

**BOARD OF TRUSTEES
TOWN OF GREEN MOUNTAIN FALLS
MINUTES OF REGULAR MEETING - TUESDAY, APRIL 5, 2011**

The meeting was called to order at 7:02 p.m. by Mayor Tyler S. C. Stevens.

ATTENDANCE:	Pitrone	present	Useman	present
	King	present	Bratton	present
	Worthey	absent	Newberry	present

ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA - No additions, deletions or corrections to the Agenda were requested.

PUBLIC INPUT - Items Not Listed on Agenda * - No public input received.

**CONSENT AGENDA - APPROVE BOARD OF TRUSTEES MINUTES, 3/22/11
- APPROVE BILLS DUE AND PAYABLE FOR \$13,396.66**

DISCUSSION OF THE EFFECTS OF THE CURRENT ECONOMIC CRISIS ON EDUCATION AND A PLAN TO INCREASE EDUCATIONAL EFFECTIVENESS - Manitou Springs School District 14 Superintendent, Ed Longfield summarized the State budget cuts that affected the district in the last four years that totaled over 1.5 million dollars. Throughout the economic downturn, District 14's philosophy is forward mobility and implementing measures that focus on the status of the school kids and apply creative measures to carry through and past these tough challenges. He applauded the district for being able to maintain a healthy fund balance in these times. He reviewed the six positive programs that have been implemented at Manitou to encourage the students towards higher education and choosing positive healthy choices through community networking. Longfield also discussed the support the district is channeling to the teachers. The goal is to have the base salaries above the area average in the near future.

REQUEST FOR SPECIAL EVENT PERMIT - Ute Pass Elementary Pony Fun; Saturday, May 7, 2011 - Representative, Christie Cuddihy
M/S Pitrone/Useman to approve the Request for Special Event Permit for Ute Pass Elementary for the Annual Pony Fun Run. All yea
M/S Bratton/Newberry to allocate a \$1.00 permit fee for the Event Permit. All yea

REQUEST FOR A REPORT OF CHANGES ON LIQUOR LICENSE APPLICATION
- Change of Manager for Silver Tongue Devil Saloon, 10530 Ute Pass Avenue
M/S Pitrone/Useman to approve the Request for a Report of Changes. All yea

REQUEST FOR A REPORT OF CHANGES ON LIQUOR LICENSE APPLICATION
- Change of Manager for Mucky Duck Restaurant, 10530 Ute Pass Avenue
M/S Useman/Pitrone to approve the Request for a Report of Changes. All yea

ECONOMIC SUSTAINABILITY GRANT UPDATE - Grant Facilitator, Joe Hanke reported that 186 responses to the citizen survey have been received. Approximately 540 surveys were mailed. Hanke will present the survey results at the April 12th meeting at 7:00 p.m. He will also be holding two focus meetings for employers in Green Mountain Falls on Thursday, 4/28 at the Mucky Duck Restaurant. There will be a lunch session as well as an evening session. The invite letters will be mailed by Hanke within the next week.

DISCUSSION ON THE TOWN OF GREEN MOUNTAIN FALLS' COURSE OF ACTION FOR PERMITTING MEDICAL MARIJUANA CENTERS - On November 7, 2000 the Colorado voters approved Amendment 20 to the Colorado Constitution. Amendment 20 added Section 14 to Article XVIII to the Colorado Constitution. The intent of Article XVIII, Section 14 is to enable certain specified persons who comply with the registration provisions of the law to legally obtain, possess, cultivate, grow, use and distribute marijuana for medical use without fear of criminal prosecution. When House Bill 10-1284 was passed in July 2010, a new Article 43.3 of Title 12 C.R.S. (Colorado Medical Marijuana Code) was established. Under local option provisions of section 12-43.3-106, prior to July 2, 2011, a governing body may vote to prohibit the operation of medical marijuana centers, optional premises cultivation operations and medical marijuana-infused products manufacturers' licenses. Municipalities may choose to do so through legislative action exercising their land use authority. Municipalities may not prohibit patients from growing their own medical marijuana or a caregiver from providing medical marijuana as regulated by the law.

Prior to House Bill 10-1284 being enacted, the Town of Green Mountain Falls adopted Ordinance 01-2010 enacting a moratorium to the submission, acceptance, processing and approval of any application for a permit or license related to the operation or business relating to medical marijuana centers. Ordinance 05-2010 extended the moratorium until July 1, 2011.

