

Town of Crested Butte Prospective Council and Mayor Candidate Guide



Thank you for your interest in running for a seat on the Crested Butte Town Council. This informational booklet provides a brief overview of the Town of Crested Butte and the role of the Town Council. If you choose to become a candidate and are elected to a seat on the Town Council you will be given more in-depth information following the election. An orientation session will also be held for newly elected council members.

This booklet includes the following information:

- An Overview of Town Government..
- Information on the Election Process.
- The role and responsibilities of council members.
- Information regarding Council meetings and time commitments.
- List of Boards and Commissions on which council members serve.
- An overview of Town departments and the responsibilities of each department.
- An organizational chart of the Town.
- List of Town Council goals for 2011.
- List of Town Council values as approved in January 2011
- Sample Council Meeting Agenda.
- Sample Council meeting minutes.

If you have any questions or need more information please feel free to contact Town Clerk Eileen Hughes at 349-5338 or ehughes@crestedbutte-co.gov. You are also welcome to contact Town Manager Susan Parker at srparker@crestedbutte-co.gov or 349-5338 or any member of the Town staff. We also recommend that you visit the Town website at www.TownofCrestedButte.com for more information on the Town and Town services.

An Overview of the Town of Crested Butte and the Role and Responsibilities of the Town Council

The Town of Crested Butte is governed by a seven-member Town Council elected at large for staggered terms. We have a Town Council-Manager form of government, which means elected council members are the leaders and policy makers in the community with an appointed Town Manager who administers policy and oversees the day-to-day operations of the Town. Council members serve four-year terms. The Mayor serves a two-year term and is a voting member of the Council. The Town has opted-out of the term limit provisions in state statutes, which means there is no limit to the number of terms the Mayor or a council member may serve. Council terms are staggered so there are three council vacancies at each election and the mayor's seat is up for a vote at every election. General municipal elections are held the first Tuesday in November in odd-numbered years. Special Municipal Elections may be called by resolution or ordinance of the Council at least 30 days in advance of such election.

The Town of Crested Butte is a Home Rule Charter Municipality. Towns and Cities in Colorado can be Home Rule or Statutory. Home Rule Municipalities have all the powers not expressly denied by the Colorado Constitution and state statutes. Statutory Municipalities, on the other hand, have only the powers expressly given to them by the Colorado Constitution and state statutes. Home Rule Municipalities essentially have more power on a local level. The Charter is like a constitution for the Town. It defines organizational form and the terms and duties of Town officers. Voters in the Town approved the Home Rule Charter in 1974. The Town Charter can only be amended by a vote of eligible electors of the Town. The Town Code includes the Town Charter and the laws and regulations adopted by the Town Council.

Election Information

The Town of Crested Butte Municipal Election will be held by a mail ballot election coordinated with Gunnison County on November 1, 2011. Ballots will be mailed to eligible voters October 11-14, 2011.

Town of Crested Butte Council seats available:

- ▶ Mayor (two year term)
- ▶ Three Town Council Seats (4-year terms)

Candidate Qualifications:

- Registered voter of the Town at the time of nomination.
- Reside in the Town for one (1) year immediately preceding the November 1, 2011 election.
- U.S. Citizen; at least 18 years of age.

A Nomination Petition is needed to become a candidate: If you are interested in running for mayor or Council you will need to circulate a nominating petition and gather at least ten signatures of registered Town of Crested Butte voters. Nominating petitions may be circulated starting August 2, 2011 and must be filed with the Town Clerk no later than 5 p.m. on August 22, 2011. Nominating petitions are available at the Town Clerk's office.

Fair Campaign Practices Act Reporting: Once you decide to run and have turned in your nominating petition the Town Clerk will provide you with Fair Campaign Practices reporting forms which you must fill out and file with the Clerk's office at specific times. The Clerk's office will also provide an informational packet explaining the reporting requirements of the Fair Campaign Practices Act and other election information.

