

**Town of Sedgwick
Record of Proceedings
February 10th, 2020**

Members Present: Jeanie Tarver, Peggy Owens, Dale Jones, Danny Smith, Gena Kinoshita and Troy Kinoshita

Employees Present: Heather Moore

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 Pro-Tem, Jeanie Tarver.

Roll Call

Gena Kinoshita	Here	Troy Kinoshita	Here
Peggy Owens	Here	Danny Smith	Here
Jeanie Tarver	Here as Mayor Pro-Tem	Dale Jones	Here

Approval of Agenda

Motion: Approval of Agenda

Peggy Owens made a motion to approve the Agenda with two corrections, Gena Kinoshita seconded, all in favor; none opposed, motion carried.

Approval of Minutes

- Two changes on the January 13th, 2020 minutes.

Motion: Approve the minutes

Danny Smith made a motion to approve the Agenda with two corrections, Peggy Owens seconded, all in favor; none opposed, motion carried.

Bills (To Be Published in Julesburg Advocate)

- All looks good

Motion: Bills Roll Call Vote

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

Public Comments – reminded they will have 3mins.

- Paul Bryant
 - Requesting that the Board waive the Special Permit Fee for the Sedgwick Fair Board Fundraiser for a non-profit organization.

Motion:

Peggy Owens made a motion to accept the application and waive the \$50 Special Permit Fee for the Sedgwick Fair Board Fundraiser, Danny Smith seconded. all in favor; none opposed, motion carried.

- Bill Boler
 - Spoke with Polly Olson and will be setting up a time to offer Free CPR/AED Training at the Lions Club the date is still being decided. If you do want a card it will be a \$5 fee and a book will be offered at an additional fee.

Town Maintenance Report–

- (Given in Richards absence by Heather Moore)
 - Been spending a great deal helping with the water main break
 - Been going out every Monday to use a basket and fish out the wipes.
 - Received two estimates to upgrade the electrical panel at the lift station
 - Better Electric was \$5600, and D&J Electric was \$5925
 - Better Electric did offer the best price, and we have a good relationship with them already on the lift station.

Motion:

Gena Kinoshita made a motion to accept the Bid from Better Electric, Danny Smith seconded. (Roll call vote – All Voted for, None Against) motion carried

- Repairs have been done on the Trash Truck for \$1200
- Not sure if the ladder at the lift station has been ordered yet.

Clerk's Office - Heather Moore

- We are now able to accept credit cards; this is an in-office option and on our website with a convenience fee of \$1.50 up to \$56 and 2.65% on anything over \$56.
 - Still working on integration of the utility billing to show a balance when they enter their account.
 - And E-Check is available online at a lower convenience charge of only \$1.50
- We finally heard from DOLA, we did get our Grant to get our master plan going. As soon as we get the contract from DOLA Elements Engineering can start
- Election work has continued
- Working on a new Grant packet for the Park Playground design
- Review and receiving of the Marijuana Applications.

Old Business

- **Write off Uncollectable Bills over 3 years old and increase the Deposit for new Utility Applicants.**
 - These were items that the auditor company 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. And we have no way of collecting them. Consulted Legal council and it was confirmed the age of them and the fact the properties have changed hands it is not legal to attempt to force a new owner to pay on an old owners' debt
 - \$15,118.59 is the total in the system.
 - Would like to increase the Utility deposit to \$100, which will at least cover one month of regular service.

Motion:

Gena Kinoshita made a motion to write off the uncollectable utility debt that is over 3 years old, Danny Smith Seconded (Roll call vote – All Voted for, None Against) motion carried

Motion:

Peggy Owens made a motion to raise the utility deposit from \$50 to \$100, Gena Kinoshita Seconded – (Roll call vote – Four in Favor, One Opposed) motion carried

New Business

- **Jean Gonnell**
 - Wanted to express her view of the importance of how being neutral while viewing the Marijuana Applications was.
 - All applicants just wish to be treated fairly and equally.
- **Fair Board Special Events Application**
 - Fundraiser will be held the Saturday February 15th.
(*Motion was made during comments from the public to accept and waive the fee*)
- **Lions Club Reverse Raffle Special Events Application**
 - This annual event will be held March 21st.

Motion:

Gena Kinoshita made a motion to accept the special permits applications for the Lions Club, Peggy Owens seconded – all in favor; none opposed, motion carried.

- **Rural Philanthropy Days Donation Request**
 - This was the event that gave us the \$5000 Jailhouse Park Donation.

Motion:

Peggy Owens made a motion to Donate \$250 to the Rural Philanthropy Days, Dale Jones seconded. – Three in favor and One opposed - motion carried.

