

Topic: **BOT WORK SESSION**

Time: **February 23, 2021 12:00 PM Mountain Time (US and Canada)**

**A Work Session is a time for staff to provide information to the Board of Trustees, for the Board of Trustees to ask questions of staff and to request further information from staff if needed, and to discuss matters among the Trustees. No decisions will be made by the Board of Trustees during the work session. Except where a person or group have been specifically invited to make a presentation to the Board of Trustees during a work session to address a particular topic, work sessions are not generally a time to receive input or comment from members of the public, as that should be provided at the Board of Trustees' regular meeting.**

Join Zoom Meeting

<https://us02web.zoom.us/j/83918880929?pwd=Rk5OcFo1aUJjdkE3QTlGVINOQ2dodz09>

Meeting ID: 839 1888 0929

Passcode: 974496

One tap mobile

+13462487799,,83918880929#,,,,\*974496# US (Houston)

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#### **WORK SESSION ITEMS:**

- (1) HEADWATERS METRO DISTRICT DISCUSSION**
- (2) SGM CONTRACT RATIFICATION**
- (3) GRANBY STATION IMPROVEMENTS AGREEMENT – 6 MONTH EXTENSION**
- (4) POLHAMUS PARK MAINTENANCE BUILDING (BUDGETED ITEM)**
- (5) PARKS COMMITTEE ORDINANCE**
- (6) 2021 CHEVROLET COLLINS MINI-BUS PURCHASE (BUDGETED ITEM)**
- (7) BOARD RETREAT DATES DISCUSSION**
- (8) CONSENT AGENDA: FEBRUARY 23, 2021 ACCOUNTS PAYABLE; FEBRUARY 9, 2021 MINUTES**
- (9) COMMITTEE UPDATE REPORTS**

**END WORK SESSION**

**1:00 PM**

**Dinner served to the Board & Staff**  
**5:00 PM**

**Deborah K Hess is inviting you to a scheduled Zoom meeting.**

**Topic: BOT MEETING - 2 23 2021**  
**Time: Feb 23, 2021 06:00 PM Mountain Time (US and Canada)**

**Join Zoom Meeting**  
**<https://us02web.zoom.us/j/83859325591?pwd=eEc3VEN1R2ZyeWxSQXRMajJGYko4UT09>**

**Meeting ID: 838 5932 5591**  
**Passcode: 087567**  
**One tap mobile**  
**+16699009128,,83859325591#,,,,\*087567# US (San Jose)**  
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**+1 301 715 8592 US (Washington DC)**  
**+1 312 626 6799 US (Chicago)**  
**Meeting ID: 838 5932 5591**  
**Passcode: 087567**

**Find your local number: <https://us02web.zoom.us/u/keqolgyXL7>**

**TOWN OF GRANBY, COLORADO**  
**BOARD OF TRUSTEES**  
**REGULAR MEETING AGENDA**  
**FEBRUARY 23, 2021**

**MAYOR JOSHUA HARDY TO CALL THE REGULAR MEETING OF THE TOWN OF GRANBY BOARD OF TRUSTEES TO ORDER AT THE TOWN HALL, ZERO JASPER AVENUE**  
(Everyone to say the Pledge of Allegiance. Any Board member with any potential conflicts of interest regarding any of the agenda matters will declare them at this time.)

**UNSCHEDULED PUBLIC COMMENTS – COMMENTS ARE LIMITED TO 3 MINUTES**

**(This time is reserved for members of the public to make a presentation to the Board on items or issues that are not scheduled on the agenda. The Board will not discuss/debate these items, nor will the Board make any decisions on items presented during this time, rather, the Board will refer the items to staff for follow up.)**

**6:00 PM**

**(1) HEADWATERS METRO DISTRICT DISCUSSION**  
**6:00 PM**

**(2) SGM CONTRACT RATIFICATION**  
**6:10 PM**

**(3) GRANBY STATION IMPROVEMENTS AGREEMENT – 6 MONTH EXTENSION**  
**6:20 PM**

**(4) POLHAMUS PARK MAINTENANCE BUILDING BUDGETED PURCHASE**  
**6:30 PM**

**(5) APPROVAL OF ORDINANCE NO. \_\_\_\_\_, AN ORDINANCE AMENDING CHAPTER 2.100 OF THE GRANBY MUNICIPAL CODE – PUBLIC PARKS COMMITTEE**  
**6:40 PM**