To date, more than 45 Colorado municipalities have prohibited medical marijuana centers by adopting an ordinance or through a local election. Over the past three months, the Town Clerk has supplied the Board members with information from the Colorado Municipal League, the Pikes Peak Area Council of Governments, Town Attorney, Dan Stuart and with ordinances that have been enacted prohibiting medical marijuana centers from Woodland Park, Calhan, Loveland and Dillon, as well as ordinances or codes regulating centers from Manitou Springs, Monument, the City of Colorado Springs, and both Teller and El Paso counties. Section 12-43.3.310 allows a municipality to prohibit based on local zoning. The Board members noted that the law states that MM Centers are not permitted within 1000' of a school or child care facility or within 500' of a park or religious institution. This would make it difficult to locate a MM Center within the town limits. The Town has only one business zone.

Residents Howard Price and Michael Lohman stated that they did not support medical marijuana centers within the Town and favored the Board prohibiting through an ordinance. Price stated that an election would be costly and unnecessary because to date community support to allow has not been present. Lohman stated that there are not enough people within the community to make a viable business especially with the nearness of two other centers. Both Trustees Useman and Pitrone have been polling their constituents over the past several months and did not find any support for centers within the town limits. As was discussed at prior meetings, there are MM Centers within 5-6 miles of the town limits; one in Teller County and one on Highway 24 in El Paso County. With Teller and El Paso County permitting MM Centers, others may be in operation in the future. Trustee Pitrone felt that the nearness of these operating facilities make it convenient for people to obtain prescriptions. Calhan added a clause in their ordinance stating that the Board of Trustees may desire to revisit the prohibition of MM Centers. Trustee Pitrone stated he would support that type of clause but did

not desire to tie in any specific time frame. The Board members expressed concern with the limitations of the Marshal's Department both with the department being understaffed and with the department's continued budget constraints. Marshal Ford was asked if there would be an increase in law enforcement duties in the event MM Centers were permitted in town and he stated that he thought there would be. Simply following the newly adopted Department of Revenue regulations will require new department procedures and increased documentation. Trustee Bratton stated that when he considered the pros and cons of allowing MM Centers, he thought of the convenience to citizens, a need to support the local businesses and the income from the sales tax. He did note that he came up with more cons than pros.

The Board of Trustees directed the Town Clerk to work with Town Attorney, Dan Stuart on drafting an ordinance to prohibit Medical Marijuana Centers within the Town limits of Green Mountain Falls. Public hearings will be held as required with all ordinance procedures.

DISCUSSION OF FUTURE FURAL TRANSPORTATION AUTHORITY CAPITAL

IMPROVEMENT PROJECTS FOR THE TOWN - Robert McArthur was tasked with selecting three priority projects that would fall within the capital improvement funding guidelines for the May 3, 2011 meeting. Mayor Stevens encouraged continued brainstorming on potential projects that would meet needs of the community. Stevens stressed that the Town has a voice on the RTA board and the ability to craft language for the ballot question that would meet with voter intent.

UPGRADE ON EQUIPMENT, EQUIPMENT MAINTENANCE AND EQUIPMENT SAFETY STANDARD OPERATING PROCEDURES

- The submittal presented by McArthur was reviewed by the Town Attorney, Dan Stuart and CIRSA staff. **M/S Bratton/King to approve the upgraded SOP for Equipment for the Road Division as presented. All yea**

REPORTS:

The Marshal's Department report was presented by Marshal Ford and entered into the record by Mayor Stevens. Ford introduced Deputy Chris Clayton. Clayton will fill the full time deputy position vacated by Dave Soyka. Part time Deputy Frank Romero will be relocating to Denver in the near future. **Ford** stated that Stage 1 Fire Restrictions are in place for both El Paso and Teller Counties.

Mayor Stevens: PPACG/PPRTA - No report.

Trustee Pitrone: Regional Building - Pitrone reported that to participate in the new dangerous building fund and program established at Regional Building, an IGA will be required. Mayor Stevens suggested that Pitrone request that the Regional Building staff send a copy for the Board and the Town Attorney to review.

Public Works Department: DPW Director - McArthur's report was entered into the record.

Trustee King: PPACG Alternate / TES Alternate Rep - No report.

Administration - The clerk presented the March financial printouts for revenues and expenditures.

Trustee Useman: Manitou School District 14 - No report.

Trustee Worthey: Urban Forestry/GIS website - No report.

Trustee Bratton: The Trails Committee meets on Thursday, 4/07 at 6:00 p.m. at the Mucky Duck Restaurant. All interested parties welcomed. The first trails' work day is slated for 4/23 and volunteers are needed.

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Trustee Newberry: Parks - Newberry applied for and was awarded a grant to attend the CML annual meeting in Vail this June.

OLD BUSINESS - No old business was presented that required Board discussion or action.

NEW BUSINESS - No new business was presented that required Board discussion or action.

CORRESPONDENCE - No correspondence was received that required Board of Trustee discussion or an action.

The meeting was adjourned at 8:39 p.m.

Mayor Tyler S. C. Stevens

ATTEST: _____
Chris Frandina, Town Clerk/Treasurer