MINUTES

TOWN OF DOLORES

BORAD OF TRUSTEES MEETING

DECEMBER 14TH, 2020 6:30 P.M.

DUE TO THE COVID-19 PANDEMIC, THE BOARD HAS DECIDED TO MEET VIRTUALLY UNTIL FURTHER NOTICE. TO ATTEND THE MEETING, PLEASE VISIT THE TOWN WEBSITE WWW.TOWNOFDOLORES.COM

1. **CALL TO ORDER:** Mayor Wheelus called the meeting to order at 6:33 p.m.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL:** Board Members Present; Mayor Wheelus, Trustee's Sheila Wheeler, Andy Lewis, Tracy Murphy, Jen Stark, Melissa Watters, and Duvall "Val' Truelsen.

3.1 Staff Present: Manager Interim Ken Charles, Building Official David Doudy, Town Clerk Tammy Neely, Attorney Jon Kelly, Treasurer Tricia Gibson, Public Works Director Randy McGuire, and Sheriff Steve Nowlin.

4. IDENTIFICATION OF ACTUAL OR PERCIEVED CONFLICTS OF INTEREST: None stated or given

5. APPROVAL OF THE AGENDA: *Trustee Murphy moved to approve the Agenda, seconded by Trustee Lewis. Motion was approved unanimously.*

6. PUBLIC PARTICIPATION (5 minutes only): Citizens may comment at this time or during a Public Hearing. No comment was made by the public at this time.

7. STAFF/PROCLAMATIONS/PRESENTATIONS:

7.1 Covid-19 Discussion: Manager Charles introduced Dr. Kent Aikin to discuss the pandemic. Dr. Aikin also introduced Tony Sudduth who is the CEO of Southwest Memorial Hospital. Dr. Aikin also stated that he was the County Health Physician and has been working with Bobbie Locke of the Montezuma County Health Department. He explained that the State has designated different colored levels related to the presence of the COVID-19 disease, and its impact throughout the counties throughout the state. Currently Montezuma County is at Orange level which is safer at home. The County considered moving to Red Level. After meeting with the Colorado Dept. of Health Dr. Aikin is holding off because of the economic impact it would have. Thinking it would create more problems. It would not be up to the County, or County Health Dept. to make that decision. Dr. Aikin emphasized how hard all the entities involved are working very hard to keep the public safe. The big challenge that he is facing is the availability of beds at the hospital. He was glad that he was invited to talk to the Board as Leaders and stated that they need to set an example for the Community. Dr. Aikin said, "If we can serve as leaders, and really try to get that message across, as the people who are respected in the community, no matter what our other views may be". And it would make a big impact. He informed the Board that Pfizer is delivering vaccines, and supply will be limited. Also, Moderna will be delivering next week sometime. He stated simply that we are looking at a rough winter and need to encourage

people be vigilant in practicing safe health measures. Tony Sudduth of Southwest Memorial Hospital stated that they are struggling. Mr. Sudduth stated that he cannot be clear enough and is not advocating businesses need to shut down. Individuals cannot separate enough. But by shutting businesses down it leaves more business for Wal-Mart, City Market, or Safeway's to step in, and they some of the biggest offenders. Businesses need to enforce safe practices. Mr. Suddoth shared that a staff member that followed very close safety protocols has contracted the disease, said "it shows you just how serious that this virus is, how important it is, that both sides be wearing masks, because I guarantee you, he was, but at some point, he was exposed, and we don't know how yet". Sheriff Nowlin also added that with the Sheriff's Dept Employee's and Deputies that they follow policy and protocol. The Detention Center also has been COVID free because of those policies and procedures. Doing the right things seem to help. He stated that Dolores is a very tight knit Community and that really works in our favor. Everybody cares about everybody. Manager Charles stated that the role for the Board is going forward and being supportive of this community policing. The method that is going to be employed, is speaking to business owners and talking about the importance of distancing and wearing a mask. Sheriff Nowlin suggested drafting a letter to educate businesses about the COVID-19.

7.2 Sheriff's Report: Sheriff Steve Nowlin reported to the Board the month of Novembers calls for service, which is about 102. There was a large amount of traffic citations. Municipal Court will not be in session again until the end of January 2021. Court date will be moved further down to not create an overload. The expenditures report is for October 2020. He announced some Deputies will be rotating service for the Town. Deputy Patrick Gothard is a permanent Deputy and will remain with the Town. Sheriff Nowlin said that there is a surge of recreational vehicle (Snow Machines and OHV's) usage in the Town and is working with Attorney Kelly for an ordinance, which will be brought to the Board. Public Works Director Randy McGuire thanked the Sheriff and Deputies for help in an incident with snowmobiles darting in front of the plows while they were trying to clear the roads of snow. Also, Director McGuire mentioned people pulling tubes behind cars with children on them. The tubes were swinging back and forth and almost ended up under a loader. Director McGuire stated that people were knocking down berms in the road which caused the operators to go back to clean them up. These situations put people in extreme danger and could be costly. Sheriff is addressing the problem with citations and patrol.

