

Town of Cedaredge Board of Trustees
Regular Meeting
Record of Proceedings
September 17, 2020

The Town Board of Trustees met for its Regular Meeting on September 17, 2020 in the Dining Hall of the Cedaredge Civic Center, 140 NW 2nd Street, Cedaredge, Colorado, with a virtual option available via Zoom webinar. A 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 Raymond F. Hanson called the meeting to order at 5:01 pm and led the Pledge of Allegiance.

Roll Call: Present in person were Mayor Raymond F. Hanson; Mayor Pro Tem Patti Michael; Trustees James Atkinson, Cathy Brown, Charlie Howe, Richard L. Udd and Heidi Weissner; Town Administrator Greg Brinck; and Town Clerk Kami Collins.

Agenda Approval: Mayor Pro Tem Michael moved and Trustee Weissner seconded to approve the agenda as presented.

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.

Consent Agenda: Mayor Pro Tem Michael moved and Trustee Udd seconded to approve the consent agenda (4a through 4e):

- a. Minutes: 8/20/2020 Regular Meeting
- b. Minutes: 8/27/2020 Special Meeting
- c. Minutes: 9/1/2020 Special Meeting
- d. Financial Report: 8/31/2020
- e. Disbursements: 8/2020

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.

Presentation to outgoing Board: Mayor Hanson presented gifts of appreciation to former board members Gene Welch, Al Smith, Dayton Myers and Bob Michael.

Constituent Time: Steve Pierce, 1525 SE Stonebridge, asked the Board if it was true that in the past the Town has refused money from the school district to offset the cost of a school resource officer. He said if the funds are available again, he would encourage the Board to consider accepting the money. Chief Roberts said he spoke to Superintendent Caryn Gibson, who said that due to budget cuts in 2021, the school district will not offer that partial funding next year.

Delta County Health Department – Greg Rajnowski: Mr. Rajnowski spoke to the Board about COVID in Delta County. The case count overall remains low compared to the total population; Mr. Rajnowski reiterated safety practices to keep the community safe, including wearing a mask, social distancing and hand-washing. Mr. Rajnowski said the County's response to COVID is not politically motivated. He said businesses in the Surface Creek are doing well with compliance, but that the business community needs help from the community to take additional steps to prevent COVID. He said we cannot enforce our way out of COVID, but he proposed to offer incentives to those businesses that are doing well. Mr. Rajnowski said there are some civil or criminal charges connected to some of Gov. Polis' executive orders and public health orders, but the Delta County Commissioners have indicated they do not want health department staff to enforce the mask mandate in businesses. Overall, however, the Health Department is seeing good compliance from the Cedaredge area, he said.

Trustee Weissner asked Mr. Rajnowski some questions on the COVID dashboard. Trustee Udd asked what happens if cases in the County rise to the levels indicated on the dashboard; Mr. Rajnowski said the County and the State would start shutting down public places until the community spread is under control. Trustee Weissner said the County seems hesitant to share information on the case count, citing HIPPA. Trustee Weissner suggested the Health Department could share more information with the community; Mr. Rajnowski said the County follows the State's recommended guidelines for information sharing. He said the County strives to keep the information high enough level to protect the person's private medical and health information. He said the County is seeing the most cases pop up in family gatherings or at work.

Trustee Udd said he understood the incentives for a business, but asked how we can work to incentivize cooperation from individuals. Mr. Rajnowski suggested there isn't a way to incentivize individuals, but a better method is to educate about the issue and to enforce wearing masks. Mayor Pro Tem Michael asked how employees can handle antagonistic customers; Mr. Rajnowski suggested to reach out to local law enforcement if the customer refuses to leave.

Agreement: DOWL: Mayor Pro Tem Michael moved to table the DOWL agreement to the October meeting; Trustee Atkinson seconded. Dan Quigley with DOWL was in attendance and gave a brief introduction to his company. Trustee Udd indicated the Board is interested in moving forward on a dewatering facility.

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.

Department Reports:

- a. Public Works – Public Works Director Jerry Young submitted a written report. Mayor Hanson suggested that with the new park playground equipment, specifically the new wheelchair-accessible swings, the ground will need to be firmer, instead of wood chips, to allow a child in a wheelchair to access the swing.

