

**Town of Mancos**  
**Board of Trustees Meeting**  
**April 9, 2014**  
**7:00 p.m.**

**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 Kearns, Trustee Michele Black, Trustee Alan Rolston, Trustee James Maestas, Trustee Will Stone

Staff Present: Town Administrator Andrea Phillips, Town Clerk/Treasurer Heather Alvarez, Parks & Recreation Coordinator Leslie Hopkins, Marshal John Cox, Town Attorney David Liberman

**C. SWEAR IN NEW BOARD MEMBERS:** Mayor Rachael Simbeck administered the Oath of Office to the four new Board members, Alan Rolston, Will Stone, Michele Black, and James Maestas.

**D. APPROVAL OF AGENDA:** Trustee Will Stone made the motion to approve the agenda. Trustee Michele Black seconded the motion to approve the agenda. Motion passed.

**D. APPROVAL OF MINUTES OF March 26, 2014:** Trustee Queenie Barz made the motion to approve the minutes of March 26, 2014 as written. Trustee Alan Rolston seconded the motion to approve the minutes. Motion passed.

**E. AUDIENCE BUSINESS**

None for items not on the agenda.

**F. ANNOUNCEMENTS**

- Mayor Rachael Simbeck advised the CML Conference is June 17 - 20 this year. She invited all Trustees to attend.
- Town Administrator Andrea Phillips advised the Board the Town Cleanup is scheduled for May 2 – 4.
- Cowboy Half Marathon is coming to Mancos on May 17.

**G. PRESENTATIONS**

- Dustin Stein, Southwest Farm Fresh – they are forming a new farm coop in the area. Their projected gross sales are \$229,000 this year. The coop will be housed somewhere in Montezuma County. Contact information for Southwest Farm Fresh is [stubbornfarm@gmail.com](mailto:stubbornfarm@gmail.com) or (970) 769-1222.
- Chelsea Jones, Economic Development Coordinator – Town Administrator Andrea Phillips introduced our newest independent contractor to the Board. She will be in the office on Monday and Thursday each week. She will work about 20 hours per week.

## H. TREASURER'S REPORT

- March Bills & Claims

Trustee Queenie Barz made the motion to approve the March Bills & Claims as presented. Trustee Todd Kearns seconded the motion. Motion passed.

## I. UNFINISHED BUSINESS

None

## J. NEW BUSINESS

1. Appoint Mayor pro tem

Due to the April 1, 2014 municipal election, the Board is required to appoint a Mayor pro tem to serve in the event of the Mayor's absence. Trustee Will Stone nominated Todd Kearns. Trustee Queenie Barz seconded the motion. Trustee Queenie Barz made a motion to cease nominations. Trustee Will Stone seconded the motion. Motion passed. Trustee Will Stone made a motion to appoint Todd Kearns as Mayor pro tem. Trustee Michele Black seconded the motion. Motion passed.

2. Appointment of Town Administrator, Town Clerk/Treasurer & Town Marshal

Due to the election of a new Board of Trustees, Colorado statutes requires the re-appointment of the Town Administrator, Town Clerk/Treasurer & Town Marshal. Trustee Queenie Barz made the motion to reappoint Andrea Phillips as Town Administrator, Heather Alvarez as Town Clerk/Treasurer and John Cox as Town Marshal. Trustee Alan Rolston seconded the motion. Motion passed unanimously by roll call vote.

3. Resolution 7 Series 2014 Appointment of Town Attorney

C.R.S. 31-4-304 requires the appointment of a Town Attorney within 30 days of seating a new Board of Trustees. Trustee Michele Black made the motion to approve Resolution 7 Series 2014 Reappointment of Mancos Town Attorney David Liberman. Mayor pro tem Todd Kearns seconded the motion. Motion passed unanimously by roll call vote.

4. Ordinance 681 Series 2014 Appointment of Municipal Judge

Our Mancos Municipal Code requires that the Mancos Municipal Judge be reappointed after each election. Trustee Will Stone made the motion to approve Ordinance 681 Series 2014 An Ordinance Re-Appointing Scott Moore as the Mancos Municipal Judge, Appointing James Shaner as the Substitute Judge, and Making Certain Amendments To The Mancos Municipal Code Concerning The Procedure For Appointment of the Mancos Municipal Judge and the Substitute Mancos Municipal Judge. Trustee Michele Black seconded the motion. Motion passed unanimously by roll call vote.

