



**AGENDA**  
**TOWN OF PARACHUTE**  
**BOARD OF TRUSTEES REGULAR MEETING**  
**DECEMBER 17, 2015**  
**222 GRAND VALLEY WAY, PARACHUTE, CO**  
**6:30 P.M.**

The Town of Parachute will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 285-7630, x-104 for assistance.

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**(A) CALL TO ORDER AND ROLL CALL**

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**(B) PLEDGE OF ALLEGIANCE**

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**(C) APPROVE AGENDA**

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**(D) CONSENT AGENDA:**

- (1) MINUTES FROM THE OCTOBER 15, 2015, REGULAR MEETING
- (2) MINUTES FROM THE NOVEMBER 19, 2015, REGULAR MEETING
- (3) EXPENDITURES PAID IN NOVEMBER 2015
- (4) BOARD CONSIDERATION OF A LIQUOR LICENSE RENEWAL APPLICATION FOR A 3.2 BEER OFF-PREMISE LICENSE

APPLICANT: Rocky Mountain C Stores Inc.  
DBA: Parachute Shell

ADDRESS: 200 County Road 215  
Parachute, CO 81635

- (5) BOARD CONSIDERATION OF A HOTEL LIQUOR LICENSE RENEWAL APPLICATION

APPLICANT: JKLMN LLC  
DBA: Shommy's

ADDRESS: 28 Cardinal Way  
Parachute, CO 81635

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**(E) COMMENTS FROM CITIZENS REGARDING ITEMS NOT ON THE AGENDA**

The Board of Trustees welcomes you and thanks you for your time and concerns.

If you wish to address the Board of Trustees, this is the time set on the agenda for you to do so. When you are recognized, please step to the podium, state your name and address then address the Board. Your comments will be limited to **three (3) minutes**. The Board may not respond to your comments this evening, rather they may take your comments and suggestions under advisement and provide direction to the appropriate member of Town Staff for follow-up. Thank you.

**PLEASE SILENCE ALL CELL PHONES, PAGERS, AND HAND HELD DEVICES. THANK YOU.**

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**(F) DEPARTMENTAL REPORTS:**

- (1) Mayor and Board of Trustees ..... Mayor and Trustees
  - (2) Town Manager Monthly Update ..... Stuart McArthur, Town Manager
  - (3) Community Development Report ..... Stuart McArthur, Town Manager
  - (4) Public Works Department Monthly Update ..... Mark King, Public Works Director
  - (5) Police Department Monthly Update ..... Cary Parmenter, Police Chief
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**(G) CONTINUATION OF PUBLIC HEARING BEFORE THE TOWN OF PARACHUTE BOARD OF TRUSTEES IN CONSIDERATION OF AN APPLICATION FOR RETAIL LICENSE FOR A MARIJUANA RETAIL STORE (WITHDRAWN BY APPLICANT – PUBLIC HEARING CANCELLED)**

**APPLICANT/OWNER:** Heavenly Healing LLC  
**PROJECT NAME:** Application for license from the Town of Parachute for a retail marijuana store  
**PROJECT LOCATION:** 254 South Railroad Avenue  
Parachute, CO 81635  
**LEGAL DESCRIPTION:** Assessor Parcel No: 240707200013  
Section: 7 Township: 7 Range: 95 TR IN LOT 4  
**STAFF:** STUART McARTHUR, TOWN MANAGER

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**(H) PUBLIC HEARING BEFORE THE TOWN OF PARACHUTE BOARD OF TRUSTEES TO CONSIDER A DEVELOPMENT REVIEW APPLICATION FROM WEST RUN, INC. TO RE-ZONE A PARCEL FROM NEIGHBORHOOD COMMERCIAL TO LIGHT INDUSTRIAL (WITHDRAWN BY APPLICANT – PUBLIC HEARING CANCELLED)**

**APPLICANT/OWNER:** West Run, Inc  
3435 Grand Valley Canal Road  
Grand Junction, CO 81520  
**PROJECT NAME:** Public meeting to seek authorization from the Town of Parachute to re-zone a property that is currently zoned Neighborhood Commercial to Light Industrial.  
**PROJECT LOCATION:** 104 Cardinal Way  
Parachute, CO 81635  
**LEGAL DESCRIPTION(S):** Section: 12  
Township: 7  
Range: 96 West  
Lot: 013  
6th Prime Meridian  
County of Garfield  
State of Colorado  
**STAFF:** STUART McARTHUR, TOWN MANAGER

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**(I) PUBLIC HEARING BEFORE THE TOWN OF PARACHUTE BOARD OF TRUSTEES TO CONSIDER A DEVELOPMENT REVIEW APPLICATION FROM WEST RUN, INC. FOR A SPECIAL USE REVIEW TO ACQUIRE LICENSE FROM THE TOWN OF PARACHUTE TO ESTABLISH A RETAIL MARIJUANA CULTIVATION FACILITY (WITHDRAWN BY APPLICANT – PUBLIC HEARING CANCELLED)**

**APPLICANT/OWNER:** West Run, Inc  
3435 Grand Valley Canal Road  
Grand Junction, CO 81520

**PROJECT NAME:** Public meeting for a Special Review Use to seek authorization from the Town of Parachute to receive a license to establish a Retail Marijuana Cultivation Facility.

**PROJECT LOCATION:** 104 Cardinal Way  
Parachute, CO 81635

**LEGAL DESCRIPTION(S):** Section: 12  
Township: 7  
Range: 96 West  
Lot: 013  
6th Prime Meridian  
County of Garfield  
State of Colorado

**STAFF:** STUART McARTHUR, TOWN MANAGER

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**(J) PUBLIC HEARING BEFORE THE TOWN OF PARACHUTE BOARD OF TRUSTEES IN CONSIDERATION OF A DEVELOPMENT REVIEW APPLICATION FROM THE TOWN OF PARACHUTE TO AMEND THE TOWN OF PARACHUTE MUNICIPAL CODE TITLE 15.**

**APPLICANT/OWNER:** Town of Parachute  
222 Grand Valley Way  
Parachute, CO 81635

**PROJECT NAME:** Revisions to its Municipal Code: Title 15 (Town of Parachute Land Use Regulations), regarding the Zoning Use Table, revise “Administrator” to “Manager” throughout the code in accordance to the Town Charter, and references to Town Meetings.

**PROJECT LOCATION:** N/A

**LEGAL DESCRIPTION:** N/A

**STAFF:** STUART McARTHUR, TOWN MANAGER

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**(K) BOARD CONSIDERATION OF ORDINANCE NO: 690**

AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING SECTION 15.03.215 OF THE PARACHUTE MUNICIPAL CODE CONCERNING THE SCHEDULE OF USES PERMITTED IN ZONE DISTRICTS AND AMENDING TITLE 15 REGARDING REFERENCES TO THE TOWN ADMINISTRATOR AND REGULAR MEETINGS.

STAFF: STUART McARTHUR, TOWN MANAGER

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**(L) BOARD CONSIDERATION OF ORDINANCE NO: 691**

AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING SECTION 6.11.050 OF THE PARACHUTE MUNICIPAL CODE REGARDING LOCATION LIMITATIONS OF RETAIL MARIJUANA ESTABLISHMENTS.

STAFF: STUART McARTHUR, TOWN MANAGER

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**(M) OTHER MATTERS**

(1) NONE

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**(N) EXECUTIVE SESSION**

FOR THE PURPOSE OF DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS, UNDER C.R.S. SECTION 24-6-402(4)(E); SUBJECT: LAW SUITS

STAFF: STUART McARTHUR, TOWN MANAGER  
JEFFREY CONKLIN, TOWN ATTORNEY

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**(O) MOTION TO ADJOURN**

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Adjourned at: \_\_\_\_\_ p.m.



**MINUTES  
TOWN OF PARACHUTE  
BOARD OF TRUSTEES REGULAR MEETING  
OCTOBER 15, 2015**

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**MEETING CALLED TO ORDER BY MAYOR ROY MCCLUNG AT: 6:30 p.m.**

**(A) ROLL CALL:**

**TRUSTEES PRESENT:**

JOHN LOSCHKE  
DANIEL MANZANARES  
TIM OLK  
TOM RUGAARD  
TRAVIS SPROLES  
JUANITA WILLIAMS  
ROY McCLUNG, MAYOR

**STAFF PRESENT:**

TOWN MANAGER, Stuart McArthur  
TOWN CLERK, Denise Chiaretta  
POLICE CHIEF, Cary Parmenter  
PUBLIC WORKS DIRECTOR, Mark King  
COMMUNITY DEVELOPMENT SPECIALIST, Derek Wingfield  
TOWN ATTORNEY, Jeffrey J. Conklin  
TOWN ENGINEER, Mark Austin

**AUDIENCE / PUBLIC ATTENDANCE LIST ATTACHED**

**(B) PLEDGE OF ALLEGIANCE**

**(C) APPROVE AGENDA**

Town Manager McArthur stated an executive session needs to be called to confer with the Town Attorney for the purpose of receiving legal advice. The minutes from the September 17, 2015 meeting will not be presented until the November 19, 2015 meeting.

**MOTION NO. 1:**

Moved and seconded by Trustees Rugaard/Loschke to approve the agenda with the changes stated above.

Motion passed unanimously.

**(D) CONSENT AGENDA:**

**(1) EXPENDITURES PAID IN SEPTEMBER 2015**

**MOTION NO. 2:** (Included in motion No. 1)

Moved and Seconded by Trustees Rugaard/Loschke to approve the Consent Agenda, expenditures paid in September of 2015

Motion passed unanimously.

**(E) COMMENTS FROM CITIZENS REGARDING ITEMS NOT ON THE AGENDA**

Bryson Minter, 406 Yarrow Circle, read an article from a paper in Denver about the use of marijuana in schools.

Pam Jarrett, 184 South 2<sup>nd</sup> Court, stated that Ryan Hoffman from the Citizen Telegram has been fair in his reporting of the meetings and she would like to thank him for such. Ms. Jarrett stated there was a meeting on May 2, 2015, for which she asked for a recording of said meeting.

Judith Beasley of Fisher Avenue addressed the fact that this committee has ready hung the current Board of Trustees. She was mayor before the current, her husband was mayor and trustee, and she hopes the committee will rethink this decision regarding the recall petition.

Diana Lawrence of Mama's Restaurant, speaking for the Town's businesses, gave numerous reasons as to why the local businesses feel that bringing in the retail marijuana will be beneficial.

Ron Jarrett, 184 South 2<sup>nd</sup> Court, stated the reason for the recall is because they feel the Trustees are not listening to their responses.

Jory Sorenson, 121 Battlement Creek Trail, Battlement Mesa, stated that he is the principal of the middle school. Mr. Sorenson commented he had attended previous Board meetings and noticed there were many empty seats. The Trustees had to make decisions with no community input. He wanted to speak up about community service. He also feels bad parenting is more of a cause than the marijuana

Mark King, 152 West 2<sup>nd</sup> Street, commented he has been employed by the Town for 22 years and is upset there are people in attendance who have never attended a meeting except when they are mad; if things didn't go their way. He noticed many have not been involved in any Town matters, but they are now out in full force.

Mr. Brian Martel, 125 Tamarisk Trail Battlement announced he is not only new to Parachute, but also to Colorado. He stated the Board of Trustees is the elected officials of the Town; they were elected to make decisions. If the residents do not attend meetings or participant in their community, they have no right to complain. He feels everyone should look at it as a Town issue and not a marijuana issue. In the long run it brings revenue to the Town.

Derek Wingfield, 125 Poppel Street, stated he and his wife have been out speaking to residents. They feel if something isn't done more people will be moving away. He would like to keep his family here, but with no jobs they will have to leave.

Judith Hayward, 180 S. 2<sup>nd</sup> Court, stated she had been on the Board of Trustees and served on the Planning & Zoning Commission. She feels the Trustees are moving too fast on the marijuana issue.

Beverly Reed, 445 Battlement Creek Trail, Battlement Mesa, stated she may not have the right to comment how she feels as Battlement Mesa hangs on what Parachute does. She believes the people should have had the right to vote and now there is a divided town.

Lena Metcalf, 190 Silverton, Battlement Mesa, stated all of her family is here and they make their living on oil and gas. She feels it is not the Board's job to regulate marijuana, but parents need to take care of their kids. There is marijuana in the schools now, it has been there for a long time, and there are no shops. Why aren't people concerned about that?

**(F) DEPARTMENTAL REPORTS:**

**(1) Mayor and Board of Trustees Mayor and Trustees**

Mayor McClung commented his son, a Veteran, is in the audience and is struggling to keep his family in Parachute. He also introduced his father who has lived through the ups and downs of the oil and gas industry. Mayor McClung would like to stay in Parachute, but some of the residents are making this very difficult.

Mayor McClung read a letter from Amy Beasley in support of the Board of Trustees.

Mayor McClung stated the oil and gas industry is not coming back, and it is due to the current government administration stating they will veto a bill that would allow the U.S. to export gas based on Global Warming.

Mayor McClung went on to talk about how marijuana is the only business willing to come to town at this time. He stated he is not happy and has been threatened; he feels the Board is being blackmailed. If you do not want marijuana, don't do marijuana. The Mayor's complete comments are attached.

Trustee Juanita Williams stated she has heard people state how they love this Town, but she doesn't see them doing anything for Parachute except when they are against something.

Trustee Daniel Manzanares stated he feels attendees who are upset with something leave after they have spoken. He commented that at a previous meeting a river walk trail and rafting at the park was going to be discussed, but those who were angry had already left and didn't know what other items the Board had talked about to benefit the Town. He encourages everyone to work together and not have a selected interest.

Trustee Tom Rugaard commented he did change his mind concerning marijuana, but it did not come without many hours of thought and prayer. If residents want to talk to him he would be more than happy to speak to them personally instead of making accusations.

Trustee Travis Sproles stated was not on the Board when the vote was taken, he applied because there was an opening on the Board. He does not approve of marijuana, but he also wants to stay in this Town. He doesn't know if he will have job tomorrow, but he does support the Board. Mr. Sproles is concerned with the Federal Government turning away and coming down on the states that have made marijuana legal. He would like to see marijuana legal and alcohol become illegal.

Trustee Tim Olk stated he was raised in a small town. He loves Parachute and wants to see it succeed. He realizes people are not going to start any business when there is no one to come into the business. Mr. Olk commented his mother is on a board in a small town on the Front Range and they have horrible streets that cannot be repaired because they do not have matching funds to receive grants.

**(2) Town Manager Monthly Update..... Stuart McArthur, Town Manager**

Mr. McArthur gave a financial status of the Town's budget. All funds are doing well with regards to

budget and fund balance, except the Wastewater Enterprise Fund. Town Manager McArthur. The removal of the sludge from the car wash and other businesses ended up costing \$45,000.00 which was quite a hit to the Wastewater Fund.

Town Manager McArthur gave Derek Wingfield's report on Oktoberfest. It was a very good event; we just didn't get the numbers we wanted. The hotels were full Friday, Saturday, and some carried over to Sunday. The local restaurants did well Saturday and Sunday. The Town did put out about \$85,000 and only brought in revenues of \$44,000. He gave a big thank you to Derek Wingfield, Jessica Wingfield, Mark King, Bud Walker, all of the Trustees, and the Chamber Board members.

Mr. McArthur also informed everyone that there will be a regular Board meeting on November 19<sup>th</sup> and also a Planning and Zoning meeting on November 12<sup>th</sup>. There will be a special meeting of the Board on December 10<sup>th</sup> to adopt the budget and the regular Board meeting on December 17<sup>th</sup>.

Town Manager McArthur gave the Public Works report stating the irrigation will be turned off within the next week or so weather permitting.

- (3) Police Department Monthly Update ..... Cary Parmenter, Police Chief

Chief Parmenter reported they held another successful prescription drop off last month. There was only one incident at Oktoberfest.

