so many Trustees missed the last tour.
- Mayor Pro Tem Atkinson stated he would like to see how the numbers for the Golf Course related to the budget.

Trustee Hart moved, and Trustee Murray seconded to approve the purchase of eight new laptops for the Board of Trustees and the Staff Computer used to run the meetings, not to exceed \$5,000.

Trustee Murray moved, and Trustee Hart seconded to amend the motion to state not to exceed \$6,500 for the purchase of the laptops. All voted 'aye,' no one voted 'nay,' the motion passed unanimously, and the purchase of new computers for the Board of Trustees and the Staff Computer used to run the meetings was approved.

Trustee Hart moved, and Trustee Murray seconded to approve the IT company to purchase standard Microsoft licenses for each of the computers. That will increase the monthly cost by \$7.20 per license per month, (approximately \$605 per year). The new license would include One Drive for the Trustee computers. All voted 'aye,' no one voted 'nay,' the motion passed unanimously, and the purchase of the Microsoft Licenses to include One Drive for Trustee computers was approved.

- Trustees have asked to have TA Collins schedule training with IT, so they can learn how to use the computer programs.
- Mayor Udd stated CIRSA now offers coverage for the Golf Course. There is a new roll-out from CIRSA that will cover the Golf Course, but CIRSA will be sending more information out. The Board asked TA Collins to ask CIRSA about retro coverage, in hopes of having the software for the irrigation system replaced.
- Mayor Udd asked when the Surface Creek North trail would be open, and TA Collins stated her, and PW Director Young were watching water levels.

One Delta County: An Economic Alliance Director's Report. There was a written report in the packet for the Board to read, since the Town pays into that account.

Bid Award: Northridge Water Systems Improvements Project- Materials Only

Mayor Pro Tem Atkinson moved, and Trustee Hirschboeck seconded to approve the bid award for the Northridge Water Systems materials only contract to Core and Main and to add line item 14 back into the bid tabulation. This would make Ferguson Waterwork's bid non-compliant, as they did not bid line item 14. All voted 'aye,' no one voted 'nay,' the motion passed unanimously, and the bid award for the Northridge Water Systems materials only contract was approved for Core and Main.

Contract: Robyn Funk Grant Writing Services

Trustee Murray moved, and Trustee Gist seconded to approve the Robyn Funk Grant Writing Services contract. All voted 'aye,' no one voted 'nay,' the motion passed unanimously, and the Robyn Funk Grant Writing Services contract was approved.

Resolution 04-2023 Amended: 2023 Golf Fees

Trustee Murray moved, and Trustee Hart seconded to approve Resolution 04-2023 amending the 2023 Golf Fees with the addition that the TA can administratively amend fees temporarily for events, promotions, or

circumstances where necessary. All voted 'aye,' except for Mayor Pro Tem Atkinson who voted 'nay,' the motion passed, and Resolution 04-2023 was approved.

Resolution 10-2023: 2nd Quarter Budget Amendment

Trustee Murray moved, and Trustee Gist seconded to approve Resolution 10-2023; 2nd Quarter Budget Amendment of \$16,000. All voted 'aye,' no one voted 'nay,' the motion passed unanimously, and Resolution 10-2023 was approved.

Ordinance 2023-04: Amending Title 13 of the Cedaredge Municipal Code

Trustee Hart moved, and Trustee Murray seconded to approve Ordinance 2023-04 Amending Title 13 of the Cedaredge Municipal Code. All voted 'aye,' no one voted 'nay,' the motion passed unanimously, and Ordinance 2023-04 was approved.

Trustee Hart stated there were cosmetic issues, and TA Collins stated staff would clean it up.

Boards, Committees & Commissions

- a. Planning & Zoning Commission
 - i. Appointment of Terry Jarbo

Board Liaison Trustee Gist gave a report on the meeting from Planning and Zoning.

Trustee Gist moved, and Trustee Murray seconded to approve the appointment of Terry Jarbo to the Planning and Zoning Commission. Trustee Hawbaker overrode the motion on the floor with a motion to table.