- b. Golf Course Pro – Pro Ira Kramer submitted a written report. Mr. Kramer thanked the OB Promotions group for helping the golf course purchase unbudgeted equipment for the course.
- c. Golf Course Superintendent – Superintendent Adam Conway submitted a written report. Trustee Atkinson asked for clarification on staffing; Mr. Conway’s report stated that with the school kids going back to school, the course is short staffed. Trustee Atkinson suggested, and Trustee Howe agreed, that perhaps the course should look at hiring fewer students and hiring people who can work longer in the year. Trustee Howe also suggested that supervision of students also takes more time than a non-student employee. Trustee Atkinson said the bottle filling station that was installed was not the one that was wanted by the golfers. Mr. Brinck said the filling station was selected by staff to be the best for course operations, so an outdoor filling station was purchased.
- d. Police Department – Chief Joe Roberts submitted a written report. In addition to his written report, Chief Roberts said he plans to go to Cedaredge Middle School next week to work on an active shooter training drill; he and the officers are working to visit all schools. Mayor Pro Tem Michael asked if the department has received good applications for the open position; Chief Roberts said only one applicant was certified and that had law enforcement experience. Trustee Howe asked for clarification on Chief’s report on “pending” cases; Chief explained the cases were marked pending because either fines hadn’t been paid or moved through the municipal court process. Trustee Weissner asked if the “Chats with the Chief” would continue; Chief said moving forward he will do the chats on a monthly basis.
- e. Administration – Administrator Greg Brinck noted that merit raises were placed on hold earlier this spring due to the lack of a financial forecast due to COVID, but those raises were paid out in September, so the Board would see that reflected in the September financials.
- f. Economic Development/Town Clerk – Kami Collins submitted a written report.

Financial:

- a. **Treasurer Report:** Trustee Richard L. Udd submitted a written report. With two-thirds of the year elapsed, we have collected 76 percent of planned revenues and spent 55.3 percent of budgeted expenditures. Sales and use taxes collected in June and booked in August were up 29 percent from 2019 total sales and use taxes collected year to date are up 34 percent from budget. There has been a larger number of new building starts for the year than anticipated and use taxes are up 42.1 percent from last year. While it appears the sales tax revenue may be returning to a more typical income stream, Treasurer Udd said he expects the Town will finish the year with revenues exceeding plan. Operating supplies are up slightly due to COVID-19 personal protective equipment, but the Town expects to recover these costs from the CARES act before the end of the year.

Resolution 18-2020: Golf Course Fund Loan: The Resolution forgives a loan to the Golf Course Fund from the General Fund for \$35,000. Trustee Weissner moved and Trustee Howe seconded to approve Resolution 18-2020.

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 18-2020 was approved.

Resolution 19-2020: Appropriation of Additional Sums of Money to the General Fund: The Resolution increases the General Fund appropriations by \$11,000 in order to purchase the Colorado IBR software for use in the Police Department for the state-mandated National Incident-Based Reporting System. Trustee Howe moved and Mayor Pro Tem Michael seconded to approve Resolution 19-2020.

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 19-2020 was approved.

Sidewalk Service Areas: Town Administrator Brinck said the State Liquor Enforcement Division allowed sidewalk service areas prior to COVID, so we would be well within our authority to allow sidewalk service areas on a permanent basis. The Board directed staff to work on making sidewalk service areas permanent.

Business Licensing: At the suggestion of Town Attorney Carol Viner, the business licensing code needs updating. Town Clerk Collins asked the Board to direct staff on four areas in the code revision: licensing out of town businesses; licensing nonprofits; implementing a late fee; and charging liquor license holders. The Board gave direction and staff will come back to the Board with a proposed code revision.

Employee Retirement Transition Program: Town Administrator Brinck asked the Board for input on revising the program and asked the Board to direct staff on several points of the program, including the length of time an employee can be enrolled; the ability to pay out accrued PTO; and removing the ability for department heads to enroll in the program. The Board indicated they would like to explore a cost share for the employee's health care, instead of the Town covering it in full, and moving towards a model where Administration invites an employee to participate, instead of an employee enrolling. Staff will come back to the Board with an updated proposed program model. The Board indicated that the one employee who has already submitted a letter of interest to enroll in the program should be grandfathered in.

Trustee Comments: Mayor Hanson mentioned a letter received from James Ayers, and a response letter from Attorney Viner. Mayor Hanson noted he will speak with Attorney Viner about potentially recovering legal fees from Mr. Ayers. Mayor Pro Tem Michael noted she would like a personal apology from Mr. Ayers. Trustee Weissner asked Mayor Hanson to ask Attorney Viner about the ability to bring criminal charges against Mr. Ayers for defamation. Trustee Udd said he was inclined to drop the issue; Trustee Brown agreed.

Trustee Howe noted that at Devil's Thumb Golf Course has signs on their carts that say "no outside alcohol allowed" and suggested our course do something similar.

Mayor Hanson adjourned the meeting at 7:29 pm.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Kami Collins". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kami Collins
Town Clerk