

**Town of Mancos
Board of Trustees Meeting
July 9, 2014
7:00 p.m.**

A. CALL TO ORDER: Mayor pro tem Todd Kearns called the meeting to order at 7:01 p.m.

B. ROLL CALL: Present: Mayor pro tem Todd Kearns, Trustee Michele Black, Trustee Queenie Barz, Trustee Alan Rolston, Trustee James Maestas, Trustee Will Stone.
Absent: Mayor Rachael Simbeck

Staff Present: Town Administrator Andrea Phillips, Town Clerk/Treasurer Heather Alvarez, Town Attorney David Liberman, Parks & Recreation Director Leslie Hopkins, Marshal John Cox

C. APPROVAL OF AGENDA: Trustee Queenie Barz made the motion to approve the agenda. Trustee Alan Rolston seconded the motion to approve the agenda. Motion passed.

D. APPROVAL OF MINUTES OF June 25, 2014: Trustee Alan Rolston made the motion to approve the minutes of June 25, 2014 as written. Trustee James Maestas seconded the motion to approve the minutes. Motion passed.

E. AUDIENCE BUSINESS

- Reudi Behr, 40205 CR J – spoke in protest of the zoning changes to allow RV parks on the river. He is concerned about the environmental impact on the river. He feels the decision was made quickly without input from the citizens of Mancos and without thought to long term consequences. He is requesting Board input, and he stated he has contacted an attorney to question the legality of the ordinance. After the discussion of the Town Administrator’s Monthly Update, the Board revisited this issue. Town Attorney David Liberman advised if the Board has specific questions regarding legal advice, they should be discussed in executive session.

F. ANNOUNCEMENTS

- Terry Jennings was introduced. He is our new employee in Public Works.
- Trustee Queenie Barz announced the Mancos Days Queen Ophelia Rivera and reminded everyone the Queen’s Quilt is hanging at Mancos Valley Bank.

G. TREASURER’S REPORT

1. June Bills & Claims

Trustee Michele Black made the motion to approve the June bills and claims. Trustee James Maestas seconded the motion. Motion passed unanimously by roll call vote.

H. UNFINISHED BUSINESS

2. Western Excelsior Particulate Mitigation Update

Kyle Hanson and Fred Christiansen from Western Excelsior (WE) was present to update the Board with their mitigation efforts. The study conducted by Western Excelsior in 2013 identified four main places at the facility causing the emission issue: straw waste bin removal doors, wattle

production blowers, cyclone discharge and mulch outfeed. WE identified that the majority came from the wattle production blowers. WE has temporarily moved the wattle production to the southwest corner of the building at a cost of approx \$30,000. A new straw wattle machine is also on order pending delivery. The new machine doesn't use blowers, and the entire machine will be enclosed. The entire air system in the straw house has also been upgraded at a cost of approx \$5,000. The long term plan includes co-locating equipment and upgrading the building. WE is now picking up waste in a buckets rather than forks to reduce particles blown by wind. A new baler is also in process to eliminate hand loading of bales. WE has been contacted by OSHA, CDPHE, Colorado State Patrol in the last six months regarding the current issues. WE has received a letter from OSHA advising that they are closing their file on the complaint. Kyle Hanson specifically requested that questions or concerns be brought directly to him rather than his employees. He stated Western Excelsior is committed to being proactive and productive. He once again invited the Board to visit Western Excelsior. Trustee Queenie Barz inquired as to a timeline once the new straw wattle machine arrives in Mancos before it's up and running? Kyle Hanson advised they are hoping for approximately 1 ½ weeks after arrival. Trustee James Maestas asked if WE would be willing to enter into an MOU with the Town regarding cleanup. Kyle Hanson advised he is definitely willing to open discussion on the topic. Trustee James Maestas inquired as to whether the Board would be willing to move forward with an MOU. Trustee Will Stone advised he feels WE is working hard to address the issue. Trustee Alan Rolston suggested that Town Administrator Andrea Phillips meet with Trustee James Maestas and Kyle Hanson to discuss the issue further. Trustee Alan Rolston also inquired as to if the particulate improvements are able to be quantified after the installation of the new wattle production machine. Kyle Hanson advised that they are planning on performing new tests once the machine is installed and running properly. Mayor pro tem Todd Kearns would like to set up a meeting to continue this discussion.

