

TOWN OF MANCOS
BOARD of TRUSTEES MEETING

April 8, 2015

A. CALL TO ORDER: Mayor Rachael Simbeck called the meeting to order at 7:02 p.m.

B. ROLL CALL: Present: Mayor Rachael Simbeck, Trustee Queenie Barz, Trustee James Maestas, Trustee Michele Black, Trustee Matthew Baskin, Trustee Will Stone

Staff Present: Town Administrator Andrea Phillips, Deputy Town Clerk Georgette Welage, Town Attorney David Liberman, Marshal John Cox

Absent: Mayor pro tem Todd Kearns, Town Clerk/Treasurer Heather Alvarez

C. APPROVAL of AGENDA: Trustee Barz made the motion to approve the agenda. Trustee Maestas seconded. Motion passed.

D. APPROVAL OF THE MINUTES OF MARCH 25, 2015: Trustee Black made the motion to approve the minutes of March 25, 2015. Trustee Barz seconded. Motion passed.

E. AUDIENCE BUSINESS:

Bob Becker, former Water Commissioner, 240 W. Montezuma-has water concerns-extreme drought in the area. He held a Water Workshop last week with only Trustee Queenie Barz, Town Administrator Andrea Phillips and Public Works Director Robin Schmittel in attendance. Mr. Becker will hold another workshop for the Board –tentative date May 19th at 6:30 p.m. Everyone is strongly urged to attend.

The following citizens spoke concerning Western Excelsior:

Vicki Maestas, 866 Riverside-concerned with particulate matter pollution. Submitted EPA article.

Tom Nunn, 864 Riverside-concerned with the severity of the problem, presented the Board with samples of debris found in his hot tub enclosure.

Sherry Romero, 864 Riverside-Realtor in Colorado Springs-concerned about fire danger at Western Excelsior and the safety of the Town. Presented the Board with El Paso County Public Health Wildfire Guidance paper.

Chip Tuthill, 849 Riverside-sent a complaint to CDPHE Air Pollution Control Division with copies sent to the Governor's Office, AG's Office Environmental Task Force Violations Unit,

Andrea, Rachael, Montezuma County Commissioners, Board of Health, P&Z, and the Army Corp of Engineers.

The Town did receive a copy of the approved Fugitive Particulate Emission Control Plan for Western Excelsior. Town Administrator Phillips stated she would contact the Concerned Citizens Group and meet with them in the near future.

The Board was glad to hear the group would be talking to Montezuma County & Montezuma County P&Z regarding their problems with Western Excelsior.

Future Agenda Item-Western Excelsior process involving Montezuma County and the Town.

F. ANNOUNCEMENTS

FYI-Staff Report: Severance Tax information was distributed to the board. The Colorado State Legislature is voting on a budget bill 4/9/15 which could impact the 2016 Town budget. The Town receives “direct distributions” and energy and mineral impact assistance fund grants. CML is advocating for local governments at the state level.

The Town has a new (used) water truck obtained from the auction. Staff expects 3-5 years of use from the truck.

The Lions Club is organizing the 9Health Fair to be held at the school this Saturday, April 11th.

The Town will host the Economic Summit at the Community Center, April 18th, from 9 a.m. – 2 p.m.

Hospice will sponsor a workshop on Advanced Directives at KoKo’s in Cortez, April 18th, from 9 a.m. -2 p.m.

G. TREASURER’S REPORT-MARCH BILLS & CLAIMS Trustee Black made the motion to approve the March Bills & Claims per signed purchase order. Trustee Maestas seconded the motion. Motion passed

H. UNFINISHED BUSINESS

1. Ordinance # 694 Series 2015: Historic Preservation Board- Trustee Black made the motion to adopt Ordinance # 694 Series 2015 making certain text amendments to Chapter 2 and Chapter 16 of the Mancos Municipal Code of the Town of Mancos concerning the makeup of the Historic Preservation Commission and the procedures governing the local register of Historic properties. (use the strike through version, and 50 years old to be listed as Historic Property) Trustee Maestas seconded the motion. Motion passed.

2. Chapter Six Marijuana Changes: Staff is asking for direction on the following items:

1. Does the Board want to continue to allow all license types for medical and retail marijuana? Staff is recommending changing allowed new license types to Medical Marijuana Centers with Optional Premises Cultivation. We are also requesting a change to the retail side to allow only Retail marijuana Stores.

