

**TOWN OF MANCOS**  
**BOARD of TRUSTEES WORKSHOP**  
**February 22, 2023 6:00 P.M.**  
**Workshop – Mancos School Board**  
**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.

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**BOARD of TRUSTEES MEETING**  
**February 22, 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 February 8, 2023
- F. Audience Business
- G. Announcements
- H. Committee Reports
  - Montezuma County Commissioner Update
  - Montezuma County Planning Commission Update
  - Region 9
  - CDOT TPR
- I. Discussion and Action Items
  - 1. Town of Mancos Financial Policies Update
  - 2. Resolution 5 Series 2023: Colorado Open Records Act Update
  - 3. Design Review Guidelines Discussion
  - 4. Grant Discussion
- J. Executive Session for a conference with the Town Attorney for purposes of receiving legal advice on specific legal questions under C.R.S Section 24-6-402(4)(b) and to determine position relative to matters that may be subject to negotiations; develop strategy for negotiations; and instructing negotiators under C.R.S. Section 24-6-402(4)(e) with regard to the violation at 422 Grand Ave.
- K. *Items for March 8, 2023 Agenda*
  - *Joint Meeting with Mancos Creative District (workshop)*
  - *Roadmaps To Recovery Presentation*
  - *February Bills & Claims*
  - *Event Procedure Discussion/Adoption*
  - *Swear in Brent McWhirter*
- L. Adjournment

**TOWN OF MANCOS**  
**BOARD of TRUSTEES MEETING**  
**February 8, 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 Nick Manning, Trustee Richard Tokar
- Absent:** Trustee Janice Bryan, Trustee Ed Hallam
- Staff Present: Town Administrator Heather Alvarez, Marshal Justen Goodall, Public Works Director Terry Jennings,
- D. APPROVAL OF THE AGENDA:** Trustee Richard Tokar made the motion to approve the agenda as presented by staff. Trustee Nick Manning seconded the motion. Motion passed.
- E. APPROVAL OF THE MINUTES:** Trustee Nick Manning made a motion to approve the minutes from January 25, 2023. Trustee Richard Tokar seconded the motion. Motion passed.
- F. AUDIENCE BUSINESS:**
- None
- G. ANNOUNCEMENTS:**
- We are providing letters of support to Montezuma County and the Chamber for the OEDIT Economic Development grant.
  - February 15 at 6:00 p.m. – joint workshop with the Planning Commission
  - February 21 at 6:00 p.m. – Elizabeth Garvin and Gabe Preston to discuss Affordable Housing Strategies for DOLA grant
  - February 22 at 6:00 p.m. – joint workshop with Mancos School Board
  - The RV at the P&D should be gone by next week
- H. TREASURER’S REPORT – JANUARY BILLS & CLAIMS**
- Mayor pro tem Cindy Simpson made the motion to approve the January bills & claims as presented by staff. Trustee Nick Manning seconded the motion. Motion passed.
- I. COMMITTEE REPORTS**
- Montezuma County Commissioner Update – no report

- Montezuma County Planning Commission Update – meeting 2/9/2023
- Region 9 – continue to work on fiber, waiting to hear back on NIST grant, affordable housing discussions continue
- CDOT TPR – no report, meeting 2/9/2023

**J. ACTION AND DISCUSSION ITEMS:**

1. Appoint Trustee to Fill Vacancy

Mayor pro tem Cindy Simpson made the motion to appoint Brent McWhirter to fill the vacant position until the 2024 General Town Election. Trustee Richard Tokar seconded the motion. Motion passed unanimously by roll call vote. Brent McWhirter joined the Board of Trustees at the dais.

2. Appoint Trustee Liaison to Planning Commission

Trustee Richard Tokar made the motion to appoint Nick Manning as the Trustee liaison to the Planning Commission. Trustee Brent McWhirter seconded the motion. Motion passed unanimously by roll call vote.

**K. Special Workshop Affordable Housing Land Use Code Update Discussion – February 21, 2023 6:00 p.m.**

**L. Items for February 22, 2023 Agenda**

- Joint Meeting with Mancos School Board (workshop)
- Financial Policy Update (tentative)
- Event Procedure Discussion/Adoption

**M. ADJOURNMENT**

Trustee Richard Tokar made the motion to adjourn the meeting at 7:21 p.m.

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Mayor Queenie Barz

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Town Administrator Heather Alvarez

# ***STAFF REPORT***

To: Honorable Mayor and Board of Trustees  
From: Heather Alvarez, Town Administrator  
Date: February 22, 2023  
Re: Financial Policy Update

## **Recommendation**

If Board is inclined – motion to approve the updated Financial Policies for the Town of Mancos including the red-line track changes

## **Background/Discussion**

These policies were originally adopted by the Board of Trustees in 2005. They were revised in 2009 and 2013.

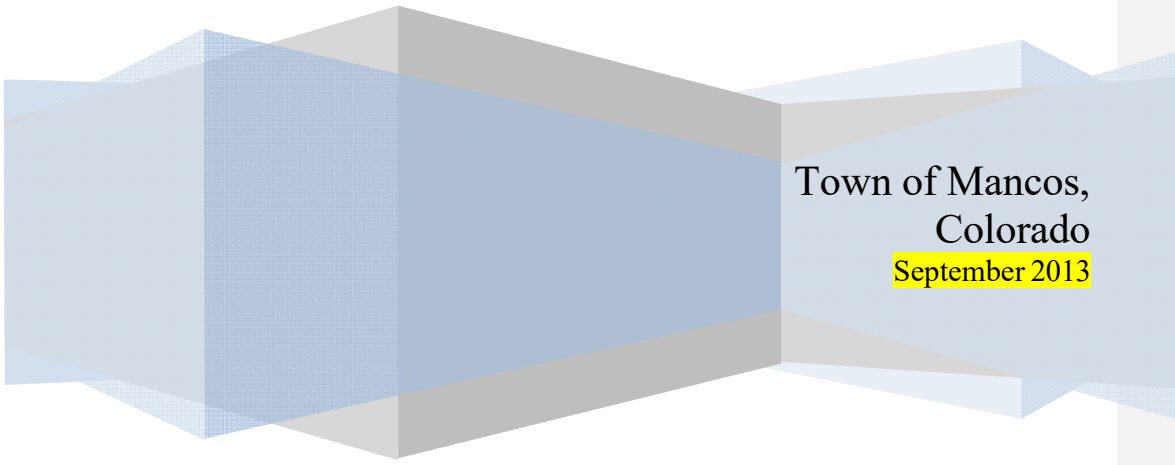
Included in this final version are the items discussed at the February 8, 2023 workshop. The investment policies were sent to our auditor, but I have not received a response at this time.

## **Attachments**

Red Line Updated Financial Policies

# Town of Mancos

Fiscal Policies



Town of Mancos,  
Colorado  
September 2013

## **Town of Mancos Fiscal Policies**

### **PURPOSE**

The purpose of the Town of Mancos Fiscal Policies is to set guidelines for the management of the fiscal affairs of the Town. The policies will commit the Town to calculating specific information about the Town's current fiscal condition, past and future trends, and provide guidelines for making fiscal decisions and assure that the Town of Mancos continues to pursue a financially prudent, yet progressive, course. These policies may be amended at any time by Board of Trustees.

### **INTRODUCTION**

The Town of Mancos is an organization charged with providing a wide range of services (i.e. elections, water, sewer, drainage, streets, planning, engineering, law enforcement, parks, recreation, etc.). Revenues to support these services are created within and from the community. The Town's Fiscal Policies have been written in order to help the Town of Mancos provide services in a prudent yet progressive manner, within the bounds of available revenues.

## **General Policies**

### Policy 1

The Town of Mancos (hereafter “Town”) and its elected representatives, staff, and contracted professionals shall abide by the policies set forth in this document. This document shall serve as a general guiding document when dealing with matters concerning fiscal policy, budgeting, and financial planning.

### Policy 2

The Town shall ~~maintain an accurate~~~~annually~~ inventory all of its Capital facilities and equipment, estimating their remaining useful life and replacement cost. This shall include, but is not limited to, streets, drainage facilities, buildings, parks, water system, alleys, sidewalks and curbs, office equipment, heavy equipment, vehicles and traffic devices. Staff shall review and update annually.

### Policy 3

As a provider of public services, the Town will seek to provide only public services which citizens require or support.

### Policy 4

The Town will take positive steps to improve the productivity of its programs and employees, and seek ways to eliminate duplicating functions within the Town government.

### Policy 5

Although the Town will finance projects on a pay-as-you-go basis, the Board may conclude, based on a study of the economy and other matters, that the most equitable way of financing a project that benefits the entire community will be debt financing in order to provide the services in a timely manner.

### Policy 6

During the annual budget process, the Town will reassess services and service levels. The Board may seek citizen input by surveys, citizen forms and similar methods for this evaluation.

## **Debt Policies**

### Policy 7

The Town will not use long-term debt to finance operations. Long-term borrowing will be confined to capital improvements or similar projects with an extended life which should not be financed from current revenues

### Policy 8

Debt payments shall not extend beyond the estimated useful life of the project being financed. The Town will keep the average maturity of general obligation bonds at or below twenty (20) years.

### Policy 9

The Town will maintain good communications with bond rating agencies concerning its financial condition.

### Policy 10

Total general obligation debt will not exceed three percent (3%) of the actual value of the taxable property within the Town. Total enterprise fund debt will not exceed (5%) of the actual value of the taxable property within the Town.

### Policy 11

The Town will utilize lease purchasing only in the case of financial need or when lease rates are so economical that it makes good financial sense to match cash flows with the useful life of the item being purchased. Leasing shall require the specific approval of the Board of Trustees. If lease purchasing is approved by the Board, the useful life of the item must be equal to or greater than the length of the lease. Debt service cost should be noted.



## Revenue Policies

### Policy 12

The Town will try to maintain a diversified revenue system to protect it from short-run fluctuations in any one revenue source.