Town Council Responsibilities

Members of the Town Council represent constituents and make legislative decisions for the Town. The Town Council approves policies, regulations and laws that guide Town government. The Town Council also serves as the Planning Commission, the Local Liquor Licensing Authority and hears appeals from the Board of Zoning and Architectural Review. The Town Council hires the Town Manager, the Town Attorney and the Municipal Court Judge and affirms the appointment of the Town Clerk with the recommendation of the Town Manager. The Town Manager is the chief administrator of the Town and serves as liaison between the Town Council and the Town Staff. The Town Manager and the Town staff are charged with following the directives of the Town Council and administering the day-to-day operations of the Town.

Council Meetings and Time Commitments

It takes time and commitment to be an effective and responsible member of the Town Council. Council members are expected to attend all regular meetings, work sessions, budget meetings, special meetings and committee meetings. Council members also need to prepare for meetings by reading applicable materials prior to the meetings.

Aside from attending regular council meetings, work sessions and special meetings, members of the Council often serve on special committees to help shape Town policies. In recent years, special committees have been formed on topics such as the development of the Crested Butte Area Plan, drafting an Energy Action Plan and review of Affordable Housing Guidelines

Regular Council meetings are held the first and third Monday of every month at 7 p.m. Most regular meetings are preceded by a one-hour work session at 6 p.m. Special meetings, work sessions, and retreats may also be scheduled on an as-needed basis. Work sessions are more informal than regular council meetings and no action may be taken at work sessions.

Compensation:

Pursuant to the Town Code, council members are compensated \$3,200 per year for their service to the Town. The Mayor is compensated \$7,200 annually. The Town Charter specifies that council members shall attend regular Council meetings. Council members and the mayor may be removed from office if they miss more than two consecutive regular council meetings or miss 25 percent of regular council meetings during a one year period. There are 24 regular council meetings each year.

Council members are also expected to serve as representatives of the Town on several boards and committees of outside organizations. Service on these boards and committees means an additional time commitment to attend board or committee meetings. One or two council members now serve on the following boards and committees:

- Rural Transportation Authority (RTA)
- Mt. Express
- Tourism Association Board
- Chamber of Commerce
- Office for Resource Efficiency (ORE)
- Gunnison County Housing Authority Advisory Board
- Center for the Arts
- Colorado Association of Ski Towns
- Region 10
- Downtown Lodging Association
- Community Energy Advisory Board

Council members who serve on external boards and committees are expected to report to the full Council during regular Council meetings about the activities of the board or committee on which they serve.

Overview of Town Departments and Organizational Structure

The Town of Crested Butte consists of eight departments:

Administration: The Town Manager is responsible for overall Town administration and operations. The Town Manager supervises Department Heads and serves under the directive of the Town Council.

Staff: Town Manager

Clerk: Provides support for the Town Council and Town Council meeting process. Responsible for administration of liquor licenses, special event permits, vending permits, municipal elections, municipal court, cemetery records and the Town website. Also provides administrative support for the Town Manager.

Staff: Town Clerk and Deputy Town Clerk

Finance/Human Resources: Responsible for all the financial and accounting operations of the Town: Sales tax, accounts payable and receivable, payroll, water/sewer/trash billing, use tax, real estate transfer tax, business licenses and dog licenses. The Finance department also serves as the human resource office and administers Front Desk reception.

Staff: Finance Director, Finance Assistant, Sales Tax Specialist and Administrative Assistant/ Receptionist.

Building: Responsible for the design review process, compliance with the Town's zoning and building codes, issuance and administration of building permits, sign permits and historic preservation. Provides support for the Board of Zoning and Architectural Review and for contractors during the construction process.

Staff: Building and Zoning Director, Building Inspector, Design Review Coordinator and Building Assistant.

Public Works: The Streets Division: Responsible for the streets and alleys of the Town, including street maintenance and snow plowing.

The Water and Wastewater Divisions: Responsible for the treatment and distribution of potable water and the collection and treatment of wastewater. The Department also administers the Watershed Protection Program, including the Watershed Ordinance, which requires permits

for construction and other activities in the Town Watershed.

Staff: Public Works Director, Wastewater Plant Operator, Water System Manager, three Distribution and Collection Crew Members, Public Works Foreman and four Public Works crew members.

