

The Minutes are Provisional until approved by the Board at the next meeting on 7/16/13.

**BOARD OF TRUSTEES
TOWN OF GREEN MOUNTAIN FALLS
MINUTES OF REGULAR MEETING – TUESDAY, JUNE 18, 2013**

The Board of Trustees meeting was called to order by Mayor Worthey at 7:03 p.m. Trustee Pitrone apologized for some of his statements at the 6/04/13 Board meeting. Mayor Worthey thanked the local firefighters for all they do for the community and especially Trustee Stevens in his dual role as a fireman and trustee.

ATTENDANCE: Newberry - present Pitrone - present LoCascio - present
Price - present Stevens - present Peterson - present

ADDITIONS, DELETIONS OR CORRECTIONS TO THE AGENDA – Mayor Worthey requested that Public Input be moved after #6 - Progress Report. **M/S Worthey/LoCascio to approve the revision to the Agenda as submitted. All yea**

CONSENT AGENDA - APPROVE BOARD OF TRUSTEES MINUTES FOR 6/04/13
- **BILLS RUN: 6/4/13 THROUGH 6/13/13 FOR \$16,103.87**
- **ACCEPT PLANNING COMMISSION MINUTES, 6/11/13 INTO RECORD**
- **REQUEST TO CHANGE MANAGER FOR BLACK BEAR RESTAURANT, 10375 UTE PASS AVENUE, VICTOR MATTHEWS, OWNER**

M/S Pitrone/Newberry to approve the Consent Agenda as submitted. Pitrone, Newberry, Price, LoCascio, Peterson in favor; Stevens and Worthey opposed.

Mayor Worthey called the second Public Hearing to order at 7:11 p.m.

SECOND PUBLIC HEARING ORDINANCE 01-2013 AN ORDINANCE PROHIBITING THE OPERATION OF MARIJUANA CULTIVATION FACILITIES, MARIJUANA PRODUCT MANUFACTURING FACILITIES, MARIJUANCE TESTING FACILITIES OR RETAIL MARIJUANA STORES WITHIN THE TOWN OF GREEN MOUNTAIN FALLS, COLORADO

Town Attorney, Lisa Tormoen Hickey had reviewed the ordinance and reported to the Board that by October 1, 2013 each municipality can either opt out or adopt marijuana establishment licensing regulations. Ordinance 01-2013 does not apply to the possession or use of marijuana and does not conflict with Amendment 64. In 2011, the Town adopted Ordinance 02-2011 prohibiting medical marijuana centers, cultivation operations and medical marijuana infused products manufacturing. The Board has reviewed the current timeline from CML on procedures to address Amendment 64 and the local options available to municipalities. They received copies of ordinances prohibiting operation and cultivation from Teller County, El Paso County, Victor, Woodland Park, Monument, Calhan, Burlington and statistics from CML reporting that to date over 35 municipalities have adopted ordinances prohibiting retail sales, operation, and manufacturing. Midland Rails Liquor Store owner Kim Wart stated that marijuana has been around for a long time and the Town should make some money from it. Joanna Bartko of Olathe Street supported the operation if the Town could have a good handle on it and it was managed in a reasonable system. Howard Street resident, Jeremiah Nelson stated that it should be treated like alcohol and the Town should make money and he thinks it is better in many ways than alcohol. Michael Urban, Lake Street stated that with age it becomes less recreational. Trustee Stevens stated that the Board may be voting prematurely and favored enacting a moratorium for the time being. He would like to see how other communities deal with the issue and what the State will ultimately adopt as licensing and taxing regulations. A moratorium would apply through October 1, 2013. Trustee LoCascio stated that after review of the codes and regulations, the Town has limited areas where zoning would permit retail operations. There being no further input from the audience members or the Board of Trustees, the Public Hearing was closed at 7:16 p.m.

M/S Stevens/ Price to table approval of the ordinance and request staff to prepare a moratorium ordinance for presentation at the next meeting. All yea

PROGRESS REPORT TO BOARD OF TRUSTEES ON THE NEW TOWN HALL PROJECT, 10615 GREEN MOUNTAIN FALLS ROAD At the 6/4/13 meeting, based on the recommendation of the Town Hall Task Force recommended Robert Seever, Keystone and Associates be approved as the A & E contractor. The Board members voted their approval. Seever, working with the Task Force Team is working to finalize site design, drainage and planning in preparation for the DOLA Grant submittal on August 1st. The Board engaged in a comprehensive discussion with Seever on adding a second story or basement space. Ultimately, it was decided by the Board to expand the interior space by approximately 400' square feet and eliminate the basement and second story. Seever will be presenting to the Planning Commission on 7/23/13. An environmental assessment study has been completed, along with the land survey. Title issues have been resolved. Civil engineering and geotech work underway.

