

**TOWN OF MANCOS
BOARD of TRUSTEES WORKSHOP**

July 26, 2023 5:30 P.M.

Workshop – Board of County Commissioners Joint Workshop

Town Hall Board Room

Monthly Board Workshops are for Board discussion purposes only. Decisions cannot be made during these sessions. These workshops are open to the public, however public comment will not be accepted.

BOARD of TRUSTEES MEETING

July 26, 2023 7:00 p.m.

AGENDA

- A. Call to Order
- B. Pledge of Allegiance and Moment of Silence
- C. Roll Call
- D. Approval of the Agenda
- E. Approval of the Minutes of July 12, 2023
- F. Audience Business
- G. Announcements
- H. Committee Reports
 - Montezuma County Commissioner Update
 - Montezuma County Planning Commission
 - Region 9
 - CDOT TPR
 - Mancos Planning Commission
- I. Discussion and Action Items
 - 1. Public Hearing: The Boathouse Liquor License Application
 - 2. Ordinance 775 Series 2023: Utility Hardship
 - 3. Mancos Gives Program
 - 4. Pet Store Ban
- J. *Items for August 9, 2023 Agenda*
 - *Workshop: TBD*
 - *July Bills & Claims (new format)*
 - *Comprehensive Plan Chapter 10 and Appendices*
 - *2nd Quarter 2023 Financial and Work Plan Update*
- K. Adjournment

TOWN OF MANCOS
BOARD of TRUSTEES MEETING MINUTES
July 12, 2023
7:00 p.m.

A. CALL TO ORDER: Mayor Queenie Barz called the meeting to order at 7:00 p.m.

B. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

C. ROLL CALL: Present: Mayor Queenie Barz, Mayor pro tem Cindy Simpson, Trustee Janice Bryan, Trustee Ed Hallam, Trustee Nick Manning, and Trustee Richard Tokar.

Absent: Trustee Brent McWhirter

Staff Present: Town Administrator Heather Alvarez, Public Works Director Terry Jennings, Attorney David Liberman, Planning and Economic Coordinator Jason Armstrong, Mancos Marshal Justen Goodall, and Town Clerk Treasurer Jamie Higgins.

D. APPROVAL OF THE AGENDA: Trustee Richard Tokar made the motion to approve the July 12, 2023 agenda. Trustee Janice Bryan seconds the motion. Motion passed.

E. APPROVAL OF THE MINUTES: Trustee Ed Hallam made a motion to approve the minutes, as presented by staff, from June 28, 2023. Trustee Nick Manning seconds the motion. Motion Passed.

F. AUDIENCE BUSINESS:

- None

G. ANNOUNCEMENTS:

- Trustee Richard Tokar said he will not be here next month for the meetings.
- Mayor Queenie Barz announced that she received her 100 hours from CML and Mayor Pro Tem Cindy Simpson has started her hours.

H. TREASURER REPORT – JUNE BILLS AND CLAIMS

Mayor Pro Tem Cindy Simpson made a motion to approve June's Bills and Claims. Trustee Richard Tokar seconds the motion. Motion passed.

I. COMMITTEE REPORTS

- Montezuma County Commissioner Update – No update
- Montezuma County Planning Commission Update – No update
- Region 9 – Trustee Janice Bryan updated the Board, Region 9 is working on a draft study report for substance abuse treatment.
- CDOT TPR – No update
- Mancos Planning Commission – No update

J. DISCUSSION AND ACTION ITEMS:

1. Trustee Ed Hallam made a motion to approve the open container permit submitted by El Rio Cantina and authorize an exception to the noise ordinance at this location until 12:00am each day of the 2023 Mancos Days celebration. Trustee Janice Bryan seconds the motion. Motion passed with a unanimous vote.
2. Trustee Richard Tokar made a motion to authorize the Town Marshal to renew the attached agreement between Montezuma County Dept. of Human/Social Services and Mancos Marshal's Office. Trustee Nick Manning seconds the motion. Motion passed with a unanimous vote.
3. Mayor Pro Tem Cindy Simpson made a motion to donate \$500.00 to sponsor a hole in the Medicine Horse Center Annual Golf Tournament in honor of Michelle Black. Trustee Nick Manning seconds the motion.
Voting Yes – Cindy, Nick, Janice, Ed
Voting No – Richard
4. Utility Financial Hardship Draft Ordinance Discussion. No Action
5. Comprehensive Plan Chapter 9 Review. The Board discussed a couple changes and requested the changes be made and Chapter 9 finalized.
6. Southwest Health Systems Discussion. No Action.

K. Items for July 26, 2023 Agenda

- *Workshop: Joint Board of County Commissioners Workshop (5:30 p.m.)*
- *Mancos Gives Program Discussion*
- *Banning of Pet Store Discussion*

L. ADJOURNMENT

Trustee Richard Tokar made the motion to adjourn the meeting at 8:14 pm.

Mayor Queenie Barz

Town Clerk/Treasurer Jamie Higgins

STAFF REPORT

To: Town Administrator, Honorable Mayor and Trustees
From: Jamie Higgins, Town Clerk/Treasurer
Date: July 26, 2023
Re: Durango Culinary Concepts LLC, dba The Boathouse on Grand

Recommendation

After public hearing, approve the new liquor license for Durango Culinary Concepts LLC, dba The Boathouse on Grand conditional upon state approval and authorize the Town Clerk/Treasurer to send the application to the state.