**(6) APPROVAL OF THE PURCHASE OF A 2021 CHEVROLET COLLINS MINI-BUS (BUDGETED ITEM**  
**6:50 PM**

**(7) BOARD RETREAT DATES DISCUSSION**  
**7:00 PM**

**(8) CONSENT AGENDA**  
**7:10 PM**  
**MOTION TO ADOPT THE FEBRUARY 23, 2021 ACCOUNTS PAYABLE**  
**MOTION TO APPROVE THE FEBRUARY 9, 2021 MINUTES**

(The items listed under the "Consent Agenda" are a group of items to be acted on with a single motion and vote. This agenda is designed to expedite the handling of limited routine matters by the Board. The Board has received the information on these matters in



their Board packets prior to the meeting. The Mayor will ask if any citizen wishes to have any specific item discussed. A Board member may request that an item be removed from the Consent Agenda on behalf of a citizen or himself and will state when the item will be discussed in the meeting or tabled to another meeting. The removal of an item will require a second and a majority vote of the Board to be removed.)

#### **(9) COMMITTEE UPDATE REPORTS**

**7:15 PM**

**Administrative / Mayor Hardy, Mayor Pro-Tem Shaw, Trustee Quesada**

**Economic Development / Trustee DeLay**

**Public Safety / Trustee Quesada**

**Public Works / Trustee Michalowski**

**Recreation / Trustee Raible**

**Water / Trustee O'Flaherty**

**Town Manager Ted Cherry's Report and/or Update**

**Mayor Joshua Hardy's Update**

**Town Attorney Krob's Update**

#### **EXECUTIVE SESSION**

**7:30 PM**

**ES1 –GRANBY RANCH BONDS**

**Executive Session pursuant to Colorado Revised Statutes Section 24-6-402 subpart (4)(e) to conference for the purpose of determining the Town's position regarding matters that are subject to negotiation and directing negotiators related to Town held bonds concerning certain Granby Ranch subdivisions.**

#### **MEETING TO ADJOURN**

**7:45 PM**

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Any matter may be taken up at any time during the meeting EXCEPT DURING PUBLIC HEARINGS WHICH ARE TIME SENSITIVE. Items on the agenda are approximate and intended as a guide for the Town Board. "Estimated Time" is subject to change, as is the order of the agenda except for PUBLIC HEARING TIMES AND ORDER. Anyone wishing to attend the meeting and needs special accommodations, please contact the Town Clerk prior to the meeting. For deadlines and information required to schedule an item on the agenda, please contact Deb Hess, CMC, Town Clerk, at 970-887-2501 ext. 201.



**TOWN OF GRANBY, COLORADO  
BOARD OF TRUSTEES  
FEBRUARY 23, 2021**

**PRESENT:** Mayor Joshua Hardy; Mayor Pro-Tem Deborah J.K. Shaw; Trustee Nick Raible, Trustee Kristie DeLay, Trustee Rebecca Quesada, Trustee Chris Michalowski, and Trustee Natascha O’Flaherty joined the meeting by Zoom.

**STAFF PRESENT:** Town Manager Ted Cherry; Town Attorney Nathan Krob; Town Finance Director Sharon Spurlin; and Town Clerk Deborah K. Hess, who recorded the meeting.

**Minutes are summary. Meeting recordings are available on the Town’s website. NOTE FOR THE RECORD: This meeting was held via Zoom due to COVID-19 and as such parts of the recording cut in and out and therefore were inaudible.**

**TIME:** 5:00 PM – DINNER  
6:00 PM – BOT MEETING

**BY:** Mayor Josh Hardy

**LOCATION:** Town Hall, Zero Jasper Avenue

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**MEETING CALLED TO ORDER**

**6:00 PM**

Mayor Hardy called the meeting to order. Everyone said the Pledge of Allegiance. There were no conflicts of interest.

**UNSCHEDULED PUBLIC COMMENTS – COMMENTS ARE LIMITED TO 3 MINUTES**

**6:01 PM**

Hardy asked if there were any public comments. There were no comments at this time.