- (4) Public Works Monthly Update Mark King, Director of Public Works, Given by Town Manager McArthur

- (5) Community Development Update ..Derek Wingfield, Community Development Specialist, Given by Town Manager McArthur

**(G) PRESENTATION TO THE BOARD OF TRUSTEES REGARDING THE 2016 RECOMMENDED BUDGET FOR THE TOWN OF PARACHUTE**

Town Manager Stuart McArthur gave an overview of the 2016 recommended budget.

**(H) PRESENTATION FROM THE STATE OF COLORADO DEPARTMENT OF REVENUE MARIJUANA ENFORCEMENT DIVISION PRESENTER: BRIAN DYET, SUPERVISORY INVESTIGATOR–WESTERN COLORADO OFFICE**

Due to a family emergency Mr. Dyet had to cancel. He will be rescheduled for another date soon.

**(I) BOARD CONSIDERATION OF CHANGE ORDERS TO THE PARACHUTE PARK BOULEVARD PHASE II RECONSTRUCTION PROJECT AND COUNTY ROAD 215 RESURFACING PROJECT CONTRACTS.**

Town Engineer Mark Austin reported the bid had been awarded to United Companies of Mesa County. There was no contingency built into the bid for these projects, and it was not anticipated the failures of the concrete roadway. County Road 215 was extended and that is why it is going to overrun.

**MOTION NO.3:**

Moved and Seconded by Trustees Williams/Olk to approve change orders to the Parachute Park Boulevard Phase II Reconstruction Project and County Road 215 resurfacing project contracts.

Motion Passed with Trustees Olk, Williams, Rugaard voting yes; Trustees Sproles, Manzanares voting no.

Mayor McClung called for a brief break. Meeting Called to Order at 9:56 p.m.

**(J) PUBLIC HEARING BEFORE THE TOWN OF PARACHUTE BOARD OF TRUSTEES IN CONSIDERATION OF AN APPLICATION FOR RETAIL LICENSE FOR A MARIJUANA RETAIL STORE AND A RETAIL MARIJUANA PRODUCTS MANUFACTURING FACILITY**

**APPLICANT/OWNER:** Green Cross Colorado, LLC  
DBA: The Tumbleweed Dispensary

**PROJECT NAME:** Application for license from the Town of Parachute for a retail marijuana store and a retail marijuana products manufacturing facility

**PROJECT LOCATION:** 150 South Columbine Court, Units 100 and 101  
Parachute, CO 81635

**LEGAL DESCRIPTION:** Assessor Parcel No: 240707204014  
Section: 7 Township: 7 Range: 95 Subdivision: Columbine Commercial Park Lot: 4 Replat of Block 1 of Amended Columbine Commercial Subdivision

*Refer to the Land Use Applications Quasi-Judicial Hearing Script for Green Cross Colorado LLC dba The Tumbleweed Dispensary Retail Marijuana Application as used by the Mayor.*

Mayor McClung asked Town Clerk Denise Chiaretta to state whether this hearing has been properly noticed and if there is proof of publication; Ms. Chiaretta replied yes.

Mayor McClung asked Town Clerk Denise Chiaretta if there is proof of the certified mailings to property owners; Ms. Chiaretta replied yes.

Trustee Loschke recused himself.

Town Manager McArthur introduced Mark Smith of Green Cross LLC. Mr. McArthur first gave an overview of when Mr. Smith's application was turned in, all proper documentation, and stated we received the actual proof of publication today. His application meets all requirements with the exception of his hours; per the Town Ordinance they will need to be changed from 9:00 a.m. to 10:00 p.m. to 9:00 a.m. to 8:00 p.m.

Mark Smith, Green Cross Colorado, LLC, spoke about the manufacturing and bottling plant. He stated he has had previous businesses and is now in the marijuana business in Denver. He would like to start a facility in the western slope due to the need of the recreational needs here.

Mayor McClung inquired how many employees he will be hiring and how many would be local. Mr. Smith commented he does not know at this time, but it will be more than ten and less than 100; he would like them all to be local, but will be trained in Denver.

Public Comment

- 1) Pamela Jarrett, 184 South 2<sup>nd</sup> Court, inquired about the planning and zoning/land use regulations for the facility.
- 2) Lena Metcalf, 190 Silverton, Battlement Mesa, asked about liquor stores requiring a person to be 21 to enter. Is that the same case for marijuana stores?
- 3) Trustee Travis Sproles questioned the co-mingling monies from marijuana in the General Fund.

Applicant rebuttal/ response: Applicant has no rebuttal or questions.

Mayor McClung asked Mr. Smith to help clarify some of these questions.

Mr. Smith stated:

- 1) All Planning & Zoning requirements have been met.
- 2) Anyone entering a marijuana store and/or facility will have prove that they are 21 or older
- 3) Wells Fargo is accepting marijuana monies, they have a great attorney, and the Town will have a hold harmless agreement.

Final call for questions from the Board

Mr. Smith requested to make a final statement. He and his partner would like to commit \$5,000 for scholarships for every year they are open. This would be given to Grand Valley High School graduating seniors.

*Public Hearing closed at 10:31 p.m.*

**MOTION NO. 4:**

Moved and seconded by Trustees Williams / Rugaard to approve the application for retail license for a marijuana retail store and a retail marijuana products manufacturing facility.

Motion passed with Trustees Williams, Olk, Rugaard voting yes; Trustees Sproles, Manzanares voting no.

**(K) PUBLIC HEARING BEFORE THE TOWN OF PARACHUTE BOARD OF TRUSTEES IN CONSIDERATION OF AN APPLICATION FOR RETAIL LICENSE FOR A MARIJUANA RETAIL STORE**

<b>APPLICANT/OWNER:</b>	Buds, LTD
<b>PROJECT NAME:</b>	Application for license from the Town of Parachute for a retail marijuana store.
<b>PROJECT LOCATION:</b>	104 Cardinal Way Parachute, CO 81635
<b>LEGAL DESCRIPTION:</b>	Assessor Parcel No: 240912400013 Section: 12 Township: 7 Range: 96 A TR IN THE SE

*Public Hearing called to order at 10:37 p.m.*

*Refer to the Land Use Applications Quasi-Judicial Hearing Script for Buds, LTD Retail Marijuana Application as used by the Mayor.*

Mayor McClung asked Town Clerk Denise Chiaretta to state whether this hearing has been properly noticed and if there is proof of publication; Ms. Chiaretta replied yes.

Mayor McClung asked Town Clerk Denise Chiaretta if there is proof of the certified mailings to property owners; Ms. Chiaretta replied yes.

Trustee Loschke recused himself.

Town Manager Stuart McArthur introduced Mark Gerhart from Grand Junction who would like to open a retail marijuana store located at 104 Cardinal Way. Mr. McArthur first gave an overview of when Mr. Gerhart's application was turned in, all proper documentation has been received, and stated we received the proof of publication.

Mr. Gerhart discussed the rules he has met to complete his application. He stated he has people in attendance tonight that he is ready to put to work. He wants to bring the community together not tear it apart as some of the citizens in Town are doing.

Public Comment

Kirk Giger, 3435 G.V.C. Road, Clifton, has been offered a job from Bud's and would plan to live in Parachute.

Pamela Jarrett, 184 South 2<sup>nd</sup> Court, inquired about the planning and zoning/land use regulations for the facility. She is concerned about the closeness to the school and surrounding neighborhood.

Kevin Janicek, 252 South Railroad Ave., stated he was raised in Parachute and he remembers when the Town was a community; he would like to see it go back to more of a community as when he was younger and growing up here.

Mr. Gerhart rebutted the zoning has been met. The area where his shop will be located is considered industrial and business in accordance with the Comprehensive Plan.

Final call for questions from the Board

*Closed public hearing at 11:12 p.m.*

**MOTION NO 5:**

Moved and seconded by Trustees Rugaard/Olk to approve the retail marijuana license to Buds Ltd.

Motion passed with Trustees Olk, Williams, Rugaard voting yes and Trustees Manzanares, Sproles voting no.

**(L) OTHER MATTERS**

- (1) Thank you letter from Grand Valley High School
- (2) Thank you letter from High County Retired Senior Volunteer Program
- (3) Letter from Colorado State Department of Local Affairs – Notification of Grant Award

**(M) EXECUTIVE SESSION – C.R.S. 26-6-402 (4)(b), TO CONFER WITH AN ATTORNEY FOR THE TOWN FOR THE PURPOSES OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS;**

**MOTION NO. 6:**

Moved and seconded by Trustees Williams/Sproles to go into Executive Session to confer with the Town Attorney for the purposes of receiving legal advice on specific legal questions.

Motion passed unanimously

*Moved out of Executive Session at 11:41p.m.*

Person who attended the executive session: Stuart McArthur, Jeff Conklin, John Loschke, Danial Manzanares, Juanita Williams, Roy McClung, Tom Rugaard, Travis Sproles, Tim Olk.

Mayor McClung stated that the executive session was held to get legal advice to staff on how to move forward regarding the recall election and the law suit.

**(N) MOTION TO ADJOURN**

**MOTION NO.7:**

Moved and seconded by Trustees Rugaard/Williams to adjourn.

Vocal Vote: Motion Passed Unanimously.

*Adjourned at 11:44 p.m.*

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
Town Clerk

**Town of Parachute  
Board of Trustees Regular  
Meeting  
October 15, 2015**

**Mayor Roy McClung's  
Comments**

1 **Mayor Roy McClung: Okay, the comments themselves are not**  
2 **over because I've got a few things that I would like to say. First of all,**  
3 **that young man standing in the back of the room, I'd like you all to**  
4 **recognize him, this young man just got out of the Marine Corp.**  
5 **[clapping]. That young man is my son. With all due respect to other**  
6 **veterans here, but I'm going to say, I am very proud of this young man.**

7 **Um, there's another gentlemen setting in the back of the room**  
8 **here whom I call my "dad". I watched that gentleman work from this**  
9 **valley his entire life. I watched him come home at night from jobs that**  
10 **he hated because he wanted to stay in in this valley. I watched him**  
11 **try to feed our family off of what the oil and gas paid for our economy**  
12 **[inaudible]. And I watched him try to take care of things in this valley**  
13 **when oil and gas crashed so bad that you couldn't find a job if you**  
14 **were willing to work.**

15 **I don't want that for my son. My son dedicated his life to**  
16 **protecting this country. I want to do something that would allow him**  
17 **to come back here and have a place where he can raise his family, just**  
18 **like my dad raised me.**

19 **I have a letter I'm going to read here:**

20 **TO WHOM IT MAY CONCERN:**

21 **I am a life-long resident of the Parachute area. This is my home.**  
22 **I love living here. I especially love that atmosphere, which is still**  
23 **mostly that of a small town.**

1           **My husband and I own several parcels of real estate within**  
2           **the town limits and operated a business that has been in our**  
3           **family for over 40 years. Over the years, I have seen boom and**  
4           **bust economy come in waves. Generally, the boom has come on**  
5           **the heels of natural resources that are being harvested in one**  
6           **way or another. However, with that, the bust part is always**  
7           **extraordinarily difficult on our small businesses and economy.**  
8           **As a small town it is important to try to find ways to drive the**  
9           **economy to a sustained way. In our area, I think this task must**  
10           **be very difficult for policy law makers. I currently do not reside**  
11           **within the town limits and not able to participate in the alleged**  
12           **matters. The matters involved in this town are still very**  
13           **important to me. I've held an elected position on boards in this**  
14           **area. Sometimes found it extremely difficult to try to see all**  
15           **sides of the issues. For everyday constituencies and entities to**  
16           **which I held the position to the best of my ability to make the**  
17           **choice for everyone involved. I am sure that my choices did not**  
18           **always make everyone happy, but I did my best. Most of the time**  
19           **when a decision was made that was unpopular, people would**  
20           **come to the meetings because they were unhappy and were**  
21           **angry with those making the decisions, but in their limited**  
22           **knowledge they didn't understand the meeting, the discussions**  
23           **and the research that went into making that final decision**  
24           **because they weren't there enough through the process. The**  
25           **meeting with the current issues at hand, I do not stand on one**

1 **side or the other. As a matter of fact, I do not want to address**  
2 **those issues at all. I do, however, stand with the elected**  
3 **officials who are brave enough to stand up for our community**  
4 **and work together to try to do what is best for our town, by**  
5 **putting in unlimited hours of time that is either uncompensated**  
6 **or compensation is made. I also stand for our local businesses.**  
7 **These are people who go to work every simple day to try to**  
8 **provide a service to those who live here. None of these people**  
9 **get rich, they are here because they love the town. I believe it is**  
10 **time unfair for community members to take such a large stand**  
11 **and make personal threats to those who sit for the Board of the**  
12 **town. For those who are making these accusations, do you**  
13 **personally know these elected officials and what they stand for?**  
14 **Do you know their personal family values? Have you ever an**  
15 **occasion to sit down with any of them for a real conversation**  
16 **that wasn't plotted with misplaced hatred? I think the answers**  
17 **to these questions would be "no", because otherwise your**  
18 **actions would now be different. These are active members of**  
19 **our community in every way. These are the people that you see**  
20 **at high school sport games and helping with other community**  
21 **events and donating their time. You'll see many of them active in**  
22 **their churches and on family outings creating values in their**  
23 **families that our society lacks in many ways. They are hard-**  
24 **working citizens who stood up when so many others weren't**  
25 **willing to. Instead of treating these people with disrespect and**

1 **hatred because of an issue you hate, I just wish that you would**  
2 **step back and remember that these are people who are truly**  
3 **invested in our town. These are people who are trying to do**  
4 **what is in the best interest of our town. If you don't agree, there**  
5 **are ways to go about voicing your opinion without demeaning or**  
6 **slandering those who hold that position. Sincerely, Amy Beesley**  
7 **[clapping]**

8 **I've got a lot more to say. I was born and raised in this**  
9 **town. My mom was born and raised in this town and my grand-**  
10 **dad was born and raised in this town. So when it comes to the**  
11 **best of the interest, I don't think there is any people in this room**  
12 **that has more vested interest than I do. Ah, so for people to say**  
13 **that I don't care about the town, is not only false, because there**  
14 **are probably not many people that has put in as many hours**  
15 **trying to make this town any better than Mr. Losche, who has**  
16 **almost 30 years on the board. There's some facts that we need**  
17 **to get out and I've had some conversations with folks and they**  
18 **say they want to hear the facts that we have been talking about.**  
19 **So, here's some of them: #1. We do not have another industry**  
20 **that wants to come into our town. Period. It's not there. If it**  
21 **was, we would have looked at it. We would have done something**  
22 **about it. Halburton is laying people off. They're talking about**  
23 **closing the Grand Junction office. Slumber J is gone. V.J.'s is**  
24 **gone. Encanna is gone. Williams is sold. WPX is going to be**  
25 **sold. All of these building plans are being pushed out. There are**

1 **currently this many rigs operating in Garfield County. We can't**  
2 **base our future on oil and gas, because there is none. I'm sorry.**  
3 **It is what it is. The lady that said that the State of Colorado is**  
4 **trying to kill oil and gas, the Obama Administration has done**  
5 **more to kill the oil and gas then the State of Colorado has done.**

6 **Obama has a bill right now, is a bill to allow and support of**  
7 **oil and gas in the United States and he has said "inequitably" he**  
8 **will veto that bill, because and all of his decisions are based on**  
9 **"global warming", so that's what he wants to do. On that note,**  
10 **there are coal mines that are closing. The Bowie Coal Mine near**  
11 **Hotchkiss is down to a hand-full of people. They are going to**  
12 **close because they are being threatened to be sued because the**  
13 **carbon from the coal is causing "global warming". So there are**  
14 **now 200 more people in the town of Hotchkiss and Paiona, who**  
15 **are without jobs and if you think that doesn't affect the town of**  
16 **Parachute, then you need to think again because they may be in**  
17 **Hotchkiss, but it affect us. The EPA, EPA law suite for Colorado**  
18 **Mines is going to shut that mine down. A Federal Judge has**  
19 **confirmed because they did not say that the carbon from that**  
20 **coal is going to cause "global warming", they are going to shut**  
21 **that mine down. Oil and gas, and coal and energy is not going to**  
22 **sustain Western Colorado. I'm sorry. Parachute revenues are**  
23 **down. Stuart is going to give us a report in a little bit. I want**  
24 **everybody to stay here and listen to the numbers that are in his**  
25 **report. They are no made up. They are not fictitious. They are**

1 not based on hatred or lies or anything else. They are the truth  
2 and they are going down and they are going down fast. If  
3 anybody in here were faced with a 30 to 40% decrease in their  
4 income every single year, you would be grasping at straws trying  
5 to figure out how you are going to solvent. I don't know how  
6 many people were here in 1982, John, I know you were here.  
7 There is probably less than 5 people in this room that were here  
8 in 1982. Anybody who was here and remember what it was like.  
9 Well dust off your yearbooks guys cause it's going to get that  
10 way again. If we don't do something here, businesses are going  
11 to close, houses will be foreclosed on and this town is going to  
12 be in pretty sour shape. Ah, 1982, Cotton Wood Park did not  
13 belong to the town. The rest area did not exist. If we continue in  
14 the path that we are going, it's going to be the same way again.  
15 We are not going to be able to maintain parks, not be able  
16 maintain our streets and not be able to maintain our water plant.  
17 We are not going to have police protection. I'm sorry, that's not a  
18 decision I want to make because I love this town. I want to  
19 provide these services for everybody that not only live here, but  
20 drives through here and stops and wants to shop here. But we  
21 can't if we don't have the money to do it. It's just a simple fact.