7.3 Managers Report: Manager Charles started the report with the current water project. D&L Construction plans to complete the job by December 11th, 2020. A final walk through with SGM engineers, D&L and Town Staff is scheduled for December 10th, 2020. Solar Project with Shaw Solar. A contract should be signed by December 11th, or the week of the 14th, 2020. Construction will start in late March 2021 with the Town Hall. Three installations should be completed by May 1st, 2021. The 2021 Budget planning will be present later in the meeting for adoption and a certification of the 10,000-mill levy for property taxes. A public hearing is scheduled to amend the 2020 budget. Amendments reflect revenue and expense changes. The 2020 budget did not include the grants from GOCO, DOLA, CDPHE, and the CARES Act funds. The 2020 budget also did not include expenses for three projects. At the time, the 2020 budget adoption the Town was unsure of the success for the grants. The amendment includes sales tax revenue received in 2020. The Galloping Goose Lease: The

Town Attorney and Manager have been working with Joe Becker and other Historical Board Members on an amendment to the original lease agreement. The amendment will be brought before the Board at the January 2021 meeting. The CenturyLink Franchise Agreement has been researched by Staff and found to be expired. Staff findings were that it was possible that CenturyLink owed the Town monies from 2017 to 2020. Attorney Kelly found that there was no recourse to renew the agreement or collect prior fees. Treasurer Gibson concurred with the finding by talking to the State Department of Revenue Sales Tax Division. Moving on to the Bike Trail; Manager Charles reported that he was unable to talk to some of the opposing parties that have written letters. Negotiations are still going with the SWCCA, as well as addressing the concerns of Trustee Wheeler from the last meeting. Marijuana: Staff has hired a consultant to aid in the application process from Marijuana licensing. She is an experienced retired Clerk in the field of Marijuana licensing. She is the owner of the Circuit Clerk Consulting. Both the Consultant and Sate regulatory agency will be of great help. Trustee Watters revisited the point that there was going to a limit of licenses issued with a chance to possibly increase in the future. Trustee Stark voiced concerns that since there was going to be a lottery, the applicants that get rejected will need to be refunded their fees. Manager Charles stated that discussion and information will continue. He reported that the new website will be going live on December 22nd, 2020, he stated that it will be a huge improvement. Also discussed was the emergency signal siren, and getting it repaired and in operating condition. Sheriff Nowlin also stated that it was a vital piece of emergency notification equipment to the Town. Manager Charles informed the Board that there will be some large DOLA Grants available for next year.

7.4 Attorney Jon Kelly gave a Harris Property update, and he expects to see the Deed to the property this week and it will be completed. He will be discussing the Model Traffic Code later in the meeting.

7.5 Treasurer Tricia Gibson updated the Board on the amount of sales tax revenue for this year which was $672,000.00 a huge increase compared to last year. Trustee Truelsen stated that it was a 38% increase from last year.

7.6 Building Official David Doudy reported that there were two Solar Permits issued. Some General remodels, and a demolition of a shed. There was a fire in a commercial kitchen due to grease. There have been some non-compliant restaurants and stated he has been trying to get some of them up to code. When someone comes in for a new business license or renewal, he will be notified for an inspection. The reason for the inspection will be to prevent safety issues from happening (preventing fires in restaurants, personal safety as well). In the IT Department, the new computers have been installed and are up and running. The Mayor has received his new laptop and the rest of the Board will be receiving as well. The Mayor remarked that it was a nice piece of equipment and encouraged the rest of the Board to get there. Mayor Wheelus also commented about Land Use Code and Building Codes are there for the safety and betterment for the Community.

7.7 Public Works: Public Works Director Randy McGuire reported that they are picking the snow wind rows up and hauling off. The walking trails were cleaned up and ready for use again. He requested that if anybody that is seen spreading the wind rows out if they would call the Sheriff it would be appreciated. It costs the Town time and money. Other than winter projects, the water projects are completed. There was a serious water leak, and it was taken care of immediately. Trustee Stark

inquired why the parking lot at the park was being plowed? Randy gave the reason it used to be left for people to enjoy the snow, and vehicles started spinning around and throwing the gravel in the grass, not to mention was it does to the parking lot. He said he was open to suggestions.

8. COMMISSIONS AND COMMITTEES:

8.1 **Parks/Playground Advisory Committee:** Ex-Officio Trustee Murphy reported that there will be no grants for the upcoming year. The Committee will be asking GOCO for a Planning Grant. Manager Charles commented that GOCO redirected some of their funds which made planning a casualty. There is much that can be done internally though.

8.2 Planning and Zoning: Chairperson Linda Robinson mention items that was in her report; reasoning on the Committee finding s for Short Term Rentals. They will be working on STR's again at the P&Z meeting tomorrow night, as well as more code updates. A joint Workshop with the Board was mentioned and possibly a meeting for the 4th Monday in January of 2021.

