

DRAFT

**TOWN OF ARRIBA
BOARD OF TRUSTEES MEETING
Monday February 8, 2016
Arriba Town Hall, 711 Front Street, Arriba, CO 80804**

Call to Order Mayor Pro-tem Troy McCue called the meeting to order at 7:34. Roll call for the Arriba Town Board was read and those answering were Karen Kovar, Jody Schiffers, Caleb Brent and Marcella Flores. Mayor Alex Flores was absent.

Pledge of Allegiance was led by Mayor Pro-tem Troy McCue.

Public Audience included: Sign in Sheet is attached to these minutes.

Mayor Pro-tem McCue said due to the large audience anyone wishing to speak would need to sign in on the clipboard being passed around. Those signing up to speak included:

Austin McCue, Will Rowe, Jay Spurling, Marian Skipper, Jake Michal, Jack Degleria, Kenny Mills, Jon Hart, Cody Heger, Beverley Langley, and Jeff Fike.

Mayor Pro-tem McCue said that 10 people signed up wishing to speak and typically Public Comment is 20 to 30 minutes, he would like to impose a 3 minute timeline on each speaker, and he'd like to allow Todd Simon to go first and talk about what he is here for since he has a long way to go home.

Todd Simon with Work Force Inc, regarding the sewer line cleaning. Todd Simon asked if the Board was going to go ahead with the sewer line cleaning plan. This will be the 3rd section done. He said he could stop at \$5000 like last year. He said that when he's done he would attend a meeting to show the Board what he did. He showed the Board a map of the lines he cleaned last year, it was between Elm and Curtis from College down to Railroad/Rock Island. He said the maps he has are incorrect but he is correcting as they go. When they get all through the system they will have an accurate map of what the sewer system is and where it is. He asked the Board if they wanted him to continue or not. The Board said they could add this item under New Business as Sewer Cleaning, and Clerk Hart would get a hold of Todd Simon tomorrow to let him know what the Board decided.

Jeff Fike asked Todd Simon why the manholes weren't like normal manholes where you can find them, he asked if there was some reason that they're buried. Todd Simon said that's the reason, they're buried, he said they were like a regular manholes but they're buried. He said the Town of Arriba has gravel alleys, the streets were redone, they get buried and that's part of what he does, they find them and raise them up within 2 or 3

inches of grade and that's part of the cost. They do what they can do with the moneys that are available.

Austin McCue introduced himself and said that he had joined the Heartland 4H club and he is doing steers for beef marketing. He said he was wondering if the Board would let him station his steers next to his house. He said that if you've been by his mom's clinic the panels are similar to those. He said that he knows people have asked the Board for sheep and goats, chickens, dogs, and some other ones, and he was wondering if the Board would let him. He said there would be 2 steers. Trustee Brent asked if he had neighbors. Austin McCue said yes Jody Schiffers was a neighbor and the Reismans are a neighbor. Trustee Brent asked Austin if he'd asked his neighbors if they were okay with it. Austin said no he hadn't. Trustee Jody Schiffers said that she was okay with it. Dianne Reisman said that she didn't like the smell. Trustee Kovar asked if they had to be right by his house. Austin said not really. She asked if he could put them behind the gym. Austin said he didn't know. Trustee Schiffers asked him where he would be putting them- would they be right next to his house on the north side. Mayor Pro Tem McCue said that that was his thought but that he did not want to have any influence here. Will Rowe said that Austin McCue could use his property if necessary. Jeff Fike asked if that ordinance was under the auspices of the Arriba Municipal Court not the Board.

Trustee Flores moved to allow Austin McCue to have his 4H steers on his property.

Trustee Schiffers seconded and the motion passed unanimously.

Mayor Pro-tem McCue asked Austin to address the smell issue, what he would be doing with the waste. Austin said that he would handling the waste by either getting a composter or hauling it out of town, he would do this daily.