22 We've got to do something to keep it going. October Fest,  
23 how many people had fun at October Fest? I had a great time.  
24 [clapping]. If we don't try to keep industries in town, we can  
25 cross off October Fest off the list cause it's not going to happen.

1       **The town has to pay some money to support that. I've heard the**  
2       **comment, "why don't we get grants?" It takes money to get**  
3       **money. Every grant out there as to be matched 50/50. So if we**  
4       **don't have some money to match, there are no grants. There is**  
5       **no "free money". You just can't go out and have these funds.**

6               **[Inaudible] Marijuana is federal, federally illegal. Yea it is.**  
7       **Federally there are a lot of things that are federally illegal.**  
8       **Thank you. Once Marijuana in Colorado passed, the federal**  
9       **government didn't do anything about it. Alaska and Oregon**  
10       **passed last year. Washington D.C. passed it. The Federal**  
11       **Government didn't do anything about it. 23 states have medical**  
12       **marijuana right now. I was reading some articles in Newsweek**  
13       **and Times that said there were a number of small towns in the**  
14       **mid-west, the only reason they are still a town is because they**  
15       **are a major marijuana growers that provide well-paying jobs to**  
16       **people who didn't have any.**

17               **The US House of Representatives had a vote here earlier**  
18       **this year and they were 6 votes away from passing this, which is**  
19       **unprecedented and it is to allow access for legalized marijuana**  
20       **into the Federal Banking System. That vote will come back**  
21       **again in the spring and all the analysts are saying they expect**  
22       **that to pass. It has to do with dollars. It doesn't have to do with**  
23       **anything else. The Federal Government wants their money. So**  
24       **they are seeing the millions, literally hundreds of millions of**  
25       **dollars that are taken place in Washington and Colorado and they**

1 want a piece of it. So if anybody thinks that the Feds are going  
2 to come down and attack us down, it's not going to happen,  
3 folks. They are the greediest people out there, so they are going  
4 to walk through mud.

5 The Obama Administration is going to release 6,000 non-  
6 violent drug offenders. Translation, the Obama Administration  
7 going to release 6,000 marijuana users. That is a pre-cursor to  
8 legalizing marijuana. I can't begin to be in Mr. Obama's head, but  
9 I suspect that a lot of his final actions as the President is signing  
10 an Executive Order legalizing cannabis before the next election.  
11 Ah, that's my opinion, I don't have anything to base that on but I  
12 would suspect that to happen.

13 Regarding CNN, Newsweek and Time articles, I read  
14 several of them. Yes I do spend a lot of time reading this stuff  
15 and staying up on this because it is important. Ah, marijuana  
16 export, illegal marijuana export from the country of Mexico, this  
17 is 2014, this is not even 2015, is down 33%. They figured it  
18 directly to the legalizing of marijuana in Colorado and  
19 Washington. Along with that, violent murders were down nearly  
20 50% in Mexico because now all of a sudden their cash flow is not  
21 there. Their turfs are not there for them to fight over. So, yea,  
22 this is not just about us, this is about everything. I mean we are  
23 saving lives in Mexico for crying out loud and I didn't even know  
24 about it until 3 days ago [laughter].

1           **Well as far as industries go, I hear a lot of people say**  
2           **there's got to be something different. Okay. What? I've asked**  
3           **this question a lot of time. What? Do you want to open a**  
4           **restaurant? Fine. Somebody has to come up with half a million**  
5           **bucks. Is there anybody in this room that willing to write a half-**  
6           **a-million dollar check, right now, to open a restaurant, that**  
7           **might, at best bring, in \$20,000 to \$30,000 a year into this town?**  
8           **I'm not seeing any hands going up. I don't have it. We don't have**  
9           **anything except potential to bring income into the town like**  
10           **marijuana does. I'm sorry it just not there. If we don't have**  
11           **anybody willing to step up and say, "Hey, I've got an idea and**  
12           **here's my idea and my checkbook to go behind it", then I have a**  
13           **hard time paying attention very long because all the pie in the**  
14           **sky stuff in the world wouldn't do us any good if we can't have**  
15           **cash in our hand to do what we need to do now. People say,**  
16           **"What about recreation? That is on our Master Plan, we want to**  
17           **do it". I want recreation, I want to get the guys on the 4-**  
18           **wheelers, guys on their bikes, including golfers, all over town. It**  
19           **ain't going to happen if we don't have some money to do that.**  
20           **We have to have money to buy land. We have to have money to**  
21           **entice these guys to come in and have incentives. We don't**  
22           **have any money for matching grants. If we don't have some**  
23           **income, we got to do it. The other thing even if we had all the**  
24           **cash we could use right now, it's not going to happen for years.**  
25           **You've don't go buy land and build parks by the end of the year.**

1       **It takes years to get land applications and get all the stuff in**  
2       **place to do it. I talked about a loan, yes, it's gone. We need to**  
3       **strike that one off and not tie our heart [inaudible] anymore. If it**  
4       **comes back, great. We will be in the position of, we can do**  
5       **something about it. But I don't want to see the town stagnant**  
6       **and die in the next 6 to 7 years until it does comes back.**

7               **I want to talk about ethics. Ethics, I don't know it can be**  
8       **ethical for any one of us to sit in this room and watch people lose**  
9       **their homes, lose their businesses, lose their life savings, when**  
10       **we can do something about it. I feel like we have an obligation**  
11       **to do something. I think the people that are filling the lawsuit**  
12       **and threatening recalls, do not have a single dime invested in**  
13       **businesses in this town otherwise, they might feel a little bit**  
14       **differently about this. [clapping]**

15               **I had a teacher who came in front of the Board a couple of**  
16       **days ago and it appears she say she didn't want the kids to see a**  
17       **marijuana shop in town. I thought about that for a little while**  
18       **and thinking what is it that she did not want them to see? We**  
19       **don't have somebody out on the floor jabbing kids with needles**  
20       **and injecting their parents. What we have is a building that use**  
21       **to have boards on the windows, weeds in the front of it. It will**  
22       **now have cars parked in front of it. It will be painted. The grass**  
23       **will be mowed and it will have a sign out front with a green cross**  
24       **on it. You can go 2 blocks away and there is a liquor store with a**  
25       **woman with her boobs hanging out [multiple people talking]. I**

1 personally don't want my kids to be exposed to that kind of event  
2 behavior with that all that kind of pornography stuff. That, I  
3 would rather have my kids go past a clean building then go past  
4 a store that has that kind of stuff on the front of it. It's already in  
5 our town, folks! We're kidding ourselves if we think it's not. The  
6 Chief was just suggesting, ah I was just speaking with him a little  
7 bit ago and he said that marijuana arrest were up. Well, if we  
8 think that keeping marijuana out of the town of Parachute by not  
9 selling it here is going to work, guess what, marijuana arrest  
10 wouldn't be up. There, the instance is here. The only thing is  
11 that we can't pay to keep the officers enforcement of it, because  
12 we don't have any income. We keep coming back to the income  
13 part of it. Yea. We heard one gentleman say that, ah there is an  
14 increase in ah teenagers using it. Well, there is another setting  
15 says that teenagers are decreasing in use. Okay, I don't know  
16 how they get their numbers, I am not a scientist, I am not a poll  
17 [inaudible], maybe they are, maybe they are not. If the teenagers  
18 aren't using it more than likely they would be able to argue that  
19 it's because they are dangling with illegal drugs. It's no longer  
20 able to get it illegally. [Inaudible]

21 [Inaudible] We'll take that debate somewhere else because  
22 there's conflicting stories on it. Things that always been illegal,  
23 still are. You can't pay cash for it, it's still illegal. You can't sell  
24 it to people under 21, that's still illegal. You can't give it to  
25 minors, you can't use it in a vehicle, and you can't use it in

1 public. It's still illegal. So it's not like we are creating this whole  
2 cloud of smoke around the town of Parachute. The things that  
3 have always been illegal, still are. We have a moral obligation  
4 here to work and make sure all of the businesses in this town are  
5 successful. We've got a list that has 80 some businesses. There  
6 is a total of 18 businesses that pay more than \$1,000 in sales  
7 tax. Holy cow! We've got to do something to keep these  
8 businesses, not only viable, but attract more to our town. We  
9 can't attract businesses for long [inaudible] they pull licenses  
10 [inaudible] nobody wants to come to the town that wants to be in  
11 that kind of environment. I don't care whether we are selling  
12 Bob's Plumbing and supplies, marijuana or fish sticks. You're  
13 gonna have the risk of getting sued because you make somebody  
14 unhappy nobody will come. It's going to turn everybody off. The  
15 truth is many of the businesses we have are going to fail and that  
16 saddens me, because a lot of these business owners are my  
17 friends and I've watched you guys sink your money into this town  
18 and I really hate to see you lose your investments over a decision  
19 we can make and might help. You say you are morally against  
20 marijuana, that's fine. I'm not going to try and change your mind.  
21 I don't want to. I have no intention of doing that. Like the other  
22 day, I had a guy tell me, "I intend to use the exact same amount  
23 of marijuana that I used 20 years ago, which is none". "I also  
24 intend to use the exact same amount of methamphetaminas that  
25 I used 20 years ago, which is none, which is still illegal. And I

1       **also don't plan to use pain killers tomorrow and that's the truth".**  
2       **If you don't want it that's fine, but try not to force others to feel**  
3       **the way you feel. Nobody's forcing you to go into the stores and**  
4       **buy it. Nobody's forcing you to drive by the store. Nobody's**  
5       **forcing any of this on you. It is a choice that you get to make**  
6       **too, whether you want to partake in it or not. That's the same**  
7       **choice I get to make. It's that same choice everybody on the**  
8       **Board gets to make. There's a comment that ah, "let's just let**  
9       **the town die rather than build it on marijuana [inaudible]", and all**  
10      **I can say to that is "really". Is that your money and your house**  
11      **that is going away. Would you feel the same thing? I'm one of**  
12      **those, very small handful of people here who are probably not**  
13      **dependent on oil and gas, so I will probably be able to stay here.**  
14      **So I have a feeling that, um, if things go South, you're going to**  
15      **hear crickets in the board room on Thursday night, there is only**  
16      **going to be the 7 of us sitting here, it's hard to say who the 7 are**  
17      **going to be at that point. But really it's your house and your**  
18      **business, do you want the board, the people who are sitting here**  
19      **tonight to do something to save that? Make it where you can sell**  
20      **your house, make it to where you can make a profit? Probably,**  
21      **most likely everybody would. When I was representative**  
22      **government building, I heard this over and over again, "you didn't**  
23      **let us vote". Your right! We didn't let you vote on a lot of things.**  
24      **We didn't let you vote on raising your water rates. We didn't let**  
25      **you vote when marijuana became illegal the first time. We didn't**

1 let you vote when we decided that we were going to do October  
2 Fest. Do you really want to vote on every issue that comes  
3 before the Board? I didn't hear anyone in here screaming or jump  
4 up and down, yell that we didn't get to vote when we ran it the  
5 first time. So if representative government was good then, why  
6 is it not good now? Why doesn't it work both ways? To me,  
7 that's hypothecs at its finest. Be able to say we can do it this  
8 way until we're mad at it and then we've got to do it some  
9 another way. The two democracy itself is inefficient, is  
10 ineffective and costly. The wheels of progress will grind to a halt  
11 so fast that everybody's going to wonder what happened. If you  
12 have to go to vote every time you try to make a decision, you will  
13 find out that no decision will ever be made and all that will  
14 happen is lawyers will become extremely rich because that's the  
15 only thing that will happen. I don't think true democracy you  
16 want to have a vote, you had more than enough opportunities to  
17 involve people over and over again and you didn't let us know.  
18 Seriously, you let people know for 15 years I've sit behind this  
19 table and we've let people know that we have meetings the 3<sup>rd</sup>  
20 Thursday of the month and there's nobody in the audience. So if  
21 we don't have anybody showing up, that's not my fault. That's  
22 not these guys fault. That's not Stuart's fault. That's your fault  
23 for not getting involved and for not paying attention to what's  
24 going on in town. I'm sorry if you feel like we are trying to hide  
25 stuff from you, but if you're not going to take your hands off your

1        **eyes, it doesn't matter what we have you're going to be hiding**  
2        **from it. Period. You've got to pay attention to what's going on**  
3        **around you. The citizens asked for a vote, you got it. The vote is**  
4        **on the ballot. So why are we still out here at odds with each**  
5        **other? What is the fight over now? Obviously, it's not about the**  
6        **vote and it never was about the vote, because if it was, then we**  
7        **wouldn't be at odds with each other anymore. We would be over**  
8        **it. Everything that I am a little irritated at, which you can't tell**  
9        **because I normally don't do this, is being threatened in public.**  
10       **We've had individuals sit at this table and say if you don't do it**  
11       **the way that we want it, we will recall you. We will file lawsuits**  
12       **against you. We had nothing but extortion at its finest, plain and**  
13       **simple. If you don't like what we are doing, or what we have to**  
14       **say, give us a phone call and sit down over a cup of coffee and**  
15       **let's talk about it. Filing a lawsuit and bringing families into it,**  
16       **and destroying businesses, that doesn't solve anything. That**  
17       **doesn't help anything to the driving point. No one here is**  
18       **required to use marijuana. Just because it's legal doesn't mean**  
19       **you're required to use it. It means it's available to use. Just like**  
20       **no one here is required to drink alcohol, smoke cigarettes, no**  
21       **one is required to watch porn, all of which are legal and I think**  
22       **all of them are poor. I think the cost of cigarettes, every year, is**  
23       **probably far higher tax payer than any kind of marijuana. I have**  
24       **seen more families torn apart due to alcohol than I have seen**  
25       **torn apart over marijuana. And porn, it's just outrageous. Super**

