

**Town of Mancos
Board of Trustees Meeting
October 28, 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, Mayor pro tem Todd Kearns, Trustee Will Stone, Trustee Michele Black, Trustee Darrel Ellis, Trustee Matthew Baskin, Trustee Queenie Barz

Staff Present: Town Administrator Andrea Phillips, Town Clerk/Treasurer Heather Alvarez, Public Works Director Robin Schmittel, Marshal John Cox, Town Attorney David Liberman

C. APPROVAL OF AGENDA: Trustee Michele Black made the motion to approve the agenda as written. Trustee Darrel Ellis seconded the motion to approve the agenda. Motion passed.

D. APPROVAL OF MINUTES OF October 14, 2015: Trustee Queenie Barz made the motion to approve the minutes of October 14, 2015 as written. Trustee Michele Black seconded the motion. Motion passed.

E. AUDIENCE BUSINESS

None

F. ANNOUNCEMENTS

- Trustee Queenie Barz announced the VFW will have a meet and greet on the first Thursday of each month from 5 – 7 p.m. which is open to the public.
- Trustee Queenie Barz asked that the Town citizens fly their flags on Veteran's Day.
- Trustee Queenie Barz advised on November 6 will be the Hospice Pancake Supper from 5 – 7 p.m. at the Annex Center in Cortez.
- Town Administrator Andrea Phillips advised the parking lots have been sealed at Boyle Park and Pioneer Plaza. Town Staff will stripe the parking lots. The Water System Improvement Project is almost complete.
- The November Board Workshop on November 4 will include a joint discussion with the Mancos Chamber regarding economic development partnerships.

G. PROCLAMATION FOR NATIONAL HOSPICE & PALLIATIVE CARE MONTH

Mayor Rachael Simbeck read the Proclamation for National Hospice and Palliative Care Month for November, 2015.

H. UNFINISHED BUSINESS

1. Clean Power Plan Discussion

Chip Tuthill, 849 Riverside Ave., Mancos presented information on the Clean Power Plan. The Clean Power Plan is a federal mandate to states to reduce emissions from coal-burning power plants

over the next 15 years. Each state must come up with its own plan for achieving compliance by 2030. On November 9, 2015 from 4:30 - 6:00 p.m. Fort Lewis College will be hosting a presentation. Mr. Tuthill has requested the Board consider issuing a letter of support for the Clean Power Plan and objection to the lawsuit filed by the Colorado Attorney General. Town Attorney David Liberman advised that writing a letter of support won't adversely affect the Town. After discussion, the Board directed Town Administrator Andrea Phillips to draft and send a letter of support for the Clean Power Plan and objecting to the lawsuit filed by the Colorado Attorney General.

2. Backyard Farming Recommendations

A group of volunteers has been meeting since July to discuss aspects of raising animals in town for food or food products. Town Administrator Andrea Phillips thanked the volunteers: Celeste Aureorean, Kevin Cook, Randy Smith, Patty Harpham, Tim Stubbs and Janet Wilson. Members of the group represented different viewpoints on raising animals; which represent the span of views on this issue. Recommendations from the group were included in the Board packet.

- Kevin Cook, 257 S. Main, Mancos – he was pleased to see the number of responses to the anonymous survey. He commented about the extreme interest of the members of the committee and self-appointment of committee members. He feels individual points of view were represented rather than the survey results. He requested the Board consider the survey results when making decisions.
- Celeste Aureorean, 646 Riverside, Mancos – she discussed the number of chickens proposed by the committee. She discussed the range of chickens being considered and the process involved if a chicken owner loses chickens for any reason. As an example, if she purchased 25 chickens at her residence, each chicken would have over 300 square feet of space. She is requesting the Board consider the high end of the committee recommendations with regard to chickens.