- Mayor Udd stated he desired to staff the Planning and Zoning with those who have experience with land use codes. Mayor Udd asked the board to deny Terry Jarbo's appointment. TA Collins reminded the Board they directed staff to seek individuals with experience. Mayor Udd stated he wanted Trustee comments, and he wanted people on the Commission who have working experience with land use codes.
- Trustee Hirschboeck asked how it would impact Planning and Zoning if Mr. Jarbo was not seated tonight. Mayor Udd stated the Board would wait to find the right person. Mayor Pro Tem Atkinson stated if there was a vacancy on Planning and Zoning, it could leave an even vote. Mayor Pro Tem Atkinson stated he would vote against the appointment of Terry Jarbo.

Trustee Hawbaker moved, and Trustee Hart seconded, to table the appointment of Commissioner Jarbo and ask for more letters of interest. All voted 'aye,' no one voted 'nay,' the motion was tabled unanimously, and more applicants will be encouraged to submit letters of intent for the Planning and Zoning Commission.

Mosquito Abatement

Mosquito Trapping: Mayor Udd has requested to be reimbursed for the money he has spent on mosquito traps thus far and the expenses that will continue with the four traps and advertising.

Mayor Pro Tem Atkinson moved, and Trustee Hawbaker seconded to approve mosquito trapping and the related expenses for supplies, reimbursement of Mayor Udd and advertising. All voted 'aye,' no one voted 'nay,' the motion passed unanimously, and mosquito trapping, reimbursement and advertising were approved.

Additional Constituent Time:

- Attorney Moriarty thanked the Board. Mayor Udd stated he wants to have PUR CannaBliss back in front of the Board within a couple of weeks. Trustee Murray asked to have a fully executed shareholders agreement at such time. Mayor Udd thanked attorney Moriarty for the memo he provided to the Board.

Trustee Comments

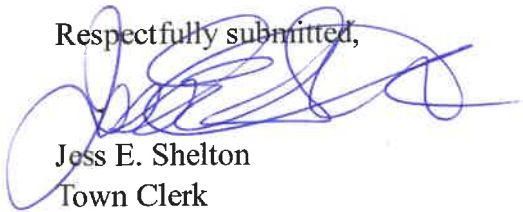
- Mayor Udd stated the meeting must be noticed within 24 hours, and he wants to change to having the packet out 72 hours in advance of a scheduled meeting. Mayor stated he wanted that requirement added to the Town Code.
- Trustee Hirschboeck stated the notice provision for meetings did not apply to the sunshine law.
- Attorney Nerlin stated TA Collins asked to have information to her so the packet can go out Monday before the meeting.
- Mayor Udd stated he told the Golf Advisory Board to give a presentation at the work session on July 6. Mayor Udd stated he did not want to wait until July 20.
- Mayor Udd and Trustee Hart will not be in person at the July 20 meeting, but they will try to attend via zoom.
- Mayor Udd stated he liked the Golf Course sales, but he also wanted to see the budget for the Golf Course.
- Mayor Pro Tem Atkinson stated the Golf Advisory Board (GAB) was meeting on the 20th and the GAB needs to be engaged and involved. Mayor Pro Tem Atkinson stated the GAB needed to work with TA Collins.
- Trustee Gist wanted to make it clear that GAB advises Pro Howe and does not direct Pro Howe, since that was TA Collins's position.
- Trustee Hirschboeck stated she would like Pro Howe to give the Board direction on the Golf Course.
- Trustee Hart stated the wage scale work was 99% completed, but he had a little more tweaking to do. Trustee Hart stated there needed to be a workshop scheduled and that he did not want to push it back to August.
- Trustee Hawbaker asked about Food Trucks and what the regulations were. TA Collins stated there was not a current policy on Food Trucks.
- Trustee Hirschboeck asked the status of the wayfinding signs. TA Collins stated she was reaching out to Bud Signs about them. Trustee Hirschboeck also thanked staff for being proactive on the flooding.
- Mayor Pro Tem Atkinson asked what kind of signs were being put in. TA Collins stated the signs were the ones in the wayfinding book, however the blue will be a lighter blue and the text will be larger and more reflective at night.

Upcoming Events & Meetings

- Golf Course Advisory Board Regular Meeting June 20th at 5 p.m.
- Celebrate Cedaredge Event Saturday, July 1 - all day.
- Work Session and Water and Wastewater Rate Study Public Presentation July 6 at 5 p.m.

Adjourn: Mayor adjourned the meeting at 7:50 p.m.

Respectfully submitted,



Jess E. Shelton
Town Clerk