- Vicki Maestas, 866 Riverside Ave. – she had several points: 1) she advised that they have left numerous messages with no return phone call; 2) with regard to cleaning the yard, she states it was three times; 3) with regard to his statement of being “fired up”, she is also fired up on this issue; 4) when they see an employee smoking next to a no smoking sign, how do they handle? Should they call law enforcement or Kyle Hanson; 5) with regard to the CO State Patrol contacting them, she stated that straw is blowing out of the trucks leaving the facility; 6) she is equally as frustrated with this issue. In response, Kyle Hanson stated that the last phone call he received came in while at the airport, so he asked if an employee would handle. He will personally return calls in the future. He empathizes with her frustration, and he also wishes the change would happen faster. He advised the smoking area used by employees will be reviewed to be sure there are no flammables. The no smoking signs are meant to stop smoking on the premises and inside the building. With regard to the trucks, WE has reiterated the tarping requirement to their independent contractor hauling waste.
- Celeste Aureoan, 646 Riverside Ave. – she appreciates the work to date performed by WE. She is asking that burning of the excelsior be considered to address the pollution issue. Kyle Hanson addressed the issue by stating they are not producing as much as they have historically, and WE is researching alternate disposal options. They do not anticipate ever burning in the future.

3. Speed Control Measures Update

The Town has received several complaints regarding speeding on E. Montezuma. The Mancos Marshal's Office has increased patrols in this area. There has also been an article submitted to the Mancos Times. Staff has installed two new signs at a cost of \$150 plus staff time. Staff is

also researching the purchase of a new radar speed trailer at a cost of \$7,200 to \$10,000 and the purchase of speed bumps to be installed at an approximate cost of \$1,000. Staff is still discussing whether the speed bumps will work on a gravel road. Trustee Queenie Barz advised that the article in the newspaper and the increased patrols have made a noticeable difference to date. She prefers the mobile radar trailer option to the speed bumps. She thanked the Marshal's Office for their efforts. Marshal Cox advised that \$4,950 in potential grant funds may be available beginning in September. The least expensive radar trailer is the Stalker at \$7,200, which includes a computer to allow for traffic counts, etc. Trustee Alan Rolston does not like the idea of the speed bumps. Trustee Queenie Barz would like to see a mobile radar trailer. The Board directed Town Administrator Andrea Phillips to apply for the mobile radar trailer grant in September.

I. NEW BUSINESS

4. Proposed Transaction Fee For Retail Marijuana

Staff is looking for direction from the Board as to the transaction fee amount for retail marijuana sales within the Town of Mancos. Town Administrator Andrea Phillips provided information to the Board for review and discussion. She is recommending a fee of \$2.00 per transaction effective January 1, 2015. Trustee James Maestas is agreeable to any amount under \$5.00. Trustee Michele Black agrees with the \$2.00 fee. The Board directed Town Administrator Andrea Phillips to move forward with drafting an ordinance, leaving the fee blank for future discussion.

5. Boyle Park Information Request

This item was continued from the last Board meeting on June 25, 2014. Boyle Park was deeded to the Town in 1919 with the following conditions: 1) Said land shall be kept up and maintained at all times as a public park forever; 2) Never be used for the manufacture or sale of intoxicating liquors; 3) Never be used for the operation of gambling institutions or gambling devices. Overnight camping was disallowed in March, 2001. The playground equipment was installed and the area behind Town Hall was blocked off as part of the park rehab in the early 2000's. Trustee Alan Rolston asked Parks and Recreation director about the spraying in Boyle Park. She advised the spray was for dandelions and thistle as well as fertilizer. He would prefer the Town not spray in the future. Trustee Will Stone inquired as to if there are any surveying tabs or monuments. He would like to see a survey completed to determine the exact boundaries of Boyle Park. He is also against the weed spray in Boyle Park. Town Administrator Andrea Phillips is requesting a motion from the Board if they wish to stop the weed spraying. Trustee Michele Black inquired as to if the Town should switch to organic forms of weed control. Trustee Alan Rolston would prefer to see a manure/mulch mix used to fertilize. Trustee Alan Rolston suggested contacting the Durango Parks & Recreation Dept. about their natural weed control efforts. The Board directed Staff to test the soil in Boyle Park for organic matter, research organic herbicide and fertilizer efforts, obtain quotes to survey the boundaries of Boyle Park.

