

**Town of Sedgwick
Record of Proceedings
January 13th, 2020**

Members Present: Wayne Price, Jeanie Tarver, Peggy Owens, Dale Jones, Danny Smith (Gena Kinoshita was called in by phone on one item)

Employees Present: Heather Moore, Richard Kehm

Call to Order: The Town Board met in regular session. A quorum was verified, and the meeting was called to order at 6:00 pm by the Mayor, Wayne Price.

Roll Call

Gena Kinoshita	(on Conference)	Troy Kinoshita	Absent
Peggy Owens	Here	Danny Smith	Here
Jeanie Tarver	Here	Dale Jones	Here

Approval of Agenda

Motion: Approval of Agenda

Danny Smith made a motion to approve the Agenda with the correction of the date, Jeanie Tarver seconded, all in favor; none opposed, motion carried

Approval of Minutes

- No changes on the December 9th, 2019 minutes.

Motion: Approve the minutes

Jeanie Tarver made a motion to approve the minutes of December 9th, Danny Smith seconded, all in favor; none opposed, motion carried

Bills (Published in Julesburg Advocate)

- One bill description was requested and given.

Motion: Bills Roll Call Vote

Peggy Owens made a motion to pay the bills, Jeanie Tarver seconded. (Roll call vote – All Voted for, None Against) motion carried

Public Comments – reminded they will have 3mins.

- none

Town Maintenance Report- Richard Kehm –

- Trimming Trees
- Repaired 4 water meters
- Parts have been ordered for wire repairs to meters
- Lift station maintenance repairs, expenses are increasing due to unusual debris that doesn't belong in the sewer system, may need to look at the current sewer base and consider an increase if this continues.
- Will be ordering a new ladder for the lift station
- Trash truck needs repaired, will take it to Mericks

Clerk's Office - Heather Moore

- Worked on Nomination packets for the coming election
- Created the applications and process for open retail marijuana store licenses
- One application has been received, sent them additional items needed request
- Worked with Melinda on the Ordinances that are presented tonight
- Created a Spreadsheet to track our budget and spending
- Archived and purged to get ready for the 2020 year
- Accounts receivables research has been done
- Electrician is coming to look at the breakers to the lift station, I have also asked Dennis Miller to give us an estimate as to what he will charge us to come once a month to clean out the lift station, until we can get the engineers to evaluate and make recommendations.

Old Business – None**Public Hearing Started at 6:15pm – Zoning Hearing for Mobile Home Conditional Use at 4 Miles Ave.**

- **Request to the Public for input or questions**
 - None
- One board new board member asked why in the past someone was completely denied.
 - Answer explained this is a new Ordinance with standards.
- Application and photos were reviewed by the board.
- Application added the needed upgrades that were in addition to the applicants plans, made by Wayne Price.

Motion: Conditional Use Permit

Jeanie Tarver made a motion to accept the application for a Conditional Use Permit on a mobile home on 4 Miles Ave, with the changed discussed during the Hearing on the application, Danny Smith seconded. – all were in favor -- motion carried.

Public Hearing Adjourned:

Regular meeting continued at 6:25pm

New Business

- **Dale Jones**
 - Requesting that Town Employees get taken care of before Donations. Feels the Town employees should receive a yearend bonus for all their hard work.
 - A motion to table this was made but no one seconded, deliberation continued
 - After discussions it was decided to give 2% of their gross pay. (retroactive)

Motion: Yearend Bonus

Danny Smith made a motion to give 2% of Gross Wages to Employees for end of year Bonus Retroactive, Dale Jones seconded – (Roll call vote – All Voted for, None Against) motion carried

- **3% Cost of Living Raise**
 - It was decided during creating the Employee Handbook that we should allow 3% cost of living raises.
 - In addition to this discussion it was brought up that Colorado Minimum wage is now \$12, we need to bring any wages that is under that up.

Motion: Year-end Bonus

Danny Smith made a motion to give 3% cost of living raise to employees, Peggy Owens seconded – (Roll call vote – All Voted for, None Against) motion carried

- **Proposed Ordinance 01-2020 – Excise Tax on Unprocessed Marijuana**

Discussion lead my legal counsel by conference call.

