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**TOWN COUNCIL MEETING MINUTES  
TUESDAY, AUGUST 4, 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 Lattin, Council Member Schanzenbaker
- II. **PUBLIC COMMENT** – None
- III. **CONSENT AGENDA**
  1. **Approval of the July 23, 2015 Meeting Minutes**
  2. **Liquor Licenses**
    - a. **Liquor License Renewal – Café Colorado at 565 Village Drive Ste I & J Pagosa Springs**
    - b. **Liquor License Renewal – Overlook Hot Springs Spa at 432 Pagosa Street Pagosa Springs**
    - c. **Liquor License Renewal – Everyday Stores at 300 E Pagosa Street Pagosa Springs**
    - d. **Special Events Liquor Permit – Humane Society of Pagosa Springs Auction for the Animals August 21, 2015 at the Ross Aragon Community Center at 451 Hot Springs Blvd.**
    - e. **Special Events Liquor Permit – Seeds of Learning Little Black Dress Event October 2 & 3, 2015 at the Ross Aragon Community Center at 451 Hot Springs Blvd.** – Council Member Lattin moved to approve the consent agenda, Council Member Schanzenbaker seconded, unanimously approved.
- IV. **DELEGATION**
  1. **Solarize Archuleta - Jonathan Dobson and 4CORE** – Mr. Dobson is working with 4CORE to provide the same program that LaPlata County provides for solar benefits. The group would like some financial help if that is available. They would like to install 30 units on the grid. Mr. Gary Frierdich said LPEA is working with this group for rebates, and local banks for loans for these units. He said this is a community effort and all installers are from the community. He said the governor’s initiative to strive for sustainable energy. Mr. Mick Abraham said the community had a solar laundry company that attracted him to Pagosa. He said the solar module has become more mature and trouble-free. He said the green aspect is great. He asked the Town to support with promotion or funding for pamphlets. Mr. Gary Frierdich commented to request the funding now rather than in the 2016 budget.
- V. **NEW BUSINESS**
  1. **Sponsorship of the Southwest Indicator Report Housing Section** - Region 9 is working with the Community Foundation of Southwest Colorado, the United Way, and the Southwest Colorado Council of Governments (SWCCOG) to update the Southwest Colorado Index which measures and asses a variety of key community indicators. Region 9 and its partners engage data collection professionals to examine and quantify the pertinent indicators. The group is seeking

sponsorship from affected jurisdictions to examine 2<sup>nd</sup> Home Ownership segments. Mr. Bill Hudson said that economic development is an aspect of the 2015 budget. He would like Region 9 to fund research for this project from a local business in town. Council Member Lattin would like to make sure to receive the results from the research. Council Member Alley moved to authorize the sponsorship of the Colorado Southwest Index in the amount of \$2,000 to be paid from funding line 10-77-520 with urging to look locally for research business, Council Member Schanzenbaker seconded, unanimously approved.

2. **Request from Upper San Juan Health Services District for Waiving of Development Fees –** Town Manager Greg Schulte recused himself from discussion, Mr. Schulte sits on the hospital board. The hospital is moving forward with a \$7.2 million expansion of the facilities. On June 9, 2015 the Town's design review board approved the Upper San Juan Health Service Districts major design review application. On July 16, 2015 the building department received a building permit application with building plans for review. On July 29, 2015 the Town received a formal request from the Upper San Juan Health Services District for consideration of waiving development fees associated with their proposed expansion project. Those fees include \$30,359 in building permit fees, \$15,179 in plan review fees, \$43,545 in Town road and building impact fees. The \$17,413 impact fee for emergency services cannot be waived by the town council, the hospital will need to make that request to the Pagosa Fire District. The hospital has donated a 50' road easement for a possible connection between Meadows Drive and South Pagosa Drive. Mr. Brad Cochenet said the hospital has improved the facility with growth and almost self sufficient for general operations. He said they are about \$1 million short of where they want to be. They are hoping to open next year. Building Official, Zach Richardson, said the majority of the plan review will be done in house, outside engineers will be used, but both have offered to assist in the plan review fee free of charge as a donation. The group has requested the BOCC waive the dump fees. Council Member Bunning said this is an economic development issue and should waive the fees. Council Member Lattin said a percentage would be acceptable for the economic development of a large employer option. Mayor Volger said as long as the council can justify the decision will not be setting precedence. He said the special district aspect is different from a non-profit or for-profit business. An estimate for the building related work time spent on the project is the estimated fees suggested. Council Member Alley move to approve the request to waive impact fees, building permit fees and plan review fees for this project, Council Member Bunning seconded, motion passed with one nay (Council Member Lattin).

