

**TOWN OF DE BEQUE
BOARD OF TRUSTEES
REGULAR MEETING
AUGUST 15, 2016**

The Regular meeting of the Board of Trustees of the Town of De Beque was held on Monday, August 15, 2016 at 6:00 p.m. in the Community Center, 381 Minter Avenue, De Beque, Colorado. Present were the following:

Mayor: Forest Matis

Trustees: Deb Hoke Judy Lake Patrick Cole
 Dave Jackson Shanelle Hansen Stephani Rose

Staff Present: David McConaughy Shirley Nichols
 Isaac Inskeep Lance Stewart

Also Present: See attached

I. CALL TO ORDER & PLEDGE OF ALLEGIANCE:

The meeting was called to order by Mayor Matis at 6:04 p.m. with Pledge of Allegiance.

II. ROLL CALL:

Roll call was taken and a quorum was present

III. ADDITIONS, DELETIONS OR CORRECTIONS TO THE AGENDA:

Mr. Stewart asked that Number 2 on the agenda be move to Old Business

IV. CONSENT AGENDA:

1. MINUTES: Regular meeting July 18, 2016

Trustee Hansen asked for a correction on page one, #III, last sentence, changing in to is.

Motion: Trustee Cole

To approve the minutes of the July 18, 2016 with correct

Second: Trustee Jackson

Voice Vote: Unanimously in favor of the motion

2. BILLS AND EXPENDITURE: July 18, 2016

**TOWN OF DE BEQUE
BOARD OF TRUSTEES
REGULAR MEETING
AUGUST 15, 2016
PAGE 2**

Trustee Hansen asked about reimbursements for Marge Mackey and suggested a debit card for the rec department only. The Town already has a debit card that can be used for this purpose.

Motion: Trustee Hansen

To accept the bills and expenses for July, 2016

Second: Trustee Rose

Voice Vote: Unanimously in favor of the motion

V. ITEMS FOR PERSONS PRESENT-NOT ON THE AGENDA:

Mel Mulder, a Fruita City Councilman, running for County Commissioner in District 1, spoke to the Board. He said De Beque has a plan put in place and people down valley are watching. Fruita had a plan and put it in place and it has done well but they have no marijuana. He wants the Board to know that if he is elected the Town of De Beque will have his support.

VI. REPORTS:

Written reports were received from the Marshal's office and the Public Works Department. The mayor asked if the Board had any questions for these departments. There were none.

Mr. Stewart reported that the 2nd street rebuild project has started. There is a sump at the Curtis Street intersection that must be dealt with. We are unable to replace the waterline this year due to budget concerns. He is scheduled to meet with the Army Corps of Engineers later in the week. ERO is working on the mitigation plan for the river property. The bank on the pond needs to be a one to one slope and planting techniques need to be used that will make more wetlands.

The SRO agreement has gone to the school for approval.

CML will have their annual District outreach meeting in Rifle on September 14th. Please let the Clerk know if you plan to attend.

Grand Junction Business Bureau is bringing people to De Beque for a jet Boat ride.

David McConaughy reported to the Board that there was an alleged violation of a marijuana license holder. No specific procedure for marijuana license violations. The Board can be the hearing body for Town prosecutions if they choose and prosecute the case. Otherwise they can appoint hearing officers.

**TOWN OF DE BEQUE
BOARD OF TRUSTEES
REGULAR MEETING
AUGUST 15, 2016
PAGE 2**

The Board needs to adopt a resolution establishing policy and procedures to deal with this. Mr. McConaughy was instructed to put something together and bring it back to the Board.

VII. BOARD COMMENTS:

Trustee Hansen asked if she should bring up her topic now. Mayor Matis asked that she wait until Old Business.

Nothing further

VIII. PUBLIC HEARINGS:

6:20 P.M. CON'T FROM JULY 18,2016

1. DISCUSSION AND ACTION ON THE APPLICATION SUBMITTED BY LAURA FIRTH, DBA COYOTE JUNCTION, LLC FOR A TAVERN LICENSE AT 424 MINTER AVE. DE BEQUE, COLORADO FOR THE WILD HORSE SALOON

The applicant was not in attendance. She is currently working out of state. This had been continued from the last meeting. The attorney advised the Board that this should not be continued again and would require new public noticing. They could deny the license or take no action at this time. The Board chose the latter.

2. DISCUSSION AND ACTION ON ORDINANCE NO. 479, AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF DE BEQUE APPROVING AMENDMENTS TO THE RIVERBRIDGE PUD CONTROL PLAN ALLOWING FOR APPROVED MARIJUANA USES.

Mr. Joe Feeley referred to Ordinance NO. 443, Text Amendment PUD Control Plan for uses not listed. He is asking for updates to the PUD rather than asking for changes. He is asking to add one residence per lot. There would be one person per site and there will be no minors. This will serve to deter criminal activity and reduce the need for added police response. He is requesting the requirements for perimeter fencing be deleted and to amend the zoning to allow recreational marijuana. He would like these uses to be made uses by right.

The P&Z Commission had addressed this for retail marijuana

**TOWN OF DE BEQUE
BOARD OF TRUSTEES
REGULAR MEETING
AUGUST 22, 2016
PAGE 3**

Mr. McConaughy stated that Use By Right would require no special review. Mr. Feeley said the terms and conditions could be added to the PUD. Mr. Stewart said during the planning process administrative review is after the building permit is applied for. If Use by Right is approved the applicant would still have to come back for the site review. This property is arguably a great place for this use. Use by right takes oversight taken out of hands of the Town.

Mr. McConaughy state that the cleanest approach is it make it a special review.

Isaac asked what their intent was regarding drinking water. They are going to need a licensed person to take care of the water in order to meet State standards.

Joe said two wells have been drilled and tested and there are two standby wells.

Ordinance No. 479 addresses the fence around the property

The existing PUD has design standards, barren landscaping with requirements for each lot. Davis and Joe have been working together on this. The Board would like it to remain a Special Review Use until design standards are approved by the Board of Trustees.

Motion: Trustee Hansen

3. DISCUSSION AND ACTION ON RESOLUTION 2016-16, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF DE BEQUE APPROVING A SRU APPLICATION FOR BUD'S LIMITED TO ALL FOR AN OUTSIDE MARIJUANA CULTIVATION FACILITY ON PROPERTY IN THE RIVERBRIDGE PUD.

Mark Gerhard, applicant explained his application.