- Without changing the current 2% Excise tax, we need to change the language of our current ordinance to be in compliance with how the States Statues sets the calculation and submission standards.
- In order to be compliant, we will need to send this to the Vote of the people, since it has to do with Tax's.

Motion: Ordinance 01-2020

Peggy Owens made a motion adopt Ordinance 01-2020 to send to the Voters on April 7th 2020 the language on Excise Tax and conform to the State Rules, Jeanie Tarver seconded. – all were in favor - motion carried.

- **Proposed Ordinance 03-2020 – Special Sales Tax on Retail Marijuana**

Discussion lead my legal counsel by conference call.

- New laws will now allow us to place a percentage for taxing Retail Marijuana sales. Where previously our only option was placing a flat transaction fee.
- It had already been decided, at the Special meeting held June 15th 2019, to ask for 5% tax to the Voters. And eliminating the \$5 per transaction fee Occupation Tax.

Motion: Ordinance 03-2020

Danny Smith made a motion adopt Ordinance 03-2020 to send to the Voters on April 7th 2020 the 5% Special Tax and remove the \$5 per transaction fee Occupation Tax, Jeanie Tarver seconded. – all were in favor - motion carried.

- **Occupation Tax discussion with Melinda**

- Board deliberated using a sliding scale per transaction fee for Manufacturing of Marijuana products.
- The tier scale will be similar to \$5 under \$100, \$10 up to 100-500, \$25 on transaction over \$500
- This will be voted on at the next meeting once the ordinance has been written

- **Proposed Ordinance 02-2020 – Emergency Ordinance, adding a deadline for submission to the State on approved Retail Marijuana Store licenses.**

- There was a missing element that should have been on the 10-2019 Ordinance.
- This is needed to keep someone from getting a Retail Marijuana License and never submitting it to the State.
- Motion needs 1/3 of the full board, to pass. Two board members out sick, one willing to participate by conference call. Conference call was conducted on speaker phone for all to hear at the meeting.

Motion: Emergency Ordinance 02-2020

Jeanie Tarver made a motion adopt Emergency Ordinance 02-2020 adding a deadline for submission to the State on approved Retail Marijuana Store licenses, Peggy Owens seconded. – all were in favor - (Roll call vote – All Voted for, None Against) - motion carried.

- **Resolution 20-1**

- Setting the Town regular meeting dates
- Setting the recognized Holidays that Town Hall will be closed
- Setting the 3 Posting locations for the Town Public Notices
 - Locations decided are Town Hall – United States Post Office – Town Website.

Motion:

Danny Smith made a motion adopt Resolution 20-1, Peggy Owens – all were in favor- (Roll call vote – All Voted for, None Against) - motion carried.

• **AED Contract**

- Legal council has prepared a contract between the Town and Lupe Casias-Sedgwick Inn
- Contract allows us to enter the premises to maintain the AED, also lets her know that the AED is the property of the Town
- Board Accepts the Contract, staff will send this to Lupe Casias to review and accept.

• **Write off Uncollectable Bills over 3 years old and increase the Deposit.**

- These were items that the auditors suggested we cleaned up. Because the debt was created over 3 years ago, and they are no longer in the area, and the properties have changed hands.
- \$15,118.59 is the total in the system.

Motion:

Danny Smith made a motion to table this till next meeting, Jeanie Tarver Seconded – all were in favor- - motion carried.

• **Contract with Sheriff’s Department/County Commissioners**

- Legal Council did review the contract and made edits.
- CIRSA will charge an additional \$1791.50 annually to add the Sheriff’s to our policy.
- Mr. Jones expressed concerns about past relationship with the Sheriff’s office. The Board did recognize that it has already offered our contract cost and voted on to set up this relationship.

Motion:

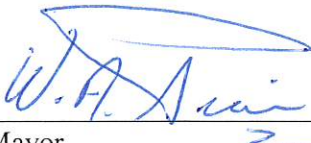
Peggy Owens made a motion to send the contract for Commissioners to review the changes, Jeanie Tarver seconded. – Three in favor and One opposed - motion carried.

(Confirmed with Legal Council that this motion did pass)

Meeting Adjourned:

Motion:

At 7:29 PM, Jeanie Tarver made a motion to adjourn, Peggy Owens seconded, all were in favor, motion carried.



 Mayor



 Attest: Town Clerk