### Policy 13

State and Federal funds may be utilized by the Town, but only when the Town can be assured that the total costs and requirements of accepting funds are known and judged not to adversely impact the Town's funds.

### Policy 14

The Board of Trustees policy is that utility user charges will be established so that the operating revenues are at least equal to the direct and indirect operation costs. Indirect costs will include the cost of annual depreciation of capital assets and administrative costs.

### Policy 15

~~The Town will set fees for recreational services at a level to support the minimum costs associated with providing youth and adult recreation activities. The Board may adjust these fees as they see necessary for the betterment of the recreation department and the community.~~

### Policy 156

The Town will annually review all fees for licenses, permits, fines and other miscellaneous charges. The Board of Trustees may, as necessary after considering inflation, processing time, expenses to the Town, and any other factors pertinent to the specific item, increase these fees.

### Policy 167

Non-sufficient funds checks will be assessed a collection charge. The amount of collection charge may be reviewed and changes as deemed necessary by the Town Clerk/Treasurer with the approval of the Town Administrator. At a minimum, the charge shall cover the costs incurred by the Town.

### Policy 178

The Town will project revenues for the next five (5) years and will update this projection annually. Each existing and potential revenue source will be re-examined annually.

### Policy 189

Revenue projections will include estimated operating costs of future improvements that are included in the Capital Improvement Program Budget.

### Policy 1920

Utility capital revenues will not be used to pay for operating expenses. They will be used solely for utility improvements and system expansion. The Town reserves the right to utilize such funds in a flexible but responsible manner.

### **Operating Budget Policies**

#### **Policy 201**

The Town will maintain a budgetary control system to help it adhere to the budget. The Town Staff will prepare monthly status reports and quarterly financial reports comparing actual revenues and expenditures to budgeted amounts. Quarterly reports to the Board will be used to develop performance measures to be included in the annual operating budget, where practical.

#### **Policy 212**

The Town will provide for adequate maintenance of capital plant and equipment for their orderly replacement. Fixed assets will be acquired and disposed of only upon proper authorization and will be adequately safeguarded and insured. Please see attached Capital Assets Policy.

#### **Policy 223**

The Town will strive to pay prevailing market rates of pay to its employees. Prevailing market rate is defined to include both salary and fringe benefits.

#### **Policy 234**

The Town should not incur an operating deficit. Revenues and beginning fund balance should always be greater than expenditures.

#### **Policy 245**

The Town will pay for all operational expenditures with current revenues and available Fund Balances.

### **Administrative Transfer Fee**

#### **Policy 256**

The Administrative Transfer Fee is a payment from the Enterprise Funds to the General Fund for services provided by the General Fund for services provided by the General Fund. The amount of each year's transfer fee will be based on the estimated General Fund expenditures that are Enterprise Fund related.

#### **Policy 267**

The Town Enterprise Funds may, in the future, be required to pay the General Fund a franchise fee for the utilization of public streets and rights of way. The fee would be a percent of the operating budget year projected revenues.

### **Reserve Policies**

#### **Policy 278**

The Town shall establish reserve funds to pay for needs caused by unforeseen events. The reserve shall exist to address the following four events:

1. CATASTROPHIC RESERVES – to provide limited emergency funds in the event of natural or man-made disasters;
2. OPERATIONAL RESERVES – to provide additional funds for limited unexpected service needs;
3. LIQUIDITY RESERVES – to provide limited funds to smooth fluctuations in revenues caused by changes in economic conditions. A minimum of three percent (3%) of the general fund operating budget shall be held in such reserve;
4. AMENDMENT ONE – to provide the required three percent (3%) of one year’s budget as required by Amendment One. This reserve may overlap with item #3.

To accomplish the above goals, a minimum reserve shall be set aside in each fund as follows:

	Minimum Reserve	Suggested Reserve
General Fund	3%	10%
Water Fund	3%	10%
Sewer Fund	3%	10%
Conservation Trust Fund	No requirement	5%

It should be noted, that the above reserves are for operational purposes and do not include the minimum eight percent (8%) set-aside for Capital Improvements, as indicated in Policy #34.

## **Capital Improvements**

### Policy 289

The Town will make all capital improvements in accordance with an adopted five-year capital improvement program and an annual capital improvement budget. This document may be updated from time to time, as the need arises.

### Policy 2930

The Town will develop a multi-year plan for capital improvements and update it annually.

### Policy 304

The Town will enact an annual capital budget based upon the Capital Improvements Program. This capital budget will be coordinated with the operating budget. The Town of Mancos will require that project costs be submitted with capital projects requests. "Full Life" costs including operating, maintenance, and demolition, if any, should be listed.

### Policy 312

The Town will project its equipment replacement and maintenance needs for the next several years and will update this projection each year. From this projection, a maintenance and replacement schedule will be developed and followed.

### Policy 323

The Town will maintain all its assets at a level adequate to protect the Town's capital investment and to minimize future maintenance and replacement costs.

### Policy 334

The Town will set aside a minimum of eight percent (8%) of annual revenues in each fund for future capital improvements. A separate Capital Improvement Fund has been set up for the purpose of providing adequate and sustainable funding for the program. Set asides from the Water and Sewer Enterprise Funds may only be used for capital improvements pertaining to water and sewer systems.

## **Investment Policies**

### Policy 345

#### I. Overview

The following Investment Policy addresses the methods, procedures and practices which must be exercised to ensure effective and judicious fiscal and investment management of the Town's funds. This Investment Policy shall apply to the investment management of all financial assets and funds under control of the Town, except for the retirement and pension funds of the Town. All cash, except for certain restricted funds, shall be pooled for investment purposes. The investment income derived from the pooled investment account shall be allocated to the General Fund and to those Town accounts that have contributed to the pooled funds based on the proportion of their respective average balances relative to the total pooled balance.

This Investment Policy complies with the various regulatory requirements under which the Town operates.

## II. Investment Objectives

All funds which are held for future disbursement shall be deposited and invested by the Town in accordance with Colorado State Statutes, the Home Rule Charter, Chapter 25 "Investments" of the Code of the Town of Mancos and any ordinances and resolutions enacted by the Town Board in a manner to accomplish the following objectives:

- a. Safety. Safety of principal is the foremost objective of the investment program. Investments will be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, the Town of Mancos will diversify its investments by investing funds among a variety of securities with independent returns.
- b. Liquidity. The investment portfolio will remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated.
- c. Return on Investments. The investment portfolio will be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints for safety and liquidity needs.

## III. Delegation of Authority

Under Section 4-2-10 of the Code of the Town of Mancos, Colorado, the Town Treasurer shall have the authority to conduct investment transactions. The Town Treasurer has the responsibility of administering this investment policy. Other members of the Town's finance staff may be appointed to assist the Treasurer in the cash management, treasury or investment function. The Town's external auditors will periodically review the compliance of the cash, treasury, and investment management practices with this Investment Policy.

The Treasurer may engage the support services of outside professionals, so long as it can be demonstrated that these services produce a net financial advantage and necessary financial protection of the Town's resources. Such services may include engagement of financial advisors in conjunction with debt issuance, portfolio management support, special legal representation, third party custodial services, and appraisal of independent rating services.

## IV. Prudence

The standard of prudence to be used for managing the Town's assets is the "prudent person standard" which states, "fiduciaries [...] shall exercise the judgment and care, under the circumstances then prevailing, which [a person] of prudence, discretion, and intelligence exercise in the management of the property of another, not in regard to speculation but in regard to the permanent disposition of funds, considering the probable income as well as the probable safety of capital." (C.R.S. § 15-1-304, Standard for Investments).

The Town's overall investment program shall be designed and managed with a degree of professionalism that is worthy of the public trust. Mancos shall recognize that no investment is totally riskless and that the investment activities of Mancos are a matter of public record. Accordingly, Mancos recognizes that occasional measured losses may occur in a diversified portfolio and shall be considered within the context of the overall portfolio's return, provided

that adequate diversification has been implemented and that the sale of a security is in the best long-term interest of the Town.

The Town's Treasurer or other authorized investment personnel acting in accordance with written procedures and this Investment Policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided that the deviations from expectations are reported in a timely fashion to Mancos's Town Manager and appropriate action is taken to control adverse developments.

#### V. Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall adhere to the Town's Code of Ethics and shall not engage in personal business activity that could conflict with proper execution of the investment program, or that could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the Town Manager any material financial interest in financial institutions that conduct business with the Town, and they shall further disclose any large personal financial/investment positions that could be related to the performance of the Town's portfolio. Employees and officers shall subordinate their personal investment transactions to those of the Town particularly with regard to the timing of purchases and sales. The Town's current Code of Ethics is on file in the Town Clerk's office.

#### VI. Eligible Investments and Transactions

All investments will be made in accordance with the Colorado Revised Statutes, as amended: C.R.S. § 11-10.5-101, et seq., Public Deposit Protection Act; C.R.S. § 11-47-101, et seq., Savings and Loan Association Public Deposit Protection Act; C.R.S. § 24-75-601, et seq., Funds-Legal Investments; C.R.S. § 24-75-603, Depositories, and C.R.S. § 24-75-702, Local governments-authority to pool surplus funds. Any revisions or extensions of these sections of the Colorado Revised Statutes will be assumed to be part of this Investment Policy immediately upon the effective date thereof.