2. Does the Board wish to increase the initial application and licensing fees to reflect the true cost of doing business? Staff time spent is approximately 3-5 hours per week on general marijuana issues. The new and renewal application process takes approximately 60-90 days depending on State response times. Due to the fact that Montezuma County does not allow marijuana establishments, we also receive numerous phone calls and inquiries regarding marijuana within the Town limits. Currently the Town fees are:

- a) Medical Marijuana Application Fee-\$3,000 (State is \$7,000)
- b) Medical Marijuana Business Permit Fee-\$2,000 (State is \$5,200)
- c) Retail Marijuana Application Fee-\$3,000 (State is \$5,000)
- d) Retail Marijuana Additional License Fee-\$1,000 each (State is \$5,000 for all except testing facilities which are \$1,000)

After discussion the board felt they had many question and would like to see this topic as a workshop item on May 6th . Comments from the Board: “ There is a moratorium until June 30th , should this date be extended? The fees seem low. Should the Town limit the number of shops?”

I. NEW BUSINESS

3. Arbor Day Proclamation: Mayor Simbeck read the Arbor Day Proclamation and signed the document with Board approval. Victoria Peterson-Lewis, Mancos Tree Board, reported that seedlings will be given to fourth graders in celebration of Arbor Day. Three trees will also be planted at the school.

4. The Shop RMJ License Transfer – Public Hearing

Public Hearing Opened at 8:14 p.m.

Staff introduces the case-Town Administrator Phillips stated the Town has no issues. All paperwork has been completed and all fees paid. Mancos Marshal's Office has no objections. The State issued the license conditional upon Local Licensing Authority approval.

Signed up to speak:

Nate Fete, 1467 Elm St, Cortez-Mr. Fete & Mr. Coffey would like to transfer ownership of The Shop, LLC to Green Kiwi 5, LLC. Green Kiwi 5, LLC is staffed by ex law enforcement, they

offer free health care to employees, have 401 K's for employees, all employees have received raises and they are going to hire four additional employees for the Mancos store.

Mayor closed the Public Hearing at 8:21 p.m.

Action by the Board: Trustee Stone made the motion to approve the application to transfer ownership of The Shop, LLC from Nate Fete and Paul Coffey to Green Kiwi5, LLC.

Trustee Baskin seconded the motion. Motion passed by roll call vote.

5. Reappointment of Planning and Zoning Commission Members: Trustee Barz made the motion to re-appoint Cindy Simpson, Chairman and John Bolton, Vice Chair for a three year term to expire April 2018. Trustee Black seconded the motion. Motion passed. Colleen Brennan resigned from Planning & Zoning. Gina Roberts's term expires in April 2017. Two regular seats are vacant and two alternates are vacant.

6. Backyard Farming & Animals Discussion-Direction from the Board on whether to move forward and in what manner.

Ms. Phillips has spoken to the Montezuma County Health Dept., the County Extension Office, members of the local grange, managers in other communities and a few residents regarding livestock. .

Signed up to speak:

Jim Justice, 333 S. Mesa-"how many animals allowed, if allowed regulate livestock. Make a level playing field. Enforce all ordinances & be consistent. Be leaders".

Randy Smith, 212 E. Montezuma-"what are the boundaries? setbacks? no roosters in town".

Kevin Cooke, 257 S. Main-"farm & ranch animals should not be in Town. We should consider grandfathering in Will's cow. Clean up poop".

Gretchen Treadwell, 319 Bauer-"rooster ban and ordinance". Ms. Treadwell read a letter from Julia Whelihan "ask the Town implement a comprehensive ordinance in regards to having animal (s) of any type in the town limits as soon as possible".

Jo Young, 326 Aztec-"consider neighbors rights. Set guidelines-hygiene & cleanliness".

Sherry Romero, 864 Riverside-felt the problem could be addressed from the property angle-setbacks

The Board asked Town Administrator Phillips to research how other communities reach out to citizens and involve the public. The Board did not feel that surveys or Town Hall meetings reached the average citizen.

7. Monthly Administrator Report

Water Meter Project well underway.

Water system improvement project breaks ground.

Town Recognizes Arbor Day on April 17th

Feedback needed on Creative District strategic plan-survey online
www.surveymonkey.com/r/MancosCreativeDistrictSurvey. Web site:
www.mancoscreativedistrict.com

Upcoming Events

Mancos Valley Summit, April 18 at the Community Center - 9 a.m. to 2 p.m.

Hwy 160 Corridor Public Input Session, April 23 at the Community Center – 6 p.m.-8 p.m.

CIRSA Board Training April 29th Town Hall, 6 p.m. – 7:30 p.m.

Town wide spring cleanup, May 2, 3

J. Items for April 22, 2015 Agenda

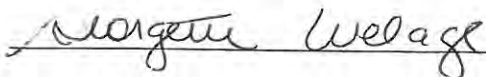
- First Quarter Financial Review and Work Plan Update
- Strategic Plan Discussion

K. Adjournment

Meeting Adjourned at 9:18 p.m.



Mayor Rachael Simbeck



Deputy Clerk Georgette Welage