Trustee Brent asked if there were any exemptions in the ordinance that prohibits hooved animals. Mayor Pro-Tem McCue said that there is an ordinance that speaks to no hooved animals in town, but the Board has routinely over the years made exceptions for 4H, there's been goats, sheep, and horse, ducks, chickens, rabbits, but he didn't know if there'd ever been steers, or pigs.

Will Rowe wanted to say thank you to everyone, he said he resigned from the Board last month for personal reasons. He said that he has a godmother who is very sick he is having to take care of as well as a lot of family issues. He said he does not have the time or the ability to commit to do this right now and it wouldn't be fair to the Town. He apologized to everyone here bailing out 3 months early but he does not have the ability to continuing to do that. He said that, echoing Jeff, where is our municipal judge- when is that going to get noticed, when is that going to get put on the agenda and when is that person going to get back in place. He said that he understood someone railroaded, threatened and got rid of that person who was here before. He said we need to get that position filled and back up again as soon as possible. He said he understands that the "people's ordinance" will probably be going to a vote, that is a vote to happen in April. He said he understands there's been a petition signed saying they're going to go forward with that, that does not take effect now, the way that works is we do not just disband government and take it over by getting 50 people to sign a petition. He said we go to a vote. He said he was going to be able to vote on and actually get to read it, everybody in

this room is going to get to vote on it and actually read it and until then this Board needs to do its job.

Jay Spurling said that part of what he is understanding and seeing is we have a lot of discord between the people and the Board, there are rumors being spread around town by people who are not in this room, who are not part of this town, or they're part of the town but they're not listening to what's going on, they're spreading rumors and discontent and causing problems. He said that he hears rumors down at DJ's that get back to him. He said that he hear rumors about himself, Mr. Fike, Will, about lots of people, and that needs to stop.

Marian Skipper said that it comes down to municipal court, why we do not have one. She said that they have requested for the times and dates every time the municipal court has been in session and what they got back was there are no such records on this, that means that court is only on paper it's not real. She said so what do we have when we have people come up doing whatever, we have no recourse, we have to come before the board- I don't think so, that's like going before the principal's office- I did that a long time ago- this is not a homeowners association it's a government, 3 part -executive, legislative, judicial- we're missing the most important part, the one that enforces the law.

Jake Michal said that he wanted to address the "People's ordinance", since the Town did not give it an ordinance number Jeff named it the "People's Ordinance". He said that he'd like to rename it the "Some People's Ordinance" he said that he protested Jeff's ordinance late last week and Jeff brought up some valid points that this does need to be considered. Jake Michal said you can't deny their efforts to get that many signatures and let the people consider it. He said I understand that completely however, Jeff you brought that ordinance to us because you felt that the Town Board was shoving ordinances down our throat, and so we need to be governed by the people and so I encourage the Board to put this on the ballot, not mandate it, because what Jeff and Beverley are trying to do now are trying to mandate this and are just trying to shove another ordinance down our throats, so I suggest and encourage the Board to put this issue on the ballot and let all the people vote on this and decide on this, not just some of the people.

Kenny Mills said that he wanted to tell a story about his friends in Seibert, Colorado, some years ago Seibert had the same problem that Arriba does now, the only source of income was selling water and sewer services to the people of the town, they had no money, they were always trying to rob Peter to pay Paul, if something broke they had to figure out where they were going to get a couple of extra dimes. He said some of my friends went to work in Seibert and just started as business men and ladies in the town and they started talking about the sales tax, now we're not talking about a huge thing, we're talking about pennies out of the pockets that buy gas, we're talking about pennies out of the pockets of people who buy Tupperware, or whatever in our town. He said what happened after Seibert went to work and passed sales tax was now they've got a new problem- what do they do with all the money they've got coming in, literally, they're buying new equipment, they're increasing their pay, they're getting more than \$5 a piece

for the Board members a month. He said I'm not asking you to pass a law tonight, I'm just asking you to start thinking sales tax in Arriba, and it's a penny or half a penny, on every dollar that goes through our town or interstate.

