

**Town of Nunn
Regular Meeting
May 17, 2018
6:00 p.m.**

A Regular Meeting of the Town Board, Which is Open to the Public,
Nunn Community Center Board Meeting Room

Call To Order:

The Regular Meeting of the Board Of Trustees of the Town of Nunn for May 17, 2018 was called to order and presided over by Mayor Tinsley at 6:12 p.m.

Pledge of Allegiance

Roll Call:

Mayor Tinsley
Trustee Vogel - Absent
Trustee Colgate
Trustee Frederiksen
Trustee Vella

Approval of Agenda: Motion by Trustee Frederiksen and seconded by Trustee Vella to approve the Agenda as submitted. All in Favor. Motion Carried.

Reading of Minutes: Motion by Trustee Frederiksen and seconded by Trustee Colegate to forego the public reading of the minutes for the Regular Meeting April 19, 2018 and the Work Session / Special Meeting of May 5, 2018. All in Favor. Motion Carried.

Approval of Minutes: Motion by Trustee Frederiksen and seconded by Trustee Vella to approve the minutes as submitted for the Regular Meeting April 19, 2018 and the Work Session / Special Meeting of May 5, 2018. All in Favor. Motion Carried.

Approval to Pay Bills: Motion by Trustee Vella and seconded by Trustee Frederiksen to pay the bills as submitted on May 17, 2018 in the amount of \$50,962.36 and payroll in the amount of \$27,224.50. Roll Call Vote: Trustee Colegate – yea, Trustee Frederiksen – yea, Trustee Vella – yea, Mayor Tinsley – yea. Motion Carried.

Approval of Treasurers Statement: Motion by Trustee Vella and seconded by Trustee Frederiksen to approve the Treasurers Report of May 17, 2018. Roll Call Vote: Trustee Colegate – yea, Trustee Frederiksen – yea, Trustee Vella – yea, Mayor Tinsley – yea. Motion Carried.

Police Report: Trustee Frederiksen reported Chief Clingan is doing better and handling day to day operations from his house.

Town Clerk Report:

- Chad Chavies has started the 2017 Audit which should be ready to present to the Board sometime in July.
- The Police Garage permit is back from Safebuilt and the redline copy was provided to Nick Varra.
- Would like to interview / hire part time temporary court clerk prior to next meeting since Denisa will be on vacation the beginning of June and she would like to have someone hired and trained prior.

- The Town Attorney has provided the Resolutions and Ordinance for the Manufacturing Process Of Marijuana.

Court Clerk Report:

- Arraignments: 37 on the docket. 24 showed up for court and accepted plea agreements, 1 continuances, 9 FTA's warning letters ordered, and 3 continuances for defendants with attorneys.
- First Continuance: 4 on the docket. 2 accepted plea agreements, 2 OJW/Defaults ordered.
- Second Continuance: 2 on the docket. 2 accepted plea agreement.
- Third Continuance: 1 defendant with two tickets, Attorney Robert Grossman. Continued until 06-12-2018.
- Failure to Appear/Failure to Pay: 9 on docket. 9-OJW/Defaults ordered.
- Deferred Sentence: 9 on the docket, all 9 dismissed.
- Voids: No voids.
- Prosecuting Attorney Mike Brown was here from 1:00 to 3:30 p.m. (2 hours 30 minutes) May 8, 2018.
- Judge Mike Lazar was here from 1:30 to 3:30 p.m. (2 hours) May 8, 2018.
- Income: April 2018 deposits: \$40,349.00.
 - Paid Citations: \$26,703.00.
 - Nunn Officer Vin Inspections: \$220.00.
 - Certified Vin Inspections: \$13,426.00.

Maintenance Report:

- Water valve at cemetery has been fixed.
- Jon requested tree bids again but did not receive any additional bids. Trustee Frederiksen talked to City of Greeley Forestry and they have used Menjivar, are pleased with his work and he is licensed, insured, and bonded.
- Want to start hauling gravel Monday – has talked to several people about hauling. J & E Trucking doesn't have any trucks available at this time, JB Sittner doesn't have any belly dumps, Alpha II Trucking adds a 2 hour travel time, Pawnee Farms is low bidder at \$89 / hour and does have trucks available.
- They've been working on the roads.

Public Comments Not On the Agenda:

- Roads look good.
- There will be a Community Yard Sale on June 2nd.

New Business:

- **CDOT US 85 Access Control Plan Amendment:** An Amendment to allow for closures of the following Hwy 85 access points – WCR 29, WCR 35/46, and WCR 72 on the east side of Hwy 85. There was a discussion regarding the closure of CR 100 – the Town Clerk said to facilitate east / west traffic the County is going to complete construction of CR 98 from Hwy 85 west to CR 29. Motion by Trustee Frederiksen and seconded by Trustee Vella to approve the amendment to the US 85 Access Control Plan allowing for closures of the following Hwy 85 access points – WCR 29, WCR 35/46, and WCR 72 on the east side of Hwy 85. All in Favor. Motion Carried.
- **Trustee Vacancies:** 5 Letters of interest have been provided to the Board for review. Interviews will be conducted at the June 2, 2018 Work Session. Voting and swearing in will take place at the June 21, 2018 Regular Meeting.