- **Action on Marijuana Applications Received**
 - Troy Kinoshita spoke first about the applications individually. Had expressed that he spent many hours with the applications and our ordinances for reference.
 - Application #1- showed to have all the required information with additional items in support of their application, was nice and diagrams were clear.
 - Application #3 – Was good as well, showed to have all the required information.
 - Application #2 – Was difficult to read the diagrams, has concerns with the application in reference with Ordinance 10-2019 section 9,G Feels this applicant has large amounts of funds coming from current dispensary, and CMMO. Owner of the current Dispensary also owns CMMO. CMMO is the Leasee and this will have a direct financial interest. The financials do not match on all documents received. Additionally, Ordinance 2-2016 Section 8.g.2, States the need for a Safe, (which is clearly marked in the diagrams on Applications 1 & 3). At this time, there is just too many items that make Application #2 to be unaccepted under our Ordinances.
 - Each Board member spoke about their time spent reviewing the application.
 - Gena Kinoshita expressed that here. Direct door access with neighboring business which expresses shared premises, which is not allowed. And the Parking plan shows the parking in the rear of the building, our alley ways are not meant for regular traffic which borders residential areas with children. Also, how will people get around to the front of the building.
 - Peggy Owens spoke next, she was concerned about the references that came back on Application #2 & #3, she agreed with Troy's Review, and Gena's concern of the traffic in our alley ways. Application #2 has no ADA access.

- Danny Smith shared the same concerns as previous board members. His additional concern is that the building that Application #2 is a mobile structure. Which is in ordinance 02-2016.
 - Dale Jones was concerned about the financial information on Application #2.
 - Jeanie Tarver shared the concerns as well on Application #2, with additional concern of the Articles of Corporation was missing, others expressed the Certificate of Good Standing was sufficient.
- Jean Gonnell Spoke in response for Applicant #2. Expressed that most of the items expressed would be easy to remedy. She does not agree with the determination with the financial interest concerns on Application #2.
- There were some additional responses and discussion from the board on whether the applications received are eligible, based on our Ordinance's, to obtain a local license. It was decided that Applications #1 & #3 are acceptable based on our Ordinances with the information submitted. It was decided that Application #2 does not meet the standards based on our Ordinances, this was unanimously agreed on.

Motion:

Peggy Owens made a motion to accept Applications #1 & #3 as complete and Application #2 is not accepted, Troy Kinoshita Seconded, with adding that Not accepting Application #2 was determined under ordinance 10-2019, Section 9, 7g. – (Roll call vote – All Voted for, None Against) motion carried

Motion:

Peggy Owens made a motion to issue Licenses to Applications #1, Peak Dispensary located at 140 Railroad Ave, Dale Jones Seconded. – (Roll call vote – All Voted for, None Against) motion carried

Motion:

Peggy Owens made a motion to issue Licenses to Applications #3, High Plainz Strains located at 114 1st Street, Danny Smith Seconded. – (Roll call vote – All Voted for, None Against) motion carried

- **Liquor Store Sale and Transfer of ownership.**

- After a corporate meeting of RD's LLC, the Sale of the Liquor Store was voted on by the Members, and the offer from Mark Ault and Peter Walters was accepted.
 - Legal counsel for Mike Kollarits said he was not in agreement of the sale, as a non-member shareholder.

Motion:

Peggy Owens made a motion to issue accept the Liquor Store Sale and new License issued to Mark Ault and Peter Walters, Danny Smith Seconded. – (Roll call vote –two Abstained, three Voted For, None Against) motion carried

- **Ordinance 04-2020 – Occupational Tax on Manufactured Marijuana Products.**

- This will go to the voter at the April Election of 2020.
- The State only allows an Occupation Tax as a per transaction fee, it will not allow a percentage. Per direction of the board the scale and language are in this Ordinance.

Motion:

Danny Smith made a motion adopt Ordinance 04-2019 for April 2020 Election Vote, Peggy Owens Seconded. – (Roll call vote – All Voted for, None Against) motion carried

• **Town Clerk**

- Request by Heather Moore that the Town Clerk position move to full time. Town Hall hours will stay the same, but Town Clerk days will be Monday through Friday.

Motion:

Gena Kinoshita made a motion to change the Town Clerk position to full time, Dale Jones Seconded. – (Roll call vote – All Voted for, None Against) motion carried

- Request by Heather Moore that the Town Clerk be added to the Town Bank Accounts. As a Town Clerk, the position has the added title and responsibility of Treasurer. But when it comes to requesting information from the bank or trying to find a second signature on a check currently this hold a problem. The bank only speaks to and allows the individuals that are on the account access and information. Other Towns do have their Clerk on the Bank Accounts, this was verified.

Motion:

Danny Smith made a motion to add the Town Clerk on the Bank Accounts as an authorized signer, Dale Jones Seconded. – (Roll call vote – All Voted for, None Against) motion carried

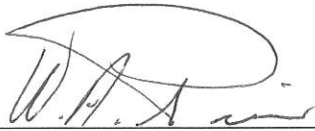
• **Closing statement from Danny Smith, would like to put a big Thank You in the newspaper, and maybe consider doing a donation.**

- All agreed this is an excellent idea to do a newspaper ad.
- Will add to the agenda for next meeting in regard to the Donation.

Meeting Adjourned:

Motion:

At 7:32 PM, Gena Kinoshita made a motion to adjourn, Danny Smith seconded, all were in favor, motion carried.



 Mayor



 Attest: Town Clerk

