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**TOWN COUNCIL MEETING MINUTES
TUESDAY, MARCH 3, 2015
Town Hall Council Chambers
551 Hot Springs Blvd
5:00 p.m.**

- I. **CALL MEETING TO ORDER** – Mayor Volger, Council Member Alley, Council Member Bunning, Council Member Egan, Council Member Lattin, Council Member Schanzenbaker
- II. **PUBLIC COMMENT** – Mr. Mark Wilsey spoke about the McCabe Creek and 6th Street project development. He said there are benefits to purchasing his property located next to the Car Quest. He said 30 cars can be parked in the area and would be a positive impact to the Pagosa residents. He said the property would be a great place for a sewer lift station. He said he was promised by the town a roadway and utilities and instead has a land locked property. He would like a resolution regarding the properties and would like the Town to purchase the lots. Mr. Paul Nobles said he sold the property to his daughter. He said they have received no appreciation from the Town and they don't have utilities or bridges as once promised by the town council.
- III. **CONSENT AGENDA**
 1. **Approval of the February 19, 2015 Meeting Minutes**
 2. **Liquor Licenses**
 - a. **New Beer and Wine Liquor License – Rychelle LLC dba The Lost Cajun Pagosa Springs at 438 C Pagosa Street**
 - b. **Liquor License Renewal – Schnox Corporation dba Riff Raff Brewing Company at 274 Pagosa Street**
 - c. *Special Events Liquor Permit – Humane Society of Pagosa Springs Chocolate Auction, March 28, 2015 at the Pagosa Springs Youth Center on Pagosa Street - WITHDRAWN*
 - d. **Special Events Liquor Permit – Town of Pagosa Springs Concert, March 20, 2015 at the Ross Aragon Community Center** – Council Member Alley recused himself from the item and left the room. Council Member Schanzenbaker moved to approve the consent agenda withdrawing 2c, Council Member Bunning seconded, unanimously approved.
- IV. **NEW BUSINESS**
 1. **Region 9 Enterprise Zone Redistricting** – Ms. Laura Lewis Marchino, Assistant Director for Region 9, oversees the Enterprise Zone Tax Credit Program in this area. Because the economic situations for Archuleta County and the Town have improved so much many tax credits will not be available starting in 2016. She said businesses from 8th street east are still eligible for future tax credits and some business west of town will be contacted to see about grandfathered rights into the program.
 2. **Geothermal Authority Funding Request** - In April 2014, the Town of Pagosa Springs and Archuleta County executed the Pagosa Area Geothermal Water and Power Authority

(Authority) Agreement that created the Authority with the purpose of exploring for geothermal resources. The project, including the test drilling, is being funded from a \$4 million federal Department of Energy (DOE) grant, \$2 million in state of Colorado Department of Local Affairs (DOLA) Energy Impact grant, and \$520,000 in County and Town funds. As the drilling has progressed, it has surfaced that the Authority will need funding to pay for the initial costs and then be reimbursed subsequently by the DoLA grant. Funding is not budgeted and would need to be taken from the Town reserve funds. The county approved the funding request contingent upon a promissory note from the Authority and written guarantee by Pagosa Verde. Should DoLA determine not to fund the entire funding request, there would be have to be an allocation of cost among shareholders (Town 40%, County 40%, Pagosa Verde 20%). Mr. Jerry Smith said DoLA has said the reimbursement will be approximately three to four weeks and that the DoLA representative, Ken Charles, will be watching for the payments from DoLA. He said the county has asked for a guarantee that Pagosa Verde be responsible for 20% of any funds not honored by DoLA. Council Member Schanzenbaker moved to approve appropriating from General Fund reserves an amount not to exceed \$250,000 for the immediate purpose of providing bridge funding to the Pagosa Area Geothermal Water and Power Authority for expenses related to geothermal test drilling, any funding advanced is to be reimbursed by the Department of Local Affairs Energy Impact Grant awarded to the Pagosa Area Geothermal Water and Power Authority, Council Member Egan seconded, unanimously approved.

3. **Retail and Medical Marijuana Business Licensing** - On February 3, 2015, Town Council directed staff to bring forth an ordinance for considering allowing marijuana businesses within Town boundaries. The Town has a number of decisions to make concerning allowing marijuana businesses to operate within the Town Boundaries. Using the Archuleta County's ordinance and regulations as a starting point, for consistency purposes, there are many choices Town Council has in the development of regulations for marijuana businesses. Decisions for the types of establishments, restrictions to operation and locations, establishment of a local licensing authority, applications, fees, and taxes. Town Attorney Cole said a licensing program could be put in place, but taxes deferred to an election decision. A special meeting on Friday March 13th at 7:30 am to discuss options. Council Member Schanzenbaker agrees to have consistency with the County and follow their ordinance. Council Member Lattin asked for an updated map based on county and state regulations. Staff will invite the county attorney and local businesses for input during this meeting.

V. OLD BUSINESS

1. **Purchase of Real Property Lots 6 & 7 Block 33 with Possible Executive Session Pursuant to C.R.S. Section 24-6-402(4)(a) Concerning the Purchase, Acquisition, Lease, Transfer, or Sale of any Real, Personal, or other Property Interest and C.R.S Section 24-6-402(4)(e) Determining Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators** – Council Member Schanzenbaker asked for more clarification in real property addresses, Mayor Volger said this is pertaining to Mr. Wilsey's property. Council Member Lattin moved to go into executive session regarding real property lots 6 and 7 Block 33 pursuant to C.R.S. Section 24-6-402(4)(a) concerning the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest and C.R.S. Section 24-6-402(4)(e) determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators, Council Member Schanzenbaker seconded, unanimously approved at 6:45pm. Mayor Volger called the meeting back in regular session at 7:43pm.

- VI. **PUBLIC COMMENT** – Mr. Morgan Murri thanked Planning Director Dickhoff for getting stakeholders together to take care of the pot holes at the Country Center Marketplace. Mr.

Bill Hudson is not a marijuana user, but is glad it is legalized. He said it is an alternative to alcohol which is a deadly drug. He believes marijuana is a safe way to self-medicate in dealing with life struggles. Mr. Hudson has offered his services in researching this licensing of marijuana.

VII. COUNCIL IDEAS AND COMMENTS – Council Member Egan would like to review the sign ordinance due to the Pagosa Car Wash sign. He would like to look at what the Town residents receive with the Town’s investment in the PAGWPA venture.

VIII. NEXT TOWN COUNCIL MEETING MARCH 19, 2015 AT 5:00 PM

IX. ADJOURNMENT – Upon motion duly made, the meeting adjourned at 7:46pm.

Don Volger
Mayor