Background/Discussion

The Town of Mancos is required to hold a public hearing before approving/rejecting the application for a new liquor license for Durango Culinary Concepts LLC, dba The Boathouse on Grand.

Petitions were circulated and available at the Mancos Town Hall.

Marshal's Office has no objections.

Policy Implications

New Hotel and Restaurant Liquor License within Town limits

Resource Impact

None.

Attachments

Application & Supporting Documentation

Colorado Liquor Retail License Application

New License New-Concurrent Transfer of Ownership State Property Only Master file

- All answers must be printed in black ink or typewritten
- Applicant must check the appropriate box(es)
- Applicant should obtain a copy of the Colorado Liquor and Beer Code: SBG.Colorado.gov/Liquor

1. Applicant is applying as a/an Individual Limited Liability Company Association or Other
 Corporation Partnership (includes Limited Liability and Husband and Wife Partnerships)

2. Applicant If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation FEIN Number
 DURANGO CULINARY CONCEPTS LLC [REDACTED]

2a. Trade Name of Establishment (DBA) State Sales Tax Number Business Telephone
 The Boathouse on Grand 32335444 970-769-6480

3. Address of Premises (specify exact location of premises, include suite/unit numbers)
 114 W GRAND AVE

City MANCOS	County MONTEZUMA	State CO	ZIP Code 81328
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4. Mailing Address (Number and Street) PO BOX 960	City or Town MANCOS	State CO	ZIP Code 81328
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5. Email Address
 theboathouseongrand@gmail.com

6. If the premises currently has a liquor or beer license, you must answer the following questions

Present Trade Name of Establishment (DBA) The Boathouse on Grand	Present State License Number	Present Class of License	Present Expiration Date
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Section A Nonrefundable Application Fees*	Section B (Cont.) Liquor License Fees*
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<input checked="" type="checkbox"/> Application Fee for New License \$1,100.00 <input type="checkbox"/> Application Fee for New License w/Concurrent Review \$1,200.00 <input type="checkbox"/> Application Fee for Transfer \$1,100.00	<input type="checkbox"/> Liquor-Licensed Drugstore (County) \$312.50 <input type="checkbox"/> Lodging & Entertainment - L&E (City) \$500.00 <input type="checkbox"/> Lodging & Entertainment - L&E (County) \$500.00 <input type="checkbox"/> Manager Registration - H & R \$30.00 <input type="checkbox"/> Manager Registration - Tavern \$30.00 <input type="checkbox"/> Manager Registration - Lodging & Entertainment \$30.00 <input type="checkbox"/> Manager Registration - Campus Liquor Complex \$30.00 <input type="checkbox"/> Optional Premises License (City) \$500.00 <input type="checkbox"/> Optional Premises License (County) \$500.00 <input type="checkbox"/> Racetrack License (City) \$500.00 <input type="checkbox"/> Racetrack License (County) \$500.00 <input type="checkbox"/> Resort Complex License (City) \$500.00 <input type="checkbox"/> Resort Complex License (County) \$500.00 <input type="checkbox"/> Related Facility - Campus Liquor Complex (City) \$160.00 <input type="checkbox"/> Related Facility - Campus Liquor Complex (County) \$160.00 <input type="checkbox"/> Related Facility - Campus Liquor Complex (State) \$160.00 <input type="checkbox"/> Retail Gaming Tavern License (City) \$500.00 <input type="checkbox"/> Retail Gaming Tavern License (County) \$500.00 <input type="checkbox"/> Retail Liquor Store License-Additional (City) \$227.50 <input type="checkbox"/> Retail Liquor Store License-Additional (County) \$312.50 <input type="checkbox"/> Retail Liquor Store (City) \$227.50 <input type="checkbox"/> Retail Liquor Store (County) \$312.50 <input type="checkbox"/> Tavern License (City) \$500.00 <input type="checkbox"/> Tavern License (County) \$500.00 <input type="checkbox"/> Vintners Restaurant License (City) \$750.00 <input type="checkbox"/> Vintners Restaurant License (County) \$750.00
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Section B Liquor License Fees*	
<input type="checkbox"/> Add Optional Premises to H & R.....\$100.00 X _____ Total _____	
<input type="checkbox"/> Add Related Facility to Resort Complex \$75.00 X _____ Total _____	
<input type="checkbox"/> Add Sidewalk Service Area..... \$75.00	
<input type="checkbox"/> Arts License (City) \$308.75	
<input type="checkbox"/> Arts License (County) \$308.75	
<input type="checkbox"/> Beer and Wine License (City)..... \$351.25	
<input type="checkbox"/> Beer and Wine License (County)..... \$436.25	
<input type="checkbox"/> Brew Pub License (City) \$750.00	
<input type="checkbox"/> Brew Pub License (County)..... \$750.00	
<input type="checkbox"/> Campus Liquor Complex (City)..... \$500.00	
<input type="checkbox"/> Campus Liquor Complex (County) \$500.00	
<input type="checkbox"/> Campus Liquor Complex (State)..... \$500.00	
<input type="checkbox"/> Club License (City)..... \$308.75	
<input type="checkbox"/> Club License (County) \$308.75	
<input type="checkbox"/> Distillery Pub License (City)..... \$750.00	
<input type="checkbox"/> Distillery Pub License (County) \$750.00	
<input checked="" type="checkbox"/> Hotel and Restaurant License (City)..... \$500.00	
<input type="checkbox"/> Hotel and Restaurant License (County) \$500.00	
<input type="checkbox"/> Hotel and Restaurant License w/one opt premises (City) \$600.00	
<input type="checkbox"/> Hotel and Restaurant License w/one opt premises (County)..... \$600.00	
<input type="checkbox"/> Liquor-Licensed Drugstore (City) \$227.50	