The Town Board has further defined the following types of securities and transactions as eligible for use by the Town:

- a. U.S. Treasury Obligations including Treasury Bills, Treasury Notes, Treasury Bonds and Treasury Strips with maturities not exceeding five years from the date of trade settlement.
- b. Federal Instrumentality Securities including debentures, discount notes, callable securities, step-up securities and stripped principal or coupons with maturities not exceeding five years from the date of trade settlement issued by the following only: Federal National Mortgage Association (FNMA), Federal Farm Credit Banks (FFCB), Federal Home Loan Banks (FHLB), and Federal Home Loan Mortgage Corporation (FHLMC). To be approved, Federal Instrumentality Securities must be rated AAA by either Moody's or Standard & Poor's. The Town will not invest in any of the subordinated debentures issued by the federal instrumentality issuers.
- c. Prime Commercial Paper issued by U.S. companies and denominated in U.S. currency with a maturity not exceeding 270 days from the date of purchase. Commercial Paper shall be rated

in its highest rating category at the time of purchase by at least two Nationally Recognized Statistical Rating Organizations (NRSROs), and by all NRSROs that rate the obligations. If the commercial paper issuer has senior debt outstanding, the senior debt must be rated not less than A+, A1 or the equivalent by at least two NRSROs, and by all NRSROs that rate the debt. The aggregate amount of securities purchased from any one Commercial Paper issuer shall not exceed 20% of the Town's portfolio.

Any issuer whose short-term ratings are placed on negative watch list by any of the rating agencies will be put on "Hold" status. Issuers on "Hold" status will be ineligible for purchase until a final decision on ratings is made.

d. Eligible Bankers Acceptances with an original maximum maturity not exceeding 90 days, issued by FDIC insured domestic banks or branches of foreign banks domiciled in the U.S. and operating under U.S. banking laws with a minimum of \$250,000 combined capital and surplus. Banker's Acceptances shall be rated at least A1, P-1 or the equivalent at the time of purchase by at least two NRSROs and rated not less by all NRSROs that rate the instrument. If the issuing bank has senior debt outstanding, it shall be rated at the time of purchase AA, Aa2 or the equivalent by at the time of purchase by at least two NRSROs and rated not less by all NRSROs that rate the bank. The aggregate amount of Bankers Acceptances issued by any one bank shall not exceed 20% of the Town's portfolio.

e. Repurchase Agreements with a defined termination date of 180 days or less collateralized by U.S. Treasury and Federal Instrumentality securities listed in items a and b above with a maturity not exceeding 10 years. Title must transfer to the Town of Mancos or the Town must have a perfected security interest. For the purpose of this section, the term "collateral" shall mean "purchased securities" under the terms of the Town's approved Master Repurchase Agreement. The purchased securities shall have a minimum market value including accrued interest of 102 percent of the dollar value of the transaction. Collateral shall be held in the Town's custodial bank as safekeeping agent, and the market value of the collateral securities shall be marked-to-the-market daily.

Repurchase Agreements shall be entered into only with dealers who have executed a Master Repurchase Agreement with the Town and who are recognized as Primary Dealers by the Federal Reserve Bank of New York or have a Primary Dealer within their holding company structure. Approved counterparties to repurchase agreements shall have at least a short-term debt rating of A-1 or the equivalent and a long-term debt rating of A or the equivalent from one or more NRSROs that regularly rate such obligations.

f. Local Government Investment Pools authorized under CRS 24-75-702 that: 1) are "no-load" (i.e., no commission or fee shall be charged on purchases or sales of shares); 2) have a constant net asset value per share of \$1.00; 3) limit assets of the fund to those authorized by State Statute; 4) have a maximum stated maturity and weighted average maturity in accordance with Rule 2a-7 of the Investment Company Act of 1940; and 5) have a rating of AAAm by Standard & Poor's, AAA by Moody's or AAA/V-1+ by Fitch.

g. Non-Negotiable Certificates of Deposit in FDIC insured state or national banks or savings banks that are eligible public depositories in Colorado as defined in CRS 11-10.5-103 and that meet the criteria set forth in the section of this Investment Policy, "Selection of Banks."

Certificates of Deposit exceeding the FDIC insured amount shall be collateralized in accordance with the Colorado Public Deposit Protection Act.

h. Money Market Mutual Funds registered under the Investment Company Act of 1940 that: 1) are "no-load" (i.e. no commission or fee shall be charged on purchases or sales of shares); 2) have a constant net asset value per share of \$1.00; 3) have a maximum stated maturity and weighted average maturity in accordance with Rule 2a-7 of the Investment Company Act of 1940; and 4) are rated either AAAM by Standard & Poor's, AAA by Moody's or AAA/V-1+ by Fitch.

i. Negotiable Certificates of Deposit authorized under CRS 24-75-601.1 with an opinion provided by the Colorado Division of Securities, it is legal to invest public funds in negotiable CDs at any FDIC insured bank up to the \$250,000 with maturities no longer than five years from date of settlement and that meet the criteria set forth in the section of this Investment Policy, "Selection of Banks." Negotiable Certificates of Deposit exceeding the FDIC insured amount shall be collateralized in accordance with the Colorado Public Deposit Protection Act.

j. Municipal Securities of state or local governments with a maturity not exceeding five years from the date of trade settlement. General obligation and revenue obligation securities of this state or any political subdivision of this state must be rated at the time of purchase at least "A" or its equivalent by at least two NRSROs. General obligation and revenue obligation securities of any other state or political subdivision of any other state must be rated at the time of purchase at least "AA" or its equivalent by at least two NRSROs.

The Town may, from time-to-time issue bonds, the proceeds of which must be invested to meet specific cash flow requirements. In such circumstances and notwithstanding the paragraph immediately above, the reinvestment of debt issuance or related reserve funds may, upon the advice of Bond Counsel or financial advisors, deviate from the provisions of this Investment Policy with the written approval of the Treasurer.

#### VII. Environmental, Social and Governance (ESG)

Investment of funds should be guided by the following environmental, social, and governance (ESG) investment goals. Investments should be made in compliance with these goals to the extent that such investments achieve substantially equivalent safety, liquidity and return when compared to similar investments permitted by Colorado Revised Statutes and the Investment Policy. Investments are encouraged in companies that have a positive impact on the environment, human rights, and fair workplace practice and that support equality of rights, regardless of sex, race, religion, age, disability, or sexual orientation. Investments are discouraged in entities that receive a significant portion of their revenues from the manufacturer of tobacco products, firearms, or weapons not used in our national defense.

#### VIII. Investment Diversification

The Town shall diversify its investments to avoid incurring unreasonable risks inherent in over investing in specific instruments, individual financial institutions, or maturities. The asset allocation in the portfolio should, however, be flexible depending upon the outlook for the economy, the securities market, and the Town's anticipated cash flow needs.



A minimum of 50% of the investable assets of the Town will be maintained in U.S. Treasury Obligations, Federal Instrumentality Securities, Repurchase Agreements and Local Government Investment Pools.

IX. Investment Maturity and Liquidity

Investments shall be limited to maturities not exceeding five years from the date of trade settlement. The weighted average maturity of the total portfolio shall at no time exceed twenty-four months, and the Town shall maintain at least 10% of its total investment portfolio in instruments maturing in 90 days or less.

For purposes of calculating the portfolio's weighted average maturity, in the case of callable securities, the first call date shall be used as the maturity date for investment purposes in this section if, in the opinion of the Treasurer, there is little doubt that the security will be called prior to maturity. If, in the opinion of the Treasurer, the callable security will go full term to maturity, then that date will be used as the final maturity. In all cases for accounting purposes, however, the final maturity date of the callable securities shall be used as the maturity of the security in order to disclose the maximum maturity liability in the Town's financial reports.

X. Selection of Broker/Dealers

The Treasurer shall maintain a list of broker/dealers approved to conduct security transactions with the Town. To be eligible, a firm must meet at least one of the following criteria:

- a. Be recognized as a Primary Dealer by the Federal Reserve Bank of New York, or have a Primary Dealer within its holding company structure; or
- b. Report voluntarily to the Federal Reserve Bank of New York; or
- c. Qualify under Securities and Exchange Commission (SEC) Rule 15c3-1 (Uniform Net Capital Rule).

Broker/dealers will be selected by the Treasurer on the basis of their expertise in public cash management and their ability to provide service to the Town's account. Each authorized broker/dealer shall be required to submit and annually update a Town approved Broker/Dealer Information Request Form which includes the firm's most recent financial statements and proof of state registration. The Treasurer shall maintain a file of the most recent Broker/Dealer Information Forms submitted by each firm approved for investment purposes. Broker/Dealers shall also confirm in writing that they have received and reviewed a copy of this Investment Policy.

XI. Selection of Banks

To be eligible for designation to provide depository and other banking services, or for a bank's certificates of deposit to be eligible for purchase, a bank must be a member of the Federal Deposit Insurance Corporation and must qualify as an eligible public depository in Colorado as defined in CRS 11-10.5-103.

Additionally, the bank must meet a minimum requirement of 3 ½ stars under the Bauer Financial bank star rating system.

#### XII. Safekeeping and Custody

- a. All fixed term investment securities purchased under this policy shall be held by the Investment Officer or in third-party safekeeping by a custodial institution eligible under CRS 24-75-601. The custodian shall issue a safekeeping receipt listing the specific instrument, rate, maturity, and other pertinent information.
- b. Deposit-type securities (such as certificates of deposit) shall be collateralized as required by PDPA for any amount exceeding FDIC or FSLIC coverage. Other investments requiring collateral including repurchase agreements will be secured by the actual security held in safekeeping by a third-party custodian. At a minimum all collateral shall meet the Level 2 category as defined by the Governmental Accounting Standards Board (GASB).
- c. Money market instruments such as SEC registered money market mutual funds qualified under CRS 24-75-601 and state pools under CRS 24-75-701 shall be collateralized as required by law.

#### XIII. Performance Benchmarks

The Town's investment portfolio shall be designed to attain a market rate of return throughout budgetary and economic cycles, taking into account prevailing market conditions, risk constraints for eligible securities and cash flow requirements.

The performance of the portfolio shall be compared to the average yield on the U.S. Treasury security that most closely corresponds to the weighted average maturity of the portfolio. All fees involved with managing the portfolio should be included in the computation of the portfolio's rate of return.

The Treasurer shall present to the Town Board, at least annually, a review of the Town's portfolio, to include the portfolio's total return and the established investment objectives and goals.