Jonathan Hart said that just like he said earlier he has no interest for marijuana in town, on the note of other things brought up he said he has no interest in sales tax in town. He said Lincoln County has a sales tax therefore sales tax in this town is high compared to some places like Seibert and that would be very unfair in a sense of Paul Reida being in town and Brent Welding being out of town- that would drive the farmer to his shop more than Paul Reida's. He said not that that wouldn't make him happy, but a farmer will do that to save a penny. He said he completely agrees with Jake that we do not need 50 people signing something to ram something down our throats and that putting that to vote sounds very good with that ordinance. He said once again he just wants to say that Mr. Fike and his chalk board does not represent me or actually a lot of people in Town.

Cody Heger said he just wanted to comment back on the marijuana ordinance, he said he evidently signed up on the wrong signup sheet. He said he thought all of the community speaks for us, the sheriff's department, we all have problems by allowing marijuana into this whether its wholesale, retail, either one. He said when law enforcement is 45 minutes away you're going to have problems you're going to have burglaries, robberies. He said I'm not sure how many of you still have young kids over in Flagler- Arriba school, we're a combined school system, we have kids over there getting high before they come to school every morning, we have kids sitting around getting high with their parents at night- you can smell it on their clothes when they come to school, and our sheriff's department, they say they can't really do a whole lot. He said its hearsay and they can't even take the principals word when the kids says "hey we got high at so and so's house before we came to school". The Sherriff can't do a think about it. He said you keep letting riff-raff into our communities, it's going to keep getting a lot worse. He said we need to put our foot down to get our communities back to where they used to be and getting rid of the marijuana is the first choice.

Beverly Langley said she'd like to address what was brought up about railroading, she said it must have been her they were talking about as far as railroading but she wanted them to know that she went to the town hall and asked for the presence of the municipal judge to come to the meetings and have court the date that its scheduled for. She said she was told that she would have to get a hold of the municipal judge at the time and so even though the municipal judge is on the Arriba payroll, it was her job to get a hold of her and yes, she went over to Flagler and asked her if she wouldn't come to a meeting, and that's as far as she got she just said "I've been the municipal judge for seven years, but as of Monday I'm done". Beverly said so if you're talking about that being railroaded I don't think so, if you read her letter it's because of family situations just as you have, with that said also on the paperwork in the Town Hall the Town is paying Paula a hundred and some odd dollars, close to \$150, to take the water samples up to Denver. She said I feel that the Town is paying Paula to do that, as long as I've been here it's been the town man's job to do that, so in essence we're paying for it twice, either the town man does it

or the other person does, but the town man shouldn't be paid as well. Beverly said as far as the ordinance, that ordinance was not initiated with any malfeasance at all, we just never had no say in coming to Town meetings and if this is your first Town meeting its being held completely different than it has in the past, we get five minutes to talk then they move to the next one, they don't acknowledge what we said, they don't comment on what we said, that's why we did the ordinance, to have some kind of say in just the ordinances- not the paying the bills and things like that. Beverly said so if you guys would like to know what's really going on at the Town meeting it's nice to see all of you and the interest, it's too bad we don't have this every month and you might consider coming so you do know what's going on so you don't have to get hearsay.

Jack Degleria asked if he could respond to Beverly Langley, he said that he checked with other small towns like Arriba and also places like Aurora, Denver, and Grand Junction. He said Arriba allows two minutes more than normal, usually 3 minutes you get to say your peace and that's how it is, so it carries out to all communities.

Beverly Langley said okay but let me comment to that, if the seating situation is the way it is at Town Hall it's not good and for our deaf people, and there's several of the Town Board should be facing the people so they can read lips if they have to, consideration of the deaf people, and people that can't hear as well.