1 **Bowl Sunday, every year is the largest day for human trafficking**  
2 **of sex slaves. Why are we not doing something about that? That**  
3 **is far more damaging for society than whether somebody smokes**  
4 **a little bit of marijuana. I've also heard that well none of the**  
5 **stuff the Board has done affects us and why should we show up?**  
6 **This doesn't affect you unless you plan to partake in marijuana.**  
7 **Period. Water rates affect you, but nobody shows up and**  
8 **complains on those. [laughter]**

9 **So I think we need to figure out really what affects us and**  
10 **what doesn't. If you don't want marijuana to affect you, then**  
11 **don't use it, then it won't affect you. It's that simple. That brings**  
12 **in personal responsibility. The issue here is not marijuana, is not**  
13 **alcohol, is not tobacco, it's parents and personal responsibility**  
14 **whether it's illegal or not, isn't the issue, it's a heart issue is**  
15 **what the issue is. If parents teach their kids right from wrong,**  
16 **the way to do things, then there is no issue. If more parents**  
17 **would spend more time teaching their kids right from wrong and**  
18 **spend more time out behind the wood shed with them, then**  
19 **marijuana wouldn't be here. [clapping]**

20 **In my opinion, drugs just a cover-up for deeper problem and**  
21 **goes back to [inaudible] in the household. Marriages are splitting**  
22 **up. Families aren't doing what they need to be doing together.**  
23 **There is too much stuff on the internet. So they are using drugs**  
24 **as an excuse to cover up all the other stuff. They are trying to**  
25 **find a scape goat to fall for this stuff. I'm personally not buying**

1           **it. I think we need to take a personal responsibility for our own**  
2           **choices.**

3           **[Inaudible, lots of paper shuffling going on] when we have**  
4           **people come to the meetings and say we didn't get our notice.**  
5           **I'm sorry if you can't turn a postcard over and read it. We've got**  
6           **bigger problems! If my kids came home from school with**  
7           **homework and said that I didn't do it because it was up-side**  
8           **down, I'd send him to his room. Come on guys! We're making an**  
9           **effort to come out and put the stuff out in front of you, putting it**  
10          **in public places. If you chose not to read it, that's not our fault.**  
11          **I'm sorry. If you don't turn your post card over and read what's**  
12          **on the back of it, that's not our fault and having a recall because**  
13          **you chose not to read what's in front of you is "asinine". Go to**  
14          **Sprouts, go to Vitamin Cottage, and look what's on their shelves.**  
15          **You'll find 17 aisles of natural herbal substances and the only**  
16          **reason marijuana isn't there is because in the 1960's and 70's,**  
17          **the [inaudible] all the stuff going on in Vietnam gave it such a**  
18          **bad representation that no one wants to have anything to do with**  
19          **it. If marijuana was discovered last year, it would be called a**  
20          **miracle cure. Do I want to use it? No! I also don't want to use**  
21          **oxycodone but sometimes it's necessary. Ah, I personally know**  
22          **people that don't necessarily have a medical marijuana card, but**  
23          **they use it once a month and it mellows them out and allows**  
24          **them to be normal functioning people in society. Is that a bad**  
25          **thing? No! Is it any worse than going home and having a shot of**

1        **whiskey at night or having a beer or hanging out at the bar? I**  
2        **think I rather have somebody go home and have a hit of**  
3        **marijuana once a week than have a bunch of drunks around,**  
4        **personally. If you look up the facts on marijuana in and of itself,**  
5        **it's not addictive. The reason that we say it's addictive is**  
6        **because we [inaudible] the crap for so long is illegal. It's laced**  
7        **with stuff like PCP, herion, crack, meth and when you start**  
8        **feeding that to the people on the streets, then they become**  
9        **addictive to that, and yea, it is a gateway drug when we do it**  
10       **that way. Pure marijuana, like what we are seeing in the State of**  
11       **Colorado and what we are seeing in the State of Washington is**  
12       **just that. It's pure. There are no pesticides, no herbicides, there**  
13       **is none of that garbage in it. It's tested by the State at least**  
14       **twice. It is probably the most pure organic herb you can buy out**  
15       **there on the market right now. So I'm scratching my head, going**  
16       **I don't want to use it, but why is everybody else so upset about**  
17       **using an natural organic herb? God put it on the earth for us, so**  
18       **how can it be that bad for us?**

19       **Christianity [inaudible] is taking [inaudible] here and I'm**  
20       **having some trouble with this. The bible says, and if you really**  
21       **want to know where it says it, I have it written down here, one of**  
22       **the Ten Commandments, Exodus, 20:16. "You shall not testify**  
23       **falsely when you are a witness against your fellow man". I think**  
24       **everybody sitting on this Board has felt some false witness.**  
25       **We've been accused of some things that are downright lies.**

1 **We've been accused of taking bribes. We've been accused of**  
2 **willfully breaking the law. That comes right out of Exodus. The**  
3 **bible says, "love your neighbor as you love yourself". It's the**  
4 **greatest commandment to exist. I don't feel any love. In fact, I**  
5 **go home at night and my kids have noticed how stressed out I**  
6 **am. I come home and snap at them because I have put my life**  
7 **out here. I've dedicated it to this town to try to make it better**  
8 **only to be attacked and be brought down in a very unchristian**  
9 **like way. I have a hard time going to church because I'm**  
10 **standing in the middle with a big part of it on my back trying to**  
11 **figure out how do I stand morally on this issue? It all comes**  
12 **down to "you got to love your neighbor", because it says so right**  
13 **in the bible. It also says in the bible, "Remind the people to be**  
14 **obedient to subjective governments and authorities. Be**  
15 **obedient, be ready to do whatever is good, slander no one. Be**  
16 **peaceful and considerate and show true humility towards all**  
17 **men. To avoid true controversy, genealogies, anger, arguments**  
18 **and quarrels about the law because these are unprofitable and**  
19 **useless. Warning or advising person once and a second time,**  
20 **after that it has nothing to do with him or her. Knowing that**  
21 **such a man has deviated from the way and is sinning and self-**  
22 **condemned. That's out of Titus. Titus, Chapter 3. We also said,**  
23 **and this has to be one of my favorite in the Book of James. "Do**  
24 **not merely just listen to the word and deceive themselves, but do**  
25 **what it says.**

1           **In closing, I said a lot tonight. I rambled on and on and I**  
2 **didn't think I'd do this. My apologies for taking up everybody's time,**  
3 **but tell you what I put a lot of time into this, as well as has my follow**  
4 **board members. If you don't want marijuana, that's fine.**

5           **The gates to the town are open. You can go both ways. You can**  
6 **leave as easily as you can come in. If you choose to stay, you're**  
7 **welcome. If you are really that morally against it, then I will invite**  
8 **you please "don't use any of the facilities that we use marijuana tax**  
9 **dollars for an that includes our streets, our water systems, our schools**  
10 **and our parks. If you are really morally against it, take that moral**  
11 **stand to the end and don't use any of those facilities, because that's**  
12 **what we are doing this for. It isn't about whether we want to get**  
13 **"high". It's about what we want to do to make this town a better**  
14 **place. We've got a solid group of people who sit up here. I respect**  
15 **every one of these people. They don't always agree with me and I**  
16 **don't always agree with them, but when we don't agree, we sit down**  
17 **and talk about it and when we are done, we shake hands and we walk**  
18 **out as friend. That's how it's supposed to be. If anybody disagrees**  
19 **with what I had to say tonight, my cell phone number is posted on the**  
20 **town's web site, feel free to call me, email me, we'll have a**  
21 **conversation. Don't file law suits against me, don't slander me and**  
22 **don't recall me. If you want to go through a recall, all it does is tear a**  
23 **town apart. It's just going to destroy everything that we have worked**  
24 **for. This isn't math everything is divided against itself will be ruined**  
25 **and every city or household divided against itself will not stand. We're**

1 **dividing this city. If we continue to divide, we will not stand and if you**  
2 **don't believe me, look it up. It's in Matthews. Sorry for the rambling**  
3 **on tonight, but I've had people ask me how I stand on this, I've been a**  
4 **little bit quite till now. Now there are no questions where I stand or**  
5 **how I feel about this. [clapping]**

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**MINUTES**  
**TOWN OF PARACHUTE**  
**BOARD OF TRUSTEES REGULAR MEETING**  
**NOVEMBER 19, 2015**

---

**(A) CALL TO ORDER AND ROLL CALL**

Meeting was called to order by: Mayor McClung at 6:30 p.m.

**ROLL CALL:**

**TRUSTEES PRESENT:** DANIEL MANZANARES  
TIM OLK  
TOM RUGAARD  
TRAVIS SPROLES  
JUANITA WILLIAMS

**MAYOR:** ROY McCLUNG

**TRUSTEES ABSENT:** JOHN LOSCHKE

**STAFF PRESENT:** TOWN MANAGER: STUART MCARTHUR  
TOWN CLERK: DENISE CHIARETTA  
CHIEF OF POLICE: CARY PARMENTER  
TOWN ATTORNEY: JEFFREY CONKLIN

**STAFF ABSENT** PUBLIC WORKS DIRECTOR: MARK KING

**(B) PLEDGE OF ALLEGIANCE**

**(C) APPROVE AGENDA**

**MOTION NO. 1:** Approve Agenda

Moved and Seconded by Trustees Williams / Manzanares to approve the Agenda

*Vocal Vote Approved Unanimously*

**(D) CONSENT AGENDA:**

Mayor McClung requested that Item 3 of the Consent Agenda be moved to regular agenda.

- (1) MINUTES FROM THE SEPTEMBER 17, 2015, REGULAR MEETING**
- (2) EXPENDITURES PAID IN OCTOBER 2015**

**MOTION NO. 2:** Approve the Consent Agenda Items 1-2

Moved and seconded by Trustees Rugaard / Sproles to approve numbers 1 and 2 on the Consent Agenda

Motion Passed Unanimously

**(3) BOARD CONSIDERATION OF A LIQUOR LICENSE RENEWAL APPLICATION FOR A 3.2 BEER OFF-PREMISE LICENSE**

**APPLICANT:** Swallow Oil Company  
**DBA:** Parachute Grub n Scrub  
**ADDRESS:** 28 Cardinal Way  
Parachute, CO 81635

Mayor McClung asked Town Clerk Chiaretta if everything was in order; she stated it was. Mayor McClung asked Chief Parmenter if there were any issues; Chief stated there were none.

**MOTION NO. 3:**

Moved and Seconded by Trustees Williams/ Sproles to approve the Liquor License Renewal Application for a 3.2 Beer Off-Premise License.

Motion Passed Unanimously

**(E) COMMENTS FROM CITIZENS REGARDING ITEMS NOT ON THE AGENDA**

Jim Reed, 445 Battlement Creek Trail, Battlement Mesa, read an anonymous letter into the record that was dated August 12, 2015. This letter referenced the recent Board Study Session regarding marijuana for Parachute and the so-called secrecy surrounding it.

**(F) DEPARTMENTAL REPORTS:**

**(1) Mayor and Board of Trustees**

Mayor McClung acknowledged the young people in attendance at the meeting.

He thanked the AGNC on behalf of the Western Slope and the work they have been doing in applying for a DOLA grant to map the habitat of the Sage Grouse.

Juanita Williams stated there will be a Neighborhood Watch meeting in January.

**(2) Town Manager Monthly Update .....Stuart McArthur, Town Manager**

Town Manager McArthur gave an overview of the financials found in the packet.

Some other items mentioned:

- Town Manager McArthur stated there has been some interest to allow ATV vehicles on Town streets
- Major renovation is being done at the old VJ's Outlaw Ribbs for the new retail marijuana business coming in there
- A grant was received for replacement of the water lines on First Street

- Garfield and Mesa County have applied jointly for a DOLA grant to study the use of broadband in the two counties; Town Manager McArthur has volunteered to be on the Steering Committee
- Grand Valley High School Cheerleaders will be participating in a competition and has requested a donation from the Town. The Board approved a donation

Town Manager McArthur presented the Public Works and Community Development reports.

Mayor McClung inquired about the mineral lease and severance tax dollars not expecting to be more than we have been budgeting.

**(3) Police Department Monthly Update.....Chief of Police Cary Parmenter**

Chief Parmenter went over his report for the Trustees. Police calls are up 45% from last year; most have been DUI arrests.

The Trustees had no questions for Chief Parmenter.

**(G) QUESTION AND ANSWER PERIOD WITH THE STATE OF COLORADO DEPARTMENT OF REVENUE MARIJUANA ENFORCEMENT DIVISION**

Mr. Brian Dyet stated he felt it would be better to let the Trustees ask questions as there is a lot of material to cover for a presentation.

Mr. Dyet reported there are two testing facilities for all stores, grow, and manufacturing facilities on the Western Slope located in Durango and Carbondale

Most of the Trustees concerns were regarding security. Mr. Dyet was asked how many infractions there have been on a monthly/yearly basis. He responded the office is in the process of putting those numbers together. He stated they have approximately ten (10) a day that they can actually prove. Other highlights included:

- Training is a mandatory requirement
- There is a 24-hour surveillance requirement with 40 days of camera activity on-site at any time. His office is always reviewing tapes
- Law enforcement can go into marijuana facilities and review any time without a search warrant. Anyone under 21 is not allowed; this is a requirement that must be on a sign posted on the front door.
- Parents are *not* allowed to bring a minor into the facility
- Depending upon the severity of an infraction, a license is revoked immediately
- Background checks on all employees, in addition to fingerprinting
- They cannot operate without a dual license: one from the Town and the other from the State. It is identical to liquor licensing

**(H) SUBMISSION TO THE BOARD OF TRUSTEES PETITIONS AND CERTIFICATION OF SUFFICIENCY TO RECALL MAYOR AND BOARD MEMBERS.**

Town Manager McArthur reported there have been petitions issued for recall for Mayor McClung, Trustee Loschke, Olk, and Rugaard. He stated all petitions are sufficient and the petitioners have been notified about such.

There was a question from the Board regarding a mail-in vote or an election for the recall. Town Clerk Chiaretta will determine which would be more cost effective.

(I) **PUBLIC HEARING BEFORE THE TOWN OF PARACHUTE BOARD OF TRUSTEES IN CONSIDERATION OF AN APPLICATION FOR RETAIL LICENSE FOR A MARIJUANA RETAIL STORE (TO BE CONTINUED)**

**APPLICANT/OWNER:** Heavenly Healing LLC

**PROJECT NAME:** Application for license from the Town of Parachute for a retail marijuana store

**PROJECT LOCATION:** 254 South Railroad Avenue  
Parachute, CO 81635

**LEGAL DESCRIPTION:** Assessor Parcel No: 240707200013  
Section: 7 Township: 7 Range: 95 TR IN LOT 4

*Mayor McClung opened the Public Hearing at 7:49 p.m.*

Town Manager McArthur stated the applicant is not present and there are no notices of certified mailings to property owners.

Town Manager suggests continuing the Public Hearing until December.

*Mayor McClung closed the Public Hearing at 7:55 p.m.*

**MOTION NO.4**

Moved and seconded by Trustees Rugaard / Olk to continue the Public Hearing to a date-certain of December 17, 2015.

Motion Passed Unanimously

(J) **PUBLIC HEARING BEFORE THE TOWN OF PARACHUTE BOARD OF TRUSTEES IN CONSIDERATION OF A DEVELOPMENT REVIEW APPLICATION FROM THE TOWN OF PARACHUTE**

**APPLICANT/OWNER:** Town of Parachute  
222 Grand Valley Way  
Parachute, CO 81635

**PROJECT NAME:** Revisions to its Municipal Code: Title 15 (Town of Parachute Land Use Regulations), regarding public hearings and public notice.

**PROJECT LOCATION:** N/A

**LEGAL DESCRIPTION:** N/A

*Mayor McClung called the Public Hearing to order at 7:56 p.m.*

Mayor McClung asked Town Clerk Chiaretta if the hearing was properly noticed and is there proof of publication; she stated there was.

