

**MINUTES
CARBONDALE BOARD OF TRUSTEES
REGULAR MEETING
APRIL 11, 2017**

STUDENT OF THE MONTH

Students from Carbondale Middle 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:

Zack Bollock	Sophia Rojo
Talon Carballeira	Liliana Santos Candela

CALL TO ORDER:

Mayor Dan Richardson called the Board of Trustees Regular Meeting to order on April 11, 2016 at 6:10 p.m. in the Town Hall meeting room.

ROLL CALL:

The following members were present for roll call:

Mayor	Dan Richardson
Trustee	Heather Henry
	Ben Bohmfalk
	Marty Silverstein
	Erica Sparhawk
	Frosty Merriott
Absent	
Trustee	Katrina Byars

Staff Present:

Town Manager	Jay Harrington
Town Clerk	Cathy Derby
Town Attorney	Mark Hamilton
Finance Director	Renae Gustine

CONSENT AGENDA

- Accounts Payable totaling \$282,885.02
- BOT 3/14/17 Regular Meeting Minutes
- BOT 3/21/17 Work Session Minutes
- BOT 3/28/17 Regular Meeting Minutes

- Award of Crystal Well Bid & Contract
- Memorandum of Understanding – Town and Mt. Sopris Historical Society
Re: Grant Management
- Architectural Contract – Thompson House
- Liquor License Renewal – River Valley Ranch Master Association
- Liquor License Renewal – Beijin Tokyo
- Resolution No. 4, Series of 2017 – Adoption of 2017 Salary Survey
- Environmental Board – Recommendation for Appointment

CONSENT AGENDA

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

6 yes votes: Bohmfalk, Silverstein, Sparhawk, Richardson, Henry, Merriott

PERSONS PRESENT NOT ON THE AGENDA

Richard Votero, Buckingham Drive, told the Board that he believes the property near the substation is a good location for a storage facility. He also read a letter from Allyn Harvey supporting the location for a storage facility. Richard also stated that he is pleased that the Town does not add Fluoride to its water.

TRUSTEE COMMENTS

Trustee Merriott reiterated that he is open to allowing a developer to build a storage facility by the substation since it is not a good place for housing. He said the trees in front of the substation are not thriving.

Trustee Merriott also stated that he would like to write an article for the June newspaper on either killing of predators to help the deer population or the proposed Environmental Charter.

Trustee Bohmfalk stated that he attended the Bike/Pedestrian/Trails (BPT) meeting, during which the Park and Recreation Commission gave a presentation. Trustee Bohmfalk announced that Bike Week is scheduled for May 19-25. Trustee Bohmfalk encouraged the BPT to attend next week's work session where mobility will be discussed.

Mayor Richardson informed the Board that he attended the CORE retreat. They agreed that CORE needs to dedicate a portion of its efforts to clean energy.

Mayor Richardson stated that he attended the Common Ground event hosted by the Post Independent. He also attended a meeting hosted by gubernatorial candidate Mike Johnson.

Mayor Richardson thanked the businesses who supported the fundraiser for a citizen who needs a kidney.

ATTORNEY'S REPORT

The attorney did not have a report.

SPECIAL COUNSEL COMMENTS – THOMPSON DIVIDE

Mike Chiropolos, Special Counsel for Thompson Divide, explained to the Board that SG Interests filed a complaint in federal district court challenging the BLM's decision to cancel 18 of SG's unlawfully issued leases in the Thompson Divide.

Mike asked the Board to: 1) decide whether to approve joining other coalition parties intervening in the litigation (Pitkin County, Wilderness Workshop, the Thompson Creek Cattlemen's Association and Trout Unlimited); and 2) if the Town approves intervention, designate at least one representative to submit a "Standing Declaration".

Staff recommend moving forward on #1, and schedule an Executive Session on #2.

Mayor Richardson stated that he spoke with Trustee Byars and she asked that the Source Water Protection Plan be mentioned in a Declaration.

Trustee Sparhawk made a motion to approve joining other coalition parties intervening in the litigation (Pitkin County, Wilderness Workshop, the Thompson Creek Cattlemen's Association and Trout Unlimited). Trustee Silverstein seconded the motion and it passed with:

6 yes votes: Henry, Bohmfalk, Merriott, Richardson, Sparhawk, Silverstein

SPECIAL EVENT LIQUOR LICENSE – CARE SPRING INTO FUN BLOCK PARTY

CARE has applied for a Special Event Liquor License for an event to be held at the Fourth Street Plaza. All fees have been paid, and the Police Department has reported no problems with the applicant or the premises.