Jeff Fike said he'd like to thank everybody for coming out especially the Sherriff, he said we should give him a round of applause. He said let's talk about the people's ordinance for a minute and let's talk about government in general, and let's talk about representative government specifically- how's that working out for everybody in Washington- everybody like what's happening in Washington? He said he doesn't either. He said turns out we've got the same thing on a smaller scale happening here in Arriba, our notice the way it's put up back in the corner of DJ's, on the front door of Town Hall a little piece of paper, and stick it over at the post office where it can be taken down- not good notice. He said so I came up with a chalk board, can the town of Arriba not afford a chalk board to put 3 places in town to notify us. He said it appears that notice in this town is designed to skirt the statute. He said if people don't like my chalk board, get your own chalk board, but it is a really good way inexpensively to get the word out. He said now Jake and I had a debate and he brought up a really good point and the point he made was 57 people signed the "people's ordinance, I called it the "people's ordinance" because I couldn't get an ordinance number from the Town Clerk. Jeff Fike said there's 135 registered voters approximately in the town of Arriba, well then do 135 people ever vote? He said won't happen, the last election there was 62, that's what it's based on is participation in the last election, 57 is the numerator, 62 is the denominator you'll get a mathematical result of 92 percent which is an excess of a 2/3rd majority which makes it a constitutional mandate, as such the "people's ordinance" does just this one thing, everybody will see it on their ballot at the next regular election which is coming up in April, every two years- or special election if the town needs it, it will be in writing and you will get to vote yes or no in the privacy of your own home, provided you get a mail in ballot, and it doesn't get screwed up again like it did in the last election, so that's what

the “people’s ordinance” does and that way in theory all 134 people could 1, get to know about it, and 2, get to vote on it even though you sent it to all of them and you will not get 100 percent back, I promise you.

Approval of Agenda Mayor Pro Tem McCue said that Item F under New Business Todd Simon, Sewer Line Cleaning needed to be added to the Agenda, and he would like to add item G under New Business Lincoln County EDC Representative Appointment. Trustee Brent moved to approve the agenda as amended. Trustee Kovar seconded and the motion passed unanimously.

Approval of Minutes Trustee Kovar moved to approve the minutes from the January 11 Regular Meeting and the January 25 Special meeting. Trustee Flores seconded and the motion passed unanimously.

Approval of Account Receivable and Payable

Clerk Hart explained that the payments to CIRSA were for workman’s comp and the Town’s liability insurance.

Trustee Brent asked when they had talked about appointing Paula to do the water samples. Mayor Pro-tem McCue said that the Board has handled that on a case by case basis, and it is a reimbursement for expenses. Mayor Pro-Tem McCue said that she is not getting compensation, it is reimbursement for mileage.

Trustee Schifferns moved to approve the Receivables and Payables for January. Trustee Kovar seconded and the motion passed unanimously.

Approval of Bills

Clerk Hart explained that the Town had to hire Meyer & Sam’s to file paperwork with the State to get approval for the new aerator.

Mayor Pro-Tem McCue stated that legal fees for January was \$5000.

Trustee Kovar moved to approve the February bills for payment. Trustee Flores seconded and the motion passed unanimously.

Amend Marijuana Ordinance #138

Mayor Pro-tem McCue said that this will amend ordinance #138 with new language making it in perpetuity as a permanent ordinance and adding the language for the fines and forfeitures and that the Town can use legal means to enforce the ordinance. The number for the amendments will be ordinance #141.

Mayor Pre-Tem McCue said that they just had the hearing on it and he observed an overwhelming in favor of the amendments.

Trustee Kovar moved to adopt ordinance #141 which amends the Marijuana ordinance #138, and will permanently prohibit retail marijuana in the Town of Arriba. Trustee Schifferns seconded and the motion passed unanimously.

Trustee Resignation Clerk Hart said that as of January 11th Trustee Will Rowe resigned from his position on the Town of Arriba Board of Trustees. Since his position is coming up for election in April of this year the Town does not need to appoint anyone to that position. Mayor Pro-Tem McCue thanked Will Rowe for his service on the Town Board.