Town Manager McArthur reported this item came before the Planning and Zoning Commission their last meeting. Of the three items, two passed and were forwarded; he will discuss the third item which did not. It was suggested copies of public notices be posted at three locations instead of being published in a local paper. This was not recommended by the Commission.

**PUBLIC COMMENTS:**

Judith Hayward, 180 South Second Court, Parachute was sworn in by Mayor McClung. Ms. Hayward expressed her concern about the hearings not being published in the paper. The newspaper is the only resource that archives the public hearings for legal purposes.

*Mayor McClung closed the Public Hearing at 8:12 p.m.*

Trustee Manzanares stated he was uncomfortable not publishing the public notices in the paper; Trustees Rugaard and Sproles agreed.

Trustee Olk felt with all the things currently going on in the Town, Public Notices should still be published in the Citizen Telegram.

- (K) **BOARD CONSIDERATION OF ORDINANCE NO. 689, AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING THE PARACHUTE MUNICIPAL CODE REGARDING TIMELINES FOR LAND USE APPLICATIONS AND PUBLIC NOTICE REQUIREMENTS.**

**MOTION NO.5**

Moved and Seconded by Trustees Rugaard / Olk to Adopt Ordinance No. 689, *AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING THE PARACHUTE MUNICIPAL CODE REGARDING TIMELINES FOR LAND USE APPLICATIONS AND PUBLIC NOTICE REQUIREMENTS* (with the exception of striking Section 15.01.106.)

Motion Passed Unanimously

- (L) **EXECUTIVE SESSION – FOR THE PURPOSE OF DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS, UNDER C.R.S. SECTION 24-6-402(4)(E); SUBJECT: LAWSUITS**

**MOTION NO. 6:**

Moved and Seconded by Trustees Rugaard /Olk to enter into Executive Session for the Purpose of Determining Positions relative to Matters That May Be Subject to Negotiations, Developing Strategy for Negotiations, and/or Instructing Negotiators, Under C.R.S. Section 26-6-402(4)(E);

Motion Passed Unanimously

*Enter into Executive Session at 8:20 p.m.*

*Executive Session closed and regular meeting resumed at 8:44 p.m.*

**(M) BOARD CONSIDERATION OF GRANT AGREEMENT (\$35,000) WITH THE COLORADO STATE DEPARTMENT OF LOCAL AFFAIRS FOR THE PURPOSE OF UPDATING THE TOWN MUNICIPAL CODE FOR DEVELOPMENT REVIEW.**

Town Manager McArthur stated the Town applied for a grant with DOLA with matching funds of \$35,000.

**MOTION NO. 7:**

Moved and Seconded by Trustees Rugaard / Manzanares to enter into a Grant Agreement with the Colorado State Department of Local Affairs.

Motion Passed Unanimously

**(N) BOARD CONSIDERATION OF GRANT AGREEMENT (\$300,000) WITH THE GARFIELD COUNTY FEDERAL MINERAL LEASE DISTRICT FOR THE PURPOSE OF MOVING WATER LINES ON FIRST STREET.**

Town Manager McArthur stated the Town applied for a \$300,000 grant with Garfield County Federal Mineral Lease District with matching funds of \$150,000 from the Town's Water Fund. Mr. McArthur commented the water lines need to be replaced as a first step toward upgrading First Street to attract new businesses to Parachute.

**MOTION NO. 8:**

Moved and Seconded by Trustees Rugaard / Olk to enter into a Grant Agreement with the Garfield County Federal Mineral Lease District in the amount of \$300,000.

Motion Passed Unanimously

**(O) BOARD CONSIDERATION OF GRANT AGREEMENT (\$25,000) WITH THE GARFIELD COUNTY FEDERAL MINERAL LEASE DISTRICT FOR THE PURPOSE OF INSTALLING RADAR AND SCHOOL ZONE SIGNS IN THE TOWN.**

Town Manager McArthur stated the Town applied for a \$25,000 grant with the Garfield County Federal Mineral Lease District for radar and school zone signs with a \$25,000 match from the Town.

**MOTION NO. 9:**

Moved and Seconded by Trustees Manzanares / Rugaard to enter into a Grant Agreement with the Garfield County Federal Mineral Lease District in the amount of \$25,000.

Motion Passed Unanimously

**(P) OTHER MATTERS**

- (1) Thank you note from Grand Valley High School – Painting “claws” on Cardinal Way
- (2) Thank you note from Grand Valley High School – Homecoming Bonfire

**(Q) MOTION TO ADJOURN**

**MOTION NO: 10**

Moved and Seconded by Trustees Williams / Olk to adjourn

*Vocal vote so moved.*

*Meeting adjourned at 9:00 p.m.*

Signed: \_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

DRAFT

08/12/2015

To Whom It May Concern:

I feel the following should be brought to everybody's attention.

This spring in early May [REDACTED] was talking with select business owners about a marijuana business wanting to set up in Parachute. [REDACTED] wanted select business owners to attend a meeting later that month to discuss bringing in the business. Not all business owners were notified or included. It was to be kept quiet and not for the public's knowledge. He was gathering certain businesses support to push this forward and also excluded certain business owners who he did not want to know. In my opinion this was kept quiet so they could begin their push to bring in a marijuana business without the knowledge of the public. They were able to put things in motion without the public's awareness on this matter.

It has also come to my attention and is being said that if this ruling for bringing in a marijuana business is overturned the initial business will be grandfathered in.

Sincerely,  
Concerned

<b>EXPENSES PAID IN NOVEMBER</b>			
<b>Payee or Description</b>	<b>Date</b>	<b>Check Number</b>	<b>Check Amount</b>
CDM REF. # 37 HRA Reimbursement	11/2/2015	1	\$834.95
CDM REF. # 38 HRA Reimbursement	11/9/2015	2	\$1,692.99
HRA Reimbursement CDM REF# 39	11/16/2015	3	\$27.89
Payflex Health Hub CDM Ref.# 40	11/23/2015	4	\$274.71
WAGES PAYABLE	11/15/2015	5	\$25,090.57
FEDERAL WITHHOLDING PAYABLE	11/15/2015	6	\$8,292.01
PAYLOCITY PAYROLL FEE	11/15/2015	7	\$92.50
WAGES PAYABLE	11/30/2015	9	\$26,205.11
STATE WITHHOLDING PAYABLE	11/30/2015	10	\$1,117.00
FEDERAL WITHHOLDING PAYABLE	11/30/2015	11	\$7,431.50
PAYLOCITY PAYROLL FEE	11/30/2015	12	\$124.30
360 ELECTRIC, LLC	11/2/2015	20293	\$1,296.79
AFLAC	11/2/2015	20294	\$657.93
AUSTIN CIVIL GROUP, INC.	11/2/2015	20295	\$10,956.25
BATTLEMENT MESA METROPOLITAN DISTRICT	11/2/2015	20296	\$10,950.00
CASELLE INC	11/2/2015	20297	\$525.33
DEPENDABLE WASTE SERVICES	11/2/2015	20298	\$4,590.00
DESKTOP CONSULTING, INC.	11/2/2015	20299	\$150.00
FIKES WEST, INC.	11/2/2015	20300	\$79.00
FIRE AND POLICE PENSION ASSOC.	11/2/2015	20301	\$1,722.07
GRAND VALLEY PARK ASSOCIATION	11/2/2015	20302	\$7,111.24
HILL AND ROBBINS P.C.	11/2/2015	20303	\$69.00
KANSAS CITY LIFE INS.	11/2/2015	20304	\$649.96
KIM WISDOM	11/2/2015	20305	\$336.38
LIBERTY NATIONAL LIFE INSURANCE CO.	11/2/2015	20306	\$151.78
OLDCASTLE SW GROUP INC.	11/2/2015	20307	\$4,101.00
ORCHARD TRUST COMPANY, LLC	11/2/2015	20308	\$2,384.03
PAYFLEX SYSTEMS, USA INC.	11/2/2015	20309	\$150.00
POLARIS SURVEYING	11/2/2015	20310	\$4,300.00
R & S SALES & WELDING SERVICE	11/2/2015	20311	\$12.00
RESOURCE ENGINEERING INC	11/2/2015	20312	\$39.50
RIFLE ANIMAL SHELTER	11/2/2015	20313	\$300.00
SAM'S CLUB	11/2/2015	20314	\$177.20
SWALLOW OIL COMPANY	11/2/2015	20315	\$160.99
UNCC	11/2/2015	20316	\$37.18
UNIVAR USA INC.	11/2/2015	20317	\$380.80
FIRE AND POLICE PENSION ASSOC.	11/16/2015	20318	\$1,722.07
ORCHARD TRUST COMPANY, LLC	11/16/2015	20319	\$2,384.03
VERIZON WIRELESS	11/16/2015	20320	\$1,074.58
ALLY	11/30/2015	20329	\$2,162.63
ALLY	11/30/2015	20330	\$3,081.96
AUSTIN CIVIL GROUP, INC.	11/30/2015	20331	\$8,813.06
BRUBACHER DESIGN	11/30/2015	20332	\$527.00
CEBT	11/30/2015	20333	\$17,106.10
HUDDLESTON-BERRY ENGINEERING & TESTING	11/30/2015	20334	\$2,041.00

KONICA MINOLTA	11/30/2015	20335	\$802.41
RIFLE ANIMAL SHELTER	11/30/2015	20336	\$150.00
SAFEBUILT, INC.	11/30/2015	20337	\$3,159.75
SAM'S CLUB	11/30/2015	20338	\$79.28
STUART S. MCARTHUR	11/30/2015	20339	\$143.72
UMB - CREDIT CARD	11/25/2015	70100021	\$28,845.49
WEX, INC.	11/13/2015	70100022	\$1,992.81
XCEL ENERGY	11/27/2015	70100023	\$4,080.57
XCEL ENERGY	11/27/2015	70100024	\$3,408.45
<b>TOTAL</b>			<b>\$204,046.87</b>

## LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

PARACHUTE SHELL  
 706 S 9TH ST STE 1  
 GRAND JUNCTION CO 81501-3736

Fees Due	
Renewal Fee	\$96.25
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
<b>Amount Due/Paid</b>	

Make check payable to: **Colorado Department of Revenue**.  
 The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW**

**RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE**

Licensee Name <b>ROCKY MTN C STORES INC</b>		DBA <b>PARACHUTE SHELL</b>		
Liquor License # <b>03614250002</b>	License Type <b>3.2% Beer Off Premises (city)</b>	Sales Tax License # <b>03614250002</b>	Expiration Date <b>2/17/2016</b>	Due Date <b>1/3/2016</b>
Street Address <b>200 COUNTY RD 215 PARACHUTE CO 81635-9703</b>				Phone Number <b>(970) 285 7656</b>
Mailing Address <b>706 S 9TH ST STE 1 GRAND JUNCTION CO 81501-3736</b>				
Operating Manager <b>Gary Dean</b>	Date of Birth <b>2-22-49</b>	Home Address <b>2490 H Ct GJ Co 81505</b>		Phone Number <b>970 2429511</b>

1. Do you have legal possession of the premises at the street address above?  YES  NO  
 Is the premises owned or rented?  Owned  Rented\* \*If rented, expiration date of lease \_\_\_\_\_
2. Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested.  YES  NO  
**NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:** If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
3. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation.  YES  NO
4. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation.  YES  NO
5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation.  YES  NO
6. **SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:** Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and **attach a copy of their driver's license, state-issued ID or valid passport.**

**AFFIRMATION & CONSENT**

*I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.*

Type or Print Name of Applicant/Authorized Agent of Business <b>Rocky mtn c Stores, Inc</b>	Title <b>Pres</b>
Signature 	Date <b>11-10-15</b>

**REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. **THEREFORE THIS APPLICATION IS APPROVED.**

Local Licensing Authority For	Date
Signature	Title
	Attest

**LIQUOR LICENSES HELD BY**  
**KEITH POCKROSS AND GARY DEAN**

Rocky Mountain C Stores  
Shell Food Mart  
200 County Road 215  
Parachute CO 81635  
**Account # 03-61425-0002**

Rocky Mountain C Stores, Inc  
Conoco Food Mart  
201 Columbine Court  
Parachute CO 81635  
**Account # 03-61425-0003**

Bottle Cap Liquors, LLC  
150 Columbine Court Suite A  
Parachute CO 81635  
**Account # 10-98797-0000**

## LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

SHOMMYS  
 PO BOX 41  
 DE BEQUE CO 81630-0041

Fees Due	
Renewal Fee	\$500.00
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
<b>Amount Due/Paid</b>	

Make check payable to: **Colorado Department of Revenue.**  
 The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW**

**RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE**

Licensee Name <b>JKLMN LLC</b>		DBA <b>SHOMMYS</b>		
Liquor License # <b>42653540000</b>	License Type <b>Hotel &amp; Restaurant (city)</b>	Sales Tax License # <b>42653540000</b>	Expiration Date <b>1/11/2016</b>	Due Date <b>11/27/2015</b>
Street Address <b>0028 CARDINAL WAY PARACHUTE CO 81635-9747</b>				Phone Number <b>(970) <del>258-6500</del></b>
Mailing Address <b>PO BOX 41 DE BEQUE CO 81630-0041</b>				<b>285 9711</b>
Operating Manager <b>Shawna M. Nolan</b>	Date of Birth <b>2-21-78</b>	Home Address <b>4555 S 1/2 Rd DeBeque CO 81630</b>		Phone Number <b>970-285-5309</b>

1. Do you have legal possession of the premises at the street address above?  YES  NO  
 Is the premises owned or rented?  Owned  Rented\* \*If rented, expiration date of lease 1-20-2017
2. Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested.  YES  NO  
**NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:** If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
3. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation.  YES  NO
4. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation.  YES  NO
5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation.  YES  NO
6. **SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:** Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and **attach a copy of their driver's license, state-issued ID or valid passport.**

**AFFIRMATION & CONSENT**

*I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.*

Type or Print Name of Applicant/Authorized Agent of Business <b>SHAWNA M. NOLAN</b>	Title <b>OWNER</b>
Signature <i>Shawna M. Nolan</i>	Date <b>12-2-15</b>

**REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. **THEREFORE THIS APPLICATION IS APPROVED.**

Local Licensing Authority For	Date
Signature	Title
	Attest



# Town of Parachute

*A Safe Place to Land*

Stuart S. McArthur, Town Manager

*Integrity • Respect • Teamwork • Pride • Innovation • Diversity*

222 Grand Valley Way • Parachute, CO 81635 • (970) 285-7630

**DATE: December 17, 2015**

**TO: Board of Trustees**

**FROM: Stuart S. McArthur, Town Manager**

**SUBJECT: TOWN MANAGER MONTHLY REPORT – DECEMBER 2015**

The purpose of this memo is to report to the Board of Trustees the activities of the Town during the past month and to review issues for upcoming meetings.

1. Sales tax report showing current month (October receipt for August sales) sales tax and comparing the last three years is attached to this report. You will note that sales tax YTD is down nearly 18.3% from last year at this time. We are down 21.1% from the 2015 budgeted amount.
2. The 2015 Budget Tracking Report Summary is also attached. Through October 75.0% of the year has passed. The budget is tracking well. We are being very conservative in our spending. Overall the projected ending fund balances are good, with the exception of the Wastewater Fund. The Town experienced a large hit (nearly \$40,000) due to a sludge problem that was encountered during the jetting of the lines. A supplemental may be required later in the year. I will keep an eye on it. As I mentioned last week, sewer rates will have to be evaluated and potentially increased in 2016.
3. I attended a meeting at Garfield County on December 10<sup>th</sup> regarding the need for a detox center in the County. Attending were representatives from the area hospitals, law enforcement, County Commissioners, County Sheriff, and others. The immediate plan is to try to open a two-bed facility in Glenwood Springs near Valley View Hospital. (That is where they say most of the people are that need detox.) It was stated that they are witnessing a significant increase in alcoholism in the County. The stumbling block is funding. There was a committee created that included the County, law enforcement, hospitals, and municipality. The municipality rep is from Rifle. I had to push really hard to get the cities/towns on the committee. I felt it was important because I am certain that the first solution will be to come to us for the money. It was discussed the option to go for a small sales tax.
4. I am setting up Town e-mails for each of the Board members. I think it is important that each

of you have an e-mail that is separate from your work and/or personal one. I will let you know when it is done. We will also get new business cards for you with the new address.

