

**Town of Mancos
Board of Trustees Meeting
March 11, 2015
7:00 p.m.**

- A. CALL TO ORDER:** Mayor Rachael Simbeck called the meeting to order at 7:01 p.m.
- B. ROLL CALL:** Present: Mayor Rachael Simbeck, Trustee Queenie Barz, Trustee James Maestas, Trustee Will Stone, Trustee Michele Black
Absent: Mayor pro tem Todd Kearns, Trustee Matthew Baskin

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

- C. APPROVAL OF AGENDA:** Trustee Queenie Barz made the motion to approve the agenda. Trustee Michele Black seconded the motion to approve the agenda. Motion passed.
- D. APPROVAL OF MINUTES OF February 25, 2015:** Trustee Michele Black made the motion to approve the minutes of February 25, 2015 as written. Trustee James Maestas seconded the motion to approve the minutes. Motion passed.

E. AUDIENCE BUSINESS

- Christy Williams, 43290 Road J9 Loop, Mancos – offered to present a free mental health clinic in Mancos. She is a licensed clinical social worker, and she currently has a practice in Cortez. She is requesting Board support and would like a place to hold a clinic 4 – 8 hours per week. The Board is supportive of her use of the Community Center. Staff will work with her to outline a schedule.

F. ANNOUNCEMENTS

- Town Administrator Andrea Phillips advised that CML is holding the annual conference June 16 – 19 in Breckenridge this year.
- A citizen letter was submitted to the Board regarding Boyle Park.

G. TREASURER'S REPORT

Trustee Michele Black made the motion to approve the February Bills & Claims per signed purchase orders. Trustee Queenie Barz seconded the motion. Motion passed.

H. UNFINISHED BUSINESS

1. Community Center Flooring Decision

The Board budgeted \$8,000 for replacement of the community center flooring. The flooring is scuffed and buckling. The Board has discussed options ranging from commercial grade carpeting to laminate or vinyl planks to hard wood. The Board visited the Community Center on Wednesday March 4 before the workshop. Trustee Will Stone made the motion to approve the carpet/laminate

combination based on the quotation from House of Carpets. Trustee James Maestas seconded the motion. Motion passed unanimously by roll call vote.

2. Boyle Park Surveying and Title Research Quotes

Last month, the Board directed staff to get quotes for a Boundary survey and title research on Boyle Park. The rough estimate from one firm at that time was \$1,500. Per our purchasing policy, three quotes were sought. One firm declined to bid. Maness and Associates quoted \$2,275 plus \$195 for plat, not to exceed \$3,120. Huddleston Surveying quoted \$1,500 for surveying and up to \$2,000 for title work, not to exceed \$3,500. Trustee Will Stone would like to move forward with the survey. Mayor Rachael Simbeck is questioning whether the information will be used since this is not included in the 2015 budget. She invited Marshal Cox to speak on the traffic safety aspect. Marshal Cox agrees that pedestrian access can be improved at various locations around Boyle Park. He recommend against opening a street behind Town Hall due to traffic concerns. Mayor Simbeck inquired as to whether it's the will of the Board to make improvements to Boyle Park at this time. Trustee Queenie Barz would like to move forward with the survey. Trustee Will Stone made the motion to authorize Town Administrator Andrea Phillips to move forward with the survey process and include the title research on the two tracts of land listed on the deed. Trustee Queenie Barz would like the Town to contract with Maness and Associates. Trustee Will Stone amended his motion to include contracting with Maness and Associates. Trustee Queenie Barz seconded the motion. Motion passed unanimously by roll call vote.

3. Ordinance 695 Land Use Code Violations

Public Hearing opened at 7:45 p.m.

No one signed up to speak. Darrel Goode, representing 49 Square Ventures, spoke after the public hearing was closed. They run a minimum of 15 truckloads from Western Excelsior per day. He advised they enter/exit on Grand Avenue. He advised that Trustee Maestas has stopped his trucks requesting tarps in the past. He is requesting that future stops be completed by licensed law enforcement. Town Administrator Andrea Phillips advised that either her or her representative will have the authority to issue citations under these proposed ordinances. Mr. Goode reiterated that 49 Square Ventures is not a party to the current littering issue with Western Excelsior. Public Hearing closed at 7:46 p.m.

The purpose of this ordinance is to remove criminal penalties for violating the LUC. Instead of jail time as a possibility, violations would be a civil offense. This ordinance is a companion to proposed ordinances 697 and 696. An administrative citation procedure is being considered as an alternative and would allow the Town to cite violators for non-compliance. A hearing officer would be able to give fines of up to \$499.00 per violation per day. Planning and Zoning reviewed this draft ordinance and held a public hearing on January 21, 2015. They are in favor of decriminalizing land use code violations but would like to retain the possibility of criminal prosecution if a violator does not comply with the new administrative citation procedure. This is provided in Ordinance 697, which outlines the new administrative citation procedure. Mayor Rachael Simbeck noted a typo on page 2, section 4 "in additional" needs to read "in addition." Trustee Queenie Barz made the motion to approve Ordinance 695 Series 2015 An Ordinance Making Certain Text Amendments To Chapter 16 Of The Mancos Municipal Code Of The Town Of Mancos To Remove Criminal Penalties For Violations Of The Land Use Code And To Clarify Penalties For Such Violations. Trustee Michele Black seconded the motion. Motion passed unanimously by roll call vote.