Old Business:

- None

Finance/Budget/Personnel/Grants:

- **Temporary Court Clerk:** Motion by Trustee Frederiksen and seconded by Trustee Vella to approve the Mayor and Town Clerk to interview and hire the Temporary Court Clerk from May 21, 2018 thru October

21, 2018. Roll Call Vote: Trustee Vella – yea, Trustee Colegate – yea, Trustee Frederiksen – yea, Mayor Tinsley – yea. Motion Carried.

Planning and Development:

- **Subdivision of Younell Annex Lot B:** Town Attorney stated this request falls within the Minor Replat procedure. Town Clerk stated this request was reviewed at the Work Session of May 5, 2018 and this is just a vote whether the Board wants to allow them to proceed with the process to subdivide the 7 acre parcel. Motion by Trustee Frederiksen and seconded by Trustee Vella to approve proceeding with 7 acre subdivision of Younell Annex Lot B owned by Terry Younglove. Roll Call Vote: Trustee Vella – yea, Trustee Colegate – yea, Trustee Frederiksen – yea, Mayor Tinsley – yea.
- **Box State Cultivation:** Town Clerk stated this property is already zoned for cultivation. Trustee Frederiksen expressed concerns over outdoor grow. Trustee Colegate stated he has seen buildings with retractable roofs. Town Clerk said if the Board approves the cultivation then Box State would get the Town's Checklist which could include our requirements (screening, security, etc). Motion by Trustee Colegate and seconded by Trustee Vella to allow Box State Cultivation to begin the licensing process for cultivation. Roll Call Vote: Trustee Vella – yea, Trustee Colegate – yea, Trustee Frederiksen – yea, Mayor Tinsley – yea. Motion Carried. (Note: According to the State you must have separate licenses for cultivation and manufacture but they can be at the same address.)
- **Box State Manufacturing:** Town Attorney said that before the Board could vote on a manufacturing license for Box State, since the Town currently has a moratorium on manufacturing marijuana products, the Town must first decide if they want to allow manufacturing. Town Attorney also stated that, should the Town approve manufacturing of marijuana products, a manufacturing license should not be issued until the ballot issue for the excise tax has been voted on.
 - The issue before the Board now is whether to allow manufacturing of marijuana products in town. This process requires a public hearing before the Board votes on an Ordinance to allow manufacturing and then a ballot issue for collection of excise tax on the manufacturing (similar process to what the Town did to allow cultivation). Motion by Trustee Frederiksen and seconded by Trustee Colegate to approve Resolution 2018-09 – a Resolution setting hearing on changes to regulation affecting one or more zone districts that would allow certain medical marijuana infused products manufacturing and marijuana product manufacturing. Roll Call Vote: Trustee Vella – yea, Trustee Colegate – yea, Trustee Frederiksen – yea, Mayor Tinsley – yea. Motion Carried. Public Hearing for Ordinance 308 – An Ordinance authorizing certain medical marijuana infused products manufacturing and marijuana product manufacturing within the Town of Nunn, CO, in the Industrial District subject as a conditional use subject to special review, will be set for June 2, 2018.
 - **Note:** Notice for Public Hearing was delayed so Public Hearing is now scheduled for June 21, 2018.

Code Enforcement/Fire/Police:

- None

Water/Streets/Maintenance/Sewer:

- **Approve Transport of Road Base:** Motion by Trustee Colegate and seconded by Trustee Frederiksen to approve transport of road base by Pawnee Farms at \$89 / hour beginning May 21, 2018. Roll Call Vote: Trustee Vella – yea, Trustee Colegate – yea, Trustee Frederiksen – yea, Mayor Tinsley – yea. Motion Carried.
- **Tree Trimming:** Motion by Trustee Frederiksen and seconded by Trustee Colegate to approve Menjivar Tree Service bid in the amount of \$8,800 to trim and/or remove trees at Town Hall, the Museum, and Town Park as per his bid of April 18, 2018. Roll Call Vote: Trustee Vella – yea, Trustee Colegate – yea, Trustee Frederiksen – yea, Mayor Tinsley – yea. Motion Carried.
- **Flags:** Mayor Tinsley asked for volunteers to put the flags out on Memorial Day and Flag Day. Town Clerk said Tom Bender and Steve Jackson would be available to help.

Technology:

- **Surveillance Cameras on Shop:** Due to items disappearing from outside the shop additional surveillance cameras should be installed in that area.

Emergency Planning:

- None

Public Comments:

- None

Adjournment: Motion to adjourn made by Trustee Vella and seconded by Trustee Colegate. All in Favor. Motion Carried.

Meeting Adjourned: 7:40 p.m.

Mayor Terry Tinsley

Trustee Susan Frederiksen