Trustee Silverstein made a motion to approve CARE's Special Event Liquor License Application. Trustee Sparhawk seconded the motion and it passed with:

6 yes votes: Sparhawk, Richardson, Silverstein, Merriott, Bohmfalk, Henry

SPECIAL EVENT LIQUOR LICENSE – FESTIVAL LAS AMERICAS

Festival las Americas has applied for a Special Event Liquor License for their annual fundraiser to be held at Sopris Park. All fees have been paid and the Police Department has reported no problems with the applicant or the premises.

Trustee Bohmfalk made a motion to approve Festival las Americas' Special Event Liquor License Application. Trustee Sparhawk seconded the motion and it passed with:

6 yes votes: Richardson, Silverstein, Sparhawk, Henry, Merriott, Bohmfalk

SPECIAL EVENT LIQUOR LICENSE –KDNK – DANDELION DAY

KDNK has applied for a Special Event Liquor License for Dandelion Day to be held at Sopris Park. All fees have been paid and the Police Department has reported no problems with the applicant or the premises.

Trustee Silverstein made a motion to approve KDNK's Special Event Liquor License Application. Trustee Bohmfalk seconded the motion and it passed with:

6 yes votes, Silverstein, Sparhawk, Henry, Merriott, Bohmfalk, Richardson

MODIFICATION OF PREMISES/REVOCABLE LICENSE AGREEMENT – PHAT THAI

Staff explained that the restaurants on Main Street and Fourth Street that erect a deck for outdoor dining in the summer must annually apply for a modification of premises, and must sign a Revocable License Agreement. No complaints have been received pertaining to Phat Thai's outdoor dining and staff recommends approval.

Trustee Sparhawk made a motion to approve the Modification of Premises Application for Phat Thai and to authorize the Town Manager to sign the Revocable License Agreement. Trustee Silverstein seconded the motion and it passed with:

6 yes votes: Sparhawk, Bohmfalk, Merriott, Richardson, Henry, Silverstein

MODIFICATION OF PREMISES/REVOCABLE LICENSE AGREEMENT – SENIOR TACO SHOW

Staff informed the Board that no complaints have been received pertaining to Senior Taco Show's outdoor dining and staff recommends approval.

Trustee Sparhawk made a motion to approve the Modification of Premises Application for Senior Taco Show and to authorize the Town Manager to sign the Revocable License Agreement. Trustee Henry seconded the motion and it passed with:

6 yes votes: Sparhawk, Bohmfalk, Merriott, Richardson, Henry, Silverstein

PUBLIC HEARING – RETAIL MARIJUANA STORE – TRANSFER OF OWNERSHIP

Applicant: Daniel Griffin

Location: 259 Main Street

Staff explained that Tumbleweed Carbondale has applied for a transfer of ownership from S.P. Carbondale located at 259 Main Street. All fees have been paid. Staff noted that S.P. Carbondale has been non-operational for over two (2) years. Staff noted that the applicant(s) own several stores and they are familiar with the difficulties of operating a marijuana store. Staff recommends approval of the transfer.

Staff asked Tumbleweed's representative Mark Smith what he thought of the Town's application process and our marijuana laws. Mark responded that he wished we would do away with the 10% local agent requirement. In the event there is a problem and the owner is not responsive the Board could then require that a local agent be appointed.

Mayor Richardson opened the public hearing. There was no one present who wished to address the Board so Mayor Richardson closed the public hearing.

Trustee Silverstein made a motion to approve Tumbleweed Carbondale LLC's Retail Marijuana Store Transfer of Ownership Application. Trustee Henry seconded the motion and it passed with:

6 yes votes: Bohmfalk, Merriott, Richardson, Henry, Silverstein, Sparhawk

PUBLIC HEARING – RETAIL MARIJUANA STORE – TRANSFER OF LOCATION

Applicant: Daniel Griffin

Location: 304 Highway 133

Staff explained that Tumbleweed Carbondale has applied for a transfer of location for their store currently located at 259 Main Street. They have applied to move it to 304 Highway 133. All fees have been paid.

Mayor Richardson opened the public hearing. There was no one present who wished to address the Board so Mayor Richardson closed the public hearing.

Trustee Bohmfalk stated that he is glad the store is moving off of Main Street. He also said that he doesn't like chain stores and he thought the local agent requirement would prevent chains from occurring in Town.

Trustee Merriott made a motion to approve Tumbleweed Carbondale LLC's Retail Marijuana Store Transfer of Location Application. Trustee Sparhawk seconded the motion and it passed with:

6 yes votes: Merriott, Richardson, Henry, Silverstein, Sparhawk, Bohmfalk

ADJOURNMENT

The April 11, 2017, regular meeting adjourned at 7:00 p.m. The Board then went into a Good Governance training that ended at 8:45 p.m. The next regularly scheduled meeting will be held on April 25, 2017, at 6:00 p.m.

APPROVED AND ACCEPTED


Dan Richardson, Mayor

ATTEST:


Cathy Derby, Town Clerk