#### XIV. Reporting

At least annually, the Treasurer shall prepare and submit to the Town Board a report listing the investments held by the Town and the market value of those investments. The report shall include a summary of investment earnings and performance results during the period.

~~The Town will make cash flow analysis of all funds on a regular basis. Disbursement, collection and deposit of all funds will be scheduled to insure maximum cash availability. The accounting system will provide monthly information concerning cash position and investment performance. Investment performance shall be reviewed by the Town Administrator, who shall schedule investments such that there is as little idle cash as practical.~~

As permitted by law, the Town will make use of pooled cash to invest under the prudent investor rule. The criteria for selection investments and their order of priority are:

1. Safety
2. Liquidity
3. Yield
4. Benefit to Mancos Citizens

It shall be the Town Clerk/Treasurer's responsibility to invest funds with approval of the Town Administrator. They shall evaluate all investment opportunities with respect to this policy. Investments will be made as allowed by State statutes.

Policy 367

The Town will review arrangements with financial institutions on a continuing basis at a specified time of the year, to ensure proper and maximum utilization of funds.

**Accounting Policies**

Policy 378

The Town will review its accounting system on an annual basis and make recommendations for the improvement or adjustment of the system.

Policy 389

An annual audit will be performed by an independent certified public accounting firm, which will issue general purpose financial statements and bond representations.

Policy 3940

Full disclosure will be provided in the annual financial statements and bond representations.

Policy 401

Petty cash not to exceed \$100 is kept on hand in the office for small purchases that need to be made when circumstances are such that following the normal purchasing procedure can not reasonably be done. All cash given out is documented by a receipt signed by the receiver. All supporting receipts are returned to the Town Clerk/Treasurer upon purchase, including any change. When cash on hand gets low, the Town Clerk/Treasurer prepares a check for the proper amount, and cashes the check at the bank. The cash is placed in the petty cash box.

Policy 412

Dolores State Bank, the current holder of Town operating accounts, requires personal identifying information, such as a driver's license or social security number, of the individual making the deposit on behalf of the Town. Due to this requirement, the Town of Mancos will not accept cash payments for marijuana related business transactions.

**Attachment #1:**  
**Capital Assets Policy**

**I. Introduction**

The purpose of the Capital Assets Policy is to present a uniform method of maintaining and updating the Town's capital asset records. Principles and processes incorporated into this policy are in accordance with generally accepted accounting principles (GAAP) and state law.

This policy encompasses all capital assets of the Town: land, land improvements, buildings, building improvements, infrastructure, water rights, machinery and equipment, vehicles, and public artwork. Capital assets are further distinguished as capital assets and non-capital assets.

Capital assets are those capital assets that meet the capitalization threshold as identified in Section II. State law requires the Town to maintain a current listing of capital assets, available for inspection at any time, and requires that an annual physical inventory is conducted. GAAP requires proper accounting for the acquisition and disposal of capital assets. Proper record keeping of the Town's capital assets also provides a management tool for budget and rate setting decisions.

Non-capital assets fall below the capitalization threshold and may include furniture, small tools and equipment (hand mowers, trimmers, etc.), and various telecommunications and computer equipment. Although not required, it may be important for departments to maintain inventories of non-capital capital assets for many reasons, including theft prevention and conducting condition assessments.

**II. Capitalization Threshold**

The current criteria requiring the capitalization of a capital asset is a cost or fair market value of \$5,000 or more and a useful life of five year or more.

**III. Property Record Basis**

The initial physical inventory and formal property record of capitalized capital assets was prepared by Johnson & Holscher as of April, 2010. Since then, additions and deletions to the Town's capital assets have been maintained by Town staff.

**IV. Duties and Responsibilities**

All Town departments have a role in the successful maintenance of the Town's capital asset records.

The Town Clerk/Treasurer and Town Administrator shall be responsible for the oversight of all duties and functions related to the capital asset management system, including:

- A. Update and maintain detailed records of all capital assets of the Town.
- B. Oversee annual physical inventories.
- C. Generate capital asset reports as required or requested.

Other Town Departments have the following responsibilities:

- A. Custodianship of assets for the department.

- B. Complete annual physical inventory of capital assets within the department.
- C. On a timely basis, report to the Town Clerk/Treasurer all changes, transfers, surpluses, relevant alterations, acquisitions, and dispositions of capital assets (including lost or stolen items).

**V. Acquisition of Capital Assets**

The purchase of capital assets is subject to the provisions of the Town's Purchasing Policy. All costs associated with the purchase of the asset shall be charged to a capital account within the Town's accounting system. Ancillary costs (shipping, installation, design, etc.) shall be included in the capitalized cost of the asset.

Donated assets shall be capitalized at the estimated fair value of the asset at the time of the donation. Staff shall determine the fair value of the asset based on the best information available, which may include original cost, age of the item, assessment of current condition, etc. Departments shall notify the Town Clerk/Treasurer within two business days of the acquisition of any donated assets.

**VI. Annual Physical Inventory**

The Town Clerk/Treasurer shall provide the various departments with the most recent list of capitalized assets assigned to their respective departments/divisions. Each department shall conduct an inventory to confirm the accuracy of the report and note all changes and discrepancies to the list. Departments shall return the completed inventories, complete with all notations, to the Finance Department in a timely manner (typically within two weeks).

**VII. Disposition of Capital Assets**

Capital assets may be disposed of in a number of ways, including: trade-in, sale, donation, scrapped, destroyed, etc. Departments are responsible to notify the Town Clerk/Treasurer in writing of all dispositions in a timely manner (typically within two business days).

When it is determined that a capital asset or any other commodity of the Town needs to be replaced or is no longer used by the department, the following order of disposition options shall be followed unless an option is determined to be unreasonable or impractical:

- A. Through email or other means of communication, make the asset available to all other departments in the Town for use within their operations.
- B. If purchasing a new or similar asset, attempt to trade-in the old asset.
- C. Through advertising with CML or other government organizations (via newsletters, list serves, or other means of communication), attempt to sell the asset to another government entity.
- D. Attempt to sell the asset to a commercial business or to the public through advertising, public auction, bidding process, or other means of communication.
- E. Items with an estimated value less than \$5,000 may be donated to other government entities or other charitable organizations with the approval of the Town Administrator or designee. Items with an estimated value greater than \$5,000 may be donated to other government entities or other charitable organizations with the approval of the Board of Trustees.
- F. Through email or other means of communication, make the asset available to all employees. Any sale to employees shall require the submission of sealed bids, giving employees a minimum of one week to submit bids. To maintain the appearance of

fairness, it may be appropriate for an employee outside the selling department to collect and open the bids. At minimum, the bid opening shall be witnessed by an employee not submitting a bid. Submitters shall be notified of the bid opening time and place and may attend the bid opening if they so desire. The employee with the winning bid shall have two business days to provide payment to the Town for the asset. After two business days, the next highest bidder shall be considered the winning bid.

- G. The asset shall be properly trashed or destroyed.

**Commented [HA1]:** Board still okay with this?

**Attachment #2:**  
**Purchasing Policy**

**A. PURPOSE**

The purpose of this policy is to establish procedures to maximize the value of public funds spent for purchasing goods or services. This process allows the establishment of safeguards for maintaining a system of quality and integrity.

**B. GENERAL GUIDELINES**

All purchases of materials and supplies shall be made in accordance with the following guidelines:

- 1) The Town Treasurer is responsible for monitoring purchases, for establishing purchasing systems, and for providing assistance to departments making purchases.
- 2) All purchases must be made with funds that have been appropriated by the Town Board for the intended purpose. To the greatest extent possible, purchases shall be made in accordance with funds budgeted for that purpose.
- 3) The Town Board and/or Town Administrator may, from time to time, restrict any or all budgeted purchases if there is a shortage of available cash.
- 4) Vendor quotations for materials, equipment, services, and supplies may be rejected on the basis of inferior quality or unacceptable delivery time.
- 5) Quotes may be provided by vendors verbally, but must be followed by written confirmation. Documentation of all written quotations shall be forwarded to the Town Treasurer, where a master file of quotations will be maintained.
- 6) In general, quotations or bids should be awarded to the lowest qualified, responsive bidder or vendor. *Lowest qualified bidder* means the bidder with the lowest price and the highest qualifications, based on the following criteria: (1) the ability, capacity and skill of the bidder to perform the contract or furnish the supplies required; (2) whether the bidder can perform the contract or furnish the supplies promptly or within the time specified, without delay or interference; (3) the character, integrity, reputation, judgment, experience and efficiency of the bidder; (4) the quality of performance on previous contracts; (5) previous and existing compliance by the bidder with all laws and ordinances relating to the contract or service; (6) sufficiency of financial resources and ability of the bidder to perform the contract or furnish the supplies; (7) the ability of the bidder to provide future maintenance and service; and (8) the response to the invitation for bids. *Responsive bidder* means a person or firm that has submitted a bid which conforms in all material respects to the invitation for bids.
- 7) Having received a low quotation or bid, department heads are enabled to negotiate the price further with the vendor, if necessary, to bring purchases into the range of the approved budget.



- 8) Purchase of quantities of materials and supplies shall not be broken down with the intent of applying a less restrictive purchasing procedure.
- 9) It shall be the policy of the Town of Mancos to seek a minimum of three written quotes wherever possible. These can be provided in fax or email form from the potential vendor. If reasonable attempts are made by the department head to obtain quotes from vendors and is unable to obtain three quotes due to the unresponsiveness of vendors contacted or the lack of potential vendors for the product or service, this requirement may be waived by the Town Administrator, in consultation with the appropriate department head.
- 10) All commonly used materials, supplies and equipment will be standardized as much as possible for better prices through quantity (bulk) purchase of fewer varieties of material and to increase proficiency in the Town evaluation of product performance. Selection of specific products that have been rated high in product performance evaluations may be classified as best buy.

