TOWN OF OAK CREEK
TOWN BOARD MEETING
JANUARY 26, 2023
MINUTES

CALL TO ORDER:

Mayor Knoebel called the regular meeting of the Oak Creek Board of Trustees to order at 6:02 p.m., Thursday, January 26, 2023.

Trustees present at roll call were: Mayor Pro-tem Gustafson and Trustees: Rhonda Crawford, Kelly McElfish and Melissa Dobbins.

Others present: David Torgler, Town Administrator/Clerk; Jennifer Hewes, Treasurer; Annie Haag, Accounts Payable/Deputy Clerk; and Brian Rogers, 240 Arthur Avenue, LLC.

Those present recited the Pledge of Allegiance.

AUDIENCE PARTICIPATION:

None

EN RE: DISCUSSION REGARDING AMENDING THE TOWN'S MARIJUANA LICENSE FEES

Mayor Knoebel advised Board members that local cannabis business owners have approached her and the Town Administrator/Clerk regarding the current marijuana license fees, asking if they can be lowered. Mayor Knoebel reviewed how the Town initially invested a lot of time and expense reviewing the new Colorado cannabis laws when voters authorized the recreational marijuana grow and retail sale business operations. Since the approval of Amendment 64 in 2012 the Town has developed a licensing process that has greatly reduced the staff, consultant and legal time and expense to renew retail and medical, cannabis grow, production and retail sales licenses. Brian Rogers, 240 Arthur Avenue, LLC, addressed the value of the local cannabis businesses with revenues generated be the sale of cannabis and cannabis related produces outside of the community being used to pay employees, many living in or close to Oak Creek and spending their income locally, thereby bringing money into the Town. Mr. Rogers discussed how the cannabis industry has changed over time with revenue to growers and manufacturers declining significantly. Local cannabis businesses are weighing their profit margins annually as part of their decision to purchase the next year's Town license. Mr. Rogers asked the Board if they can consider reducing the annual license fees and help the local cannabis industries stay in business. The Mayor and Board asked David to research what other Colorado municipalities are charging for license fees, for all of the Town's cannabis industry classifications, e.g. grow, retail and manufacturing, to review how much time and

expense the Town is experiencing for license renewals and bring this information back to the Board.

EN RE: CONSIDERATION OF RESOLUTION 2023-002 RATIFYING THE APPOINTMENT OF A MEMBER TO THE SOUTH ROUTT LIBRARY DISTRICT BOARD OF TRUSTEES

The South Routt Library District Board of Trustees unanimously recommends the appointment of Meribeth Smith to a 5-year term to the Library District Board. Mayor Knoebel made a motion to approve Resolution 2023-002 ratifying the appointment of Meribeth Smith to a 5-year term to the South Routt Library Board of Trustees.

Trustee Dobbins seconded the motion. Motion passed unanimously.

EN RE: CONSIDERATION OF RESOLUTION 2023-003 AMENDING RESOLUTION 2022-020 APPROVING THE PURCHASE OF LOTS 17, 18, 19 AND 20, AND ANY ADJACENT PARTIALLY VACATED ALLEY LAND, BLOCK 2, 2ND ADDITION TO OAK CREEK FROM THE ROUTT COUNTY FOUNDATION FOR SENIOR CITIZENS, INC.

Trustee McElfish made a motion to approve Resolution 2023-003 ("Resolution") for the acquisition of certain property; and the amending of Resolution 2022-020 to describe the property to be acquired as set forth in the title commitment.

Trustee Crawford seconded the motion. Trustees: Dobbins, McElfish and Crawford voted to approve. Mayor Knoebel voted against approval. Motion passed.

EN RE: UPDATE OF FERMENTED MALT BEVERAGE AND WINE RETAILER LICENSES

Town Administrator/Clerk Torgler advised the Town Board, aka Local Licensing Authority, which in accordance with the November 8, 2022 election amending Articles 3 and 4 of Title 44 C.R.S. currently licensed Fermented Malt Beverage Off-Premises Retailers will automatically convert to "Fermented Malt Beverage and Wine Retailer" licenses.

