

**TOWN OF DOLORES COLORADO**

**REGULAR BOARD MEETING MINUTES FOR**

**MARCH 9<sup>TH</sup>, 2020**

**6:30 P.M.**

**CALL TO ORDER:** Mayor Wheelus called the meeting to order at 6:32 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

**1. BOARD MEMBER PRESENT:** Mayor Chad Wheelus, Trustees, Duvall “Val” Truelsen, Melissa Watters, Jennifer stark, James Biard, and Robert “Cody” Folsom. Trustee Tracy Murphy was absent.

**1.1 STAFF PRESENT:** Manager Interim Ken Charles, Clerk Tammy Neely, Attorney Jon Kelly, and Sheriff Steve Nowlin. Absent Treasurer Tricia Gibson, and Building Official David Doudy.

**2. IDENTIFICATION OF ACTUAL OR PERCEIVED CONFLICTS OF INTEREST:** None stated or presented.

**3. APPROVAL OF THE AGENDA:** *Trustee Folsom motion to approve the agenda, Trustee Biard seconded. Motion was carried unanimously.*

**4. APPROVAL OF THE CONSENT AGENDA:** Mayor Wheelus brought to the Boards attention that the consent agenda did not contain liquor licenses which are usually covered by the consent agenda. He asked Clerk Neely to explain the change. Clerk Neely stated that there were several liquor licenses that needed to be reviewed individually; Limited Winery license with public hearing, several special events, renewal and a temporary license for a transfer. The Board acknowledged the change for this time only. Trustee Biard motioned to approve the consent agenda, seconded by Trust Folsom. Motion carried unanimously. Trustee Stark questioned two items that were listed on the Proceedings for the month of February 2020.

**5. LIQUOR LICENSE:**

**5.1 New Liquor License and Public Hearing** for a Limited Winery application made by Eso Terra Inc, located at 18390 Hwy 145, Dolores Colorado. Applicants name is Elizabeth Philbrick and Jared Scott. Mayor Wheelus opened the public hearing for comment. Mr. Scott provided the Board information about the winery, in which he intends to use apples from local orchards. Some of the orchards are very old and carry apples that were used for hard cider back in time. No other comments were made; Mayor Wheelus closed the Public hearing. Trustee Stark questioned the use of a limited winery license. Mr. Scott stated that the license is new for Colorado and it allows manufacturing, retail sales and tasting rooms *Trustee Truelsen moved approve the limited winery license with tasting permit, pending the Sheriff's inspection, Trustee Biard seconded. Motion was carried unanimously.*

**5.2 Liquor license renewal** for Montezuma Mexican Restaurant. No comments were made. *Trustee Folsom moved to approve the liquor license renewal for Montezuma Mexican Restaurant, seconded by Trustee Watters. Motion was carried unanimously.*

**5.3 Special Events Liquor License** approval for the Greater Dolores Action to be held April 17<sup>th</sup>, 2020 from 5:30 p.m. to 10:00 p.m. at the Dolores Community Center, located at 400 Riverside Ave. Dolores Colorado. *Trustee Folsom moved to approve the Special Event License for the Greater Dolores Action, seconded by Trustee Biard. Motion carried unanimously.*

**5.4 Special Event Liquor License** approval for the Dolores Playground Group (Onward Foundation-Fiscal Agent 501C3) to be held April 4<sup>th</sup>, 2020 from 3:00 p.m. to 11:55 p.m., at the Dolores Community Center located at 400 Riverside Ave. Dolores Colorado. *Trustee Biard moved to approve a Special Event License for the Dolores Playground Group, seconded by Trustee Folsom. Motion carried unanimously.*

**5.5 Special Event Liquor License** for the Dolores Chamber of Commerce Spring Banquet to be held March 28<sup>th</sup>, 2020 from 3:00 p.m. to 10:00 p.m. at the Dolores Community Center, located 400 Riverside Ave. Dolores Colorado. *Trustee Biard moved to approve a Special Event Liquor for the Dolores Chamber of Commerce, seconded by Trustee Truelsen. Motion was carried unanimously.*

