

**MINUTES
CARBONDALE BOARD OF TRUSTEES
REGULAR MEETING
JANUARY 10, 2017**

STUDENT OF THE MONTH

Students from Carbondale Middle School, Carbondale Community School and Ross Montessori School were in attendance to receive the "Student of the Month" award. The following students were awarded a Certificate of Achievement from Mayor Dan Richardson:

Arturo Flores	A'ishah Acuna Villasano
Sawyer Riley	Maia Cullwick
Jasper Grimm	Anissa Sykes

At 6:10 p.m. the Board did not have a quorum so Mayor Richardson accepted comments from Persons Present Not on the Agenda.

PERSONS PRESENT NOT ON THE AGENDA

Lynn Kirchner, 636 Surrey Rd., gave an update on the Carbondale Homeless Assistance Program. To date, the program has been very successful, it has established fundraising, provided passes to the Recreation Center for showers, they provide hotel rooms on cold nights, food, pet care, legal and safe camping, and they have created a comprehensive resource guide. Currently there are five (5) regular community members without a place to live. Carbondale also has a transient homeless population who come through the community.

Gina Stryker and Erin Rigney informed the Board that they bought a space for their soup testing business. Gina stated that when they bought the space they were told that they would not have to pay tap fees. When they submitted their plans for a commercial kitchen they were told that they would be required to pay \$16,000 - \$20,000. As a result, they are at a standstill because they cannot afford the tap fees. They asked the Board to waive or defer the tap fees. Jay suggested they apply for a loan from the Revolving Loan Fund. Jay noted that the Town usually does not waive tap fees and the tap fees will increase substantially in approximately six (6) months. Mayor Richardson will contact Erin or Gina to discuss this matter and then will report back to the Board.

Doc Philip, Third Street, requested that two (2) stop signs be installed on Third Street. Mayor Richardson explained to Doc that the Board supported the new Third Street improvements and the Town is going to wait and see how the improvements work.

CALL TO ORDER:

Mayor Dan Richardson called the Board of Trustees Regular Meeting to order on January 10, 2016 at 6:25 p.m. in the Town Hall meeting room.

ROLL CALL:

The following members were present for roll call:

Mayor	Dan Richardson
Trustee	Frosty Merriott
	Heather Henry
	Ben Bohmfalk
Arrived After Roll Call	
Trustee	Katrina Byars
Absent	
Trustee	Marty Silverstein

Staff Present:

Town Manager	Jay Harrington
Town Clerk	Cathy Derby
Town Attorney	Mark Hamilton
Finance Director	Renae Gustine
Planner	John Leybourne
Police Chief	Gene Schilling
Police Lieutenant	Chris Wurtsmith

CONSENT AGENDA

- Accounts Payable totaling \$324,715.88
- BOT 12-27-16 Regular Meeting Minutes
- Resolution No. 1, Series of 2017 – Establishing Public Place for Posting Notice of Meetings
- Agreement for Administrative Services – Revolving Loan Fund
- Environmental Board – Request for Funding – Idling Education

CONSENT AGENDA

Trustee Merriott made a motion to approve the Consent Agenda. Trustee Henry seconded the motion and it passed with:

4 yes votes: Bohmfalk, Merriott, Richardson, Henry

TRUSTEE COMMENTS

Trustee Henry stated that she attended the Environmental Board (EBoard) meeting. They are excited that the Idling Ordinance passed. Also, Trustee Merriott and Henry met with Chair Julia Farwell and discussed the possibility of expanding the plastic bag ban, imposing a ban on single plastic water bottles and creating an Environmental Charter. The EBoard is meeting with the BOT on January 17th and they have a big list of goals/priorities for 2017.

Mayor Richardson congratulated Will Grambois, on his new position as the editor of the Sopris Sun. Mayor Richardson stated that he will be attending the RFTA meeting on January 12th, the Access Control Plan is the major topic.

ATTORNEY'S REPORT

The attorney did not have a report.

PUBLIC HEARING – ORDINANCE 1, SERIES OF 2017 – AMENDMENT TO UNIFIED DEVELOPMENT CODE – ALLOWING DRIVE THROUGH BANKS & PHARMACIES IN COMMERCIAL ZONE DISTRICTS

Mayor Richardson disclosed that his employer SGM will probably do some work for the new bank. John Leybourne stated that basically this is a housekeeping issue. When drive-through restaurants were omitted from the UDC pharmacies and banks were mistakenly omitted.

Trustee Bohmfalk stated that he supports the idea of the drive-throughs but he would like them limited as much as possible.