Planning and Community Development: Responsible for current and long range Town planning, Affordable Housing Guidelines and Administration and special planning projects, as well as GIS mapping and analysis.

Staff: Director of Planning and Community Development; and part-time GIS Technician.

Parks and Recreation: Responsible for Town recreation programs and management/upkeep of Town parks, greenbelts, sidewalks and recreation facilities.

Staff: Parks and Recreation Director, Recreation Program Coordinator, Parks Supervisor, three full time year-round Parks Maintenance Leads, eight seasonal gardeners and parks crew, 20-25 part-time paid instructors/coaches.

Marshals: Responsible for public safety and enforcement of the criminal and civil laws of the Town.

Staff: Chief Marshal, Assistant Chief Marshal, five Deputy Marshals, and Administrative Assistant/Reception.

TOWN OF CRESTED BUTTE
ORGANIZATIONAL CHART

MAYOR & TOWN COUNCIL

Town Manager

Public Works Director	Community Development & Town Planner	Building & Zoning Director Capital Projects	Finance & Personnel Director	Town Clerk	Chief Marshal	Parks & Recreation Director
Water Plant Manager	GIS/Mapping Specialist	Historic Preservation Building/Zoning Coordinator	Finance Assistant	Deputy Town Clerk	Assistant Chief Marshal	Recreation Assistant
Sewer Plant Manager		Building Inspector	Sales Tax Specialist		Deputy Marshal	Park Supervisor
Water & Sewer Crew	Water & Sewer Manager	Building/Zoning Admin. Assistant	Admin. Assistant & Reception		Community Service Officer	Park Maintenance Crew Lead
Public Works Manager					Administrative Assistant & Reception	Seasonal Crew
Public Works Crew						
Mechanic						

Town Attorney and Municipal Judge are hired by the Town Council

Town Council Priorities

The Town Council adopted the following priorities for 2011.

MASTER PLAN PREP

- Compile the Town's various plans into a single user-friendly document.

RESOURCE EFFICIENCY

- Continue projects and programs and seek out new opportunities to attain the goal of carbon reduction.
- Develop a "report card" to highlight the goals achieved in carbon reduction.

AFFORDABLE HOUSING

- Further explore and implement public/private partnerships.
- Town, along with the Housing Authority work together to provide more affordable housing and respond to untapped opportunities within town.

PUBLIC FACILITIES

- Pave 1st and Elk Parking Lot.
- Ice Rink Roof
- Safe Routes to School Sidewalk.
- Leases

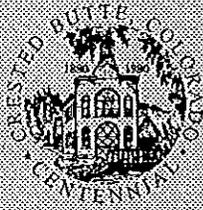
ECONOMIC DEVELOPMENT

- Support and enhance special events.
- Maintain and enhance business district.

The Town Council adopted the following values on January 20, 2011

Critical to our success is an engaged community and knowledgeable and experienced staff...

- Preserve our high quality of life
- Resource efficiency/environmental stewardship.
- Support a sustainable and healthy business climate.
- Maintain a "real" community
- Fiscally responsible
- Historic Core



Critical to our success is an engaged community and knowledgeable and experienced staff.

Town Council Values

- *Preserve our high quality of Life*
- *Resource Efficiency/ Environmental Stewardship*
- *Support a sustainable and healthy business climate*
- *Maintain a "real" community*
- *Fiscally Responsible*
- *Historic Core*

AGENDA
Town of Crested Butte
Regular Town Council Meeting
Monday, May 16, 2011
Council Chambers, Crested Butte Town Hall

