

**Town of Mancos  
Board of Trustees Meeting  
December 10, 2014  
7:00 p.m.**

- A. CALL TO ORDER:** Mayor Rachael Simbeck called the meeting to order at 7:00 p.m.
- B. ROLL CALL:** Present: Mayor Rachael Simbeck, Mayor pro tem Todd Kearns, Trustee Queenie Barz, Trustee James Maestas, Trustee Will Stone, Trustee Matthew Baskin, Trustee Michele Black

Staff Present: Town Administrator Andrea Phillips, Town Clerk/Treasurer Heather Alvarez, Town Attorney David Liberman, Public Works Director Robin Schmittel, and Marshal John Cox

- C. APPROVAL OF AGENDA:** Mayor pro tem Todd Kearns made the motion to approve the agenda. Trustee Michele Black seconded the motion to approve the amended agenda. Motion passed.

- D. APPROVAL OF MINUTES OF November 12, 2014:** Mayor pro tem Todd Kearns made the motion to approve the minutes of November 12, 2014 as written. Trustee Matthew Baskin seconded the motion to approve the minutes. Motion passed.

**E. AUDIENCE BUSINESS**

- Chip Tuthill, 849 Riverside Ave. – read a prepared statement with regard to Western Excelsior. He feels Western Excelsior has stopped all efforts to reduce or contain particulates and dust, and the emissions recently are the worst to date. CROR is requesting the Town join their request to CDHPE to conduct an inspection of the business and take whatever enforcement is necessary. Mayor Rachael Simbeck requested Mr. Tuthill contact Town Administrator Andrea Phillips with his request. He also feels the Town's fees are excessive for a public records request.

**F. ANNOUNCEMENTS**

- Town Administrator Andrea Phillips reminded the Board that the Community Dinner is Friday at the Community Center from 6:00 p.m. to 8:00 p.m.
- Town Administrator Andrea Phillips advised that the Planning Commission meeting for December has been cancelled due to no agenda items.
- Trustee Queenie Barz reminded everyone that the VFW tree has ornaments in honor of veterans, and if anyone wants to add an ornament to contact her directly.

**G. TREASURER'S REPORT**

Trustee Queenie Barz made the motion to approve the November Bills & Claims. Trustee Michele Black seconded the motion. Motion passed unanimously by roll call vote.

**H. UNFINISHED BUSINESS**

None

## I. NEW BUSINESS

### 1. Public Hearing – The Shop LLC Retail Marijuana License

Public Hearing Opened at 7:11 p.m.

- Nathan Fete, The Shop LLC Business Owner – thanked Town Staff for their efforts. He is looking forward to opening his new business.
- Cindy Mykitiuk, 449 Railroad Ave. – she is the landlord for the new business. She advised that Mr. Fete has complied with all requirements, and she hopes the Board approves the application.
- Daryl Acker, 38466 Road H – she spoke on behalf of the application, based in part on the tax revenue that will be brought to Mancos.

Public Hearing Closed at 7:13 p.m.

The Town of Mancos received the completed retail marijuana application for The Shop LLC on September 17, 2014. They have passed the background checks, distance requirements and all other requirements set forth by the Town. We have received the Retail Marijuana Conditional License from the State of Colorado. This license is conditioned upon approval from the Town of Mancos after a public hearing. Trustee Will Stone made the motion to approve the retail marijuana application for The Shop LLC at 449 Railroad Ave. #1, Mancos, CO and authorize the Town Clerk to issue a business license. Trustee Matthew Baskin seconded the motion. Trustee Michele Black clarified the distance requirement. Trustee Queenie Barz confirmed that this is retail only. Mr. Fete stated that is correct, there will be no grow facility at this location. He would open for business in the next few weeks. They currently have six employees, plus two owners, with the option to hire several additional employees. Mayor Rachael Simbeck polled the audience members, and no one present voiced opposition to the issuance of the license. Motion passed by roll call vote with Trustee Michele Black voting against.

### 2. Ordinance 693 Series 2014 Adoption of 2015 Budget

Public Hearing Opened at 7:22 p.m.

No one signed up to speak

Public Hearing Closed at 7:23 p.m.

Town Administrator Andrea Phillips thanked the Board and Staff for their efforts during this process. Mayor pro tem Todd Kearns made the motion to approve Ordinance 693 Series 2014 An Emergency Ordinance Setting the Mill Levy And Adopting the Annual Budget For The Town Of Mancos For The Fiscal Year Commencing January 1, 2015 and Ending December 31, 2015. Trustee Will Stone seconded the motion. Mayor Rachael Simbeck and Trustee Queenie Barz thanked everyone for their efforts on the budget. Motion passed unanimously by roll call vote.