* Note that the Division will not accept cash

Questions? Visit: SBG.Colorado.gov/Liquor for more information

Do not write in this space - For Department of Revenue use only

Liability Information

License Account Number	Liability Date	License Issued Through (Expiration Date)	Total \$
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Application Documents Checklist and Worksheet

Instructions: This checklist should be utilized to assist applicants with filing all required documents for licensure. All documents must be properly signed and correspond with the name of the applicant exactly. All documents must be typed or legibly printed. Upon final State approval the license will be mailed to the local licensing authority. Application fees are nonrefundable. **Questions? Visit: SBG.Colorado.gov/Liquor for more information**

Items submitted, please check all appropriate boxes completed or documents submitted	
I.	Applicant information <input checked="" type="checkbox"/> A. Applicant/Licensee identified <input checked="" type="checkbox"/> B. State sales tax license number listed or applied for at time of application <input checked="" type="checkbox"/> C. License type or other transaction identified <input type="checkbox"/> D. Return originals to local authority (additional items may be required by the local licensing authority) <input checked="" type="checkbox"/> E. All sections of the application need to be completed <input type="checkbox"/> F. Master file applicants must include the Application for Master File form DR 8415 and applicable fees to this Retail License Application
II.	Diagram of the premises <input checked="" type="checkbox"/> A. No larger than 8½" X 11" <input checked="" type="checkbox"/> B. Dimensions included (does not have to be to scale). Exterior areas should show type of control (fences, walls, entry/exit points, etc.) <input type="checkbox"/> C. Separate diagram for each floor (if multiple levels) <input checked="" type="checkbox"/> D. Kitchen - identified if Hotel and Restaurant <input checked="" type="checkbox"/> E. Bold/Outlined Licensed Premises
III.	Proof of property possession (One Year Needed) <input type="checkbox"/> A. Deed in name of the applicant (or) (matching question #2) date stamped / filed with County Clerk <input type="checkbox"/> B. Lease in the name of the applicant (or) (matching question #2) <input checked="" type="checkbox"/> C. Lease assignment in the name of the applicant with proper consent from the landlord and acceptance by the applicant <input type="checkbox"/> D. Other agreement if not deed or lease. (matching question #2)
IV.	Background information (DR 8404-I) and financial documents <input checked="" type="checkbox"/> A. Complete DR 8404-I for each principal (individuals with more than 10% ownership, officers, directors, partners, members) <input type="checkbox"/> B. Fingerprints taken and submitted to the appropriate Local Licensing Authority through an approved State Vendor. Master File applicants submit results to the State using code 25YQHT with IdentoGO. Do not complete fingerprint cards prior to submitting your application. The Vendors are as follows: IdentoGO – https://enroll.identogo.com/ Phone: 844-539-5539 (toll-free) Colorado Fingerprinting – http://www.coloradofingerprinting.com Appointment Scheduling Website: http://www.coloradofingerprinting.com/cabs/ Phone: 720-292-2722 Toll Free: 833-224-2227 Details about the vendors and fingerprinting in Colorado can be found on CBI's website here: https://cbi.colorado.gov/sections/biometric-identification-and-records-unit/employment-and-background-checks <input type="checkbox"/> C. Purchase agreement, stock transfer agreement, and/or authorization to transfer license <input checked="" type="checkbox"/> D. List of all notes and loans (Copies to also be attached)
V.	Sole proprietor/husband and wife partnership (if applicable) <input type="checkbox"/> A. Form DR 4679 <input checked="" type="checkbox"/> B. Copy of State issued Driver's License or Colorado Identification Card for each applicant
VI.	Corporate applicant information (if applicable) <input checked="" type="checkbox"/> A. Certificate of Incorporation <input checked="" type="checkbox"/> B. Certificate of Good Standing <input type="checkbox"/> C. Certificate of Authorization if foreign corporation (out of state applicants only)
VII.	Partnership applicant information (if applicable) <input type="checkbox"/> A. Partnership Agreement (general or limited). <input type="checkbox"/> B. Certificate of Good Standing
VIII.	Limited Liability Company applicant information (if applicable) <input checked="" type="checkbox"/> A. Copy of articles of organization <input checked="" type="checkbox"/> B. Certificate of Good Standing <input type="checkbox"/> C. Copy of Operating Agreement (if applicable) <input type="checkbox"/> D. Certificate of Authority if foreign LLC (out of state applicants only)
IX.	Manager registration for Hotel and Restaurant, Tavern, Lodging & Entertainment, and Campus Liquor Complex licenses when included with this application <input type="checkbox"/> A. \$30.00 fee <input checked="" type="checkbox"/> B. If owner is managing, no fee required