PUBLIC INPUT - Items Not Listed on Agenda * Hondo Avenue resident Dick Bratton stated that there are rumors around the community that Marshal Tim Bradley was going to be terminated. Bratton stated that there were several supporters at the meeting to speak to that issue and support Bradley. Town residents and business owners to speak were Billie Harwood and Jon Harwood, Berkeley Davis, Michael Lohman, Jeremiah Nelson, Lori and Jon VanSant, Kim Wart, Mike Urban, Kelly Butts, Keith Guibert, Larry McKnight and Joanna Bartko. Nancy Brittain of Belvedere Avenue emailed her support for the Marshal to the trustees. The common statements were that Marshal Bradley was a strong marshal, very professional, and prompt to respond to citizens' calls. Repeated statements affirmed that crime involving burglaries and drugs does exist in the Ute Pass area and the community feels safe with visible protection and street patrols. It was mentioned that the El Paso Sheriff's Deputy covering the Cascade and Chipita Park communities has more than a 45 minute response time from their Colorado Springs location. Billie Harwood suggested that the Board support Bradley by writing a one year contract so he would feel secure about his employment. Harwood questioned Trustee Pitrone's reasoning about not supporting the Marshal's service dog request. Supporters favored the Marshal's Department patrolling Highway 24. There was general frustration about what reasons were behind a decision to terminate the Marshal. While Marshal Bradley confirmed that his trustee liaison Howard Price did not discuss termination with him during a department meeting, there was mention that Bradley should consider employment elsewhere. Lori VanSant asked about deputy Ken McQueen. Bradley confirmed that at this time, neither McQueen or Torres are members of the department. It was noted that this subject was an ongoing personnel issue and could not be discussed by the department or the Board. It was verified that termination of a department head would be discussed at the Board level and would be a Board decision not a trustee decision.

Resident, Joanna Bartko thanked the Town for the support for the annual Ute Pass Elementary Pony Run and reported that it had the largest participation and raised the most money than any other event. Berkeley Davis urged that live streaming of the meetings be implemented especially since he donated a camera for that purpose. Chairman of the Bronc Day Committee Vickie McKnight discussed needing volunteers for the Bronc Day event and mentioned the start of the Green Box Arts events, summer concerts and the Annual Car Show.

REPORTS:

Mayor's Report: No report.

Public Works: Pitrone reported that the Regional Building Department would like to donate artwork to the new Town Hall when built. Pitrone stated he will need assistance in the

selection of this donation. Rob McArthur's report was submitted into the record by Trustee Pitrone.

Trustee Liaison Newberry, Administration: Newberry gave a brief summary of Town Hall activities. Pool opening has been successful with over \$5,000 in revenues received the first eight days.

Trustee Liaison LoCascio, Parks: No report.

Trustee Liaison Stevens, PPRTA, PPACG, and CDAB: - Stevens reported that the PPACG grant applications with CDOT are moving forward.

Trustee Liaison Peterson, Businesses, Triangle Chamber Commerce – Peterson continuing to work with the businesses and Chamber members and the Green Box Arts organizers for the upcoming community events.

Trustee Liaison Price, Marshal's Department: The Marshal's report was submitted into the record by Trustee Price. Bradley reported that the department's visible traffic enforcement program has been successful; the department has written 7 traffic citations so far this year as compared to 74 last year. Deputy Susan Barnes has been promoted to a Sergeant's position. Bradley is interviewing and reviewing deputy applications.

OTHER BUSINESS – Trustee Pitrone congratulated the Green Box Arts Festival organizers on exceeding all expectation. **No other** business requiring Board action or discussion was presented.

CORRESPONDENCE – The Board members received an email from Michael Lohman. A letter was received directed to the Trails Committee from Mr. & Mrs. Leavitt. **No other** correspondence was received that required Board discussion or action.

There being no further business, Mayor Worthey adjourned the meeting at 9:06 p.m.

Mayor Lorrie Worthey

ATTEST: _____
Chris Frandina, Town Clerk