5. On Tuesday, December 1<sup>st</sup>, I attended the Board of Directors meeting of the Rifle Regional Economic Development Corporation (RREDC). At each Board meeting the respective municipalities report on what is happening economically in their town/city. I am pleased to report that although Rifle continues to have more activity due to its size, the Town of Parachute is beginning to rival it with potential economic opportunities.
6. On the 2<sup>nd</sup> of December I attended the Energy Advisory Board meeting for Trustee Rugaard. I presented graphs of County activity last week during the 2016 Budget hearing. The companies reported that they have no plans for additional exploration for the foreseeable future.
- 7.
8. There are no more meetings scheduled for this year. Have Happy Holidays. The next Board of Trustees meeting is scheduled for January 21, 2016.
9. For the Board's information, I have submitted my letter of interest to be appointed to the School Board of Garfield County School District 16. Do any of you have any concerns?

### **3. Upcoming Issues:**

#### **a. Agenda Items:**

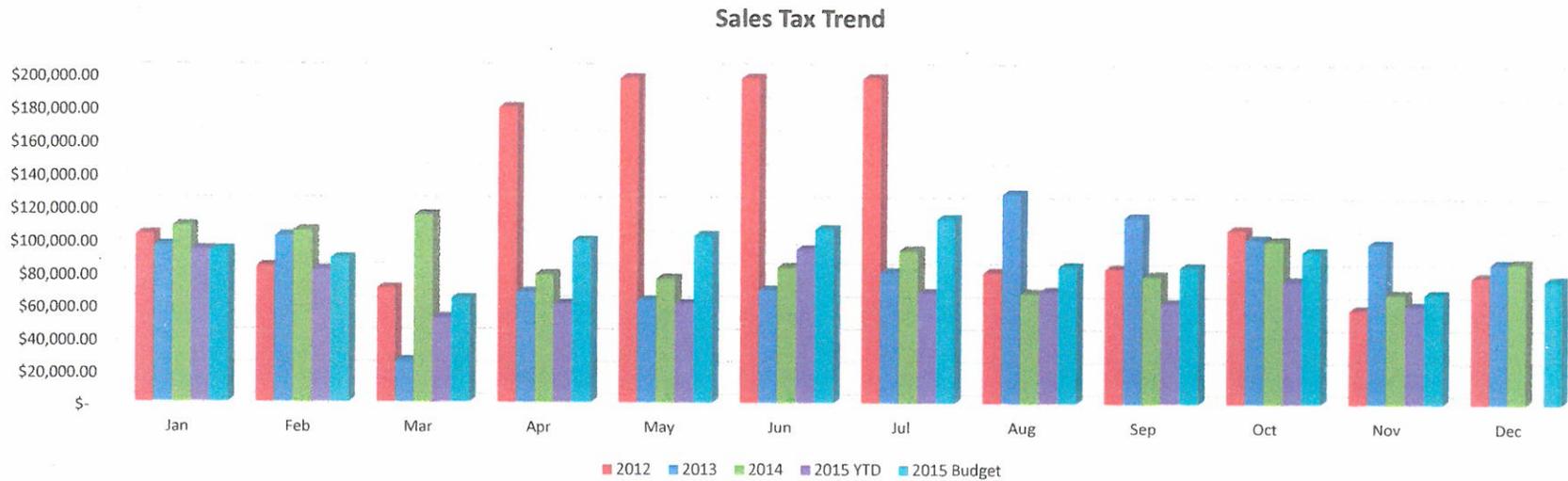
- i. Water rate issue for those residents without irrigation access.
- ii. Bee ordinance
- iii. Rabbits ordinance
- iv. Annexation zoning
- v. Survey and easements for Town water/electric/road facilities within the Battlement Mesa Company property
- vi. Applications for marijuana establishments
- vii. Applications for land use review for special use and re-zoning.

If you have questions or concerns, contact me at 970.285.7630 or [stuartmc@parachutecolorado.com](mailto:stuartmc@parachutecolorado.com).

**Town of Parachute  
Sales Tax Trend Analysis - 2015**

Actuals											
Month Received	Month Paid*	2012	2013	2014	2014 YTD	2015	2015 YTD	2015 Budget	% Over / -Under Budget	YTD % Compared to 2014	Actual Compared to Budget
Jan	Nov	\$ 102,462.53	\$ 95,706.59	\$ 107,541.87	\$ 107,541.87	\$ 93,340.02	\$ 93,034.20		0.33%	-13.21%	0.33%
Feb	Dec	\$ 82,967.67	\$ 101,588.06	\$ 104,702.30	\$ 104,702.30	\$ 81,163.74	\$ 88,027.22		-7.80%	-22.48%	-7.80%
Mar	Jan	\$ 70,051.54	\$ 25,564.29	\$ 113,904.74	\$ 113,904.74	\$ 51,821.09	\$ 63,761.46		-18.73%	-54.50%	-18.73%
Apr	Feb	\$ 178,676.32	\$ 67,891.55	\$ 78,277.62	\$ 78,277.62	\$ 60,420.09	\$ 98,857.22		-38.88%	-22.81%	-38.88%
May	Mar	\$ 196,401.77	\$ 62,753.99	\$ 75,764.05	\$ 75,764.05	\$ 60,555.16	\$ 101,923.05		-40.59%	-20.07%	-40.59%
Jun	Apr	\$ 196,401.77	\$ 69,165.79	\$ 82,490.46	\$ 82,490.46	\$ 93,419.42	\$ 105,921.28		-11.80%	13.25%	-11.80%
Jul	May	\$ 196,401.77	\$ 79,877.98	\$ 92,727.04	\$ 92,727.04	\$ 67,717.37	\$ 112,296.42		-39.70%	-26.97%	-39.70%
Aug	Jun	\$ 79,785.87	\$ 127,189.55	\$ 67,447.53	\$ 67,447.53	\$ 68,804.28	\$ 83,512.60		-17.61%	2.01%	-17.61%
Sep	Jul	\$ 82,319.43	\$ 113,405.91	\$ 77,887.19	\$ 77,887.19	\$ 61,204.69	\$ 83,265.97		-26.49%	-21.42%	-26.49%
Oct	Aug	\$ 105,816.61	\$ 100,377.26	\$ 99,147.71	\$ 99,147.71	\$ 75,283.71	\$ 92,921.78		-18.98%	-24.07%	-18.98%
Nov	Sep	\$ 57,266.18	\$ 97,548.24	\$ 67,147.25	\$ 67,147.25	\$ 59,887.91	\$ 67,547.54		-11.34%	-10.81%	-11.34%
Dec	Oct	\$ 77,708.49	\$ 85,800.99	\$ 86,001.23	\$ -	\$ -	\$ 75,931.28		-100.00%		
<b>Total</b>		<b>\$ 1,426,259.95</b>	<b>\$ 1,026,870.20</b>	<b>\$ 1,053,038.99</b>	<b>\$ 967,037.76</b>	<b>\$ 773,617.48</b>	<b>\$ 1,067,000.00</b>			<b>-19.03%</b>	<b>-22.36%</b>

\* There is a two month delay of when sales tax paid and when received by the Town.





# Town of Parachute

*A Safe Place to Land*

Derek Wingfield, Community Development

*Integrity • Respect • Teamwork • Pride • Innovation • Diversity*

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2 2 2 Grand Valley Way • Parachute, CO 81635 • (970) 285-7630

Date: December 17, 2015

To: Board of Trustees

From: Derek Wingfield, Community Development

Subject: Community Development Monthly Report- November 2015

November and early December, I worked to get some code enforcement caught up. Several unattached trailers, and “abandon” vehicles on the roads. I tagged and tracked 17 vehicles for removal, I have not made it out to see what kind of voluntary compliance we have had. While making the rounds for these violations, I did discover and require stop work on two properties working on permit required renovations. They can resume work once they complete the building permit application process.

It has been a busy couple months in the building and planning areas. Safe Built has been busy. I continue to see applications coming in mostly for commercial; however we have had some residential permit applications. The old church is being repaired; the roof which has destroyed the walls of the building has been removed and being restored. This was several months of planning with the church and engineers to get the approval for the work.

Two closed building as I am sure you have seen have obtained and completed renovations for change of use to open dispensaries. Both buildings had fairly extensive requirements to conform to code and both have complied thus far to obtain certificates of occupancy.

I have continued working to streamline the records for the building permits. I am trying to get the documents in digital form as well as the hard copies. This project is slowly coming along.

The tree lighting with the rest stop went great. The Chamber hosted the event and over 100 kids sat with Santa. It was a great turn out and hopefully we can continue to make it bigger in the future.

I have been working with GOCO (Great Outdoors Colorado) along with Livewell, and several other municipalities for the last month on a grant application. This grant application is an 18 month process which will only serve New Castle west within Garfield County. The grant is \$1-5 million which will be awarded in 2018 for the development, and implementation for getting the youth outdoors.



# Town of Parachute

A Safe Place to Land  
Mark King, Public Works Director

Integrity ▪ Respect ▪ Teamwork ▪ Pride ▪ Innovation ▪ Diversity

222 Grand Valley Way ▪ Parachute, CO 81635 ▪ (970) 285-7630

Date: December 17<sup>th</sup> 2015  
To: Board of Trustees  
From: Mark King, Public Works Director  
Subject: December Monthly Report

---

## Public Works Updates:

The sewer lift stations had a pump that failed. In an effort to remove the pump to have it repaired, however when we started the procedure to pull the pump the valve on the inlet side broke. We need to have the wet well drained and cleaned in order to have the pump removed and the valve replaced. Town Administrator Stuart McArthur has applied for an emergency grant from DOLA to assist in the funding for the repairs of the lift stations.

Public Works has plans to replace some sidewalks in town that are a hazard. We are also going to replace the V pan on Murry Lane that is beyond repair.

We had the tree lighting at the first of the month at the rest area, it was well attended and it looks good. Next year I would like to get some input from the board on making it better, so get your creative minds going and we can meet this summer to discuss ideas.



# Town of Parachute

*A Safe Place to Land*

Cary Parmenter, Police Chief

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## November, 2015

Officers were busy in November with training and getting caught up on case files. We only have one more mandated POST course to attend before the end of the year to keep our certificates current.

Phyllis Wyatt plead guilty to her charges related to the death of Sarah Ogden who died as a result of child abuse last April. The father still faces his charges and is scheduled for trial in January.

On behalf of the members of the Parachute Police Department, I wish to thank the Town Board for your support and participation this past year. Without it we would not have been as successful.

Calls for service 2014: **487**

Calls for service 2015: **357**

Thank You

*Cary Parmenter*

Police Chief



# Town of Parachute

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Cary Parmenter, Police Chief

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## POLICE ACTIVITY BLOTTER FOR SEPTEMBER 2015 SUMMARY

### DATE

- 12/01/15**     **Traffic Violation**  
An Officer conducted a traffic stop at Cardinal Way and Co Rd 300. Mark Allen Combs, 30 of Parachute was summoned for Speeding and for Driving while his License was restrained for DUI/Alcohol convictions.
- 11/02/15**     **Family Crimes**  
Officers were called to the 200 block of 3<sup>rd</sup> street on a report of a Restraining Order Violation. Daniel Woodhouse, 21, of Parachute was arrested for Violation of a Restraining Order.
- 11/04/15**     **Runaway**  
Officers were called to the 200 Block of N Russey Avenue on a report of a juvenile runaway. The runaway has since been found safe.
- 11/09/15**     **Theft**  
Officers were called to 200 Colorado Avenue on a report of a theft from a motor vehicle. The case remains open and ongoing.
- 11/10/15**     **Theft**  
Officer was called to the 100 block of W 1<sup>st</sup> Street on a report of stolen lawn gnomes. There are no suspects, and the gnomes have not been found. Case is open and ongoing.
- 11/10/15**     **Agency Assist**  
Parachute PD assisted GCSO with a pursuit, and stolen vehicle out of Parachute. The juvenile offender was apprehended without injury.
- 11/10/15**     **Motor Vehicle Theft**  
Vehicle was reported stolen from 4<sup>th</sup> street. Vehicle was recovered later that evening, and the juvenile offender was arrested.
- 11/11/15**     **DUI**  
An Officer conducted a traffic stop on the I-70 on ramp at mm 75. The driver Israel Lopez Molinar, 26, of Grand Junction was arrested for DUI and violation of interlock requirements.



# Town of Parachute

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- 11/12/15      DUI**  
Officer was requested to assist CSP/GJPD with a party at the rest area. Marvin Howe, 83, of Nampa Idaho was arrested for suspicion of DUI-D.
- 11/12/15      Stalking**  
Officers were called to 200 Colorado Avenue on a report of Stalking. The suspect Robert Bevard II, 21, of Lancaster OH was arrested via Warrant.
- 11/12/15      Minor in Possession**  
Officer was called to 200 Colorado Avenue on a report of minor smoking marijuana. That same minor was summoned for smoking marijuana.
- 11/14/15      Warrant Arrest**  
Officers were called to 200 Colorado Avenue on a domestic violence report. While investigating that call they determined that Tammy Diane Almeida, 43, of Grand Junction had two warrants for her arrest. She was subsequently arrested for those warrants.
- 11/19/15      DUI-D**  
Officer conducted a traffic stop at the intersection of Cardinal Way and St. Johns Circle. Christopher Enlow, 26, of Parachute was arrested for Suspicion of DUI-D, Possession of Drug Paraphernalia, Drove Vehicle While license under restraint- Suspended, Improper signal, and Violation of Protection order.
- 11/19/15      Alcohol Violation**  
While on the previous traffic stop, Wesley Cherry, 29, of Rifle was summoned for an open container of Alcohol in a Motor Vehicle.
- 11/19/15      Obstruction**  
While on the previous traffic stop, Jan Enlow, 58, of Parachute was arrested for intoxicated party in the roadway, attempting to Influence a Public Servant, Obstruction of a Peace Officer and Disorderly Conduct. She was booked at GCSO Jail.
- 11/19/15      Drug Violation**  
While on the previous traffic stop, Brianne Boothe, 31 of Parachute was summoned for possession of drug paraphernalia.



# Town of Parachute

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- 11/20/15 Runaway**  
Office was called to 200 Colorado Avenue on a report of a runaway Juvenile.
- 11/23/15 Fraud/Forgery**  
Officer was called to the 200 Block of Columbine CT on a report of a forged bill. The investigation remains open.
- 11/23/15 Sex Offense**  
Officers were called to 200 Colorado Avenue on a report of a sex offense. This case remains open.
- 11/23/15 Warrant Arrest**  
Officer encountered Caleb Dresser, 19, of Parachute who was subsequently arrested for an outstanding warrant.
- 11/24/15 MIP**  
Officer contacted a party for a traffic violation. During that contact he summoned Abdelrahim Allan, 19, of Rifle for MIP. Allan was released to a sober party on summons.
- 11/25/15 Stolen Vehicle/DUI**  
Officers were called to the 200 Block of CO Rd 215 for a REDDI report. After contacting the suspect, Daren Rodney, 53, of Omaha Nebraska and after some investigation he was arrested for Aggravated Motor Vehicle theft, DUI, Open Alcoholic Beverage Container in Motor Vehicle, and Driving without a Valid Driver's license. He was transported to the GCSO Jail.
- 11/25/15 Agency Assist**  
Officer was requested to assist GCSO with a warrant pickup. The suspect, Timothy House, 38, of Battlement Mesa was arrested after a brief foot pursuit for Obstructing a Peace Officer, Resisting arrest, and his two warrants. He was booked by GCSO at their Jail.
- 11/26/2015 Trespass**  
Officer was called to the 200 Block of Green street on a report of a trespass in progress. Christopher Enlow, 26, of Parachute was arrested on the following charges: Violation of Bail Bond Conditions, Criminal Mischief, Second Degree Criminal Trespass, Violation of a restraining order, theft. His associate, Devon Johnson, 25 of Rifle was arrested for Second Degree Criminal Trespass and Theft.



