**TOWN MEETING/ PUBLIC HEARING**

**Monday, October 18, 2021**

**6:15 pm**

**TORRANCE COUNTY COMMISSION CHAMBERS**

**205 S. Ninth Street,**

**Estancia, NM 87016**

**Or Join us via Zoom:**

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**MINUTES**

**HEARING:**

1. **The meeting was called to order at 6:22pm.**
2. **Roll Call was taken:**

**Trustee Lovato- Present**

**Trustee Chavez – Present via zoom**

**Trustee Sedillo- Present**

**Trustee Hall- Present**

**Mayor Dial- Present**

1. **Approval of Public Hearing Agenda- Action Item**

**ACTION TAKEN:** Trustee Hall made a motion to approve the October 18, 2021 Public Hearing Agenda. Trustee Lovato seconded the motion. All in favor. **MOTION CARRIED**

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1. **Discussion of Town of Estancia Cannabis Ordinance – Discussion Only**

Mayor Dial opened the discussion by asking for public comment.

Resident Michelle Dunlap read a prepared statement to the Board. In summary, she asked that the Board be as strict as possible when drafting the Cannabis Ordinance. She said that she is very concerned about the consequences that this new law and ordinance will have on our town and especially on our kids. She asked that the Board please give our kids a chance to be better; please make Estancia an exception to the rule; please leave a legacy you will forever be proud of.

Resident Amy May addressed the Board. She said she is a resident and a small business owner. She owns a cannabis dispensary which will open soon in Belen, and she would like to expand to this area as well. She talked about the GRTs which the town could receive from the legalization. She suggested that the hours of operation for retailers and for servers could be 10:00am to 10:00 pm and no Sunday sales.

She also suggested 300 feet minimum distance from a school or church.

Resident Cruzita Zamora said that this could be our chance to make something happen here in our town. With businesses closing, the GRT income that could come from cannabis sales could really help our town.

Resident Mark Martinez said just because it’s legalized does not mean it’s good; look at alcoholism. He said that this is lawlessness and a gateway to other drugs. He stressed that he wants to have a long distance from any church.

Resident Kelsey Collins told Board that she is here as a very concerned parent of 4. She said we are already facing enough trying to raise our kids. She also strongly recommends that the Board be as strict as possible when drafting this ordinance and to think of our community and our kids. She said that so many of our community issues already stem from drug problems. She thinks there are other ways to fund the town without involving drugs.

Torrance County resident Christina Estrada addressed the Board. She has several properties in Estancia. She said that she sees both sides and asks that the Board be strict. She said that she knows that Estancia is dying, she does not want it to die by something that we are contributing to.

Mayor Dial clarified that, per state law, for a license to be issued within a municipality, the municipality must have a Cannabis Ordinance. Once again, this is a state mandate that is being pushed down on to the municipalities. He said he agrees with the 300 feet distance. He said that he considers churches the same as daycares; churches provide childcare so he will enforce a 300 feet distance from a church.

He suggests following the current liquor hours, but he will go with what the Board recommends.



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Trustee Hall reviewed each item that municipalities may and may not do. In summary, we can control hours of operation, and indoor and outdoor smoking and vaping. We cannot prohibit the operation of a licensee. We cannot prohibit transportation of product, signage, or home cultivation. Trustee Hall suggested requiring a special use permit for each request. He said that we cannot restrict with respect to churches because of the separation of church and state.

Mayor Dial said that we have basically three option concerning consumption within the city limits:

We can not allow it at all, we can allow it only within consumption areas, or we can allow it. He is in favor of allowing it only within consumption areas. Members of the public spoke in favor of not allowing it at all and allowing it only within consumption areas as an edible area. There is a question about whether it is allowed to completely limit consumption within the city limits. We will check with our lawyer. Trustee Hall said that we can prohibit smoking in public. Trustee Hall said that with a Special Use request every proposal would be heard. He said that we could limit commercial ventures to properties that are zoned as commercial only. Resident Lillian Dial-Hernandez also asked for clarification about edible cafes. A resident also asked about a bed and breakfast, for example.

Trustee Sedillo said that he is in favor of no smoking in public, 300 feet from a school, 299 feet from a church, special use only in commercial zones, and he is still on the fence about edible consumption in public.

Mayor Dial said he also wants to inquire about ‘21 or above unless you have a medical card’. He has questions about parental guidance with respect to this. He also wants clarification about our current Zero Tolerance drug policy. We will ask out lawyer about both issues.

Trustee Lovato expressed his gratitude to all who participated in the public hearing, especially Ms. Dunlap and Ms. Collins. He is also very concerned about our youth.

The public is sincerely thanked for their attendance and their comments concerning this very important ordinance.

**ADJOURNMENT:** Trustee Hall made a motion to adjourn the Public Hearing. Trustee Sedillo seconded the motion. All in favor. **MOTION CARRIED**

**The meeting adjourned at 7:18pm.**

**Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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