- 6:15** **WORK SESSION**
A) Crested Butte Youth Council Quarterly Report.
- 6:30** B) Office for Resource Efficiency Quarterly Update.
- 6:55** *Five Minute Break*
- 7:00** Regular Council Meeting Called to Order by Mayor or Mayor Pro-tem.
- 7:05** 1) **APPROVAL OF AGENDA**
2) **CONSENT AGENDA**
The listing under consent agenda is a group of items to be acted on with a single motion. The consent agenda is designed to expedite Council business. The Mayor will ask if any citizen or council member wishes to have any specific item discussed. You may request that an item be removed from the Consent Agenda at that time, prior to Council's vote. Items removed from the Consent Agenda will be considered under New Business.
A) Approval of Minutes of May 2, 2011 Regular Council meeting.
B) Special Event Permit - Rocky Mountain Biological Laboratory – Gothic to Crested Butte 1/3 Marathon – 6th Street and Elk Avenue - July 4, 2011.
C) Approval of Arbor Day Proclamation.
- 7:10** 3) **PUBLIC COMMENTS**
Citizens may make comments on item not scheduled on the agenda. Those commenting should state their name and physical address for the record and limit comments to five minutes.
- 7:20** 4) **STAFF REPORTS**
- 7:30** 5) **PUBLIC HEARING**
A) Special Event Permit - Center for the Arts – Alpenglow Concert Series - Town Park – June 27, July 4, 11, 18, 25, August 1, 8, 15, 22, 2011.
- 7:35** 6) **NEW BUSINESS**
A) Bottom Up” 2011 County Economic Development Summary.
B) Ordinance No. 10, Series 2011 – An Ordinance Approving the Second Amendment to Second Amended Guidelines, Rules, Requirements, and Administrative Procedures Governing Affordable Housing in Blocks 77 and 78 of the Paradise Park Affordable Housing Subdivision Town of Crested Butte.
C) Award Contract for Water Storage Tank Design.
D) Award Contract for Big Mine Ice Arena Foundation.
E) Approval of Plat and Declarations for Townhouses at 1st Street and Elk Avenue.
- 8:10** 7) **EXECUTIVE SESSION**
A) For A Conference With The Town Attorney For The Purpose Of Receiving Legal Advice On Specific Legal Questions Under C.R.S. Section 24-6-402(4) (b).
- 8:40** **NEW BUSINESS (CONTINUED)**
F) Consideration Of Contract For Legal Services For Update of Watershed Ordinance.
G) Discussion of Medical Marijuana, Letter from Town Attorney in

Connection Therewith and Possible Action Regarding the Town's
Medical Marijuana Dispensary Regulations.



- 9:15 8) **LEGAL MATTERS**
9:25 9) **COUNCIL REPORTS AND COMMITTEE UPDATES**
9:35 10) **OTHER BUSINESS TO COME BEFORE THE COUNCIL**
9:40 11) **DISCUSSION OF SCHEDULING FUTURE WORK SESSION**
MEETING ITEMS
9:40 12) **COUNCIL MEETING SCHEDULING**
- Monday June 6, 2011-6 p.m. Work Session & 7 p.m. Regular Council Meeting.
 - Monday June 20, 2011-6 p.m. Work Session & 7 p.m. Regular Council Meeting.
- 9:40 13) **ADJOURNMENT**

(The above times are only tentative. Meeting may move more quickly or slowly than scheduled)

- Please remember to turn off your cell phone during the Council Meeting -

If you need special assistance to attend any of the Town's public meetings, please notify the Town Clerk at 349-5338 at least 48 hours in advance.

www.TownofCrestedButte.com

MINUTES
Crested Butte Town Council
Regular Council Meeting
Monday May 16, 2011
Council Chambers, Crested Butte Town Hall

Mayor Leah Williams called the meeting to order at 7:05 p.m. Council members present: Jim Schmidt, John Wirsing, Roland Mason and Reed Betz. Council members absent: Phoebe Wilson and Dan Escalante. Staff Present: Town Manager Susan Parker, Building and Zoning Director Bob Gillie (for part of the meeting), Town Attorney John Belkin, Town Clerk Eileen Hughes, Town Planner John Hess (for part of the meeting), Finance Director Lois Rozman (for part of the meeting), Parks and Recreation Director Jake Jones (for part of the meeting) and Water System Manager David Jelenick (for part of the meeting).