4. Ordinance 696 Criminal Penalties For Violations

This ordinance pertains to all other sections of the code, other than Chapter 16. Mayor Rachael Simbeck requested clarification as to Section 2-4-80(a) the reference to a \$1,000.00 fine or jail up to one year. Attorney David Liberman explained that this is in relation to direct contempt in the courtroom in front of the Municipal Judge. With regard to Section 2-4-220, Mayor Rachael Simbeck inquired as to if phrase “the Board of Trustees, the Town Administrator or the Town Marshal” is acceptable to the Board. Trustee Queenie Barz made the motion to approve Ordinance 696 Series 2015 An Ordinance Making Certain Amendments To The Municipal Code Of The Town Of Mancos To Remove Certain Criminal Penalties And To Clarify Penalties For Certain Violations. Trustee James Maestas seconded the motion. Motion passed unanimously by roll call vote.

5. Ordinance 697 Administrative Citation Procedure

This ordinance relates to Ordinance 695 and 696 above and adds a new chapter for dealing with administrative citations. Trustee Queenie Barz made the motion to approve Ordinance 697 Series 2015 An Ordinance Adopting Chapter 19 Of The Mancos Municipal Code Concerning Administrative Enforcement Of The Mancos Municipal Code. Trustee Michele Black seconded the motion. Motion passed unanimously by roll call vote.

I. NEW BUSINESS

6. The Bud Farm Recreational Marijuana License

Public Hearing opened at 8:14 p.m.
No one signed up to speak.
Public Hearing closed at 8:14 p.m.

Willow North, LLC, dba The Bud Farm, has submitted the required application and supporting documentation for a retail marijuana store and cultivation license. The only item we are waiting for is the State issued license. The Mancos Marshal's Office has no objection to the license. Trustee Will Stone made the motion to approve the business permit conditional upon receipt of the State license. Trustee James Maestas seconded the motion. Motion passed by roll call vote with Trustee Michele Black voting against.

7. Leak Detection Study Quotations

The town estimates that it loses up to 30% of its treated water in its water distribution lines. More accurate metering and repairing leaking water lines are the best ways to decrease water leaks. In order to assess which lines are most at risk for leaks, a town-wide leak detection study is recommended. The town budgeted funds for this purpose in 2015. Staff applied for a grant through CDPHE for the leak detection study and to begin repairing and replacing the worst lines. The grant was not awarded. Three quotes were sought for this work. They range from \$4,428 to \$5,445. Town Administrator Andrea Phillips will confirm the range of the study, whether it covers main lines or includes service lines. Trustee James Maestas made the motion to authorize the Town Administrator to hire Utility Services Associates to conduct a town-wide water line leak detection survey in the amount of \$4,428. Trustee Queenie Barz seconded the motion. Trustee James Maestas amended his motion not to exceed \$7,500. Trustee Queenie Barz seconded the amended motion. Motion passed unanimously by roll call vote.

8. Financial Health Report

Clifton Larson Allen has completed the financial checkup for the Town. As a reminder, this was paid in its entirety through a grant from DOLA. The Town will pay \$3,500 and be reimbursed at 100%. Staff will be offering the Board suggestions and options to achieve the recommendations set forth in the fiscal checkup during the 2016 budget process. The Town of Mancos is also being offered the opportunity to obtain the assistance of a team which includes an engineer, architect and accounting firm to draft a five year capital improvement strategic plan. This plan will encompass all capital items in town, including infrastructure, buildings, streets, storm drainage, parks, etc. This team of professionals, in conjunction with Town staff, will develop a complete capital improvements plan encompassing the next five years. Currently, staff has a general idea of the needed capital improvements. We have various reports dating back 15 years offering some information. What we do not have is a current, comprehensive document provided by certified professionals to guide us in the decision making process each budget season. Staff is requesting Board direction as to if we should move forward with the grant application for the Capital Improvement Plan. The Board directed Staff to move forward with the Capital Planning Grant Application with DOLA.

9. Monthly Administrator Report

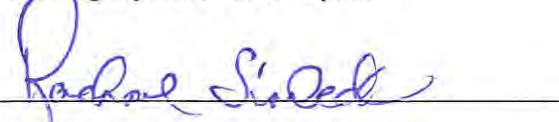
Town Administrator Andrea Phillips submitted her March Administrator Report for Board review and comment. To date, we have received no volunteers to Chair the Trails Committee. Judge Shaner presided over Municipal Court in March.

J. ITEMS FOR March 25, 2015 AGENDA

- *Organic Park Maintenance Recommendations*
- *Plans for Spring Town-Wide Cleanup*
- *Ordinance 694: Historic Preservation*
- *Presentation by Ken Charles on the Capital Asset Management Plan*

K. ADJOURNMENT

Meeting adjourned at 8:44 p.m.



Mayor Rachael Simbeck



Town Clerk/Treasurer Heather Alvarez