6. Citizen Recognition Program

Town Administrator Andrea Phillips is requesting direction from the Board as to whether they want to bring back the citizen recognition program for 2014. Trustee Queenie Barz appreciates that the nominations come directly from the Board to the citizens. She would like to see the inclusion of businesses this year. Trustee Alan Rolston and Trustee James Maestas agreed. The Board directed Town Administrator Andrea Phillips to bring back the citizen recognition program including businesses with the winners being announced at one meeting per month to include one yard and one business from the northeast side of Hwy 160/184 beginning at the July 23, 2014 meeting.

7. Town Concrete Work & Hazardous Sidewalk 50/50 Program

The Town advertised for and received one bid from L&L Construction on the Sidewalk 50/50 program. The total project budget is approximately \$28,200. The Town included \$10,000 for the 50/50 matching program for 2014. Town Administrator Andrea Phillips is proposing the Town Board approve the use of the \$20,000 budgeted in the 2014 Capital Improvements Plan from the Streets Dept. vehicle purchase. Trustee James Maestas recused himself from the discussion. Trustee Alan Rolston made the motion to authorize Town Administrator Andrea Phillips to enter into contract with L&L Construction for concrete work in the Town of Mancos and allocate funds from the Hazardous Sidewalk 50/50 Matching Program and the streets capital fund for this purpose. Trustee Will Stone seconded the motion. Town Administrator Andrea Phillips inquired as to if a homeowner hires their own contractor, would we still offer the 50/50 match program. The Board advised that the participants in the project need to use the Town contractor. Trustee Michele Black does not want to see the money allocated for vehicle purchases in the Capital Improvement Fund used for anything other than that for which it was originally allocated. Motion passed unanimously by roll call vote.

8. Building Inspector Contract

Holly Rankin currently serves as Building Inspector and Code Enforcement Officer. Town Administrator Andrea Phillips submitted a revised renewal contract with the following changes: 1) Additional duties, per Appendix A. These are permissible per Chapter 16 of the Mancos Municipal Code; 2) Increase in hourly rate, to accommodate additional duties and recognition of certifications earned since original contract. Town Administrator Andrea Phillips has advised Holly Rankin that she needs to purchase Professional Liability Insurance under this new contract. Mayor pro tem Todd Kearns inquired as to if this contract allows Holly to hire employees to perform these duties. Her current hourly rate is \$20.00. Town Attorney David Liberman advised that all documents under her control revert to the Town if the contract terminates. Trustee Alan Rolston made the motion to approve the renewal of the revised contract for the Building Inspector not to exceed the 2014 budgeted amount. Trustee Queenie Barz seconded the motion. Motion passed unanimously by roll call vote.

9. Resolution 10 Series 2014 Reinstating the Burn Ban

Montezuma County has instituted a burn ban, therefore the Town of Mancos is reinstating our burn ban. Trustee Queenie Barz made the motion to approve Resolution 10 Series 2014 A Resolution Reinstating The Burn Ban On Open Fires Within The Town of Mancos. Trustee Michele Black seconded the motion. Motion passed unanimously by roll call vote.

10. 2014 Mancos Days Update

Mancos Days planning began in February with formation of a committee. The volunteer committee meets monthly and came up with this year's theme- "Valley of the Silver Mountains." Town Hall will be closed the Monday after Mancos Days. A current schedule of events has been posted on the Town website.

11. Administrator Update

Town Administrator Andrea Phillips submitted her July monthly update for Board review and comment. She included a press release regarding voluntary watering restrictions in the packet for Board review.

J. ITEMS FOR July 23, 2014 AGENDA

- *Public Hearing: Ordinance 689 Recreational Marijuana LUC (due to public hearing publishing deadlines, this item was moved from July 9)*

- *Second Quarter Financial Review and 2014 Work Plan Updates*
- *Pedestrian Crossing Discussion*
- *Creative District*
- *Board Strategic Planning Retreat-Report*
- *Airport Property Discussion*
- *Executive Session-Town Administrator Annual Review*

K. ADJOURNMENT

Meeting adjourned at 9:10 p.m.



Mayor pro tem Todd Kearns



Town Clerk/Treasurer Heather Alvarez