APPROVAL OF AGENDA

Betz moved and Wirsing seconded to approve the agenda as presented. A roll call vote was taken with all voting "Yes." **Motion passed unanimously.**

CONSENT AGENDA

- A) Approval of Minutes of May 2, 2011 Regular Council meeting.
- B) Special Event Permit - Rocky Mountain Biological Laboratory - Gothic to Crested Butte 1/3 Marathon – 6th Street and Elk Avenue - July 4, 2011.
- C) Approval of Arbor Day Proclamation.

Schmidt moved and Wirsing seconded to approve the consent agenda. A roll call vote was taken with all voting "Yes." **Motion passed unanimously.**

PUBLIC COMMENTS

Gunnison County resident Bert Phillips said the Board of County Commissioners (BOCC) will consider oil and gas regulations on June 14, 2011 and he would like the Council to write a letter to the BOCC asking it to place a moratorium on fracking. Phillips said he is concerned about various problems caused by fracking and said there is scientific information that contamination is getting into well water due to fracking. Phillips said many counties in Colorado are in favor of oil and gas drilling because of the economic benefits the industry provides. Phillips provided the Council with articles about the ill health effects of exposure to chemicals used in the fracking process and articles about high concentrations of methane gas in wells near drilling sites.

STAFF REPORTS

Jake Jones:

- Reported that plans are underway for a Colorado Youth Core crew to help build the Baxter Gulch trail. Jones explained that it's a three phase project and the youth crew will work for two week stints, two years in a row, hopefully starting this summer. Jones said he expects to hear from Great Outdoors Colorado (GO-CO) in June about a grant to fund the project and also expects confirmation from the Youth Core at that time. Jones noted that trail will not be open to the public until it's complete and completion is not expected

for several years. Jones noted the Youth Core crew will be local residents and will be living in their homes.

John Hess:

- Noted his memo to Council dated May 11, 2011 regarding moving the building envelope on Trapper's Crossing at Crested Butte, lot 21. Hess also noted a letter to the Council and drawing of the building envelope provided by the property owner and explained the owner wants to know if the Council would like to make a site visit to the property prior to the next Council meeting when the item will be on the agenda. Hess noted that staff intends to recommend approval of the new location of the building envelope. Council indicated a site visit was not necessary.
- The Board of County Commissioners (BOCC) took no action regarding a moratorium on affordable housing linkage fees.
- The BOCC is considering the John Rozman subdivision and the Alpenglow Ranch subdivision at its May 17, 2011 meeting.
- He sent Council an e-mail about the "Planning Commission Journal." He has several copies if Council is interested and copies are available in his office.

Lois Rozman:

- March sales tax revenues are up 2% over last year and she expects March revenues to increase once returns are filed by several late filers. Sales tax revenue year to date is up 3.6 % over last year.
- Noted her first quarter financial report included in the Council packet and noted that Real Estate Transfer tax revenues are down 8% from last year.

Bob Gillie:

- The Design Review Committee has a full agenda for May and he is optimistic about a "decent" building season.
- The Big Mine Ice Arena project is moving forward.
- Noted memo in packet from Building Assistant Phillip Supino regarding livestock and asked Council if it wanted to move forward with drafting an ordinance to address the keeping of livestock in town. Council directed staff to draft an ordinance regarding livestock and Town Manager Susan Parker requested the ordinance be discussed in a work session.
- Asked Council if they were interested in considering an ordinance regarding the idling of vehicles. Gillie noted that Building Assistant Phillip Supino drafted a proposed ordinance. Council indicated they were not interested in an idling ordinance. Gillie noted that the ordinance contains exceptions to restrictions on idling. Parker suggested the ordinance be placed in the Council's next packet for informational purposes but not placed on the agenda.

Susan Parker:

- Recently met with Waste Management and she will provide a memo to Council regarding recycling on Elk Avenue.
- Received a request from the Chamber of Commerce to hang banners for Ride the Rockies and the USA Pro-Challenge Bike Race events. Both banners are 3 feet x 20 feet, which is

larger than the size allowed under the Town Code. She would like Council to give her the discretion to allow an exception for the size of the banners. Council agreed it was okay to allow the larger banners for these events.