Draw for Order of Names on Ballot Clerk Hart put the names of the candidates into a hat. Austin McCue drew each slip of a paper and handed it to Clerk Hart. Clerk Hart read the names out loud as they were drawn. The candidates' names will appear on the April 5th, 2016 Ballot in the following order:

Vicki Wells
Keith Hughes
Lindsey Michal
Jody M. Rogers-Schiffers
Dianne Reisman
Carolyn G. Steinsiek
Jerry N. Norris
Bob Rush
Thomas D. Rush
Marcella Flores
Jay Spurling
Leigh Anna Andersen

Resolution to Appoint Election Judges Mayor Pro-tem McCue read Resolution No. 2016-2 which gives the Designated Election Official authority to appoint election judges for the April 5th, 2016 election. Trustee Kovar moved to adopt Resolution No. 2016-2. Trustee Schiffers seconded and the motion passed unanimously.

Consideration of the "People's Ordinance" Mayor Pro-tem McCue said that the protest filed by Mr. Michal was put up before the overseeing Judge Judy Egbert and she decreed that the only possible legal review at that time was to qualify or disqualify the "people's ordinance" in form and it was decided that it has met the criteria and was approved. He said it is now faced before the Board and we have a choice, we can either vote to adopt the "people's ordinance" and make it part our town law and a part of our ordinance books or we can refer it to the ballot for a vote of the people. Mayor Pro-tem McCue said that the Board was either adopting it tonight or rejecting it for a vote of the people. Trustee Kovar moved to reject the "people's ordinance". Trustee Brent seconded and the motions passed unanimously.

Consideration of "A Resolution of the Board of Trustees for the Town of Arriba, Colorado, Ordering an Initiative Petition be put to Election on April 5, 2016, Setting the Ballot Title for the Same, and the Manner of Protest to said Ballot Title"

Mayor Pro-tem McCue read the resolution out loud. Trustee Kovar moved to adopt Resolution 2016-3, which will send the initiative petition question, the "people's ordinance" to the ballot for the people to vote on. Trustee Schiffers seconded and the motion passed unanimously.

Sewer Line Cleaning Mayor Pro-Tem McCue said that this will be the 3rd set of sewer line cleaning and it will require 4 or 5 sets to complete cleaning the whole system. Leroy King said that in having the lines cleaned on a schedule it keeps the State happy. Clerk Hart said that it looks good for CIRSA, the Town's insurance provider. Trustee Schiffers moved to have Todd Simon with Work Force, Inc. clean the 3rd

section of sewer lines not to exceed \$5,000. Trustee Kovar seconded and the motion passed unanimously.

Arriba EDC Representative Mayor Pro-tem McCue said that Jonathan Hart with Brent Welding had showed interest and has agreed to serve as a representative on the Economic Development Board. He said that that spot has been vacant since he took the professional position as executive director. He said that he would recuse himself from this decision. Trustee Kovar moved to appoint Jonathan Hart as Arriba's representative for Lincoln County Economic Development Corporation. Trustee Brent seconded and the motion passed unanimously.

Maintenance Report

Leroy King had a written report of what he has worked on the past month (by mention the report is a part of these minutes).

Trustee Brent asked if the Town was responsible for plowing alleys. Leroy King said that some he does plow because the trash truck goes down them. The Town doesn't plow very many because gas meters are in the alleys.

Clerks Report Clerk Hart said that last year the Town sponsored the Pet Overpopulation Fund with a cap of \$200, she asked the Board if they wanted to support the Pet Overpopulation Fund again this year. Trustee Schifferns moved to contribute \$200 to the Pet Overpopulation Fund for Arriba based animals. Trustee Kovar seconded and the motion passed unanimously.

Clerk Hart explained that Maria Root is part of a program where she gets free fresh bread from the city twice a month. She said Maria was wondering if the bread could be kept at town hall for people to pick up. The Board agreed that since there was no way to properly store the bread this would not be a good idea.

Clerk Hart said that she had received a few snow removal complaints. The complaints were that as Leroy King was removing snow from the streets he was blocking driveways with the snow push off the streets.

Clerk Hart asked if she could look into security cameras for Town hall. She said that she had looked into them a little bit and they were up to \$300 for a system. The Board asked that she get more information and prices together for them to review.

Treasurers Report Everything looked good. Mayor Pro-tem McCue said that Treasurer Pam Koehn checks all the bank statements for the Town, she does not do Leisure Pines bank statements. Leisure Pines bank statements are done by Heather Witt at the High Plains Bank in Flagler.