**C. AUTHORIZATION LEVELS AND REQUIRED PROCUREMENT PROCEDURES**

In order to fully implement a Town of Mancos purchasing policy that will provide sufficient standardization and accountability, as well as to ensure a sufficient degree of operational flexibility to the Town's various departments, the following levels of authorization and procedures are hereby established:

<b>Amount</b>	<b>Required Procedures</b>
Less than <del>\$4</del> ,000	Purchase of budgeted items shall be approved by the appropriate department head or the Town Administrator. Items shall be purchased at their discretion, with a goal of cost containment.
<del>\$4</del> ,001- <del>\$1</del> 5,000	Purchase of budgeted items shall be approved by the department head, Town Clerk/Treasurer and Town Administrator. A minimum of three (3) written quotes shall be provided.
<del>\$1</del> 5,001- <del>\$2</del> 5,000	Purchase of budgeted goods or items shall be approved by the department head, Town Clerk/Treasurer, Town Administrator and Board of Trustees. A minimum of three (3) written quotes shall be provided.
<del>\$2</del> 5,001 and over	Budgeted project, service or item will be advertised for public bids through a formal requisition process. This may take the form of an RFP, RFSQ, or similar process.
<i>Non-Budgeted Purchases: Any non-budgeted purchase over \$1,000 shall receive prior approval from the department head, Town Clerk/Treasurer, Town Administrator and the Board of Trustees and a minimum of three (3) written quotes shall be provided. Any non-budgeted purchase exceeding \$15,000 shall</i>	

*receive approval from the aforementioned individuals and shall be advertised for public bids.*

**D. STATE PURCHASE PROGRAM**

The Town of Mancos is eligible to purchase various commodities under the Colorado State Purchasing program. Contracts and price agreements that have been awarded to the State are acceptable as satisfying bid and quotation requirements of the Town of Mancos.

**E. COOPERATIVE PURCHASE**

The Town of Mancos may participate in joint bidding with other governmental agencies and the Rocky Mountain E-Purchasing System if it is deemed in the best interest of the Town to do so.

**F. SOLE SOURCE PURCHASE**

A sole source purchase may be made without receiving requests for bids or quotations if it has been determined that only one vendor is capable of meeting all specifications and purchase requirements. Written justification for waiving the competitive bid process shall be provided by the department head. A staff report will be submitted to the Board at the next regular Board meeting to ensure they are apprised of expenditures.

**G. EMERGENCY PURCHASE**

Emergency conditions requiring purchases are defined as situations in which health, welfare and/or safety of employees or the public are endangered. This includes, but is not limited to, the immediate repair of property or vehicles as necessary under circumstances described above. Emergency purchases of capital equipment/services shall be pre-approved by the Town Administrator. A staff report will be submitted to the Board at the next regular Board meeting to ensure they are apprised of expenditures.

**H. ~~CREDIT PURCHASING CARD PURCHASES~~**

~~The Town has two credit cards. They are in the possession of the Town Administrator and the Town Treasurer. When a card is needed, the department head shall receive prior authorization from one of the card holders. Employees may take a card while traveling on official Town business if approved by the Town Administrator. Its use shall be in accordance with Town travel policies. Purchasing cardholders are issued a card associated with a specific department and make purchases on behalf of the Town of Mancos. Cardholders must **not** lend or share their purchasing card. They must keep their purchasing card secure and the card number confidential. The cardholder is responsible for obtaining itemized receipts with detail for the monthly cost allocation process and turning them in to the Finance Department. Receipts for expenses incurred during traveling while on Town business must be accompanied by an approved Travel & Training Form. Receipts must also be accompanied with a reason why the purchase is a reasonable business expense (if it isn't obvious). Upon termination of employment, the cardholder will return their Purchasing Card to the Town and immediately discontinue all use of the account.~~

**I. LOCAL QUALIFIED MANCOS BUSINESS (LQMB) PREFERENCE POLICY**

A Local Qualified Mancos Business (LQMB) is defined as a person, partnership, corporation, limited liability company or joint venture which is authorized to transact business in Colorado and whose principal business address is located within the 81328 zip code, and which is approved to provide goods and services to the Town of Mancos based upon a determination by the Town staff member making the purchasing decision that the LQMB meets standards of business competence, reputation, financial ability, product/service availability and product/service quality.

- a) By reason of its business location, an advantage in consideration for award of a project or bid may be granted to a LQMB. The LQMB shall receive a 10% preference over all non-LQMB bidders, or a \$500.00 reduction in bid price when comparing it against other bids, whichever is less. In no event shall the LQMB preference exceed the amount of \$500.00.
- b) The Town of Mancos reserves the right to reject any and all bids, to waive any informalities and minor irregularities in bids, and to accept the bid deemed, in the opinion of staff, to be in the best interest of the Town of Mancos.
- c) It is the policy of the Town of Mancos to solicit bids from local suppliers whenever and wherever such competitive local sources exist, and where no sacrifice or loss in price, availability or quality would result.
- d) This local preference policy is subject to all applicable federal or state laws and regulations, and shall not apply to the extent it conflicts with any state statute or federal law regulation.
- e) It is expressly understood and provided that enforcement of the terms and conditions of the local preference policy is limited to the Town of Mancos, that nothing contained in these policies shall give or allow any claim or right of action to any other person or entity on such policy, and that it is the express intention of the Town of Mancos that any person or entity other than the Town of Mancos receiving any service or benefit under the policy shall be deemed to be an incidental beneficiary only.

**J. OUTSIDE FUNDING**

In the case of goods and services procured with aid from any grant funding source and/or other federal or State of Colorado funds, the Town's procurement and local preference policies shall defer to the procurement rules of the grantor or funding entity.

**K. CONFLICT OF INTEREST**

Board members and staff shall disclose at the earliest stage possible any personal or private interest in any purchase or award of contract proposed before the Board of Trustees. Board members may not vote on these matters and shall refrain from attempting to influence the other members of the Board of Trustees in voting on the matter. Staff and Board Members shall comply with applicable state law concerning conflict of interest and disclosure requirements, including C.R.S. 24-18-10 et seq., C.R.S. 31-4-404, C.R.S. 24-18-201, C.R.S. 18-4-301, C.R.S. 18-4-401, and C.R.S. 18-8-308 and any related protocols of the Town Board of Trustees.

**L. SURPLUS SUPPLIES AND EQUIPMENT**

The Town Treasurer shall work with the appropriate department head to oversee and administer the disposition of surplus inventory, including supplies and equipment that has been identified as no longer used or has become worn out. The Town Administrator, in conjunction with the Town Treasurer, may cause from time to time, any surplus supplies or equipment to be destroyed or sold after advertisement to the highest bidder, and the proceeds of the sale deposited into the appropriate fund of the Town.

**M. EMPLOYEE REIMBURSEMENTS**

Employees may be reimbursed for out of pocket expenses ~~under \$50.00 from the Town's Petty Cash Fund by providing an approved "Request for Reimbursement," which shall~~

Revised 9/11/13 BoT Meeting

| ~~include a copy of the receipt. Over \$50.00, the employee will be reimbursed~~ via check with an approved "Request for Reimbursement." Generally, employees should not payout of pocket for expenses, but should utilize Town accounts established with vendors for supplies and services wherever possible.

| Adopted 8/24/05, Revised 1/14/09, Revised 9/11/2013

Revised 9/11/13 BoT Meeting

# ***STAFF REPORT***

To: Honorable Mayor and Board of Trustees  
From: Heather Alvarez, Town Administrator  
Date: February 22, 2023  
Re: Resolution 5 Series 2023: Colorado Open Records Act Update

## **Recommendation**

Adopt Resolution 5 Series 2023 A Resolution of the Town of Mancos Establishing Policy for Colorado Open Records Act Requests, Including Fees for Research and Retrieval of Public Records

## **Background/Discussion**

The Colorado Open Records Act has been updated. Staff is requesting that the Town update our policies to match the State policies and fees to make it easier for the public to understand and request public records.

Attached is a red-line document showing the updates to our current policy, current State Statute information and a proposed resolution.

## **Attachments**

Resolution 5 Series 2023  
Red-Line suggested policy  
State Statute

Resolution #5  
Series 2023

**A Resolution of the Town of Mancos Establishing Policy for Colorado Open Records Act Requests, Including Fees for Research and Retrieval of Public Records**

WHEREAS, the Town of Mancos pursuant to C.R.S. Section 24-72-205, may set policy and fees for research and retrieval of public records under the Colorado Open Records act;

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

1. The Mancos Colorado Open Records Act policy, Effective February 22, 2023, a copy of which is attached hereto, together with all fees and charges set forth therein, shall be effective immediately upon the posting thereof on the Town of Mancos official website.

THIS RESOLUTION PASSED ON FIRST AND FINAL READING THIS 22 DAY OF February 2023.

TOWN OF MANCOS, COLORADO

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Ellen "Queenie" Barz, Mayor

ATTEST:

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Jamie Higgins, Town Clerk

Effective ~~February 14, 2001~~ February 22, 2023; ~~5~~ 4

The Town of Mancos assures prompt and equitable service to citizens requesting access to public records, including those records created by electronic mail, in accordance with the requirements of C.R.S. 24-72-205.

This policy does not apply to criminal justice records.

To access a copy of the Request for Records, you will need Adobe Reader to view this file.

The Town of Mancos ~~to~~ makes all records available for public inspection unless such records are protected from disclosure by state or federal statute, by court order, or unless disclosure of such records would be contrary to the public interest.

All requests for public records need to be made in writing to the custodian, and once made will not be verbally altered by the requestor.

The custodian shall transmit a copy of the record by United States mail, other delivery service, facsimile, or electronic mail.

In the case of a written request made in person, the custodian will either provide the records to the requestor or set a date, time, and on-site location where the records can be inspected or provided. The date will be within three (3) working days of the date the request was made, unless provided otherwise by the Colorado Open Records Act, where applicable law allows for a greater period of time.