- The Town does not have enough barricades for the USA Pro-Challenge Bike Race and will need to purchase additional barricades, which are estimated to cost \$3,500. The Town earmarked \$20,000 to support the Pro-Challenge event and she would like to spend \$2,000 of that for the barricades and obtain another \$1,500 from elsewhere in the budget (to be determined). Several council members suggested the barricades be built by a local contractor. Council approved Parker's proposed funding scenario for the barricades.

PUBLIC HEARING

A) Special Event Permit - Center for the Arts – Alpenglow Concert Series – Town Park – June 27, July 4, 11, 18, 25, August 1, 8, 15, 22, 2011.

Center for the Arts Executive Director Jenny Bernie said the Alpenglow concerts will be handled the same as last year regarding alcohol service, security, etc.

Mayor Williams opened the public hearing. There were no public comments. Mayor Williams closed the public hearing.

Schmidt moved and Wirsing seconded to approve a special event permit for the Alpenglow Concert Series in the Town Park on June 27, July 4, 11, 18, 25 and August 1, 8, 15, 22, 2011. A roll call vote was taken with all voting "Yes." **Motion passed unanimously.**

NEW BUSINESS

A) "Bottom Up" 2011 County Economic Development Summary.

Mayor Williams, who serves on the Gunnison County "Bottom Up" committee, said the committee, which is composed of a diverse group of participants, developed the "Bottom-Up" 2011 County Economic Development Summary Top Five Economic Development Goals and Strategies for Gunnison County and sent the document to the Governor.

Crested Butte/Mt. Crested Butte Chamber of Commerce Director Richard Bond, who is a member of the committee and a member of a sub-committee of the group, said the summary document satisfies the governor's request and will be consolidated into documents from other counties and will be available for public comment.

Bond explained that a sub-committee of the Gunnison County "Bottom Up" committee will make suggestions regarding next steps. Bond said there needs to be a group or organization to address the goals and strategies of the "Bottom Up" Summary. Bond said he hopes a "professionally managed and well-endowed" organization will come to fruition. Bond noted that the Gunnison County "Bottom-Up" committee will meet on June 25, 2011. He said the document that was sent to the Governor was draft and another draft will be developed.

B) Ordinance No. 10, Series 2011 – An Ordinance Approving the Second Amendment to Second Amended Guidelines, Rules, Requirements, and Administrative Procedures Governing

Affordable Housing in Blocks 77 and 78 of the Paradise Park Affordable Housing Subdivision Town of Crested Butte.

Mayor Williams read the title of the ordinance. Town Planner John Hess explained that Ordinance 10 will allow rental of affordable housing units based on certain stipulations as outlined in his memo to Council dated May 11, 2011. Hess noted that the affordable housing committee recommended that rentals be limited to six months (with a possible six month extension) and that renters must meet qualifications.

Betz moved and Schmidt seconded to set Ordinance No. 10 Series 2011 for public hearing on June 6, 2011.

C) Award Contract for Water Storage Tank Design.

Town Water System Manager David Jelinick said staff recommends the contract for engineering the new storage reservoir project be awarded to SGM Engineering. Jelenick noted that SGM has worked with the Town in the past.

Schmidt moved and Mason seconded that the Town of Crested Butte accept and award the engineering for the new storage reservoir project 2012 to SGM Engineering of Gunnison, Colorado in an amount not to exceed \$39, 127. A roll call vote was taken with all voting "Yes." **Motion passed unanimously.**

D) Award Contract for Big Mine Ice Arena Foundation.

Building and Zoning Director Bob Gillie explained the Town already awarded the contract for the steel for the Big Mine Arena project and this award is for the foundation and retaining wall for the steel to sit on. Gillie noted that Reinman Construction was awarded the steel contract and staff recommends the foundation contract be awarded to Reinman Construction, as well.

Schmidt moved and Wirsing seconded that the Town award the Big Mine Ice Arena foundation contract to Reinman Construction in an amount not to exceed \$110,000. A roll call vote was taken with all voting "Yes." **Motion passed unanimously.**

E) Approval of Plat and Declarations for Townhouses at 1st Street and Elk Avenue.