EN RE: AMEND THE CONSENT AGENDA

Mayor Knoebel made a motion to remove items B. and C., specifically: approval to renew a Retail Marijuana License for Ant's Organic, LLC to conduct business as a Retail Marijuana Cultivation Facility at 231 Arthur Avenue from February 27, 2023 to February 27, 2024; and approval to renew a Retail Marijuana License for Ant's Organic, LLC to conduct business as a Retail Marijuana Production Facility at 231 Arthur Avenue from February 27, 2023 to February 27, 2024.

Trustee Crawford seconded the motion. Motion passed unanimously.

EN RE: CONSIDERATION TO APPROVE RENEWAL OF A RETAIL MARIJUANA LICENSE FOR ANT'S ORGANIC, LLC TO CONDUCT BUSINESS AS A RETAIL

MARIJUANA CULTIVATION FACILITY AT 231 ARTHUR AVENUE FROM FEBRUARY 27, 2023 TO FEBRUARY 27, 2024; AND APPROVAL TO RENEW A RETAIL MARIJUANA LICENSE FOR ANT'S ORGANIC, LLC TO CONDUCT BUSINESS AS A RETAIL MARIJUANA PRODUCTION FACILITY AT 231 ARTHUR AVENUE FROM FEBRUARY 27, 2023 TO FEBRUARY 27, 2024.

Mayor Knoebel made a motion to approve renewal of a Retail Marijuana License for Ant's Organic, LLC to conduct business as a Retail Marijuana Cultivation Facility at 231 Arthur Avenue from February 27, 2023 to February 27, 2024; and approval to renew a Retail Marijuana License for Ant's Organic, LLC to conduct business as a Retail Marijuana Production Facility at 231 Arthur Avenue from February 27, 2023 to February 27, 2024 subject to execution of an agreement with the license holders to pay the associated license fees in up to three payments scheduled every two months with each payment equaling one-third of the total amount and the total fee being paid within six months.

Trustee Crawford seconded the motion. Motion passed unanimously.

EN RE: CONSENT AGENDA

MOTION

Mayor Knoebel made a motion to approve the Consent Agenda specifically:

A. Approval of a change of Trade Name for 240 Arthur Avenue, LLC, changing Trade Name from Rivus Fine Cannabis to Mad Creek Cannabis
B. Approval of a Modification of Premises for KP, LLC, 228 Arthur Avenue, internal modifications and modifying security camera plans subject to approval by the State Marijuana Enforcement Division.

Trustee Dobbins seconded the motion. Motion passed unanimously.

EN RE: STAFF & BOARD MEMBER REPORTS

Annie Haag reported that the trash problems regarding missed pick-ups reported at the last regular Board meeting are getting resolved.

David Torgler asked permission to finalize a letter of support, requested by CDOT officials, regarding Hwy 40 improvements that will be beneficial to the region and Oak Creek; the letter will be for Mayor Knoebel's signature. Board members did not object and asked how Hwy 131 improvements can be funded. David advised that working with the Northwest Transportation Planning Region, aka NWTPR, would be a good start. Board members suggested working with Routt County officials. David updated the Board regarding Sheriff Reservoir and the hiring of a firm to oversee the installation of the headgate and operating equipment in 2023. Requests for Proposal were distributed to nine interested firms, with four responses. Staff will be interviewing two responding firms on Monday, hopefully resulting in the

presentation of a contract at an upcoming Board meeting. David reported that the UYWCD has extended the deadline for completion of the headgate and operating equipment.

Mayor Knoebel recognized the public works staff and Erika Petersen for responses to calls for service requests, saying the Town staff is wonderful and responsive.

Trustee McElfish asked questions about Town property taxes and the value of local properties increasing. She then expressed concern about the potential loss of cannabis industries and how the Town will be able to maintain Town services and facilities. Board members discussed bringing a grant writer onboard to help find and apply for grant revenues. Trustee McElfish said that many people want the Town to offer more services such as ice rink improvements and that grants can pay for these improvements. Board members discussed volunteers who have helped to build great recreational facilities such as the ice rink; they discussed how to fund some improvements such as street improvements, e.g. paving Town streets.

EN RE: ADJOURNMENT

Trustee McElfish made a motion to adjourn the meeting. Trustee Dobbins seconded the motion; passed unanimously.

No further business coming before the Board, same adjourned sine die at 6:56 p.m.

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David Torgler
Town Administrator/Clerk

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Nikki Knoebel, Mayor

Date: February 23, 2023

DRAFT