In the case of a mailed or telefaxed request, the custodian will respond within three (3) working days. Such period may be extended if extenuating circumstances exist but the extension period will not exceed seven (7) working days from the date the request is made, , unless provided otherwise by the Colorado Open Records Act, where applicable law allows for a greater period of time. Extenuating circumstances cannot apply to a request that relates to a single, specifically identified document.

The record will only be sent to the requester once the custodian either receives payment or makes arrangements for receiving payment for all costs associated with records transmission and for all other fees lawfully allowed, unless recovery of all or any portion of such costs or fees has been waived by the custodian.

Upon either receiving such payment or making arrangements to receive such payment at a later date, the custodian shall send the record to the requester as soon as practicable but no more than three business days after receipt of, or making arrangements to receive, such payment.

If the custodian does not have facilities for making a copy, printout, or photograph of a record that a person has the right to inspect, the person shall be granted access to the record for the purpose of making a copy, printout, or photograph. The copy, printout, or photograph shall be made while the record is in the possession, custody, and control of the custodian thereof and shall be subject to the supervision of the custodian. When practical, the copy, printout, or

photograph shall be made in the place where the record is kept, but if it is impractical to do so, the custodian may allow arrangements to be made for the copy, printout, or photograph to be made at other facilities. If other facilities are necessary, the cost of providing them shall be paid by the person desiring a copy, printout, or photograph of the record. The custodian may establish a reasonable schedule of times for making a copy, printout, or photograph and may charge the same fee for the services rendered in supervising the copying, printing out, or photographing as the custodian may charge for furnishing a copy, printout, or photograph below.

It the Town must perform a manipulation of data so as to generate a record in a form not used by it, a reasonable fee may be charged to the person making the request. Such fee shall not exceed the actual cost of manipulating the said data and generating the said record in accordance with the request. Persons making subsequent requests for the same or similar records may be charged a fee not in excess of the original fee.

#### Electronic Records and Electronic Communications:

Records stored on electronic, magnetic or optical disk, on tapes, microfilm, and microfiche, are considered public records and open to disclosure. After receiving a written request for records stored in any of the aforementioned media, the custodian may take any measures necessary, in the custodian's opinion, to assist the public in copying or inspecting any specific public record(s); including but not limited to: providing portable disk copies or computer files, providing direct electronics access via on-line bulletin boards or other means, providing hard copy printouts, or providing the requested records in any other format deemed appropriate by the custodian.

Please note that correspondence of any employee, which is in the form of electronic mail, may be a public record under the public records law and may be subject to public inspection.

#### Fees and Charges:

Where the fee for a certified copy or other copy, printout, or photograph of a record is specifically prescribed by law, the specific fee shall apply.

The custodian will charge for any copies, printouts, or photographs requested. A custodian may charge a fee not to exceed twenty-five cents per standard page for a copy of a public record or a fee not to exceed the actual cost of providing a copy, printout, or photograph of a public record in a format other than a standard page.

No fee will be charged for the first four standard sized pages, per requester, annually. (Standard sized page will be considered 8 ½ x 11). Each standard page after that will be charged at \$1.00 per page. The custodian will also charge a fee for any manipulation of data needed to generate a record in a form not used by the Town of Mancos. This fee will not exceed the actual cost of manipulating said data and generating the record. Persons making subsequent request for the same record will be charged the same fee.



If the public record is a result of computer output other than word processing, the fee for a copy, printout, or photograph thereof may be based on recovery of the actual incremental costs of providing the electronic services and products together with a reasonable portion of the costs associated with building and maintaining the information system. Such fee may be reduced or waived by the custodian if the electronic services and products are to be used for a public purpose, including public agency program support, nonprofit activities, journalism, and academic research. Fee reductions and waivers shall be uniformly applied among persons who are similarly situated.

The custodian shall not impose a charge for the first hour of time expended in connection with the research and retrieval of public records. After the first hour of time has been expended, the custodian may charge a fee for the research and retrieval of public records that shall not exceed thirty dollars per hour. This fee will increase in accordance with the following: On July 1, 2019, and by July 1 of every five-year period thereafter, the director of research of the legislative council appointed pursuant to section 2-3-304 (1) shall adjust the maximum hourly fee specified above in accordance with the percentage change over the period in the United States department of labor, bureau of labor statistics, consumer price index for Denver-Aurora-Lakewood for all items and all urban consumers, or its successor index. This amount is posted on the website of the general assembly.

Additionally, the custodian will charge a fee for providing copies of electronically stored public records. The fee will be based on recovery of the actual incremental costs of providing the electronic services and products together with a portion of the costs associated with building and maintaining the information system.

The Town will respond to requests for providing, upon written request, a copy, disk, or printout.

The Town will not allow inspection of electronically stored public records by access to a computer terminal or the use of a private terminal connected to the Town's on the Internet. ~~The fee will be based on recovery of the actual incremental costs of providing the electronic services and products together with a portion of the costs associated with building and maintaining the information system.~~

~~Fees and charges for reproduction of records will be standard throughout the Town for similar items. The custodian has~~ Department heads have the authority to waive all such fees and charges.

~~However, no department will charge higher fees than the standard ones listed in this administrative regulation. Individual departments may, by administrative rule or action, establish fees for the search, retrieval, and reproduction of records, which are specific to that department. Annually, in January, a current list of those fees will be sent to the Town Clerk's Office.~~

The standard fees and charges for the Town of Mancos public records are as follows:

Photocopies:

- ~~A fee of per standard page is charged for town employee spending less than 15 minutes on search and reproduction of documents. Town employee spending more than 15 minutes on search and reproduction are charged \$1.00 per standard page (first four pages are free, per of documents requester, annually).~~
- The actual cost is charged for documents larger than standard size and maps.

Photocopies	Price
8 ½" x 11"	.25¢
8 ½" x 14"	.35¢
11" x 17"	.50¢

FAX Copies:

- \$2.00 per page

Duplication of Audio Tapes:

- \$30.00 per tape or actual cost incurred. (A deposit of \$30.00 is required at the time the duplication request is made. This deposit is applicable to the total cost of duplication.)

Verbatim Transcripts of Proceedings:

- Non-refundable deposit (Payable in advance) – \$25.00\*\*
- Verbatim transcription (one hour or less prep time) – \$30.00 per document prepared by Town Clerk Staff
- Verbatim transcriptions (Over one hour prep) – actual cost incurred by a third-party transcriber.

\*\*NOTE: The deposit will be applicable to the total cost of the transcription.

The Town of Mancos does not charge for:

- Request from members of the Town Board, the Town's boards, committees, commissions or other staff. Exception: The Town will charge for election materials requested by incumbent officials who are running for office.
- Requests from other government officials or organizations or professional associations.
- Requests from students enrolled accredited schools and colleges located in the Town of Mancos for documents needed in connection with a specific class research project.

[No transmission fees will be charged to the record requester for transmitting public records via electronic mail, but other fees associated with the request will be charged as provided herein.](#)

Denial of inspection: Access to public records may be denied in accordance with the provisions of the [Colorado Open Records Act](#)~~Public Records Act~~. Reasons for denial of access to public records will be noted in writing on the public records request form and provided in a letter to the requestor.

Retention schedules: All public records of the Town of Mancos, regardless of storage format, will have retention schedules attached to them. The State Archives, in accordance with State Law, will approve these retention schedules.



**User Name:** DAVID LIBERMAN

**Date and Time:** Wednesday, July 13, 2022 5:02:00 PM MDT

**Job Number:** 175220497

## Document (1)

1. [C.R.S. 24-72-205](#)

**Client/Matter:** -None-

**Search Terms:** CRS Section 24-72-205

**Search Type:** Natural Language

## C.R.S. 24-72-205

Statutes current through Chapter 290 of the 2022 Regular Session and effective on or before June 3, 2022. The inclusion of the 2022 legislation is not final. It will be final later in 2022 after reconciliation with the official statutes, produced by the Colorado Office of Legislative Legal Services.

**Colorado Revised Statutes Annotated > Title 24 . Government - State (§§ 24-1-101 — 24-115-118) > Public (Open) Records (Arts. 72 — 72.4) > Article 72 .Public Records (Pts. 1 — 7) > Part 2. Inspection, Copying, or Photographing (§§ 24-72-200.1 — 24-72-206)**

### **24-72-205. Copy, printout, or photograph of a public record - imposition of research and retrieval fee.**

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(1)

(a) In all cases in which a person has the right to inspect a public record, the person may request a copy, printout, or photograph of the record. The custodian shall furnish a copy, printout, or photograph and may charge a fee determined in accordance with subsection (5) of this section; except that, when the custodian is the secretary of state, fees shall be determined and collected pursuant to *section 24-21-104* (3), and when the custodian is the executive director of the department of personnel, fees shall be determined and collected pursuant to *section 24-80-102* (10). Where the fee for a certified copy or other copy, printout, or photograph of a record is specifically prescribed by law, the specific fee shall apply.

(b) Upon request for records transmission by a person seeking a copy of any public record, the custodian shall transmit a copy of the record by United States mail, other delivery service, facsimile, or electronic mail. No transmission fees may be charged to the record requester for transmitting public records via electronic mail. Within the period specified in *section 24-72-203* (3)(a), the custodian shall notify the record requester that a copy of the record is available but will only be sent to the requester once the custodian either receives payment or makes arrangements for receiving payment for all costs associated with records transmission and for all other fees lawfully allowed, unless recovery of all or any portion of such costs or fees has been waived by the custodian. Upon either receiving such payment or making arrangements to receive such payment at a later date, the custodian shall send the record to the requester as soon as practicable but no more than three business days after receipt of, or making arrangements to receive, such payment.