Gillie explained that minor adjustments were made to the plat for the Townhouses at 1st and Elk Avenue. Town Attorney John Belkin noted his memo to Council dated May 12, 2011 recommending approval of the amended plat for the Townhouses at 1st and Elk Avenue.

Schmidt moved and Mason seconded to approve the amended plat for the Townhouses at 1st Street and Elk Avenue. A roll call vote was taken with all voting "Yes." **Motion passed unanimously.**

EXECUTIVE SESSION

Mason moved and Wirsing seconded to go into executive session for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. section 24-6-402(4) (b). A roll call vote was taken with all voting "Yes." **Motion passed unanimously.**

Council went into executive session at approximately 8:30 p.m. and returned to open meeting at 10:12 p.m. Mayor Williams made the required announcement upon returning to open session. Action was taken on the next item under New Business.

NEW BUSINESS (CONTINUED)

F) Consideration Of Contract For Legal Services For Update of Watershed Ordinance.

Schmidt moved and Mason seconded to direct staff to enter into a contract for legal services in an amount not to exceed \$30,000 with Sullivan, Green, Seavy LLC. A roll call vote was taken with all voting "Yes." **Motion passed unanimously.**

Belkin noted the purpose of the contract is to update the Town's watershed ordinance.

G) Discussion of Medical Marijuana, Letter from Town Attorney in Connection Therewith and Possible Action Regarding the Town's Medical Marijuana Dispensary Regulations.

Belkin noted his memo to Council dated May 16, 2011 regarding medical marijuana (MMJ) and recommended that the Town not renew the three MMJ dispensary permits that expire on July 1, 2011. Belkin also pointed out correspondence attached to his memo from John Walsh, the U.S. Attorney for the District of Colorado and from the Colorado Attorney General warning that marijuana is against federal law.

Council discussed the topic and expressed concern that by allowing MMJ dispensaries to continue the Town may be putting the Town Council and Town staff in jeopardy of being prosecuted. A council member noted that the state legislature has not responded to the warning letters from the U.S. Attorney or the State Attorney General. Another Council member pointed out that if the Town shuts down the MMJ dispensaries, MMJ patients will still be able to obtain MMJ elsewhere or they can choose to grow their own MMJ. One council member said he was inclined to allow for an extension of the MMJ permits and wait and see what happens on the state level.

Belkin said he believes the Town is on good legal ground if it chooses to not renew the MMJ permits.

Council directed staff to research what other communities are doing regarding MMJ, to check into the status of HB1043, to draft an ordinance to extend MMJ permits and to draft an ordinance to opt out of MMJ. Council also directed staff to place the ordinances and discussion of the Town Attorney's recommendation regarding MMJ on the June 6, 2011 agenda.

LEGAL MATTERS

None

COUNCIL REPORTS AND COMMITTEE UPDATES

Schmidt:

- The Kochevar Open Space Trail committee agreed to name the first trail developed on the parcel the "Lupine Trail." A gathering and presentation on the trails proposed for the area will be held on May 18, 2011. A trail work day spearheaded by the Gunnison Trails Committee will be held on Saturday May 21, 2011 to construct a trail from Saddle Ridge to the 108 acre Kochevar parcel. On June 4 and 5, 2011 the Crested Butte Mountain Bike Association will lead the trail building efforts.

Wirsing:

- Noted the Visitor Center report distributed to Council via e-mail.
- The band "Toots and the Maytals" will be performing for Crested Butte Bike Week.
- A meeting was recently held by a newly formed group of motorized trail users.

Williams:

- Recently attended a Rural Transportation Committee (RTA) Board meeting. The Board discussed airline guarantees and the guarantees will be finalized at the June meeting.
- Attended a Mt. Express Board meeting. The board is continuing to discuss employee health insurance plans. The Mt. Express Transportation Director recently attended a conference and reported that future funding for transportation may be cut.

DISCUSSION OF SCHEDULING FUTURE WORK SESSION MEETING ITEMS.

Place a draft livestock ordinance on a work session agenda and regular meeting agenda.

Mayor Williams adjourned the meeting at 10:40 p.m.

Leah B. Williams, Mayor

Eileen Hughes, Town Clerk

(SEAL)