# Town of Parachute

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- 11/27/15      **DUI****  
Officer conducted a traffic stop on a vehicle on the I-70 on-ramp at mm 75. The driver, Connor McLaughlin, 20, of Pittsburg, PA was arrested for Suspicion of DUI, Failure to use turn signals, defective headlight, open alcoholic beverage container, and open marijuana container.
- 11/29/15      **Animal complaint****  
Officer was called to 200 Colorado Avenue on an animal complaint. Dog on Dog fight, both owners came to an agreement, and no charges were pressed.
- 11/30/15      **Warrant****  
Officer Conducted a traffic stop at Cardinal Way, and Co Rd 300. Thomas Cain 25 of Grand Junction was cited for failure to stop at stop sign, and no proof of insurance.

**30 Traffic Citations November 2015**  
**133 Traffic Warnings November 2015**  
**27 Case Reports in November 2015**  
**54 DUI arrests in 2015**  
**10 DUI arrests in all of 2014**  
**426 case reports YTD**  
**(283 case reports total in 2014)**



# Town of Parachute

*A Safe Place to Land*

Stuart S. McArthur, Town Manager

---

222 Grand Valley Way ▪ Parachute, CO 81635 ▪ (970) 285-7630

## STAFF REPORT

**DATE:** December 17, 2015  
**TO:** Town of Parachute Board of Trustees  
**FROM:** Stuart S. McArthur, Town Manager  
**SUBJECT:** **CODE AMENDMENTS TO ADDRESS THE USE TABLE IN SECTION FIFTEEN (15) OF THE MUNICIPAL CODE; TO REFLECT TOWN "MANAGER" THROUGHOUT THE CODE; AND TO ADDRESS PUBLIC MEETINGS**

---

### Background

As situations change, it frequently becomes necessary to address text amendments in the Town of Parachute Municipal Code. The Commission has seen several such amendments over the past year.

The codes amendments addressed in the recommend ordinance to the Town of Parachute Board of Trustees include:

- Amending the Schedule of Uses to set forth new uses and amend review requirements for certain uses in the Town's zone districts, specifically:
  - To include the uses referenced in Ordinance 683 as they pertain to retail marijuana establishments:
    - Retail marijuana cultivation facility
    - Retail marijuana product manufacturing facility
    - Retail marijuana store
    - Retail marijuana testing facility

The only change is to the zoning category of Service Commercial that would allow a use of retail marijuana cultivation facility contingent upon a special review by the Planning and Zoning Commission and the Board of Trustees.

- To move the use of Indoor Recreation Facility from the Commercial/Retail Uses section to the Recreation or Amusement Facilities, Private or Public Uses section.

- To revise the current Outdoor Recreation use category to further define it as not including ballfields.
  - It is recommended that in addition to being allowed as a use by right in the Rural Agricultural and Public zoning categories, be allowed by special review in the zoning categories of: Old Town Commercial, Highway Tourism, Service Commercial, Light Industrial, and General Industrial. This would allow for recreation activities to be located in more areas of the Town.
- To add a new Outdoor Recreation use category that includes ballfields.
  - This use would only be allowed by right in Rural Agricultural and Public zoning categories.
- In April 2014, the Town's electorate approved changing the reference in the Town Charter from Town "Administrator" to Town "Manager." This ordinance would make that change throughout the Municipal Code.
- This ordinance would also allow development review hearings to be held in all Board of Trustee meetings.

### **Attorney Review**

Jeff Conklin, Town Attorney, has reviewed the suggested amendments and has prepared the ordinance and made the necessary changes to the Schedule of Uses.

### **Recommendations**

Staff recommends that the Board of Trustees unanimously recommend these changes and approval of the ordinance to the Board of Trustees in their December 17, 2015, regular meeting.

If you have any additional questions or concerns, please contact me at 970-285-7630.



**TOWN OF PARACHUTE  
ORDINANCE NO. 690**

---

**AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING SECTION 15.03.215 OF THE PARACHUTE MUNICIPAL CODE CONCERNING THE SCHEDULE OF USES PERMITTED IN ZONE DISTRICTS AND AMENDING TITLE 15 REGARDING REFERENCES TO THE TOWN ADMINISTRATOR AND REGULAR MEETINGS.**

WHEREAS, Title 15 of the Parachute Municipal Code (the “Code”) contains the Town of Parachute’s land use regulations;

WHEREAS, Section 15.03.215 of the Code contains the Schedule of Uses in Zone Districts (“Schedule of Uses”);

WHEREAS, the Board of Trustees of the Town of Parachute (the “Board”) wishes to amend the Schedule of Uses to set forth new uses and amend review requirements for certain uses in the Town’s zone districts;

WHEREAS, on June 18, 2015, the Board adopted Ordinance No. 683, which added a new Chapter 6.11 to Title 6 of the Code to govern the licensing and operation of retail marijuana cultivation facilities, testing facilities, product manufacturing facilities, and stores (“Retail Marijuana Establishment”);

WHEREAS, Section 6.11.050 authorizes the Board, acting as the Local Licensing Authority, to issue licenses for Retail Marijuana Establishments only in certain zone districts;

WHEREAS, for consistency and clarity, the Board wishes to also amend the Schedule of Uses to incorporate Section 6.11.050 to set forth Retail Marijuana Establishments as specific uses;

WHEREAS, the Board wishes to amend Title 15 of the Code to change references to “Town Administrator” to “Town Manager” to make the Code consistent with the Town Charter;

WHEREAS, the Board wishes to amend Title 15 of the Code to allow for land use applications to be heard at either regular or special meetings of the Board and Planning and Zoning Commission;

WHEREAS, the Board initiated an application for text amendment to Title 15 pursuant to Section 15.01.110 and 15.05.202 of the Code (the “Text Amendment”);

WHEREAS, the Town Manager determined the Text Amendment was complete pursuant to Section 15.05.203 of the Code;

WHEREAS, the Town of Parachute Planning and Zoning Commission reviewed the Text

Amendment at a public meeting held on November 12, 2015 pursuant to Sections 15.05.205 and 15.05.206 of the Code;

WHEREAS, the Board considered the Text Amendment at a public hearing on December 17, 2015 pursuant to Section 15.05.208 of the Code and said hearing was properly noticed in accordance with Section 15.01.106 of the Code;

WHEREAS, pursuant to Section 15.01.110 and Article 15.05 of the Code, the Board finds and determines the proposed amendments to the Schedule of Uses to be desirable and in the best interests of the Town and wishes to amend the Schedule of Uses in accordance with the Text Amendment.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO THAT:**

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Schedule of Uses contained in Section 15.03.215 of the Code shall be amended to read as set forth in Exhibit A enclosed herewith and incorporated herein by this reference.

Section 3. The Code shall hereby be amended to replace references to the “Town Administrator” with “Town Manager.”

Section 4. Title 15 of the Parachute Municipal Code is hereby amended as follows, with additions shown in double underlined text and ~~strike through language deleted~~:

\*\*\*

15.05.205 Planning Commission Review. The Town Planning Commission will review the application at a ~~its next regularly scheduled~~ meeting date at least thirty (30) calendar days after the submittal of a complete application. The Planning Commission will conduct a public meeting to review the application.

\*\*\*

15.05.206 Review Criteria and Planning Commission Recommendation.

\*\*\*

B. Planning Commission Recommendation. The Planning Commission shall complete its review and make its recommendation to the Board of Trustees at the public meeting specified in Section 15.05.205. The Planning Commission may recommend approval, conditional approval, or denial of the application. If the application is for a subdivision to be developed in phases, the Planning Commission shall also recommend a phasing plan.

The Planning Commission may, in its sole discretion, continue the review of the application to

another ~~regularly scheduled~~ Planning Commission meeting for the purpose of receiving additional information or public commentary prior to making a decision. In no event shall the review be continued for more than ninety (90) calendar days beyond the date of the date of the initial Planning Commission meeting. The applicant or any other interested party may request a continuation of the public meeting for good cause, shown to the satisfaction of the Commission.

The Planning Commission shall only recommend approval of those applications which the Commission finds to be developed in accordance with the intent, standards and criteria specified in these Regulations.

The Planning Commission recommendation shall be sent to Board of Trustees indicating any conditions of approval or reasons for denial of an application. A copy of the Planning Commission recommendation shall be maintained in the records of the Town and a copy shall be provided to the applicant.

\*\*\*

15.05.207 Public Notice of Board of Trustees Review. The Board of Trustees will review the application at a ~~regularly scheduled~~ meeting not more than forty-five (45) calendar days after the Planning Commission has completed its review and made its recommendation to the Board of Trustees. The Board of Trustees will conduct a public hearing to review the application. The applicant shall be responsible for providing notice of the public hearing per the requirements of Section 15.01.106 of these Regulations.

\*\*\*

15.05.208 Board of Trustees Review and Decision.

A. General. Not more than forty-five (45) calendar days after the receipt of the Planning Commission recommendation, the Board of Trustees shall conduct a public hearing to consider the application. The Board of Trustees will consider all the evidence presented by the applicant and other interested parties, the recommendation of the Parachute Planning Commission, comments of review agencies, recommendations of the Town Administrator, and comments from the public. The Board may, in its sole discretion, continue the public hearing to another ~~regularly scheduled~~ Board meeting date for the purpose of receiving additional information or public input before making a decision. In no event shall the public hearing be continued for more than ninety (90) calendar days beyond the date of the initial public hearing. The applicant or any other interested party may request a continuation of the public hearing for good cause shown, satisfactory to the Board. The Board of Trustees shall by a majority vote of the members present approve, approve with conditions or disapprove the application.

\*\*\*

**INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY  
TITLE ONLY** by a vote of \_\_\_\_\_ to \_\_\_\_\_ of the Board of Trustees of the Town of Parachute,  
Colorado at its regular meeting held on the 17<sup>th</sup> day of December, 2015.

**BOARD OF TRUSTEES OF THE TOWN  
OF PARACHUTE, COLORADO**

By: \_\_\_\_\_  
Roy McClung, Mayor

**ATTEST:**

\_\_\_\_\_  
Denise Chiaretta, Town Clerk

**PUBLIC NOTICE**

Public notice is hereby given that an Ordinance entitled:

**AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING SECTION 15.03.215 OF THE PARACHUTE MUNICIPAL CODE CONCERNING THE SCHEDULE OF USES PERMITTED IN ZONE DISTRICTS AND AMENDING TITLE 15 REGARDING REFERENCES TO THE TOWN ADMINISTRATOR AND REGULAR MEETINGS.**

was introduced before the Board of Trustees on December 17, 2015; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Board of Trustees held on December 17, 2015, and approved by the Mayor on \_\_\_\_\_, 2015.

Copies of the adopted ordinance are available for inspection at the Town Hall, Parachute, Colorado and available on the internet at <http://www.parachutecolorado.com>.

Dated this \_\_\_\_\_ day of December, 2015.

**TOWN OF PARACHUTE**

\_\_\_\_\_  
Denise Chiaretta, Town Clerk

**EXHIBIT "A"**

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**Schedule of Uses**

**Section 15.03.215**

Land Use	RA	LDR	MDR	HDR	OTC	NC	HT	SC	LI	GI	P
<b>AGRICULTURAL USE</b>											
Agricultural uses including crops, grazing, ranching	P										
Agricultural-related business	S							S	S		
Equestrian stable with or without training facility	S										
Greenhouse and /or nursery without retail sales	P							P	S	S	
Greenhouse and/or nursery with retail sales	S							P	S	S	
Landscape business including equipment sales/rental, landscape & hardscape materials	S							S	P	P	
Poultry hatcheries, fish hatcheries, commercial ranching and dairy farms or animals raised or kept for profit or production	P								S	S	
Riding academies and stables	P							S	S	S	S
Rodeo grounds	S										S
Soil amendments packaging and processing such as peat moss, top soil and composted manure; but excluding raw manure or chemical fertilizers	S								P	P	
<b>ANIMAL SERVICES</b>											
Animal boarding and training	P								S	S	S
Animal hospital, large; without outside kennels	S							S	P	S	
Animal hospital, small; without outside kennels	P							P	P	P	
Outside Kennels in association with animal hospital or veterinary use	S							S	S	S	
Veterinary offices or clinics; without outside kennels	P							P	P	P	
<b>COMMERCIAL / RETAIL USES</b>											
Bakeries – Retail					P	P	P	P	P		
Bakeries - Commercial					S		S	S	P	P	
Business services, courier services, catering and others	P	S	S	S	P	P	P	P	P	P	
Car washes							S	P	P	S	
Commercial parking lots or garages						S	S	S	P	P	
Convenience retail stores					P	P	P	P	P	S	
Convenience retail stores with more than four fueling stations							S	S	P	S	
Convenience retail stores with or without motor vehicle fuel sales (maximum four fuel pumps)							P	P	P	S	

Land Use	RA	LDR	MDR	HDR	OTC	NC	HT	SC	LI	GI	P
Convenience retail stores without motor vehicle fuel sales					P	S	P	P	P		
Drive-in banks							P	P	P		
Farmers' and flea markets	P				S	S	S	S	P		
Financial institutions					P	S	P	P			
Grocery stores							P	P	P		
Hotels and motels							P	P			
Indoor recreation facilities	S				S		P	P	P	P	P
Laundromats and dry cleaning facilities					P	P	P	P	P		
Laundry - commercial									P	P	
Manufactured and modular home sales								S	P	P	
Mixed-use commercial uses and multiple commercial uses in the same building					P	S	P	P	P	P	S
Other food retail (delicatessen, retail bakery, specialty food market)					P	P	P	P	P	S	
Outdoor retail display and sales					P	S	P	P	P	P	
Outfitter/guide business	S				S		S	S	P	S	
Pawnshops					P		P	P	P		
Personal service establishments					P	P	P	P	P	S	
Pet shop - Retail					P	P	P	P	S		
Printing and bookbinding - commercial					S	S	P	P	P	S	
Rental services					S		S	S	P	P	
Repair, furniture and major household appliance					S	S	P	P	P	P	
Repair, Small equipment, Appliances					P	S	P	P	P	P	
Restaurant, other					P	S	P	P	P	S	
Restaurants - fast food type with drive through pick-up facilities							P	P	P	S	
Retail establishments					P	S	P	P	S	S	
Retail marijuana cultivation facility								S	S	S	
Retail marijuana product manufacturing facility					P	P	P	P	P	P	
Retail marijuana store					P	P	P	P	P	P	
Retail marijuana testing facility					P	P	P	P	P	P	
Sexually oriented business									S	S	
Wholesale retail sales in conjunction with wholesaling								S	P	P	
Wholesaling Business								S	P	P	
<b>CLUBS AND LODGES</b>											
Clubs and lodges, fraternal organizations					P	S	P	P	S		
<b>COMMUNITY SERVICES</b>											
Assembly hall or exhibition facilities					S	S	P	P	S		P