(2) If the custodian does not have facilities for making a copy, printout, or photograph of a record that a person has the right to inspect, the person shall be granted access to the record for the purpose of making a copy, printout, or photograph. The copy, printout, or photograph shall be made while the record is in the possession, custody, and control of the custodian thereof and shall be subject to the supervision of the custodian. When practical, the copy, printout, or photograph shall be made in the place where the record is kept, but if it is impractical to do so, the custodian may allow arrangements to be made for the copy, printout, or photograph to be made at other facilities. If other facilities are necessary, the cost of providing them shall be paid by the person desiring a copy, printout, or photograph of the record. The custodian may establish a reasonable schedule of times for making a copy, printout, or photograph and may charge the same fee for the services rendered in supervising the copying, printing out, or photographing as the custodian may charge for furnishing a copy, printout, or photograph under subsection (5) of this section.

(3) If, in response to a specific request, the state or any of its agencies, institutions, or political subdivisions has performed a manipulation of data so as to generate a record in a form not used by the state or by said

agency, institution, or political subdivision, a reasonable fee may be charged to the person making the request. Such fee shall not exceed the actual cost of manipulating the said data and generating the said record in accordance with the request. Persons making subsequent requests for the same or similar records may be charged a fee not in excess of the original fee.

(4) If the public record is a result of computer output other than word processing, the fee for a copy, printout, or photograph thereof may be based on recovery of the actual incremental costs of providing the electronic services and products together with a reasonable portion of the costs associated with building and maintaining the information system. Such fee may be reduced or waived by the custodian if the electronic services and products are to be used for a public purpose, including public agency program support, nonprofit activities, journalism, and academic research. Fee reductions and waivers shall be uniformly applied among persons who are similarly situated.

(5)

(a) A custodian may charge a fee not to exceed twenty-five cents per standard page for a copy of a public record or a fee not to exceed the actual cost of providing a copy, printout, or photograph of a public record in a format other than a standard page.

(b) Notwithstanding paragraph (a) of this subsection (5), an institution, as defined in *section 24-72-202* (1.5), that is the custodian of scholastic achievement data on an individual person may charge a reasonable fee for a certified transcript of the data.

(6)

(a) A custodian may impose a fee in response to a request for the research and retrieval of public records only if the custodian has, prior to the date of receiving the request, either posted on the custodian's website or otherwise published a written policy that specifies the applicable conditions concerning the research and retrieval of public records by the custodian, including the amount of any current fee. Under any such policy, the custodian shall not impose a charge for the first hour of time expended in connection with the research and retrieval of public records. After the first hour of time has been expended, the custodian may charge a fee for the research and retrieval of public records that shall not exceed thirty dollars per hour.

(b) On July 1, 2019, and by July 1 of every five-year period thereafter, the director of research of the legislative council appointed pursuant to *section 2-3-304* (1) shall adjust the maximum hourly fee specified in subsection (6)(a) of this section in accordance with the percentage change over the period in the United States department of labor, bureau of labor statistics, consumer price index for Denver-Aurora-Lakewood for all items and all urban consumers, or its successor index. The director of research shall post the adjusted maximum hourly fee on the website of the general assembly.

## History

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**Source:** L. 68:P. 204, § 5. **C.R.S. 1963:**§ 113-2-5. **L. 83:**(1) amended, p. 863, § 4, effective July 1. **L. 92:**(3) and (4) added, p. 1105, § 5, effective July 1. **L. 2007:**(1) and (2) amended and (5) added, p. 578, § 1, effective August 3. **L. 2013:**(1) amended, ([HB 13-1041](#)), [ch. 9, p. 23, § 1](#), effective March 8. **L. 2014:**(6) added, ([HB 14-1193](#)), [ch. 142, p. 487, § 1](#), effective July 1. **L. 2018:**(6)(b) amended, ([HB 18-1375](#)), [ch. 274, p. 1712, § 54](#), effective May 29.

Annotations

## Research References & Practice Aids

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Hierarchy Notes:

[C.R.S. Title 24](#)

[C.R.S. Title 24, Art. 72, Pt. 2](#)

## State Notes

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## Research References & Practice Aids

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### Cross references:

For distribution of copies of reports made to the general assembly, see § 24-1-136 (9).

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End of Document

# ***STAFF REPORT***

To: Honorable Mayor and Board of Trustees  
From: Heather Alvarez, Town Administrator  
Date: February 22, 2023  
Re: Design Standards Discussion

## **Recommendation**

None – requesting Board feedback

## **Background/Discussion**

We discussed design standards in the Corridor Mixed Use (CMU) and Commercial Districts some time ago.

In 2014, the Board of Trustees adopted a Design Review Board and Design Review Guidelines for the highway and commercial districts. In 2017, these items were dissolved.

There was discussion in 2022 regarding development in these districts, so we revisited the guidelines at a workshop. SAFEBuilt has reviewed our discussion items, and drafted the attached memo.

Before we move forward on this project, we would like the Board to review the attached to be sure we are moving in the right direction.

If the Board agrees with the items, we will move this to the Planning Commission for further discussion.

## **Attachments**

Design Review Guidelines Memo



**TO:** Heather Alvarez, Town of Mancos Town Administrator  
**FROM:** Alex Hufft, SAFEbuilt Studio  
**DATE:** February 9, 2023  
**RE:** Design Standards & Municipal Code Comparison

The following is in response to the request of the Town of Mancos to compare the existing municipal code with previous adopted, but then repealed design guidelines and standards. The purpose of this task is for the Town's Board to understand what already exists in the municipal code and what needs consideration for implementation via ordinance.

The majority of the repealed design guidelines and standards were carried over, and expounded upon, into the new land use and development code rewrite in 2019. However, there are a few items that are not reflected in the code that should be reviewed. The following topical areas, specific to mixed use and commercial guidelines, have large sections that the land use and development code rewrite did not include. The aim of this memo, and provided attachments, is to outline the sections below for consideration as additions to the code.

- Building Design and Architectural Details
  - General Building Design
  - Exterior Building Materials
  - Building Scale
  - Roof Forms
  - Architectural Details
  - Colors
- Fenestration and Facades
- Awnings and Outdoor Seating
- Benches, Bike Racks and Furniture
- Missing Definitions

Traditionally, design guidelines are intended to communicate an overall design intent and suggest possible ways to achieve that intent and will use such terms as "should," "may," or "encouraged." Design Standards are requirements identified by the term "shall" or "must" and are prescriptive (mandatory) requirements unless some form of relief is provided as part of the approval process. By taking the missing sections out of the previous design guidelines and standards document and implementing them into the existing municipal code they become prescriptive requirements, not suggestions, that are mandatory for approval.

The four attachments are as follows:

Attachment A – Outline of Design Standards to be included in existing municipal code.

Attachment B – New definitions that need to be included.

Attachment C – Outline showing current structure of design standards in municipal code and the proposed placement of new design standards.

Attachment D – Questions and considerations regarding the removal of existing standards and additions of new standards.

# ATTACHMENT A

## Outline of Design Standards to be Added

### I. Building Design and Architectural Details

#### A. General Building Design

##### General Standards:

1. Buildings shall be designed to incorporate features such as facades, false fronts, roof forms, porches, window treatments, and architectural detailing that exemplify the heritage and historic character of the Mancos Valley. Avoid using a standardized "corporate or franchise" style in the design of buildings.
2. All building sides shall be characterized by the same quality and type of building materials and detailing. Since buildings will be viewed on all sides, design of the building shall consider a four-sided design concept, where the same attention to the detail exemplified in the front of the building shall be accorded to the remaining three sides.
3. Buildings shall be oriented to face the Hwy 160 in the Corridor Mixed-Use if lots are adjacent to the highway. In the Downtown Mixed-Use buildings shall face Main and Grand Streets. In situations where this is impossible due to insufficient access to the site, the developer shall make the side of the building facing these corridors aesthetically pleasing, and if possible, shall design a side or alternate entrance.

#### C. Building Scale

New buildings shall be designed at a scale that is compatible with buildings observed in the Mancos Valley and at a pedestrian-oriented scale.

##### Standards:

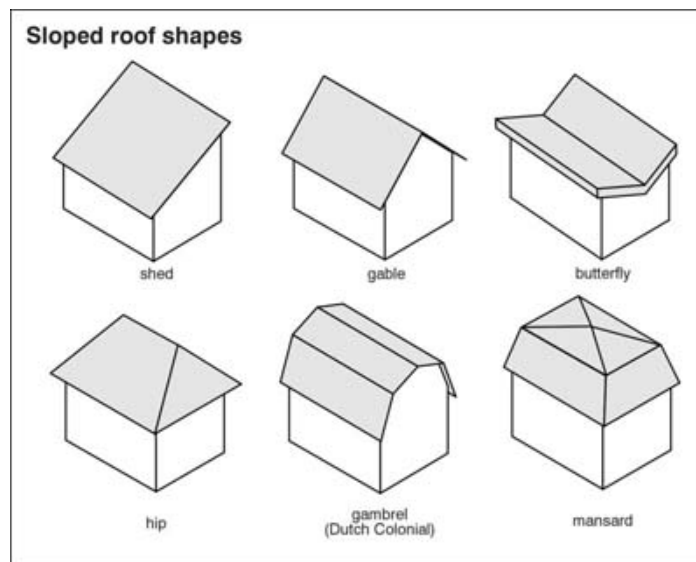
1. Buildings shall distinguish between upper and lower floors where more than one story is to be constructed.
2. Entrances shall incorporate at least one of the following building elements:
  - a. Doorways recessed at least four (4) feet from the building façade
  - b. Porticos
  - c. Porches
  - d. Awnings

3. Long, uninterrupted blank walls are discouraged. The maximum recommended length of an uninterrupted horizontal building elevation is fifty (50) feet. Visual interruptions to the planes of exterior walls may be achieved through at least one of the following methods:
  - a. Building facades modulated at a depth of least four (4) feet and a width of at least eight (8) feet
  - b. Porches
  - c. Porticos
  - d. Bay windows
4. Roof lines shall be interrupted every 50 feet with gable, hip, or dormer roof forms or a vertical shift of at least (five) 5 feet.