Name	Type of License	Account Number																		
<p>7. Is the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers under the age of twenty-one years? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>8. Has the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers ever (in Colorado or any other state):</p> <p style="margin-left: 20px;">a. Been denied an alcohol beverage license? <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p style="margin-left: 20px;">b. Had an alcohol beverage license suspended or revoked? <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p style="margin-left: 20px;">c. Had interest in another entity that had an alcohol beverage license suspended or revoked? <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>If you answered yes to 8a, b or c, explain in detail on a separate sheet.</p> <p>9. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes", explain in detail. <input type="checkbox"/> <input checked="" type="checkbox"/></p> <hr/> <p>10. Are the premises to be licensed within 500 feet, of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary? <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p style="text-align: right; margin-right: 100px;">or</p> <p style="text-align: right; margin-right: 100px;">Waiver by local ordinance? <input type="checkbox"/> <input type="checkbox"/></p> <p style="text-align: right; margin-right: 100px;">Other: _____</p> <p>11. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of greater than (>) 10,000? NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS. <input type="checkbox"/> <input type="checkbox"/></p> <p>12. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 3000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of less than (<) 10,000? NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS. <input type="checkbox"/> <input type="checkbox"/></p> <p>13. a. For additional Retail Liquor Store only. Was your Retail Liquor Store License issued on or before January 1, 2016? <input type="checkbox"/> <input type="checkbox"/></p> <p style="margin-left: 20px;">b. Are you a Colorado resident? <input type="checkbox"/> <input type="checkbox"/></p> <p>14. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a Limited Liability Company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any <u>current</u> financial interest in said business including any loans to or from a licensee. <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>15. Does the applicant, as listed on line 2 of this application, have legal possession of the premises by ownership, lease or other arrangement? <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p style="margin-left: 20px;"><input type="checkbox"/> Ownership <input checked="" type="checkbox"/> Lease <input type="checkbox"/> Other (Explain in Detail) _____</p> <p style="margin-left: 20px;">a. If leased, list name of landlord and tenant, and date of expiration, exactly as they appear on the lease:</p> <table border="1" style="width:100%; border-collapse: collapse; margin-left: 20px;"> <tr> <td style="width:40%;">Landlord DOUBLE J BARK, LLC</td> <td style="width:40%;">Tenant DURANGO CULINARY CONCEPTS LLC</td> <td style="width:20%;">Expires 10/31/27</td> </tr> </table> <p style="margin-left: 20px;">b. Is a percentage of alcohol sales included as compensation to the landlord? If yes, complete question 16. <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p style="margin-left: 20px;">c. Attach a diagram that designates the area to be licensed in black bold outline (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8½" X 11".</p> <p>16. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies) will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business? Attach a separate sheet if necessary.</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:30%;">Last Name</th> <th style="width:20%;">First Name</th> <th style="width:15%;">Date of Birth</th> <th style="width:20%;">FEIN or SSN</th> <th style="width:15%;">Interest/Percentage</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> <p>Attach copies of all notes and security instruments and any written agreement or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.</p> <p>17. Optional Premises or Hotel and Restaurant Licenses with Optional Premises: <input type="checkbox"/> <input type="checkbox"/></p> <p style="margin-left: 20px;">Has a local ordinance or resolution authorizing optional premises been adopted? <input type="checkbox"/> <input type="checkbox"/></p> <p style="margin-left: 40px;">Number of additional Optional Premise areas requested. (See license fee chart) <input type="text"/></p> <p>18. For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), include a diagram of the service area and documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.</p>			Landlord DOUBLE J BARK, LLC	Tenant DURANGO CULINARY CONCEPTS LLC	Expires 10/31/27	Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage										
Landlord DOUBLE J BARK, LLC	Tenant DURANGO CULINARY CONCEPTS LLC	Expires 10/31/27																		
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage																

Name	Type of License	Account Number		
19. Liquor Licensed Drugstore (LLDS) applicants, answer the following: a. Is there a pharmacy, licensed by the Colorado Board of Pharmacy, located within the applicant's LLDS premise? <input type="checkbox"/> Yes <input type="checkbox"/> No If "yes" a copy of license must be attached.				
20. Club Liquor License applicants answer the following: Attach a copy of applicable documentation				
a. Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain?		Yes <input type="checkbox"/> No <input type="checkbox"/>		
b. Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain?		<input type="checkbox"/> Yes <input type="checkbox"/> No		
c. How long has the club been incorporated?				
d. Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above?		<input type="checkbox"/> Yes <input type="checkbox"/> No		
21. Brew-Pub, Distillery Pub or Vintner's Restaurant applicants answer the following: a. Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached)				
22. Campus Liquor Complex applicants answer the following: a. Is the applicant an institution of higher education?				
		<input type="checkbox"/> Yes <input type="checkbox"/> No		
b. Is the applicant a person who contracts with the institution of higher education to provide food services? If "yes" please provide a copy of the contract with the institution of higher education to provide food services.				
		<input type="checkbox"/> Yes <input type="checkbox"/> No		
23. For all on-premises applicants. a. For all Liquor Licensed Drugstores (LLDS) the Permitted Manager must also submit a Manager Permit Application - DR 8000 and fingerprints.				
Last Name of Manager		First Name of Manager		
24. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number.				
		Yes <input type="checkbox"/> No <input type="checkbox"/>		
25. Related Facility - Campus Liquor Complex applicants answer the following:				
a. Is the related facility located within the boundaries of the Campus Liquor Complex? If yes, please provide a map of the geographical location within the Campus Liquor Complex. If no, this license type is not available for issues outside the geographical location of the Campus Liquor Complex.		<input type="checkbox"/> Yes <input type="checkbox"/> No		
b. Designated Manager for Related Facility- Campus Liquor Complex				
Last Name of Manager		First Name of Manager		
26. Tax Information.				
a. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
b. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
27. If applicant is a corporation, partnership, association or limited liability company, applicant must list all Officers, Directors, General Partners, and Managing Members. In addition, applicant must list any stockholders, partners, or members with ownership of 10% or more in the applicant. All persons listed below must also attach form DR 8404-I (Individual History Record), and make an appointment with an approved State Vendor through their website. See application checklist, Section IV, for details.				
Name	Home Address, City & State	DOB	Position	%Owned
JENNIFER STEWART			OFFICER	50
Name	Home Address, City & State	DOB	Position	%Owned
DAVID STEWART			OFFICER	50
Name	Home Address, City & State	DOB	Position	%Owned
Name	Home Address, City & State	DOB	Position	%Owned
Name	Home Address, City & State	DOB	Position	%Owned