**HEADWATERS METRO DISTRICT DISCUSSION**

**6:01 PM**

Hardy introduced the agenda item. Krob previously sent the Board a memo with options that he discussed with the Board along with background information on this item. Shaw said the memo was pretty straight forward. Raible said there were three vacancies and seven applicants; six were qualified, the HMD Board appointed three filling out their five-person board. He didn’t know why the Town was involved and the appointments were done prior to the deadline date. O’Flaherty discussed her reasons for disagreeing.

Board discussed this would cost the Town more money, using taxpayers’ money to become involved in litigation, the two-person HMD Board appointed three people, and as a conditional appointment based on the court outcome. The following citizens spoke in favor of the Town’s appointment: John Gillogley, with Colleen Hannon and Lee Spring giving their 3-minutes to their attorney Brian Matise who gave reasons why the Town Board should appoint the above three citizens. He said this item would first go to the District Attorney and if the District Attorney declines to act, then it would go to a court action.

Krob suggested the Town not get involved with this as the Town’s date for appointment was February 20 and the HMD Board made their appointments by that deadline. The Court will decide and anything this Board does would be superseded.

John Morrissey said that the homeowners need representation on the HMD Board.

After closing public comment and Board discussion, O’Flaherty moved to conditionally appoint Gillogley, Hannon and Spring to the HMD Board in the event that the courts declare the original appointments as invalid. DeLay seconded the motion. Roll call vote: Raible, no; Shaw, no; O’Flaherty, yes; Michalowski, yes; Quesada, yes; DeLay, yes; Hardy, no, motion passed.

**SGM CONTRACT RATIFICATION**

**6:35 PM**

Krob found clarification in the minutes of March 26, 2019 that this item had been approved and there was no need for ratification by the Board. Cherry will bring forth a RFP something in August or September, 2021.



## **GRANBY STATION IMPROVEMENTS AGREEMENT – 6 MONTH EXTENSION**

**6:38 PM**

Cherry explained this item to the Board. Raible moved to approve the First Amendment to the Improvements Agreement for a six-month extension. Shaw seconded. Roll call vote: Raible, yes; Shaw, yes; Quesada, yes; DeLay, yes; Michalowski, yes; O’Flaherty, yes; Hardy, yes. Motion passed.

## **POLHAMUS PARK MAINTENANCE BUILDING BUDGETED PURCHASE**

**6:42 PM**

Cherry said Peter Butrymovich said there were some inconsistencies with the snow load on the bids that were received. He emailed the builder and was waiting for a response so this item will come back sometime next month.

## **APPROVAL OF ORDINANCE NO. 949, AN ORDINANCE AMENDING CHAPTER 2.100 OF THE GRANBY MUNICIPAL CODE – PUBLIC PARKS COMMITTEE**

**6:42 PM**

Cherry explained the previous ordinance and said that this would update the requirements for the committee. He used the same language that was in the Public Arts Committee ordinance. After discussion, Shaw moved to approve Ordinance No. 949 as written using Zip Code 80446. Quesada seconded. Roll call vote: Raible, yes; Shaw, yes; Quesada, yes; DeLay, yes; Michalowski, yes; O’Flaherty, no; Hardy, yes. Motion passed.

## **APPROVAL OF THE PURCHASE OF A 2021 CHEVROLET COLLINS MINI-BUS (BUDGETED ITEM)**

**6:48 PM**

Recreation Director Julie Martin explained the purchase to the Board. After discussion, Shaw moved to approve the purchase of the 2021 Chevy Collins Bus with the additional overage. Quesada seconded. Roll call vote: Raible, yes; Shaw, yes; Quesada, yes; DeLay, yes; Michalowski, yes; O’Flaherty, yes; Hardy, yes. Motion passed.

## **BOARD RETREAT DATES DISCUSSION**

**6:53 PM**

Cherry discussed the different dates in April with the Board. All Board members agreed to Saturday, April 24, 2021.

## **CONSENT AGENDA**

**6:56 PM**

### **MOTION TO ADOPT THE FEBRUARY 23, 2021 ACCOUNTS PAYABLE**

Cherry answered questions about using Community Matters Institute for a Steve Wilkie project including \$250 that was being billed back to the developer and \$300 that was for staff time. Community Matters will also be doing a few zoning updates to the downtown code. Spurlin explained the Kopy Kat paper purchase to the Board. Michalowski received a letter from a citizen in reference to the \$4500 the Town will be spending on the skate park design. Recreation Director Julie Martin and Cherry explained the process and that this item was budgeted. After discussion, Raible moved to approve the Consent Agenda as presented. DeLay seconded. Roll call vote: Raible, yes; Shaw, yes; Quesada, yes; DeLay, yes; Michalowski, yes; O’Flaherty, yes; Hardy, yes. Motion passed.