#### D. Roof Forms

##### Standards:

1. Buildings shall be designed with gable, gambrel, or hip roof forms with a minimum 4:12 roof pitch.
2. False fronts, giving the appearance of a flat roof, may be used.
3. Roof planes shall be varied by using gable ends and/or dormers, unless a false front is used.
4. Mansard, dome, or butterfly roof forms are discouraged. Flat roofs may be utilized but shall be designed for proper drainage.
5. Appropriate snow loads for Mansard roofs shall be utilized.



## E. Architectural Detailing

### Standards:

Historic architectural detailing shall be incorporated into building design. At least one element from each of the following categories shall be included in the design of all new buildings and accessory structures:

- a. Cornice details
  - i. Trim details
  - ii. Timber details
  - iii. Knee bracing
- b. Porches and Entryways
  - i. Porches
  - ii. Porticos
  - iii. Entryways recessed at least 4 feet
- c. Siding
  - i. Board and baton
  - ii. Horizontal clapboard
  - iii. Beveled planks
  - iv. Cedar shingle
  - v. Stone
  - vi. Brick
  - vii. Timber
  - viii. Rusted Corrugated Metal (RCM)
  - ix. Plaster materials such as adobe, stucco or lime plaster

## F. Colors

Exterior colors shall not be used to garner unnecessary attention and where possible, shall be derived from the naturally occurring earth tone colors present in the Mancos Valley. This does not preclude the building from having color accents on trim, doors, windowsills, etc.

### Standards:

1. Colors shall be muted and draw inspiration from the natural landscape and geology of the Mancos Valley, including, but not limited to, browns, tans, terracotta, gold, grays, mossy greens, and creams.
2. Roof colors shall also be muted.
3. Reserve the use of bright colors for accents, such as on ornamentation and accents.
4. Doors may be painted an accent color, or they may be left a natural wood finish.
5. Brilliant luminescent or “day-glow” colors are inappropriate.
6. Garage and large bay doors shall be painted or stained the same colors as the areas around them.

## II. Fenestration and Facades

### A. Fenestration

#### Standards:

1. Buildings shall meet the ground with a solid base treatment that creates a visual transition from sidewalk to building wall. Glass storefront wall systems that extend to the ground are not acceptable.
2. Windows shall not be opaque.
3. Consider the use of transom windows (small windows above larger storefront windows and doors).
4. Consider the use of awnings.

### B. Facades

These guidelines encourage building facades that enhance and preserve the historic character of the area. The emphasis is on building form, character, and design, rather than specific uses of the property.

#### Standards:

1. While standard corporate branding may be utilized in some areas, such as signage, buildings shall conform to the western small-town character of the historic Mancos Valley.
2. Varying rooflines and building forms add to the visual interest of a development and minimize the perception of building scale and shall be used when possible.
3. False front facades may be used.

## III. Awnings and Outdoor Seating

Businesses may wish to install outdoor patios, eating areas, or other café style seating to support the business.

### A. Awnings

#### Standards:

1. Awnings shall abide by color regulations provided in Architectural detailing section.
2. All provided awnings should be uniform in design and color.
2. Awnings shall not be back lit or internally illuminated.
3. Sign lettering and/or logos shall comprise no more than 30% of the total exterior surface of an awning or canopy, and shall be included in the calculation of the allowable sign area.
4. Awnings may be provided along the entire frontage of commercial buildings.
5. Awnings or canopies shall be hung above the display window space at least 10-14 feet above the public walkway with a minimum 8-foot vertical clearance. They may extend 6- 8 feet over the walkway from the building's face.

## **B. Outdoor Seating**

Outdoor seating is encouraged, so long as it does not block the sidewalk or other public rights of way.

### **Standards:**

1. Liquor laws pertaining to the outdoor consumption of alcoholic beverages shall be followed.
2. The surface of the patio, sidewalk café, or other outdoor seating area shall be of a suitable and durable material such as stone, brick, wood, or concrete.
3. Screening and compatibility standards with adjacent development shall apply, including fencing, landscaping, etc.

## **IX. Benches, Bike Racks and Furniture**

### **A. Benches and Furniture**

Mancos encourages businesses to make their buildings pedestrian and bike friendly. The use of bike racks, benches, café style seating and other furniture is encouraged. These items must not block the sidewalk or other public rights of way and shall be placed so that they do not inhibit passersby or those with disabilities. Bike racks and furniture may be artistic and made from unusual materials and western-style furniture such as hitching posts may be utilized.

## **ATTACHMENT B**

### **Definitions to be Added**

Bay Window – A window that is made up of three windows, typically two operable windows at an angle with one fixed window in the middle.

Façade – the front exterior portion of a building.

False Front – A faced extending beyond and above the true dimensions of a building falsifying the size, finish, or importance of a building.

Fenestration - The arrangement, proportioning and design of windows and doors in a building.

Four-Sided Design – When the same attention to the detail exemplified in the front of the building shall be accorded to the remaining three sides.

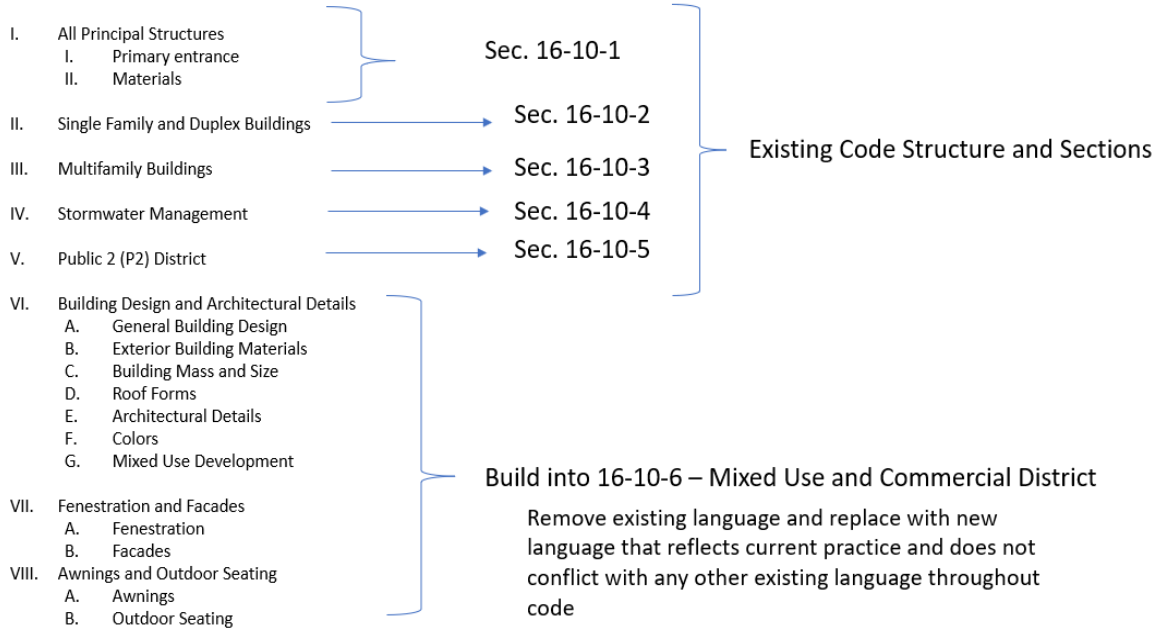
Portico – A porch leading to the entrance of a building.



# ATTACHMENT C

## Existing Code Structure and Proposed Placement of Standards

### Article 10 – Site and Structure Standards



## ATTACHMENT D

### Questions / Considerations

- A. Should there be a specific requirement for the number of bike parking (rack) spaces?
  - a. Eg. One bike rack minimum per new business if none are located within a 200-foot radius.
  
- B. Should there be stricter standards regarding windows / fenestration for public facing buildings?
  
- C. Do you want new building design to continue to conform to the “western small-town character of the historic Mancos Valley”? The use of the phrase could be subjective and difficult for applicants and administrators to interpret.
  
- D. Should there be enhanced standards for businesses along State Hwy 160 or the Downtown Center (see Chapter 16–3-2(a)(2)? As drafted, the standards apply to all commercial or mixed-use buildings regardless of location in the Town. The Town may want to consider some higher thresholds for specific commercial areas of town such as the Downtown Core or the highway corridors.
  - a. Eg. New buildings must provide two (2) architectural detailing elements from each category
  
- E. Should there be a heightened requirement of façade treatment for buildings that are visible from the right of way? This would include all sides of buildings that can be seen from the street.
  
- F. Should there be a separate set of standards/parameters regarding public art, such as murals?

# ***STAFF REPORT***

To: Honorable Mayor and Board of Trustees  
From: Heather Alvarez, Town Administrator  
Date: February 22, 2023  
Re: Grant Update and Information

## **Recommendation**

Requesting Board Feedback

## **Background/Discussion**

The Town currently has several projects for which we are researching grants.

The fiber project is currently stalled as we need to retain a consultant to assist us with the technical specifications, specifically the wireless tower. We will also need assistance with the financial planning and contract portion of this project once the infrastructure is built. We have been researching grant assistance for the planning and construction portion of this project.

We are also researching grants for construction of the Marshal's Office. There aren't many out there, but we have found a few that might work for us.

Third, we are working with CDOT regarding the sidewalk/ADA intersection project. There are several grants available for this project.

We are also keeping an eye out for grants for the parks (Boyle & Skate Park) just in case a unique opportunity presents itself.

I wanted to provide this information to the Board as sometimes we don't hear about grant opportunities until the last minute. Our current procedure is to submit a draft application to the Board and request permission to apply. At times, the Board meeting schedule doesn't align with the grant application due dates.

If we find a last minute grant and the grant doesn't require a resolution of the Board with the application, does the Board have any objection if we apply for the grant, then put this item on an agenda and request permission to accept the grant if awarded?

Staff is fine either way, I just wanted to discuss this with you since we do have several large projects and many grant opportunities coming available in the next few months.

## **Attachments**

None