9. OTHER ORGANIZATIONS:

9.1 Chamber of Commerce: Director Susan Lisak reported that the Chamber event (Noel Night) was canceled due to snow. The Love Local Montezuma Program setup a e-gift card program. An invitation went out to over 200 businesses to join the program. Some businesses have already started. This is a great way to keep money in the County. She mentioned a program with the CSU Extension with students designing websites and social media pages for businesses. The Chamber will be working on a Scholarship program.

10. REVIEW OF THE CONSENT AGENDA: The Consent Agenda is intended to allow the Board by a single motion to approve matters that are considered routine or non-controversial. Here will be no separate discussion of those items unless a Board Member requests the item to be removed from the Consent Agenda and considered separately. Items removed from the Consent Agenda will be considered under specific Agenda item numbers.

10.1 **Approval of the minutes** to the meeting held on November 9th, 2020 and the Continuation meeting on November 23rd, 2020.

10.2 Future Continuation Meeting: The December 23rd, 2020 will be canceled pending amendment of the 2020 Budget or other related items as recommended by the Manager.

10.3 Proceedings for the Month of November 2020.

Trustee Murphy moved to approve the Consent Agenda, seconded by Trustee Truelsen. Motion Carried unanimously.

11. PUBLIC HEARINGS:

11.1 Ordinance #547 Series 2020: Second and Final Reading amending the Land Use Code of the Town of Dolores, for the purpose of amending specific zone districts, uses, and standards to ensure the consistency with the Town of Dolores Marijuana Code. Mayor Wheelus opened the hearing for Public

Comment. Manager Charles explained the concept for the Ordinance. No Public Comment was made; therefore, Mayor Wheelus closed the hearing. The Board was heard for comments or questions which none was made or asked.

11.2. 2020 Budget Amendment: Assigned as Resolution R433 Series 2020. (See Item 12.4). Treasurer Gibson explain the reason for the hearing. Mayor Wheelus opened the meeting for Public Comment, which none was made. Mayor Wheelus close the meeting. The Mayor informed the Board that this item will be an action item later in the meeting,

12. INTRODUCTION OF ORDINANCES AND RESOLUTIONS:

12.1 Ordinance #547 Series 2020: Second and Final Reading; *Trustee Truelsen moved to approve Ordinance #547 Series 2020, amending the Land Use Code, seconded by Trustee Murphy. Motion carried unanimously.*

12.2 Ordinance #548 Series 2020: First Reading. Establishing a Discount Program on the Base Rate for Water and Sewer Service for the Elderly Low-Income Persons. First Reading. The program is for Seniors of the age of 65 or older. This will be an income qualified discount of 25% which would take the average bill of $54.50 to $46.50. *Trustee Murphy moved to approve Ordinance #548 Series 2020, seconded by Trustee Watters. Motion was carried by a 6 yes and 1 no vote.*

12.3 Ordinance #549 Series 2020 First Reading: An Ordinance for the Regulation of the Traffic Code by the Town of Dolores Colorado. Adopting by Reference The 2020 "Model Traffic Code" Repealing all Ordinances in Conflict, Therewith, and Providing Penalties for Violations. Attorney Kelly explained to the Board that this 2020Code will need to be adopted to bring the Town up to the Traffic and Violations Code. Manager Charles questioned Section 10-40-030 D, as dealing with snowmobiles; stating that nothing shall be interpreted is permitted off highway vehicles or snowmobiles, operating in the streets and alleys at the time. Attorney Kelly explained that he gave the option for the Deputies to either charge into Municipal Court or County, as was the incident the Sheriff talked about later in the meeting. Also visited was parking RV's being parked on Town Streets. Trustee Watters that P&Z had discussions around parking. The Ordinance will need to be re-visited in the January 2021 meeting, as Board agreed. No Motion will be made at this time.

12.4 Resolution R433 Series 2020: For a Supplement Budget and Approving Additional Sums of Money to Defray Expenses in Excess of Amounts Budgeted for the Year 2020. *Trustee Truelsen moved to approve Resolution R433 Series 2020 as presented, seconded by Trustee Murphy. Motion carried unanimously.*

12.*5* Resolution R434 Series 2020: Notice to set the 2021 Mill Levy. The purpose of the Resolution is to Levy Taxes by 10 Mills. *Trustee Truelsen motioned to keep the Mill Levy at 10, seconded by Trustee Murphy. Motion carried unanimously.*

12.*6* Resolution R435 Series 2020: Certifying the Property Tax for the 2021 Budget. *Trustee Murphy moved to approved Resolution 435 Series 2020 certifying Property taxes for the year of 2021, Trustee Truelsen seconded. Motion carried unanimously.*

12.7 Resolution R436 Series 2020: Summarizing Expenditures and Revenues for each Fund Adopting the 2021 Budget. *Trustee Truelsen moved to approve the 2021 Budget as presented, seconded by Trustee Murphy Motion carried unanimously.*

13. ADMINISTRATIVE:

14. COUNCIL REPORTS/ACTIONS: Each Trustee is provided an opportunity to report meetings recently attended and to discuss topics not otherwise appearing on the Agenda.

15. ADJOURNMENT: Mayor Wheelus adjourned the meeting at 9:30 P.M.