

**Town of Mancos  
Board of Trustees Meeting  
August 12, 2015  
7:00 p.m.**

**A. CALL TO ORDER:** Mayor Rachael Simbeck called the meeting to order at 7:02 p.m.

**B. ROLL CALL:** Present: Mayor Rachael Simbeck, Trustee Will Stone, Trustee Michele Black, Trustee Matthew Baskin, Trustee Queenie Barz entered the meeting at 7:26 p.m.  
Absent: Mayor pro tem Todd Kearns

Staff Present: Town Administrator Andrea Phillips, Town Clerk/Treasurer Heather Alvarez, Marshal John Cox, Public Works Director Robin Schmittel, Parks & Recreation Coordinator Leslie Hopkins, Town Attorney David Liberman was present via telephone

**C. APPROVAL OF AGENDA:** Trustee Will Stone made the motion to approve the agenda. Motion died for lack of second. Trustee Matthew Baskin made the motion to proceed with the announcements and presentation from Leadership Montezuma. He amended the motion to include audience business. Trustee Michele Black seconded the motion to approve the amended agenda. Motion passed.

**D. ANNOUNCEMENTS**

- Next monthly Board workshop is September 2 at 7:00 p.m. at Town Hall
- The multi jurisdictional grant to install the tower on Caviness Mountain was approved.
- Hwy 160 Planning Process is moving forward. There will be a presentation of initial concepts to the Board on September 9.
- There have been several meetings of the Backyard Farming Committee. Recommendations will be presented to the Board at a future meeting.
- The Water System Improvements Project is moving forward. The Boil Order has been lifted. The water shutoff on Monday was unavoidable as it was required to install the new valve at the intersection of Hwy 160/Hwy 184.

**E. PRESENTATION ON LEADERSHIP MONTEZUMA**

Jim Skvorc was unable to attend the meeting. Katrina Roberts, past co-president of Leadership Montezuma, presented information on the program to the Board. Leadership Montezuma is a two year program to build community relationships and positive future leadership. They are looking for support from the communities, especially Mancos. The organization will be applying for an agency contribution this year. Leadership Montezuma is currently accepting applications for the program.

**F. AUDIENCE BUSINESS**

- Richard Cart, Louisiana – currently living in Texas. He has been coming to Mancos for about 25 years. He commended the Board for what is happening in Mancos and thanked them for the wonderful time he has when visiting.

**G. APPROVAL OF MINUTES OF July 22, 2015:** Trustee Matthew Baskin made the motion to approve the minutes of July 22, 2015 as written. Trustee Will Stone seconded the motion. Motion passed.

**H. TREASURER'S REPORT: JULY BILLS AND CLAIMS**

Town Administrator Andrea Phillips advised there have been about \$30,000 in change orders for the Water System Improvements Project, but that amount is still within the project contingency. This month did include the first loan payment on the USDA loan for this project. This month also included the annual payment for the water/sewer bonds. Trustee Queenie Barz made the motion to approve the July bills and claims per signed purchase orders. Trustee Michele Black seconded the motion. Motion passed unanimously by roll call vote.

**I. APPOINTMENT OF BOARD MEMBER TO FILL VACANCY**

Darrel Ellis and Regina Roberts submitted letters of interest to fill the vacancy left by the resignation of James Maestas. Interviews were conducted:

- a) Why Does being on the Town Board interest you?
  - 1) **Ellis:** His wife served on the Board for several years. When the vacancy came available, he decided to run.
  - 2) **Roberts:** She has sat on the Board in the past. She currently sits on the Planning Commission. As a Trustee, she is able to direct the Town in a positive manner.
- b) Imagine you've been on the Mancos Town Board for 8 years. Looking back, what would you like to see the Town accomplish in that time?
  - 1) **Ellis:** He is interested in water issues, marijuana issues, and infrastructure issues.
  - 2) **Roberts:** She is interested in infrastructure, more businesses and attracting tourists. She would also like the Town to become less dependent on grants.
- c) Describe a situation where you worked with a team (fellow Board members) to accomplish a goal. What did you learn? Was the goal accomplished?
  - 1) **Ellis:** He is currently the Library Board president. They've learned to work together to find ways to eliminate the debt. He was also on the Water Board, which has given him the opportunity to use money in different ways. The greatest team of his life is his wife and 60 years of marriage. He has no agenda to bring to the Board.
  - 2) **Roberts:** Sitting on the Planning Commission, she has accomplished several items. The team has worked on the marijuana issue most recently. The different members bring different experiences which have taught her how to compromise.

