

**TOWN OF MANCOS**  
**BOARD of TRUSTEES MEETING**  
**February 23, 2022**  
**7:00 p.m.**

- A. CALL TO ORDER:** Mayor Queenie Barz called the meeting to order at 7:00 p.m.
- B. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**
- C. ROLL CALL:** Present: Mayor Queenie Barz, Mayor pro tem Fred Brooks, Trustee Janice Bryan, Trustee Brent McWhirter, Trustee Betsy Harrison, Trustee Ed Hallam and Trustee Cindy Simpson.

**Absent:**

Staff Present: Public Works Director Terry Jennings, Mancos Marshall Justen Goodall, Attorney David Liberman, and Town Clerk/Treasurer Jamie Higgins

- D. APPROVAL OF THE AGENDA:** Mayor Pro Tem Fred Brooks made a motion to amend this agenda to add an Executive Session for legal advice under C.R.S. Section 24-6-402(4)(b) to discuss settlement agreement for the waste water treatment plant litigation and adding item "Settlement Agreement" after items for March 9, 2022 Agenda and to move item #5, Outfall Pipe Extension Project Contract Award Phase 1, to the March 9, 2022 Agenda. Trustee Cindy Simpson seconds the motion. Motion passed.
- E. APPROVAL OF THE MINUTES:** Trustee Janice Bryan made a motion to approve the minutes, as presented by staff, from February 9, 2022. Trustee Betsy Harrison seconds the motion. Motion Passed.
- F. AUDIENCE BUSINESS:**
- None
- G. ANNOUNCEMENTS:**
- Town Clerk/Treasurer Jamie Higgins informed the Board that the Mancos High School Student Council will be hosting the Meet the Candidates March 15<sup>th</sup> at the town Hall. More information will be passed along.

**H. COMMITTEE REPORTS**

- Mancos School District - None
- Montezuma County Planning Department – Mayor Queenie Barz attended the meeting and kept the Board updated regarding Montezuma County Planning Department.
- Montezuma County Commissioner Update – None

## **I. DISCUSSION AND ACTION ITEMS:**

- Trustee Ed Hallam made a motion to approve the appointment of Carol Stout as a Planning Commission member to the Board of Trustees. Trustee Betsy Harrison and Trustee Brent McWhirter seconds the motion. Motion passed with a unanimous vote.
- Public Hearing: LivWell Holdings Inc. Transfer of Ownership. Public Hearing opened at 7:12pm. LivWell representatives Anna Hatch, Mayer Grashin and Nate Tete spoke regarding the change in ownership and they do not anticipate any changes regarding the business going forward. Public Hearing closed at 7:19pm.

Trustee Brent McWhirter made a motion to approve the change in ownership for LivWell Holdings Inc. conditional upon State approval. Janice Bryan seconds the motion. Motion passed with a unanimous vote.

- Public Hearing: Mesa Verde Ventures Special Exemption Expansion of Premises. Public Hearing opened at 7:20pm. Trustee Betsy Harrison asked if we recently approved an expansion. Mesa Verde Ventures representative, Brian O'Conner, informed the Board that an expansion was approved by the Town in February of 2020. This will be a second request. The Mancos Marshal's Office has no objections to this special exemption request. The Planning Commission is recommending approval be offered. Public Hearing closed at 7:21pm.

Trustee Brent McWhirter made a motion to approve the special use permit request for increased square footage from 8,740 square feet to 9,384 square feet for the cultivation of marijuana by Mesa Verde Holdings LLC at 651 North Main Street conditional upon State approval and receipt of updated CDOT Access Permit. Trustee Betsy Harrison seconds the motion. Motion passed with a unanimous vote.

- Trustee Brent McWhirter made a motion to approve the attached Public Art Management Plan proposal. Trustee Janice Bryan seconds the motion.  
Voting Yes: Fred, Janice, Brent, Ed, and Cindy.  
Trustee Betsy Harrison recused herself for the discussion and vote regarding the Public Art proposal from the Creative District.

## **J. Items for March 9, 2022 Agenda**

- *Design Review Guidelines Discussion (workshop at 5:00 p.m.)*
- *February Bills & Claims*

- *Committee Reports*
- *Updated Trustee Protocols and Trustee Orientation Information*
- *Paquin/Albert Subdivision*
- *Outfall Pipe extension Project Contract Award Phase 1*

**K. Executive Session for a conference with the Town Attorney for purposes of receiving legal advice under C.R.S Section 24-6-402(4)(b) and to discuss settlement agreement for the wastewater treatment plant litigation.**

Mayor pro tem Fred Brooks made the motion to enter executive session for a conference with the Town Attorney for purposes of receiving legal advice under C.R.S Section 24-6-402(4)(b) and to discuss settlement agreement for the wastewater treatment plant litigation. Trustee Brent McWhirter seconded the motion. Motion passed.

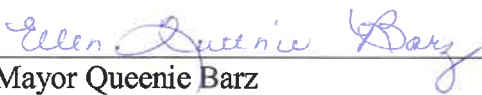
Executive Session Start: 7:33pm  
Executive Session End: 8:05pm

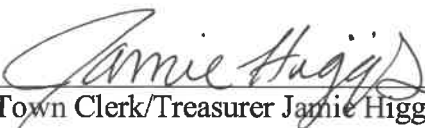
Mayor Queenie Barz, Mayor pro tem Fred Brooks, Trustee Betsy Harrison, Trustee Brent McWhirter, Trustee Cindy Simpson, Trustee Janice Bryan, Trustee Ed Hallam, Town Clerk/Treasurer Jamie Higgins, and Town Attorney David Liberman participated.

- L.** Mayor pro tem Fred Brooks made a motion to accept the settlement agreement with Souder Miller with regard to wastewater treatment plant litigation and authorize the Town Administrator to execute the agreement. Trustee Brent McWhirter and Trustee Ed Hallam seconds the motion. Motion passed with a unanimous vote.

**M. ADJOURNMENT**

Trustee Brent McWhirter made the motion to adjourn the meeting at 8:10p.m.

  
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Mayor Queenie Barz

  
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Town Clerk/Treasurer Jamie Higgins