Name	Type of License	Account Number
<p>** If applicant is owned 100% by a parent company, please list the designated principal officer on above. ** Corporations - the President, Vice-President, Secretary and Treasurer must be accounted for above (Include ownership percentage if applicable) ** If total ownership percentage disclosed here does not total 100%, applicant must check this box: <input type="checkbox"/> Applicant affirms that no individual other than these disclosed herein owns 10% or more of the applicant and does not have financial interest in a prohibited liquor license pursuant to Article 3 or 5, C.R.S.</p>		
Oath Of Applicant		
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. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.		
Authorized Signature 	Printed Name and Title JENNIFER STEWART OFFICER	Date
Report and Approval of Local Licensing Authority (City/County)		
Date application filed with local authority	Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application)	
<p>The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) or a DR 8000 (Manager Permit) has been:</p> <input type="checkbox"/> Fingerprinted <input type="checkbox"/> Subject to background investigation, including NCIC/CCIC check for outstanding warrants That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with and aware of, liquor code provisions affecting their class of license (Check One) <input type="checkbox"/> Date of inspection or anticipated date _____ <input type="checkbox"/> Will conduct inspection upon approval of state licensing authority		
<input type="checkbox"/> Is the Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1,500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of > 10,0000?		Yes No <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Is the Liquor Licensed Drugstore(LLDS) or Retail Liquor Store (RLS) within 3,000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of < 10,0000?		<input type="checkbox"/> <input type="checkbox"/>
<p>NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.</p> <input type="checkbox"/> Does the Liquor-Licensed Drugstore (LLDS) have at least twenty percent (20%) of the applicant's gross annual income derived from the sale of food, during the prior twelve (12) month period?		
Yes No <input type="checkbox"/> <input type="checkbox"/>		
<p>The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 44, Article 4 or 3, C.R.S., and Liquor Rules. Therefore, this application is approved.</p>		
Local Licensing Authority for	Telephone Number	<input type="checkbox"/> Town, City <input type="checkbox"/> County
Signature	Print	Title
Signature	Print	Title
		Date
		Date

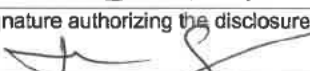
Tax Check Authorization, Waiver, and Request to Release Information

I, JENNIFER STEWART am signing this Tax Check Authorization, Waiver and Request to Release Information (hereinafter "Waiver") on behalf of DURANGO CULINARY CONCEPTS LLC (the "Applicant/Licensee") to permit the Colorado Department of Revenue and any other state or local taxing authority to release information and documentation that may otherwise be confidential, as provided below. If I am signing this Waiver for someone other than myself, including on behalf of a business entity, I certify that I have the authority to execute this Waiver on behalf of the Applicant/Licensee.

The Executive Director of the Colorado Department of Revenue is the State Licensing Authority, and oversees the Colorado Liquor Enforcement Division as his or her agents, clerks, and employees. The information and documentation obtained pursuant to this Waiver may be used in connection with the Applicant/Licensee's liquor license application and ongoing licensure by the state and local licensing authorities. The Colorado Liquor Code, section 44-3-101, et seq. ("Liquor Code"), and the Colorado Liquor Rules, 1 CCR 203-2 ("Liquor Rules"), require compliance with certain tax obligations, and set forth the investigative, disciplinary and licensure actions the state and local licensing authorities may take for violations of the Liquor Code and Liquor Rules, including failure to meet tax reporting and payment obligations.

The Waiver is made pursuant to section 39-21-113(4), C.R.S., and any other law, regulation, resolution or ordinance concerning the confidentiality of tax information, or any document, report or return filed in connection with state or local taxes. This Waiver shall be valid until the expiration or revocation of a license, or until both the state and local licensing authorities take final action to approve or deny any application(s) for the renewal of the license, whichever is later. Applicant/Licensee agrees to execute a new waiver for each subsequent licensing period in connection with the renewal of any license, if requested.