The Board submitted their votes to the Town Clerk. Darrell Ellis received the most votes. Trustee Will Stone made the motion to appoint Darrell Ellis to the vacant seat. Trustee Michele Black seconded the motion. Motion passed. The Oath of Office was presented and Mr. Ellis took his seat at the Board table.

**J. UNFINISHED BUSINESS**

1. Ordinance 701: Marijuana Code Changes (First Reading)

The Board passed a moratorium on all new marijuana businesses within the Town limits, which was extended until December 31, 2015 to allow Town Staff and the Town Attorney time to review the existing code, streamline processes and implement any new legislation. Suggested changes were reviewed by the Planning Commission at their meeting on July 15, 2015. This ordinance does not include any mandates with regard to pre-treatment of the effluent before it enters our sewer system. Trustee Matthew Baskin would like to see language added to address this issue. Staff will research this issue and bring information to the next Board meeting. Trustee Queenie Barz inquired as to whether the Town will allow open grows for individuals. This ordinance addresses business licensing only, so a separate ordinance would need to be drafted to address this issue. Trustee Will Stone would like to either prohibit hydroponic growing or prohibit the waste from being dumped into the sewer system. This information will be brought to a future Board meeting. Mayor Rachael Simbeck brought up the water usage issue. Trustee Will Stone agreed that this is a high water usage industry. The Board discussed requiring any storefront operation, not necessarily a medical marijuana center or retail marijuana store, with a grow operation at the back of the building. After discussion, the language submitted in the ordinance was left as is. Staff will begin the process to draft an ordinance to amend Chapter 16 to reflect the changes in draft Ordinance 701. Prohibition on the sale of paraphernalia will be removed from Section 6-7-120(4).

**K. NEW BUSINESS**

2. Bubba's Real Texas BBQ LLC Liquor License Renewal

The liquor license for Bubba's Real Texas BBQ LLC will renew on August 26, 2015. George Bradley Jr. has submitted the renewal application to the Town for your review. There have been no violations in the past twelve months. The Mancos Marshal's Office has no objections to the renewal. Trustee Matthew Baskin made the motion to approve the liquor license renewal for Bubba's Real Texas BBQ LLC and authorized the Town Clerk to send the application to the State. Trustee Will Stone seconded the motion. Motion passed unanimously by roll call vote.

3. Letter of Support for Medicine Horse and Letters Policy

Trustee Michele Black recused herself as a Trustee as she was signed up to speak as a private citizen and employee of Medicine Horse. They are forming a coalition with many other area non-profits and businesses. Medicine Horse has asked for financial support towards a local match on a planning grant and a letter of support for the grant application. It does not commit the town to any financial support. They plan to apply for the annual agency contribution process. The Board directed Town Administrator Andrea Phillips to release the letter of support to Medicine Horse.

Staff would like direction on how to handle future requests for letters of support. These come in throughout the year. When organizations request financial support, they are directed to the annual agency contribution process in the fall. Town Administrator Andrea Phillips is requesting direction from the Board as to if they want to see all letters of support before she releases them to the requesting agency. The Board requested all letters of support be submitted to them for review before they are released. The requesting agency may but is not required to appear before the Board when requesting a letter of support.