Trustee Henry made a motion to approve Ordinance No. 1, Series of 2017 with the following amendment to the UDC Chapter 17.04 - D 1.: "All other drive-throughs, with the exception of drive-through pharmacies in the CRW zone district, are prohibited" shall be deleted. Trustee Bohmfalk seconded the motion and it passed with:

4 yes votes: Merriott, Bohmfalk, Henry, Richardson

TOWN OF CARBONDALE AND PAUL AND CELIA NEISLANIK TRANSFER OF PROPERTY AUTHORIZATION

Mark Chain explained that the Town is in the process of exchanging a 1.38 acre parcel of land (zoned industrial) it owns adjacent to Delaney Park and the Overlook/Carbondale Industrial Park for 1.38 acres of land the Nieslaniks own adjacent to Hillcrest Cemetery.

Trustee Merriott made a motion to authorize the Mayor to sign both plats as owners of land contained on each plat, to sign the Town/Nieslanik Subdivision Exemption and Lot Line Adjustment Plat for purposes of dedicating land to the 4th Street right-of-way, and to allow the Mayor to sign the deed correction agreement and other miscellaneous deeds/documents required by the title company to complete the land swap and re-platting processes. Trustee Bohmfalk seconded the motion and it passed with:

4 yes votes: Richardson, Henry, Bohmfalk, Merriott

CMED, LLC – RETAIL MARIJUANA STORE, RETAIL MARIJUANA CULTIVATION, MEDICAL MARIJUANA DISPENSARY AND MEDICAL MARIJUANA CULTIVATION LICENSE RENEWAL APPLICATIONS

Staff recommends that CMED, LLC's license be renewed for the following reasons: they have met their 30% renewable energy requirement, all required fees have been paid, and after several odor complaints the applicant installed a new ventilation system which appears to be functioning adequately.

Trustee Bohmfalk made a motion to approve CMED, LLC, dba Rock Mountain High's Medical and Retail Marijuana Cultivation and Retail and Medical Marijuana Store Renewal Applications. Trustee Henry seconded the motion and it passed with:

4 yes Votes: Henry, Bohmfalk, Merriott, Richardson

ORDINANCE NO. 2, SERIES OF 2017 – AMENDING MARIJUANA REGULATIONS FOR RENEWALS

Staff explained that when Ordinance 15, Series of 2016 was passed it inadvertently cancelled a clause requiring marijuana establishments to renew 60 days prior to their expiration or pay a \$1,000 fee if the licensing process goes beyond the expiration date while the Town completes the renewal licensing process. Ordinance No. 2, Series of 2017 will re-establish the 60 day renewal requirement.

Trustee Merriott made a motion to approve Ordinance No. 2, Series of 2017 – Amending Marijuana Regulations for Renewals. Trustee Henry seconded the motion and it passed with:

4 yes votes: Bohmfalk, Merriott, Richardson, Henry

TRIDENT DISCUSSION

At a previous meeting the Board requested that Two Rivers Drug Enforcement Team (TRIDENT) be placed on an Agenda for discussion.

Discussion ensued.

Trustee Merriott stated that the statistics provided in the Trustee packet are misleading – drugs should not be measured in grams and the confiscated drug values are overstated and unrealistic.

Trustee Merriott said the question is do we continue to fund a dedicated Trident officer for \$100,000, do we fund a mental health clinician who would go on police calls, fund another mental health clinician in the school district or perhaps another school resource officer.

Trustee Henry stated we need to focus on the social and safety impacts of drugs, not just the dollar amount confiscated.

Mayor Richardson asked is the priority to prevent drugs from getting in to the hands of children. He asked is this the best way to spend our money – what is our priority with this investment?

Gene Schilling agreed that Carbondale has a great need for mental health professionals/services.

Trustee Byars arrived at the meeting.

Trustee Merriott asked Gene Schilling to talk to the Garfield County Sheriff and see if the towns can possibly pool resources to fund mental health professionals.

Trustee Byars stated that she does not like Trident's tactics. She agrees that there is a shortfall in mental health resources in Carbondale and in the valley.

Chris Wurtsmith stated that we need to make it difficult to deal drugs.

The Board agreed that they want to have a discussion on mental health at a future work session. The Board also agree to continue to evaluate the value of our TRIDENT membership.

ADJOURNMENT

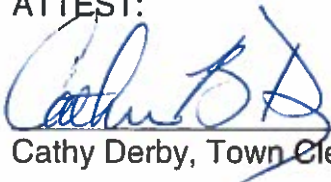
The January 10, 2017, regular meeting adjourned at 8:40 p.m. The next regularly scheduled meeting will be held on January 24, at 6:00 p.m.

APPROVED AND ACCEPTED



Dan Richardson, Mayor

ATTEST:



Cathy Derby, Town Clerk