Trustees Report Trustee Schifferns and Trustee Kovar thanked everyone for attending the meeting. Trustee Brent thanked everyone for coming. He said that as he's seen in the Town's expenses when the Town is divided there's going to be legal fees and has been legal fees, so when we disagree on things and it can't be resolved the Town has to consult the attorneys, and that's going to be more expensive for the Town. He wanted to thank

everyone for coming and getting involved and he thinks that will be how a lot of this will get resolved.

LCEDC Report Mayor Pro-Tem McCue said that he would email each Board member a copy of the LCEDC report he gave to the Board of Commissioners. He said that there was a lot of stuff going on, one thing recently is a rocket launch event that is wanting to find about 5 square miles of vacant land possibly in southern Lincoln County. The rocket launch could attract up to 2500 people. It would be a July 2016 event. They want to launch a 50 foot rocket so many thousand feet in the air. He said that the Town of Hugo needs to appoint a new Board member. He said if anyone is interested the Annual LCEDC meeting is March 8 at the community building in Limon, a guest speaker from the Colorado Oil and Gas Association will be there. He said if anybody's interested in what's going on in the greater county economic view with oil and gas you can certainly come, its open to the public. He said the bank that his office is in- which is donated space- changed hands and today was their first business day as Eastern Colorado Bank.

Mayors Report Mayor Pro-Tem McCue thanked everyone for showing up, he said that he was excited to see 12 candidates on the ballot. He said that one thing to think about and this is what Hugo is doing, they're having a format where you can meet the Candidates, he wondered if that is something Arriba would like to do.

Adjournment Trustee Schiffers moved to adjourn the meeting, Trustee Brent seconded and the motion carried unanimously. Mayor Pro-tem McCue adjourned the meeting at 8:40pm.

Submitted by: Josie Hart, Arriba Town Clerk

Signed by:

Mayor Pro-tem Troy McCue

Approved by the Board on:

SIGN

Terry Ayers
 - Gould Steinsiek
 Carolyn Steinsiek
 Chas C Hughes
 Vicki Weber
 Jerry Loung
 Ed Hays
 Sunny Swanson
 Jp McMaiken
 E. Bruce Bunge
 Jan Easton
 - Karin Easton
 Wendy Tetterff
 Lisa Hight
 Judith Ann Andersen
 Susan Andersen
 Jace Kow
 Will Kow
 Maura Higg
 Bryan Milburn
 LYNN FRANCIS
 Ed B. Schiffman
 Randal Lewis

IN

Chris Bledsoe
 Mike Michel
 Amy Jones
 Ed P. Schiffrin
 Ed Rensch
 Murray
 Jim Atzenberg
 Jonathan Hart
 Jenny Moran
 M
 I. Huster McIne
 Damon Swan
 Raymond Edson

31

Town of Arriba
Board of Trustees Regular Meeting
Monday, February 8, 2016
7:30pm

Sign In Sheet

~~Trustees Men~~

~~Will Rowe~~

~~Jeff Spurling~~

Marian Skypin

Jake Michal

~~Jack Wegerka~~ Jack Wegerka

3

Randy Mkr

Jon Hart

Col Hays

Suevely Langley

Raymond Eulasa

10

JGR Fike - Last

ORDINANCE NO. 141

AN ORDINANCE BY THE BOARD OF TRUSTEES OF THE TOWN OF ARRIBA, LINCOLN COUNTY, COLORADO, TO EXTEND THE TERMINATION DATE OF ORDINANCE NO. 138 CONCERNING THE PROHIBITION OF MARIJUANA CULTIVATION FACILITIES, MARIJUANA PRODUCT MANUFACTURING FACILITIES, MARIJUANA TESTING FACILITIES, AND RETAIL MARIJUANA STORES.