4. Capital Asset Inventory Project Proposals and Grant Application

The Town completed a Fiscal Checkup earlier this year which was fully funded by DOLA through

their administrative grant program. The next step in this process is a Capital Inventory Planning grant. The Town has published an RFP, and we received bids from four qualified companies. After consultation with Ken Charles at DOLA, Staff is recommending the Board approve SGM as the chosen contractor for this project, contingent upon receiving 100% grant funding through DOLA's EIAF program. Although they are not the least expensive bid, we feel they are the most qualified firm for this type of project. An EIAF grant application is also attached for your information. We would like to submit this application to DOLA requesting funding in full in the amount of \$73,500 as a Tier I grant. This means the Town would have no cash match associated with this project. Trustee Matthew Baskin made the motion to approve SGM as the chosen engineer for the Capital Planning Project, contingent upon 100% grant funding through DOLA's EIAF program; authorize the Town Clerk/Treasurer to submit the EIAF grant application to DOLA and sign the official documents upon award of grant. Trustee Will Stone seconded the motion. Motion passed unanimously by roll call vote.

5. Tree Removal Bids

The hazardous tree 50/50 program was created to assist property owners in this work, as safe and healthy trees in the right of way are a public benefit as well as a private benefit. Last year the Board removed the cap of \$1,000 for the matching program to assist a property owner with an expensive removal of a large cottonwood tree in the public right of way. Quotes for the second tree at that location to be removed are a minimum of \$3,500. The town's half would be \$1,750.00 to remove the resident's tree located on S. Main St. The Town received three quotes. The lowest quote is Southwest Certified Arborists in the amount of \$5,285 of which the Town would be responsible for \$3,420. This would include removing a tree on S. Main/E. First St., removing the resident's tree on S. Main St., and removing trees in Cottonwood Park. Funds are budgeted in the Conservation Trust Fund for work at Cottonwood Park. Trustee Queenie Barz made the motion to authorize the town to award the bid to Southwest Certified Arborists for tree removals and work in the Cottonwood Park picnic area and removal of two trees in the public ROW and remove the cap for 2015 on the hazardous tree 50/50 program. Trustee Michele Black seconded the motion. Motion passed unanimously by roll call vote.

6. Administrative Citation Process

Town Administrator Andrea Phillips submitted the newly drafted Administrative Citation Process with supporting forms based on the Board's approval of Ordinances 695, 696 and 697 for Board review and discussion. The Board requested the following:

- a) Defining "health and safety emergencies" and clarifying "each day the property remains in violation..." to avoid confusion on the part of the public. Town Attorney David Liberman will review and notify Town Administrator Andrea Phillips.
- b) The first notification letter sent to residents will be amended to include notification that Staff will follow up within 30 days.
- c) The word "inspection" will be removed from the letter.
- d) If a citizen is over 60, there are funding opportunities available to assist with this issue. Town Administrator Andrea Phillips will research this issue.

This item will be brought back to a future Board meeting.

7. Monthly Administrator Report

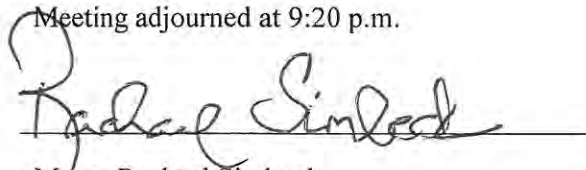
Town Administrator Andrea Phillips submitted her August monthly report for Board review and discussion. With regard to the APEN permit for Western Excelsior, Concerned Residents of Riverside have requested the Board send a thank you notice to the State for allowing a Public Comment period. The next budget discussion will be held during the September 2 Board workshop.

**L. ITEMS FOR August 26, 2015 AGENDA**

- *Ordinance 701*
- *ATV Discussion*

**M. ADJOURNMENT**

Meeting adjourned at 9:20 p.m.

A handwritten signature in cursive script, appearing to read "Rachael Simbeck", written over a horizontal line.

Mayor Rachael Simbeck

A handwritten signature in cursive script, appearing to read "Heather Alvarez", written over a horizontal line.

Town Clerk/Treasurer Heather Alvarez