By signing below, Applicant/Licensee requests that the Colorado Department of Revenue and any other state or local taxing authority or agency in the possession of tax documents or information, release information and documentation to the Colorado Liquor Enforcement Division, and its duly authorized employees, to act as the Applicant's/Licensee's duly authorized representative under section 39-21-113(4), C.R.S., solely to allow the state and local licensing authorities, and their duly authorized employees, to investigate compliance with the Liquor Code and Liquor Rules. Applicant/Licensee authorizes the state and local licensing authorities, their duly authorized employees, and their legal representatives, to use the information and documentation obtained using this Waiver in any administrative or judicial action regarding the application or license.

Name (Individual/Business) <u>DURANGO CULINARY CONCEPTS LLC</u>		Social Security Number/Tax Identification Number [REDACTED]	
Address <u>PO Box 960</u>			
City <u>MANCOS</u>		State <u>CO</u>	Zip <u>81328</u>
Home Phone Number		Business/Work Phone Number <u>970-769-6480</u>	
Printed name of person signing on behalf of the Applicant/Licensee <u>JENNIFER STEWART</u>			
Applicant/Licensee's Signature (Signature authorizing the disclosure of confidential tax information) 			Date signed <u>4/13/23</u>

Privacy Act Statement

Providing your Social Security Number is voluntary and no right, benefit or privilege provided by law will be denied as a result of refusal to disclose it. § 7 of Privacy Act, 5 USCS § 552a (note).

DURANGO CULINARY CONCEPTS LLC

34511 HWY 550 #201
DURANGO, CO 81301


699

5/12 2023

82-244/1070

Pay to the Order of STATE OF COLORADO \$ 1600-
one thousand six hundred and 00/100 Dollars

Bank of Colorado

 Security features are included. Details on back.

For LO LICENSE Jes J MP
[Redacted]

DURANGO CULINARY CONCEPTS LLC

34511 HWY 550 #201
DURANGO, CO 81301


700

5/12 2023

82-244/1070

Pay to the Order of TOWN OF MANCOS \$ 1600-
one thousand six hundred and 00/100 Dollars

Bank of Colorado

 Security features are included. Details on back.

For LO LICENSE Jes J MP
[Redacted]

STAFF REPORT

To: Honorable Mayor and Board of Trustees
From: Heather Alvarez, Town Administrator
Date: July 26, 2023
Re: Ordinance 775 Series 2023: Utility Hardship Clause

Recommendation

Approve Ordinance 775 Series 2023 An Ordinance Amending Section 13-1-220 of the Mancos Municipal Code to Allow Town Administrator Authority to Waive Utility Billing's Late Charges and Interest Upon Property Owner's Showing of Financial Hardship

Background/Discussion

This item was discussed at the Board retreat on May 13, 2023 and the July 12, 2023 Board meeting. Attached is an ordinance reflecting those discussions.

Attachments

Ordinance 775 Series 2023

Ordinance # 775
Series 2023

An Ordinance Amending Section 13-1-220 of the Mancos Municipal Code to Allow Town Administrator Authority to Waive Utility Billing's Late Charges and Interest Upon Property Owner's Showing of Financial Hardship

WHEREAS, the Town of Mancos amends the Town of Mancos Municipal Code from time to time; and

WHEREAS, Section 1-3-70 of the Mancos Municipal Code allows that amendments to the Code may be made; and

WHEREAS, the Town of Mancos wishes to Amend Section 13-1-220 as set forth herein to allow for certain waivers of utility billing late charges and interest upon a property owner's showing of financial hardship; and

WHEREAS, the adoption and implementation of this ordinance is necessary to preserve the public health and safety,

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mancos, Colorado, that:

1. Chapter 13, Article 1, Section 13-1-220 of the Town of Mancos Municipal Code, is amended as follows:

Sec. 13-1-220. - Meter readings; billing procedures; nonpayment; hearing.

(a) Meters shall be read monthly and bills rendered monthly.

(b) Utility bills are the responsibility of the property owner. Utility accounts shall be posted in the property owner's name only. For a three-dollar monthly fee, a property owner may request a courtesy billing be sent to a renter in addition to the bill sent to the owner.

(c) Bills are payable at the office of the Town Clerk, and bills will become delinquent sixty (60) days after billing.

(d) A late fee, as set forth in the fee schedule, a copy of which is available in the Town Clerk's office, shall be assessed on any bill which is not paid by the due date. In spite of this, the Town Administrator has discretion, for a twelve-month period, to waive up to \$30.00 in late fees and interest on overdue utility bills, and/or to enter into a written payment plan executed by the property owner, where the property can demonstrate a financial hardship. Every hardship is taken on a case-by-case basis. Late fees will continue to be waived so long as the agreed upon payment plan is in effect and being paid in a timely manner. Waiver of late fees and payment plan agreements shall be limited to once per property owner.

Any bill which is carried for more than two (2) consecutive billing cycles is subject to possible shut-off and a turn-off/turn-on penalty fee as set forth in the fee schedule, in

addition to any late fees and past due amounts, all which shall be paid prior to reestablishment of service.

(e) In the event that a tap holder refuses to pay assessments for any reason, the minimum fee will be carried on the books for twenty-four (24) months. At any time during this period, the tap holder may pay all assessments and reconnect charges due and resume service. No interest will be charged if the tap holder requests a disconnect during this time period; however, all past-due charges and minimum monthly billings must be paid.