5. Appointment of Committee Liaisons

After each election, the new Board is required to appoint Trustee liaisons to the following internal and outside committees:

- Mancos Planning Commission – Mayor Rachael Simbeck, Trustee Alan Rolston
- Mancos Tree Board – Trustee Michele Black, Trustee Queenie Barz
- Mancos Parks & Recreation – Trustee Will Stone
- Region 9 Economic Development District – Mayor pro tem Todd Kearns as alternate
- Montezuma County Economic Development Assoc. – Trustee James Maestas
- Transportation Planning Region – Mayor pro tem Todd Kearns as alternate
- SW Colorado Council of Governments – Mayor Rachael Simbeck as alternate
- Mancos Trails Committee – Trustee Michele Black

Trustee Queenie Barz made the motion to appoint the above named liaisons to the above committees. Trustee James Maestas seconded the motion. Motion passed.

6. Recreational Marijuana Discussion

Town Administrator Andrea Phillips is requesting direction as to whether the Board wishes to allow retail sales of marijuana within the Town limits and institute a per transaction fee up to \$10.00 as approved by the citizens of Mancos at the April 1, 2014 municipal election. Marshal John Cox included a position paper and information for Board review.

- Jim Cody, 43728 Road M & owner of Beacon Wellness – they employ 6 citizens of Mancos 20 hours per week and are looking to add another 3 part time employees. He also discussed coexisting locations and virtual integration with regard to medical marijuana versus retail marijuana. With regard to the flat tax, he stated that since opening in November, 2013, the majority of purchases are \$20 or less. He is requesting the Board consider their business if the flat tax is instituted.

Trustee Will Stone inquired as to what Mr. Cody feels the recreational purchase of marijuana purchases will total. Mr. Cody advised that a quarter ounce is approximately \$130 in smokable form, edible form is approximately \$300. Town Attorney David Liberman advised that the 4% Town sales tax and all State taxes will apply to retail sales. Trustee Will Stone made a motion to direct the Town Administrator to move forward with drafting regulations to allow retail sale of marijuana within the Town limits. Trustee James Maestas seconded the motion. Mayor pro tem Todd Kearns stated he wants to be clear that this is not an approval of retail sales, Staff will just move forward with researching the issue. Trustee Will Stone stated he feels the Town will lose money by not allowing retail sales of marijuana. He would like to see the regulations include an option for the Town to rescind if necessary. Trustee James Maestas stated he feels the issue will still happen in Town, regardless of whether the Town allows retail sales. Trustee Will Stone advised he would like to see some type of transaction fee enacted. Trustee Queenie Barz clarified with Marshal Cox that due to the fact that retail marijuana is illegal under Federal Law, none of the Marshal's Office employees be involved in the review and approval of retail establishments. Motion passed unanimously by roll call vote. Town Administrator Andrea Phillips will present additional information to the Board at the May 14, 2014 Board meeting.



The Board continued discussion on instituting a per transaction fee on retail sales of marijuana within the Town limits. Town Administrator Andrea Phillips will research options and bring information back to the Board. Mayor pro tem Todd Kearns clarified this transaction fee applies to retail sales of marijuana only. Trustee Will Stone is in favor of instituting the transaction fee. Trustee James Maestas is in favor of instituting the transaction fee. The Board directed Town Administrator Andrea Phillips to research the amount of the transaction tax and bring this information to the Board at a future meeting.

7. Creative District Designation

In 2012, the Board of Trustees approved Resolution 5 Series 2012 designating a creative district. Town Administrator Andrea Phillips is recommending the Board direct her to work with the Mancos Chamber and Arts Council to apply for Candidacy for Creative District Designation through Colorado Creative Industries. The Board so directed. No motion necessary.

8. Administrator Monthly Update

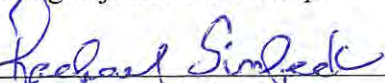
The Town Administrator April Monthly update was included for Board review. The proposed schedule for the new Board includes an orientation to include meeting procedures, Kindle use, Board protocols, facilities tour, etc. Tuesday, April 15 at 7:00 p.m. at Town Hall was set for the orientation. Tami Tanoue from CIRSA will be here May 28 at 5:30 p.m. to present elected officials liability.


**K. ITEMS FOR APRIL 23, 2014 AGENDA**

- Public Hearing: Ordinance 685 Mancos Design Review Board (Town Administrator will have hard copies available at front desk for Trustee review)
- Public Hearing: Ordinance 686 Highway Business District
- Economic Development Incentives Policy
- Quarterly Department Reports: Financial and Activities

**L. ADJOURNMENT**

Meeting adjourned at 8:56 p.m.

  
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Mayor Rachael Simbeck

  
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Town Clerk/Treasurer Heather Alvarez