### **MOTION TO APPROVE THE FEBRUARY 9, 2021 MINUTES**

There were no comments from the Board. DeLay moved to approve the minutes as presented. Quesada seconded. Raible, yes; Shaw, yes; Quesada, yes; DeLay, yes; Michalowski, yes; O’Flaherty, yes; Hardy, yes. Motion passed.

## **COMMITTEE UPDATE REPORTS**

**7:19 PM**

### **Administrative / Mayor Hardy, Mayor Pro-Tem Shaw, Trustee Quesada**

Shaw had nothing to report. Hess asked if the Board wanted to purchase new chairs for the Board room which was budgeted and the Board members approved. Spurlin hired the following individuals who will both start March 1, 2021: Maura Bishop will be the Front Desk Administrative Assistant and Cody Mullinex will be the Accounting Technician. Michalowski asked for information on those two individuals.

### **Economic Development / Trustee DeLay**

DeLay updated the Board on the Chamber Board meeting, the new website is going to be rolled out with a new trails map featuring Granby trails, the current housing market is 47 single family homes for sale with only 21 of those listed under \$1,000,000.



**Public Safety / Trustee Quesada**

Quesada stated the PD is moving forward with Narcan for the officers and Officer Sofer will be back on Thursday.

**Public Works / Trustee Michalowski**

Michalowski said the new plow truck was ordered and should be here in July, but it will need some after-market work done, the snow removal budget is in good shape because there hasn't been a lot of snow.

**Recreation / Trustee Raible**

Raible had nothing more to report.

**Water / Trustee O'Flaherty**

O'Flaherty said the power outage today was a challenge. All is well in SSA water and there will be an upcoming software upgrade to all the water systems.

**Town Manager Ted Cherry's Report and/or Update**

Cherry said he took a couple of days off and that there is nothing new on the Rodeo Apartments.

**Mayor Joshua Hardy's Update**

Hardy said there is a small start-up company that would like to do a daily commuter train from Steamboat Springs to Denver. They think it will take 1.5-2 years to set up the star-up company and the company is reaching out to all the Towns to see if there is an interest. He will let the Board know any upcoming information.

**Town Attorney Krob's Update**

Krob said there is a due diligence application that is due at the end of March that will be filed with GP Granby Holdings and SilverCreek Water. The other item is the mediation which Cherry will talk about.

O'Flaherty asked about four lots that were sold in Granby Ranch with water rights. Krob explained he didn't know what water rights the sale included. Water rights are property rights so they can be exchanged in a variety of ways. He didn't know if that included any of the Town's, but essentially when the developers came to develop, they did bring water rights, but he was not familiar with what the transfer of water rights she was inquiring about entailed. Just because they were in Granby Ranch doesn't mean they were necessarily the same water rights that were obligated to the Town. He can double check on those if O'Flaherty will send him the information. Cherry explained that Doug Bellatty thought they were water taps and not water rights.

Cherry said there is an executive session scheduled, but Krob can update the Board on the Granby Ranch Bonds. Krob said the total agreed on amount to the Town for the IFC bonds is \$190,000. Raible explained that there was another bond company to work with.

**EXECUTIVE SESSION**

**7:36 PM**

**ES1 –GRANBY RANCH BONDS**

The following executive session was not held: Executive Session pursuant to Colorado Revised Statutes Section 24-6-402 subpart (4)(e) to conference for the purpose of determining the Town's position regarding matters that are subject to negotiation and directing negotiators related to Town held bonds concerning certain Granby Ranch subdivisions.

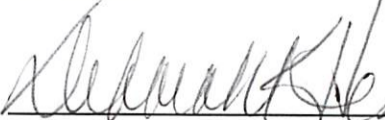
**MEETING ADJOURNED**

**7:37 PM**

Raible moved to adjourn. Shaw seconded. All yes.

**BOARD OF TRUSTEES**

**ATTEST:**

  
Deborah K. Hess, CMC  
Town Clerk



  
Joshua Hardy  
Mayor