**5.6 A temporary operating liquor license permit** for a liquor license transfer from Chavolitos Mexican Restaurant to Wendy Monzon of Mi Tequilas LLC., Clerk Neely stated that the majority of the application was completed and awaiting an inspection from the Sheriff. *Trustee Folsom moved to approve the temporary liquor license permit pending Sheriff's visit, seconded by Trustee Biard. Motion carried unanimously.*

**COMMITTEE REPORTS:**

**6.1 Parks Advisory Committee:** Kalin Grigg presented his report updating the Board on the dates for the Playground Build. Kaboom design day will be April 2<sup>nd</sup>, 2020, build prep day days will be June 2<sup>nd</sup> through the 3<sup>rd</sup>, and the actual build day will be June 4<sup>th</sup>, 2020. The dates for Play By Design will be April 10<sup>th</sup> Pre-construction meeting, and June 9<sup>th</sup>, through the 14<sup>th</sup> are the actual build days. The Parks Committee request that the Board allows Manager Charles to pursue a grant from GOCO to fund a professionally assisted reworking/rewriting of the Town of Dolores Parks Master Plan and Trails and Mobility Plan. Manager Charles stated that the grant application is due in June of 2020, and that this project was not budgeted. This will not go into action until the year 2021.

**6.2 Planning and Zoning:** Chair Linda Robinson updated the Board on the Land Use Code. The Commission has been reviewing Short Term Rentals, which will need Board approval. The Planning and Zoning will be meeting on March 31<sup>st</sup>, 2020 to discuss items before it goes into Draft. Manager Charles mentioned that the public has access to the drafts on the Town website as well. Trustee Folsom questioned if there was any public comment, and stated that the public needs to be involved more with the Land Use Code.

**6.3 Chamber of Commerce:** Susan Lisak updated the Board on events of the Chamber. The Board Retreat was successful and she was happy to see Manager Charles and Trustee Stark attend. There will be several announcements on the Chamber website. The Chamber is looking at building 3, 5, and 7 day itineraries for people visiting the area. This will suggest things to do in Dolores while they visit. She will

be conducting a community survey for things to do. She announced the Chamber Banquet; in she hopes to see the Board there. She also discussed a Playground celebration event after the playground is completed. She hopes to have a celebration with music, and fire department activities. A fundraiser with Mountain Film for the Dolores River festival will be on the 17<sup>th</sup> of April, 2020. She offered to assist the Town with information on involving the Community for the Land Use Code update.

## **7. STAFF REPORTS:**

**7.1 Sheriff's Report:** Sheriff Steve Nowlin introduced Karen Dickson of Montezuma County Public Health Department to discuss action for the Corona Virus (COVID-19). She announced that there are 11 cases of the virus reported in the state of Colorado. The Health Department is taking every precaution and informing the public in every possible way. Currently Colorado is at a level 2. She stated that there is a shortage of respirators. The County is looking well as far as plans. There are several meetings and updates. She reported that the Ute Mountain Ute tribe is enforcing travel restrictions. The Health Dept. has a wall dedicated with information from the Center of Disease Control on things to do, what to look for, and who to contact. All Departments will be meeting Sheriffs, Health, Fire Department, Hospital, and County Board. She state that there is a Facebook, and County website, she asked to be aware that this is an ever changing situation and some information will not be updated as quick. Manager Charles asked what the best way to stay in contact with the Department. She explained that there will be meetings with government agencies and will add Manager Charles name to the list. Trustee Biard asked if there is quarantine area planned as of yet? Karen said that there was no area assigned. There is guidance available for home quarantine. Trustee Folsom inquired about Tourism, Dickson stated that they are working with the Park Service as well as Navajo Reservations, and other tourist sites. Trustee Folsom also asked about businesses and guidance as far as employees keeping them safe. She explained that there are products that will kill the virus and most important is cleanliness. There is no clear definition of how long this will last or what will happen.