Trustee Will Stone had several comments: 1) he would like to see an allowance for milk cows and milk goats versus cattle; 2) not allowing roosters will not allow for self-sufficiency as the poultry won't be able to reproduce; 3) he is concerned about the role of the Town with regard to enforcing animal care; 4) he would also like to allow the temporary stay to include recovering animals until they are out of danger or something similar; 5) with regard to nuisance conditions, he requested the word "city" be changed to "town"; 6) with regard to "leash" he would like to see "restrained" or "harnessed" or something similar; 7) with regard to odor, how will the Town decide what is offensive? What is offensive to one person may not be offensive to another person; 8) with regard to the amount of waste, who decides how much is too much? This generated discussion by Trustee Michele Black who stated that she feels she needs to be respectful of her neighbors as well; 9) with regard to the sale of animal products, he requested the rental of animals also be allowed. Trustee Matthew Baskin had several comments: 1) too much discussion doesn't accomplish anything after a time; 2) with regard to slaughter/butchering an animal over 100 pounds would exclude elk or deer during hunting season; 3) he inquired as to why turkeys and ducks weren't included with fowl; 4) with regard to setbacks, 20 – 25 feet may be reasonable; 5) he would like to see more than six hens be allowed. Celeste Aureorean advised that the committee chose to exclude ducks and turkeys due to the possible noise factor. Trustee Michele Black inquired as to if the aquaculture process will be allowed to drain to the sewer system as she feels this should not be allowed. Mayor pro tem Todd Kearns agreed with Trustee Michele Black. Public Works Director Robin Schmittel advised that unless the wastewater treatment plant is receiving massive amounts of organic materials, there

won't be adverse effects to the plant. Kevin Cook stated that the committee was in agreement that just because a citizen has the space, the citizen should not be allowed to have whatever animals they like. Celeste Aureorean commented that according to the proposed guidelines, she would only be allowed to have her chickens in a space at the back of her yard. She feels her current situation is working. Trustee Darrell Ellis stated it comes down to whether or not his neighbor complains. At that time, it's up to the Marshal to deal with the situation. He feels that the nuisance wording proposed by the committee is very specific and should be able to be handled by the Town Marshal. Mayor Rachael Simbeck made the following comments: 1) the slaughter/butcher issue needs to be addressed; 2) the nuisance to neighbor issue should be addressed; 3) can there be a process included for exceptions to these recommended guidelines with regard to existing non-conforming lots. Tim Stubbs suggested that with regard to livestock to refer that to the existing special use permit guidelines which include approval of neighbors. Trustee Darrel Ellis commented on the subjective nature of the comments in the survey. The Board directed Town Administrator Andrea Phillips to move forward with a draft ordinance concurrent with review of our existing code. The Board thanked the volunteers who worked on this topic.

3. Ballot Language: Bills & Claims Posting

Staff is requesting Board direction as to whether we should spend funds on attorney fees to research and draft the following ordinances and ballot language:

1. *Shall the Town of Mancos, Colorado, provide an alternative method for distributing of information relating to the payment of bills by posting the monthly information on the town's website, in accordance with Section 31-20-202, Colorado Revised Statutes, instead of publishing them in the newspaper, thereby substantially reducing the costs incurred in the publication of such information with the monthly listing of the payment of bills to be made available through the Mancos Town Hall and on the town's official website? On average, we spend about \$180 per month publishing bills and claims in the newspaper. This information is also currently published on our website.*

Trustee Darrel Ellis would prefer the newspaper publication continue for the senior citizens. Trustee Michele Black agrees with Trustee Ellis. Mayor Rachael Simbeck commented that the Town should support The Journal. The Board directed Staff not to place this issue on the ballot.

4. Trustee & Mayor Monthly Compensation

After discussion at several Board workshops, Staff is requesting direction from the Board with regard to increasing the monthly compensation for the Mayor and Trustees elected during the April 2016 municipal election. Staff is also requesting direction as to if the Board wishes to institute monthly compensation for the Planning Commission. Currently, the Mayor is paid \$250 per month, Trustees are paid \$150 per month each and the Planning Commission serves with no compensation. Trustee Will Stone recommended the Mayor be increased to \$500/month and Trustees to \$200/month. Mayor Rachael Simbeck suggested the compensation be allocated per meeting. Trustee Queenie Barz originally proposed a potential increase in compensation and suggested an increase to \$300 for the Mayor, \$200 for the Trustees and \$50 for Planning Commission members. Mayor pro tem Todd Kearns commented that he prefers either no increase or a slight increase. Trustee Matthew Basking agrees with Trustee Queenie Barz. After further discussion, the Board directed Staff to draft an ordinance increasing the Mayor compensation to \$300/month, Trustee compensation to \$200/month and regular Planning Commission members to \$50/month. An ordinance will be brought to a future meeting.