Land Use	RA	LDR	MDR	HDR	OTC	NC	HT	SC	LI	GI	P
Cultural facilities	S				P	S	P	P			P
Events center	S				S		P	P	P		P
<b>INDUSTRIAL USES</b>											
Auction house or yard							S	S	P	P	
Building materials and services							S	S	P	P	
Commercial trash business without trash storage or trash transfer operations									P	P	
Concrete products production									P	P	
Contractor yards - heavy equipment									P	P	
Contractors shops (carpentry, machine, electrical, plumbing)							S	S	P	P	
Custom crafts	S	S	S	S	P	P	P	P	P	S	
Dry cleaning - large scale non-retail								S	P	P	
Food and beverage processing								S	P	P	
Frozen food lockers								P	P	P	
General machine shops							S	P	P	P	
Light trade and technical uses					S	S	P	P	P	P	
Manufacturing, fabrication and assembly operations or industrial uses subject to limitations of subsection 15.03.209								S	P	P	
Meat processing plant									P	P	
Mixed industrial uses and multiple uses in the same building or on the same lot									S	S	
Natural Gas or Oil Extraction Support Facilities	S					S	S	S	P	P	S
Natural gas production and warehousing						S	S	S	P	P	S
Oil/petroleum product production, warehousing and storage						S	S	S	P	P	S
Open sales yards								S	P	P	
Paint and body shops								S	P	P	
Primary manufacturing, assembly, finishing or fabrication								S	P	P	
Publishing facility					S	S	P	P	P	P	
Recycling facilities, large									S	P	
Refining or initial processing of basic raw materials									S	P	
Refuse collection facilities									S	P	
Retail firewood storage and sales								S	P	P	
Salvage operations									S	S	
Sand and gravel, stone, and mineral extraction and processing									S	S	

Land Use	RA	LDR	MDR	HDR	OTC	NC	HT	SC	LI	GI	P
Sand and gravel, stone, mineral - extraction and processing - excluding asphalt production	S								S	S	
Secondary manufacturing, assembly, finishing or fabrication								S	P	P	
Warehousing and distribution									P	P	
Waste-related uses, trash transfer station									P	P	
Wholesale establishments								S	P	P	
<b>LABORATORY, RESEARCH AND DEVELOPMENT</b>											
General research and development					S	S	S	P	P	P	
Laboratory: medical, dental, optical, scientific					P	S	P	P	P	S	
<b>MEDICAL FACILITIES</b>											
Medical, dental or other health-related offices					P	S	P	P	S		
Hospital					S		P	P	P		P
<b>MOTOR VEHICLE-RELATED SALES AND SERVICE OPERATIONS</b>											
Automobile rentals							P	P	P	P	
Automobile washing facility						S	P	P	P	P	
Equipment sales and service with associated storage							S	S	P	P	
Limited equipment rental						S	P	P	P	P	
Major vehicle/equipment repair							S	S	P	P	
Motor vehicle dealer/sales, new and/or used							P	P	P	P	
Recreational vehicle sales and service							S	P	P	P	
Service stations						S	P	P	P	P	
Truck stops							S	S	P	P	
Truck washes							S	S	P	P	
Vehicle repair							S	S	P	P	
Vehicle fueling facilities with minor repair							S	S	P	P	
Vehicle or automobile wrecking or salvage yard									S	P	
Vehicle storage									P	P	
Vehicle towing services and associated storage									P	P	
Vehicle/equipment sales and rentals					S		S	S	P	P	
<b>OTHER USES</b>											
Ambulance service					S	S	P	P	P	P	S
Cemetery	S	S	S	S							S
Day care center, adult or child	S	S	S	S	S	S	S	P			
Funeral homes and mortuaries					P		P	P	P		

Land Use	RA	LDR	MDR	HDR	OTC	NC	HT	SC	LI	GI	P
Government facilities with or without associated operations	S	S	S	S	P	P	P	P	P	P	P
Heliports/helistops	S							S	S	S	S
Home occupations	P	P	S	S		P					
Overnight campground and travel trailer parking	S						S	S	S		S
Public assembly - indoor	S				P	S	P	P	P		P
State licensed day care facilities	P	P	S	S	S	P	P	P			
Uses Not Itemized / Similar Usage	S	S	S	S	S	S	S	S	S	S	S
Zoos, arboretum, botanical gardens	S	S				S	P	P	P		S
<b>OFFICE, CLERICAL AND SERVICES NOT RELATED TO GOODS OR MERCHANDISE</b>											
Administrative and executive; business and professional; and general offices					P	P	P	P	P	P	
Financial services no drive-in facilities					P	P	P	P	P		
Financial services with drive-in facilities						S	P	P	P		
Instructional services, studies	S				P	P	P	P	P	P	
Offices - business or professional					P	P	P	P	P	P	
<b>RESIDENTIAL</b>											
Accessory Dwelling Unit (ADU)	S	S									P
Assisted living facility					S	S	S	P			
Bed and Breakfast accommodations	S	S	S	S	P	P	P	P			
Dwelling unit accessory to a permitted business use	S				S	P	P	P	P	S	
Dwelling unit accessory to permitted uses and located in the same building or on the same lot as the principal use	S				S	S	S	S	S	S	
Employee housing provided employees are in the employ of property owner	S				S	P	P	P	P	P	S
Group homes for the developmentally disabled or for persons sixty years of age or older		S	S	S		S	S	S			
Mobile home parks			S	S							
Mobile homes			S	S							
Multiple-family dwelling and townhouses		S	P	P	S	S	S	S			
Nursing home			S	S	S	S					
One-family dwelling (Single-family dwelling)	P	P	P	P	S	S		S	S	S	
Rooming, lodging or boarding houses			S	P	S	S	S	S			
Two-family dwelling		S	P	P	S	S		S			
<b>RESTAURANT FOOD SERVICE</b>											
Bar, tavern, nightclub					P	P	P	P	S		

Land Use	RA	LDR	MDR	HDR	OTC	NC	HT	SC	LI	GI	P
Eating and/or drinking establishments excluding fast food restaurants					P	S	P	P	P		
Fast food w/o drive thru					P	P	P	P	P		
Fast food with drive-thru					S	S	P	P	P		
<b>RECREATION OR AMUSEMENT FACILITIES, PRIVATE OR PUBLIC</b>											
Events / Indoor Recreation Center	S				S	S	S	S	S		
Golf course	S										S
Indoor recreation facilities	S				S		P	P	P	P	P
Outdoor Recreation, not including ballparks	S				S		S	S	S	S	P
Outdoor Recreation (ballparks, etc.)	S										P
Parks	P	P	P	P	P	P	P	P			P
Public Recreation facilities with supporting accessory uses such as sports shops, snack shops, restaurants and equipment rental	S	S	S	S	S	S	P	P			S
<b>RELIGIOUS INSTITUTIONS</b>											
Religious assembly and worship	P	P	P	P	P	P	P	P	P	P	P
<b>SCHOOLS</b>											
Educational facilities	S	S	S	S	S	S	S	S	S		P
Elementary and secondary education school	S	S	S	S	S	S	S	S			P
Postsecondary colleges, universities and technical schools	S	S	S	S	S	S	S	S	S	S	P
Private business, trade and vocational school	S	S	S	S	S	S	S	S	S	S	S
Schools - private	S	S	S	S	S	S	S	S	S	S	
Schools of special instruction	S	S	S	S	S	S	S	S	S	S	
<b>STORAGE</b>											
Indoor storage	P					S	P	P	P	P	P
Outside storage - Unscreened	S					S	S	S	P	P	S
Outside storage - Screened	P					S	P	P	P	P	S
Personal storage units (Mini-storage)						S		S	P	P	
<b>TEMPORARY USES</b>											
Circuses, carnivals, other special events	S				S	S	S	S	S		S
Contractor's office/temporary construction uses	S	S	S	S	S	S	S	S	S	S	S
Temporary Construction Facilities with or without outdoor storage	S	S	S	S	S	S	S	S	S	S	S
Temporary real estate sales office	S	S	S	S	S	S	S	S	S	S	
<b>TELECOMMUNICATIONS FACILITIES AND SATELLITE DISH ANTENNAS</b>											
Cellular communications facilities	S							S	S	S	S
Freestanding tower	S							S	S	S	S
Radio and television transmission towers	S								S	S	S

Land Use	RA	LDR	MDR	HDR	OTC	NC	HT	SC	LI	GI	P
Telecommunication facilities other	S	S							S	S	S
<b>TRANSPORTATION FACILITIES</b>											
Passenger terminal					S		S	S	P	S	S
Private automobile parking lots or parking garages as a principal use					S		S	S	P	P	
Public automobile park 'n' ride lots	S						S	S	P	S	S
<b>UTILITIES</b>											
Above Ground electric transmission lines 110 kV or more	S	S	S	S	S	S	S	S	S	S	S
Electric substations	S								S	S	S
Public utilities, major	S								P	P	P
Public utilities, minor	P	P	P	P	P	P	P	P	P	P	P
Public utility facilities - above ground	S	S	S	S	S	S	S	S	S	S	S
Public utility facilities - underground	P	P	P	P	P	P	P	P	P	P	P

P: Permitted Use

S: Use by Special Review

“ “: Uses not designated as “P” or “S” are not allowed in the respective zoning category.



# Town of Parachute

*A Safe Place to Land*

Stuart S. McArthur, Town Manager

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222 Grand Valley Way • Parachute, CO 81635 • (970) 285-7630

## STAFF REPORT

**DATE:** December 17, 2015  
**TO:** Town of Parachute Board of Trustees  
**FROM:** Stuart S. McArthur, Town Manager  
**SUBJECT:** **CODE AMENDMENTS TO ADDRESS THE USE TABLE IN SECTION FIFTEEN (15) OF THE MUNICIPAL CODE; TO REFLECT TOWN "MANAGER" THROUGHOUT THE CODE; AND TO ADDRESS PUBLIC MEETINGS**

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### Background

As situations change, it frequently becomes necessary to address text amendments in the Town of Parachute Municipal Code. The Commission has seen several such amendments over the past year.

The codes amendments addressed in the recommend ordinance to the Town of Parachute Board of Trustees include:

- Amending the Schedule of Uses to set forth new uses and amend review requirements for certain uses in the Town's zone districts, specifically:
  - To include the uses referenced in Ordinance 683 as they pertain to retail marijuana establishments:
    - Retail marijuana cultivation facility
    - Retail marijuana product manufacturing facility
    - Retail marijuana store
    - Retail marijuana testing facility

The only change is to the zoning category of Service Commercial that would allow a use of retail marijuana cultivation facility contingent upon a special review by the Planning and Zoning Commission and the Board of Trustees.

- To move the use of Indoor Recreation Facility from the Commercial/Retail Uses section to the Recreation or Amusement Facilities, Private or Public Uses section.

- To revise the current Outdoor Recreation use category to further define it as not including ballfields.
  - It is recommended that in addition to being allowed as a use by right in the Rural Agricultural and Public zoning categories, be allowed by special review in the zoning categories of: Old Town Commercial, Highway Tourism, Service Commercial, Light Industrial, and General Industrial. This would allow for recreation activities to be located in more areas of the Town.
- To add a new Outdoor Recreation use category that includes ballfields.
  - This use would only be allowed by right in Rural Agricultural and Public zoning categories.
- In April 2014, the Town's electorate approved changing the reference in the Town Charter from Town "Administrator" to Town "Manager." This ordinance would make that change throughout the Municipal Code.
- This ordinance would also allow development review hearings to be held in all Board of Trustee meetings.

### **Attorney Review**

Jeff Conklin, Town Attorney, has reviewed the suggested amendments and has prepared the ordinance and made the necessary changes to the Schedule of Uses.

### **Recommendations**

Staff recommends that the Board of Trustees unanimously recommend these changes and approval of the ordinance to the Board of Trustees in their December 17, 2015, regular meeting.

If you have any additional questions or concerns, please contact me at 970-285-7630.

**TOWN OF PARACHUTE  
ORDINANCE NO. 691**

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**AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING SECTION 6.11.050 OF THE PARACHUTE MUNICIPAL CODE REGARDING LOCATION LIMITATIONS OF RETAIL MARIJUANA ESTABLISHMENTS.**

WHEREAS, on June 18, 2015, the Board adopted Ordinance No. 683, which added a new Chapter 6.11 to Title 6 of the Code to govern the licensing and operation of retail marijuana cultivation facilities, testing facilities, product manufacturing facilities, and stores (“Retail Marijuana Establishment”);

WHEREAS, consistent with Article XVIII, Section 16 of the Colorado Constitution (“Amendment 64”) and Article 43.4, Title 12 of the Colorado Revised Statutes (the “Colorado Retail Marijuana Code”), Ordinance No. 683 granted the Town with as much control and authority over the operation of Retail Marijuana Establishments within the Town as is permissible under Colorado law;

WHEREAS, Section 6.11.050 authorizes the Board, acting as the Local Licensing Authority, to issue licenses for Retail Marijuana Establishments only in certain zone districts;

WHEREAS, Section 15.03.215 of the Code contains the Schedule of Uses in Zone Districts (“Schedule of Uses”);

WHEREAS, for consistency and clarity, the Board adopted Ordinance No. 689 to amend the Schedule of Uses contained in Title 15 to incorporate Section 6.11.050 and set forth Retail Marijuana Establishments as specific uses;

WHEREAS, the Board now also wishes to amend section 6.11.050 to simplify the Town’s Code and clarify that the Board, as the Local Licensing Authority, may issue licenses for Retail Marijuana Establishments in zone districts set forth in the Schedule of Uses and in accordance with the review procedures designated therein; and

WHEREAS, the Board finds and determines that it is in the Town’s interest to amend Chapter 6.11 as set forth herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO THAT:**

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Section 6.11.050 of the Parachute Municipal Code is hereby repealed and replaced as follows:

6.11.050 Location Limitations of Retail Marijuana Establishments.

A. Retail marijuana cultivation facilities, retail marijuana testing facilities, retail marijuana product manufacturing facilities, and retail marijuana stores shall only be located in permitted zone districts, as set forth in the Schedule of Uses in Zone Districts contained in Section 15.03.215. Prior to receiving a License pursuant to this Chapter for a Retail Marijuana Establishment, Applicant shall be required to demonstrate or obtain approval for the proposed Licensed Premises as described in Title 15.

B. No Retail Marijuana Establishment shall be located:

1. Within five-hundred feet (500') of any existing public or private school; or
2. Within one-hundred and fifty feet (150') of another Retail Marijuana Establishment, except for a co-located Licensed Premises.
3. The distances described in this Section shall be measured using a route for direct pedestrian access from the nearest property line of the school or other Retail Marijuana Establishment property to the nearest portion of the structure of the proposed Licensed Premises.

**INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY** by a vote of \_\_\_\_\_ to \_\_\_\_\_ of the Board of Trustees of the Town of Parachute, Colorado at its regular meeting held on the 17<sup>th</sup> day of December, 2015.

**BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO**

By: \_\_\_\_\_  
Roy McClung, Mayor

**ATTEST:**

\_\_\_\_\_  
Denise Chiaretta, Town Clerk

**PUBLIC NOTICE**

Public notice is hereby given that an Ordinance entitled:

**AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING SECTION 6.11.050 OF THE PARACHUTE MUNICIPAL CODE REGARDING LOCATION LIMITATIONS OF RETAIL MARIJUANA ESTABLISHMENTS.**

was introduced before the Board of Trustees on December 17, 2015; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Board of Trustees held on December 17, 2015, and approved by the Mayor on \_\_\_\_\_, 2015.

Copies of the adopted ordinance are available for inspection at the Town Hall, Parachute, Colorado and available on the internet at <http://www.parachutecolorado.com>.

Dated this \_\_\_\_ day of December, 2015.

**TOWN OF PARACHUTE**

\_\_\_\_\_  
Denise Chiaretta, Town Clerk