(f) After twenty-four (24) months of nonpayment, the tap may be declared in default by the Town after proper notification to the owner by certified mail, return receipt requested, stating a time and place where the Board of Trustees will hold a hearing to determine whether a default exists. The tap holder shall have an opportunity to be heard at such hearing. After said hearing, the Board of Trustees shall determine whether the tap of the holder shall be forfeited for the payment and satisfaction of the delinquent charges. In the event of default and forfeiture, a new tap fee shall be imposed before further water service will be furnished at the forfeited location.

(g) With the exception of shut-off due to nonpayment, fees are applicable when turning on/off water service. When a property owner requests water be turned off or on for any reason, a fee as set forth in the fee schedule, a copy of which is available in the Town Clerk's office, will be added to the bill immediately following reestablishment of water service.

(h) Returned checks. When a check is not honored or returned by the bank for any reason, a fee as set forth in the fee schedule, a copy of which is available in the Town Clerk's office, will be charged, in addition to all late fees and past due amounts.

THIS ORDINANCE PASSED ON FIRST AND FINAL READING HELD on the 26th Day of July 2023, at the hour of 7:00 p.m. at the Town Hall in Mancos, Colorado, and shall become effective 30 days after publication.

TOWN OF MANCOS, COLORADO

Ellen "Queenie" Barz, Mayor

ATTEST:

Jamie Higgins, Clerk/Treasurer

PUBLISHED THE ____ DAY OF _____, 2023 BY THE AUTHORITY OF THE TOWN CLERK OF MANCOS, COLORADO.

ATTEST:

Jamie Higgins Clerk/Treasurer

STAFF REPORT

To: Honorable Mayor and Board of Trustees
From: Heather Alvarez, Town Administrator
Date: July 26, 2023
Re: Mancos Gives Program

Recommendation

Approve the Mancos Gives Program and authorize the Town Administrator to set up a restricted account at Dolores State Bank for the purposes of receiving charitable contributions.

Background/Discussion

This item was discussed at the Board retreat on May 13, 2023 and the June 14, 2023 Board meeting. Attached are the information and application for this new program for your review and approval.

If this is approved by the Board, I will open a new account at Dolores State Bank that is restricted to income and expenditures for the stated projects.

Staff will internally track donations and provide receipts to donors for tax purposes. We will also set up revenue and expenditure accounts in the General Fund specific to this new program.

Once approved, we will conduct public outreach on our end. Please use the attached information to share with your constituents as well.

Attachments

Mancos Gives Information



The Town of Mancos has launched Mancos Gives, a municipal philanthropic initiative to create a formalized structure for charitable giving. This “in-house” approach to philanthropy allows the Town to respond to strategic projects and community needs that fall outside the normal town budget priorities but are well-positioned for private funding.

Mancos Gives is a municipal umbrella to coordinate the many charitable activities across Town departments and projects through:

- The stewardship of transparent and accountable standards for philanthropic engagement and charitable gifts.
- Serving as a liaison between the philanthropic community, private-public partnerships and Town leadership.

Community giving isn’t expected to fill gaps in the Town’s operating budget. But it can deepen community opportunity as well as expand and enrich Town programs and services: from youth recreation to projects in the arts, from climate action to social sustainability.

Through Mancos Gives, donors can make charitable gifts to the Town of Mancos that reflect their personal and family passions. Charitable contributions are tax deductible under section 170(c)(1) of the Internal Revenue Code if made for a public purpose.

Mancos Gives links your passion to the long-term stability of the Town of Mancos. Historically, the Town has been the beneficiary of charitable giving, including Boyle Park as a whole, Boyle Park large pavilion and the Mancos Skate Park.

Together, we can build a stronger community, and pair your generosity with community impact.

As elected officials and administration change over time, Mancos Gives will remain independent and non-partisan, focusing on the long-term vibrancy of our community. When you donate to Mancos Gives, it is an investment in the mission and services of the Town of Mancos.

Mancos Gives operates with the highest standards of integrity, transparency, and efficiency, and is committed to an exceptional level of stewardship of all funds.

117 North Main Street • P.O. Box 487 • Mancos, Colorado 81328

Phone (970) 533-7725 • Fax (970) 533-7727

www.mancoscolorado.com



Town of Mancos Projects

- Boyle Park Pickleball Courts – the community asked the Town to install pickleball courts in Boyle Park. We have drafted a plan to construct two courts in the southeast corner of Boyle Park. The total budget for this project is \$125,000.
- Mobile Stage – the Town of Mancos often receives requests from event holders regarding a mobile stage. We would like to purchase a mobile stage available for rent to citizens and event planners for events within Town of Mancos limits. The total maximum budget for the stage is \$5,000.

117 North Main Street • P.O. Box 487 • Mancos, Colorado 81328

Phone (970) 533-7725 • Fax (970) 533-7727

www.mancoscolorado.com



Mancos Gives Charitable Donation Information

Name	
Mailing Address	
Phone	
Email	
Amount Donated	

Chosen Project:

- Boyle Park Pickleball Courts
 Mobile Stage
 Other: _____

Please complete the above information so the Town of Mancos may mail you a receipt for your charitable donation. Please return this information to:

Town Administrator
 Town of Mancos
 PO Box 487
 Mancos, CO 81328

Please contact Heather Alvarez with any questions at (970) 533-7725 or via email at halvarez@mancoscolorado.com.