### 3. Resolution 15 Series 2014: 2014 Budget Amendment

The Town of Mancos has made several changes to the 2014 budget, which requires a budget amendment. The deadline for this amendment is December 31, 2014. Mayor pro tem Todd Kearns made the motion to approve Resolution 15 Series 2014 A Resolution for Supplemental Budget &

Appropriating Additional Sums of Money To Defray Expenses In Excess Of Amounts Budgeted For the Year 2014 For The Town Of Mancos Colorado (Pursuant to Section 29-1-109, C.R.S). Trustee James Maestas seconded the motion. Motion passed unanimously by roll call vote.

4. Resolution 1 Series 2015: Board Meetings Schedule

Trustee Queenie Barz made the motion to approve Resolution 1 Series 2015 A Resolution Designating A Public Place For The Posting Of Notices Of Public Meetings In The Town of Mancos And Approving A Schedule of Regular Board of Trustees Meetings For 2015. Trustee James Maestas seconded the motion. Motion passed unanimously by roll call vote.

5. Resolution 2 Series 2015: Water and Sewer Tap Fees

Mayor pro tem Todd Kearns made the motion to approve Resolution 2 Series 2015 A Resolution Of The Town of Mancos, Colorado Adopting New Residential Water & Sewer Tap Fees. Trustee Queenie Barz seconded the motion. Motion passed unanimously by roll call vote.

6. Resolution 3 Series 2015: Dog License Fees

Trustee Queenie Barz made the motion to approve Resolution 3 Series 2015 A Resolution Setting The Fees For 2015 Dog Licenses Issued By The Town of Mancos. Mayor pro tem Todd Kearns seconded the motion. Motion passed unanimously by roll call vote.

7. Resolution 4 Series 2015: Cash in Lieu

Mayor pro tem Todd Kearns made the motion to approve Resolution 4 Series 2015 A Resolution Setting The Per-Acre Fee For Dedicated Land. Trustee James Maestas seconded the motion. Motion passed unanimously by roll call vote.

8. Resolution 5 Series 2015: Water Rate Increase

Mayor pro tem Todd Kearns made the motion to approve Resolution 5 Series 2015 A Resolution Pursuant to Sec. 13-1-40 Of The Mancos Municipal Code With Regard To An Increase In Water Rates For The Town Of Mancos. Trustee Michele Black seconded the motion. Motion passed unanimously by roll call vote.

9. Monthly Administrator Report

Town Administrator Andrea Phillips submitted her December report for Board review/comment. She advised the Board we are applying for a grant to replace water lines on the southeast side of Town and a grant for the Creative District. The fiber project is complete, and both Town Hall and the Public Works shop are currently using fiber.

**J. EXECUTIVE SESSION: Town Administrator Evaluation**

Mayor pro tem Todd Kearns made a motion to enter executive session as provided by C.R.S. 24-6-402(4)(f) Personnel matters and not involving any specific employees who requested discussion during a public session, any elected body or any elected official or the appointment of any person to fill an elected office. Trustee Michele Black seconded the motion. Motion passed.

Executive session started at 7:51 p.m.

Executive session ended at 8:20 p.m.

Mayor Rachael Simbeck, Mayor pro tem Todd Kearns, Trustee Matthew Baskin, Trustee Will Stone, Trustee Queenie Barz, Trustee Michele Black and Trustee James Maestas participated.

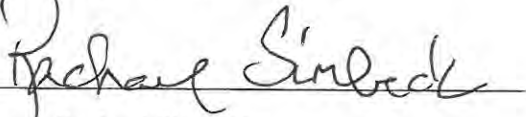
Mayor pro tem Todd Kearns made the motion to approve the 1% merit increase for Town Administrator Andrea Phillips for 2014. Trustee Michele Black seconded the motion. Motion passed by roll call vote with Trustee Will Stone voting against.

**K. ITEMS FOR January 14, 2015 AGENDA**

Nothing yet scheduled for January 14, 2015, but the Boyle Park discussion and code enforcement will be discussed at the January 7, 2015 Board workshop.

**L. ADJOURNMENT**

Meeting adjourned at 8:28 p.m.



Mayor Rachael Simbeck



Town Clerk/Treasurer Heather Alvarez