Whereas, the Board of Trustees of the Town of Arriba, hereinafter referred to as the “Board”, did on September 8, 2014, pass Ordinance No. 138 which prohibited the operation of marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, and retail marijuana stores within the incorporated boundaries of the Town of Arriba, hereinafter referred to as the “Town”; and

Whereas, the Board did provide in the Ordinance that the Ordinance would be effective up through October 15, 2017, unless sooner rescinded or amended; and

Whereas, the Board has since determined that it is in the best interests of the citizens of the Town that the Ordinance remain in effect, indefinitely, until such time as the Board may determine that the Ordinance should be further amended or no longer enforceable;

Whereas, the Board has determined that the provisions for Fines & Forfeitures in Ordinance No. 138 are insufficient to deter and prohibit violations of said Ordinance; and,

Whereas, the Board has determined that the provisions regarding Violation require clarification and expansion and the Town of Arriba should be able to seek Court intervention to stop violations,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF ARRIBA, LINCOLN COUNTY, COLORADO:

SECTION I – EFFECTIVE DATE AMENDED.

Upon the adoption of this Ordinance, Ordinance No. 138 shall be amended to provide that the Ordinance shall remain in effect, indefinitely, until and unless amended or rescinded. This Ordinance shall take effect thirty days after publication of this Ordinance.

SECTION II – VIOLATION AMENDED

Upon adoption of this Ordinance, Ordinance No. 138 shall be amended to provide as follows:

“Violation.

- A. It shall be unlawful for any person to violate any provision of this ordinance.
- B. All violations of this ordinance shall be brought in the Arriba Municipal court.
- C. In addition to the other provisions of this section, the operation of any marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities or retail marijuana store, in violation of this Ordinance, any applicable code, any applicable administrative regulations may be enjoined by the town in an action brought in a court of competent jurisdiction.
- D. If any action is brought in a court of law by any person concerning the enforcement, interpretation, or construction of this chapter, the Town shall recover its reasonable attorney fees, expert witness fees, and court costs if it is the prevailing party.
- E. The remedies provided in this section are in addition to any other remedy provided by applicable law.”

SECTION III – DISPOSITION OF FINES AND FORFEITURES AMENDED

Upon adoption of this Ordinance, Ordinance No. 138 shall be amended to provide as follows:

“Disposition of Fines and Forfeitures. Unless otherwise provided by law, all fines and penalties, and the surcharge thereon, for the violation of this ordinance shall be paid into the treasure of the Town of Arriba. The fine for a first offense and for any subsequent offense shall be one thousand dollars (\$1000.00) per violation and each day shall be deemed a separate violation.”

Adopted and Approved this 8 day of February 2016.

Signed by Mayor Pro-Tem Troy McCue

(S E A L)

Attest:

Josie Hart
Town Clerk

Maintenance Report

- 1-12 Checked heat in park building
Worked on paper work
- 1-13 Took chlorine and Ph. Tests
Filled chlorine tank at wastewater plant
- 1-14 Checked the heat in park building
Worked at wastewater plant
- 1-15 Changed oil in pickup
Worked in shop
- 1-19 Worked at wastewater plant
Check the heat in park building
- 1-20 Took chlorine and Ph. Tests
Filled chlorine tank at wastewater plant
Started collecting samples to be sent to lab
- 1-21 Checked heat in park building
Sent samples to the lab
Ordered 5-15 gallon containers of hypochlorite from DPC
- 1-22 Dumped park trash cans
Worked at wastewater plant
Northwest Fire Extinguisher called and set inspection date for 1-27-16
- 1-25 Work at wastewater plant
- 1-27 Filled chlorine tank at wastewater plant
Took chlorine and Ph. Test
- 1-28 Graded Lincoln and College streets
Check heat in park building
Read well meters
- 1-29 Read water meters
Worked at wastewater plant
- 2-1 Worked at wastewater plant
Worked in shop
- 2-2 Plowed snow
- 2-3 Plowed snow
Filled chlorine tank at wastewater plant
Took chlorine and Ph. Tests

Maintenance Report

- 2-4 Work at wastewater plant
 Check heat in park building
- 2-5 Plowed snow
 Worked at wastewater plant
- 2-8 Worked in the shop