STAFF REPORT

To: Honorable Mayor and Board of Trustees
From: Heather Alvarez, Town Administrator
Date: July 26, 2023
Re: Draft Ordinance To Ban Pet Stores From Selling Dogs & Cats

Recommendation

None – requesting Board feedback

Background/Discussion

This item was brought before the Board during Audience Business at the June 14, 2023 Board meeting. At that time, the Board instructed staff to bring a draft ordinance back for additional discussion.

If the Board wishes to move forward with this, this item will be assigned an ordinance number and brought to a future meeting for adoption.

Attachments

Draft ordinance to ban pet stores from selling dogs and cats

Ordinance # _____
Series 2023

An Ordinance Adding a New Article 11 to Chapter 6 of the Mancos Municipal Code to Provide For
The Prohibition Of The Sale Of Dogs And Cats That Originated From A Puppy Mill Or Passed
Through A Broker

WHEREAS, the Town of Mancos amends the Town of Mancos Municipal Code from time to time;
and

WHEREAS, Section 1-3-70 of the Mancos Municipal Code allows that amendments to the Code
may be made; and

WHEREAS, the Town has an interest in maintaining the public safety and welfare
of the citizens of the Town; and

WHEREAS, Colorado Revised Statute Section 35-80-108.5(3) provides Colorado municipalities
authority with respect to regulation of dog breeders, cat breeders and pet stores, including a
prohibition on the sale or offer for sale of dogs and cats;

WHEREAS, the Humane Society of the United States has determined that puppy
and kitten mills are inhumane commercial breeding facilities and these mills produce animals
for sale, oftentimes at retail stores; and

WHEREAS, the Town Board of Trustees finds and determines that the sale of dogs and cats
from these puppy and kitten mills is a business practice that is not in the best interest of the
public welfare of the Town; and

WHEREAS, the Town Board of Trustees desires to exercise its authority to address the sale of
dogs and cats in retail stores that come from these mills, all as more fully provided in this
ordinance.

WHEREAS, the adoption of this ordinance will promote the health, safety, and general welfare
of the Mancos community.

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mancos,
Colorado, that:

1. Chapter 6, Article 11 is hereby adopted and added to the Mancos Municipal Code as
follows:

ARTICLE 11 – Puppy Mills

Sec. 6-11-10. – Application of provisions.

The provisions of this Article shall apply to all of the territory within the corporate limits of the Town of Mancos.

Sec. 6-11-20. – Definitions.

(a) Definitions. As used in this Article, unless the context otherwise requires, the following terms shall have the meanings indicated:

“Animal care facility” means an animal control center or animal shelter, maintained by or under contract with any state, county, or municipality, whose mission and practice is, in whole, or significant part, the rescue and placement of animals in permanent homes or rescue organizations.

“Animal rescue organization” means any not-for-profit organization which has tax exempt status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part, the rescue and placement of animals in permanent homes. “Animal rescue organization” does not include any entity which: (1) is located on the same premises as a Breeder or Broker; (2) has any personnel in common with a Breeder or Broker, including but not limited to, any employee, manager, or board member; (3) obtains any dogs or cats from a Breeder or Broker; or (4) facilitates the sale of dogs or cats that were obtained from a Breeder or Broker.

“Breeder” means a person that maintains a dog or cat for the purpose of breeding and selling their offspring.

“Broker” means a person that transfers a dog or cat from a breeder for resale by another person.

“Cat” means a member of the species of domestic cat, *Felis catus*.

“Dog” means a member of the species of domestic dog, *Canis familiaris*.

“Offer for sale” means to sell, offer for sale or adoption, advertise for the sale of, barter, auction, give away or otherwise dispose of a dog or cat.

“Pet store” means a retail establishment where dogs or cats are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail. Such definition shall not include an animal care facility or animal rescue organization, as defined.

Sec. 6-11-30. – Restrictions on the Sale of Animals.

No pet store shall sell, deliver, offer for sale, barter, auction, give away, or otherwise transfer or dispose of cats or dogs. Nothing in this section shall prohibit pet stores from

collaborating with animal care facilities or animal rescue organizations to offer space for such entities to showcase adoptable dogs or cats provided the pet store shall not have any ownership interest in the animals offered for adoption and shall not receive a fee for providing space for the adoption of any of these animals.

Sec. 6-11-40. – Penalty.

A pet store that violates this section shall be subject to a civil penalty of up to \$499, and each dog or cat offered for sale in violation of this article shall constitute a separate violation. Each day during any portion of which any provision of this article is violated, committed, continued or permitted by any person shall be considered a separate offense, and he or she shall be punished accordingly. Violations shall be considered civil infractions and are not punishable by jail or imprisonment. There is no intended right to a jury trial.

THIS ORDINANCE PASSED ON FIRST AND FINAL READING HELD on the ___ Day of _____ 2023, at the hour of 7:00 p.m. at the Town Hall in Mancos, Colorado, and shall become effective 30 days after publication.

TOWN OF MANCOS, COLORADO

Ellen “Queenie” Barz, Mayor

ATTEST:

Jamie Higgins, Clerk/Treasurer

PUBLISHED THE _____ DAY OF _____, 2023 BY THE AUTHORITY OF THE TOWN CLERK OF MANCOS, COLORADO.

ATTEST:

Jamie Higgins Clerk/Treasurer