5. Facilitation Appointee from the Board

The Town and Western Excelsior are splitting the cost to hire a trained facilitator to develop an agreement using a community problem solving process. Town Administrator Andrea Phillips is requesting the Board appoint two members from the Town Board and/or staff to serve on the committee. Trustee Darrel Ellis volunteered. Mayor pro tem Todd Kearns made the motion to appoint Town Administrator Andrea Phillips and Trustee Darrel Ellis to represent the Town on the Particulate Matter Reduction committee. Trustee Will Stone seconded the motion. Motion passed.

I. NEW BUSINESS

6. Millwood Junction Liquor License Renewal

The liquor license for Millwood Junction will renew on December 13, 2015. Roma Riffel has submitted her renewal application to the Town for your review. There have been no violations in the last twelve months, and there are no objections from the Mancos Marshal's Office. Trustee Queenie Barz made the motion to approve the Millwood Junction Liquor License Renewal. Trustee Matthew Baskin seconded the motion. Motion passed unanimously by roll call vote.

7. Backup Generator At Water Treatment Plant

The Town has been discussing the need for backup power at the water treatment plant in case of an emergency. The original budget was \$30,000 for wiring and purchase of a generator. The cost of the wiring was approximately \$10,000. An RFP was published, and two bids were received. The lowest responsible bid was 4 Corners Power Generator Service & Repair. The total cost, delivered and installed, is \$39,614.40. Trustee Matthew Baskin made the motion to purchase Blue Star generator unit model JD80-20-kWe Prime for backup power at the water treatment plant from 4 Corners Power Generator Service & Repair. Mayor pro tem Todd Kearns seconded the motion. Trustee Queenie Barz commented on the short length of the warranty at only one year or 1,500 hours. Staff will attempt to negotiate a better warranty. Motion passed unanimously by roll call vote.

8. Cottonwood Park GOCO Grant Application

Staff is working on a min-grant application to Great Outdoors Colorado for basic improvements to Cottonwood Park. At this time, the project cost is unknown, although \$60,000 is the maximum allowed under this grant program. Staff plans to request the addition of several amenities in the grant application. Staff is requesting direction as to if the entire park should be designated as off leash with regard to dogs or if a fenced area should be erected to allow off leash dogs. Trustee Queenie Barz is concerned about dog waste with regard to festivals held in Cottonwood Park. Mayor Rachael Simbeck commented that the fencing should be attractive. She also commented that during festivals, dogs should not be allowed. Trustee Michele Black is in favor of an off leash dog park, but she would prefer to hear additional input from citizens. Mayor pro tem Todd Kearns commented that past public input has indicated the preference to keep Cottonwood as an open space park. Trustee Darrel Ellis commented that just today he saw two dogs off leash at the park, so he would prefer a fenced area within the park be designated as off leash rather than the entire park. Trustee Will Stone would like to see Cottonwood designated as an off leash dog park. The Board directed Town Administrator to move forward with the grant application. The off leash dog issue will be added to a future agenda to allow for additional public input.

9. November Board Meetings

The November meetings for the Board of Trustees are scheduled for November 11 and November 25. November 11th is Veteran's Day and November 25th is the day before Thanksgiving. In years past, the Town Board has canceled the second meeting of the month in November. After discussion, the Board directed Staff to move the first Board meeting to Tuesday, November 10 at 7:00 p.m. The November 25, 2015 Board meeting will be discussed at the November 10 Board meeting.

After the Board meeting discussion, The Board directed Town Administrator Andrea Phillips to draft a letter to the County Commissioners regarding County Road J and Spruce Street.

I. ITEMS FOR November 11, 2015 AGENDA – meeting moved to November 10, 2015

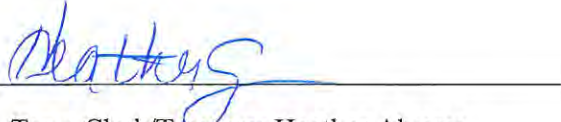
- *Off Leash Dog Park Discussion*
- *November 25 Board Meeting Status*
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J. ADJOURNMENT

Meeting adjourned at 9:28 p.m.



Mayor Rachael Simbeck



Town Clerk/Treasurer Heather Alvarez