## VI. OLD BUSINESS

1. **Ordinance 830, Second Reading, Repealing and Readopting Municipal Code Sections 6.5.1.9(1)(u) and 6.5.1.9(1)(v) regarding Marijuana Business Regulations** - On May 02, 2015, the Town Council approved Ordinance 825, adopting regulations for marijuana Business Establishments. During the process of outlining the application forms and processes, staff has identified a regulation that may need clarification. The purpose of Ordinance 830 is to clarify the Town's Marijuana Business Establishment regulations regarding establishments purchasing products from outside of Archuleta County as currently contemplated in Chapter 6, Article 5 of the Municipal Code, previously adopted via Ordinance 825. On July 22, 2015, Archuleta County adopted similar defining language clarification, excluding edibles from the 70%/30% regulation. Council Member Alley is concerned with a store coming in with a grow operation. Council Member Schanzenbaker moved to approve the Second Reading of Ordinance 830, An Ordinance of the Town of Pagosa Springs repealing and readopting sections 6.5.1.9(1)(u) and 6.5.1.9(1)(v) in Article 5 of Chapter 6 of the Pagosa Springs Municipal Code, for the Regulation of Marijuana Establishment purchases from Outside of Archuleta County, Council Member Alley seconded, motion passed with one nay (Council Member Lattin).
2. **Ordinance 831, Second Reading, Amending Municipal Code Section 16.4.9 regarding Enforcement of the Lodger's Tax** - The Town's 4.9% lodger's tax is imposed to be collected by vendors furnishing lodging and is used to promote the town to encourage tourist to visit. It is the duty of the vendors to collect and remit the lodgers tax to the Town by the 20th day following the month in which the tax is collected. Ordinance 831 clarifies that the lodger's tax shall be a

lien on the vendor's property until paid and that failure to remit such amounts may result in certification of the delinquent amounts to the County Treasurer for collection with taxes. This certification assists in guaranteeing the Town receives the lodger's tax due. Council Member Alley moved to approve second reading of Ordinance 831, an ordinance of the Town of Pagosa Springs amending section 16.4.9 of the Pagosa Springs Municipal Code regarding enforcement of the lodger's tax, Council Member Bunning seconded, unanimously approved.

- VII. PUBLIC COMMENT** – Mrs. Sally High with Pagosa Verde is inviting the council to attend the Pagosa Verde symposium this August. She would like the council to support a hospitality sponsorship. She said the economic impact to the community for the 2014 symposium was \$28,000. Mr. Bill Hudson said anyone can walk in and request funds for economic development, he suggests the council define economic development for the public requests.
- VIII. COUNCIL IDEAS AND COMMENTS** - Council Member Alley would like a request for a new assistant planner from the planning department. Council Member Lattin said she has seen a lot of off-site signage. Council Member Schanzenbaker said the council has not had discussion with the BOCC and requests put the HPB request on the next agenda.
- IX. NEXT TOWN COUNCIL MEETING AUGUST 20, 2015 AT 5:00 PM**
- X. ADJOURNMENT** – Upon motion duly made, the meeting adjourned at 6:39pm.

**Don Volger  
Mayor**