Sheriff Nowlin gave the monthly report for calls for service which were 165, there were no major issues. He supplied information on the budget the year 2020. The Sheriff will forward budget information. He also discussed re-organizing the Deputies for the Town.

**7.2 Manager Charles:** Reported on the on SGM and DOLA grants. Water project will review remotely with Trustee Murphy on March 18<sup>th</sup> and 19<sup>th</sup>. A decision should be made by April 1<sup>st</sup>, 2020, and Manager Charles would like to get started as soon as possible. SGM is still working on the final designs and with CDOT. GOCO will know by Friday if we are successful on the grant. Manager Charles reported that new phones were received by First Net, which is a division of Nationwide Security Systems. The new iPhone were purchased for .99 per phone. The phones are mainly used by first responders and emergency departments. The maintenance is a part of emergencies or disaster at times. SIPA projects; an agreement was signed to transition to Gmail, also have a grant for website development and online payment. Ann Swope will be attending a SIPA conference; a \$600.00 stipend is available. Manager Charles sent a Thank you note to Kirk and Ginger Swope of the Outpost Motel for comping rooms the Town of Silverton Staff. County has started hazard mitigation project which Dolores is a part of. A letter of MOU was in 2015. It asked for identifying hazard unique to Dolores. He explained the mitigation part could bring funding. Manager Charles informed the Board that the Treasurer Tricia Gibson, and Building Official were going to be out for the week attending training.

**Clerk:** Clerk Neely reported that the ballots are in printing and will be coming out soon.

**Public Works Director** Randy McGuire updated the Board on street maintenance such as filling in potholes. He stated that there was a large rock about the size of a small car that fell by the 4<sup>th</sup> street Bridge. He urged Citizens to watch for falling rock. Trustee Stark asked about the new phones and if all the numbers are still the same. They are the same. He reported that they were beginning work on the park. Manager Charles stated that the Dolores Little League will be revived and has 4 teams. The field may need some work.

## **7. CITIZENS TO ADDRESS THE BOARD:**

**7.1 Janneli Miller:** Commented to the Board that she researched the general sales tax revenue increases between Dolores Colorado and Silverton Colorado (Passed both Marijuana and OHV), indicating that OHV's will not bring much revenue. She pointed out that Dolores had a bigger increase at the same time frame (\$15,000.00).

**7.2 Aaron Lewis:** Mr. Lewis stated that he was a vender at the Dolores Farmers Market. He states that he attended the Chamber of Commerce meeting in which Manager Charles was present. He voiced that there was an overwhelming consensus that there should be no change to the Farmers Market in terms of charging the Venders. He stated that he did not want the Farmer Market to be a means to an end. The Farmers Market is a beneficial tool to bring in individuals from other communities.

**7.3 Marianne Mate:** She thanked the Board for approving the special event liquor license for April 4<sup>th</sup>, 2020. There will be an Easter egg hunt with a golden ticket hidden in an egg for a child's bike. She invited everyone to come to the Community Center April 4<sup>th</sup>, 2020.

## **8. DISCUSSIONS AND POSSIBLE ACTIONS:**

**8.1 Shawna Valdez, Board Member for the Dolores Fire Department:** Also present from the Fire Department was Mike Zion, and Kirk Swope. She addressed the Board on matters of Mill Levies for funds that the Fire Department desperately needs. She stated that the Fire Department has a broad area to cover and it was Volunteer only. The Fire Department will be having an election in May, of 2020 to ask for a mill levy increase. The money will be used to update firefighting equipment, and fire fighter gear. Grants for training fire fighters are hard to obtain, so there was not much resource available. Informing the Board that Dolores Fire Department ranked second in the Nation for the ISO of 3. This rating gives residents lower house insurance rates. Mayor Wheelus questioned on where and how to vote. Shawna informed him that information and voting will be conducted by Attorney Kelly McCabe Law Firm, and will be known as the Fire Board Election. She informed the Board that the Fire Dept. Will be having an open house on the same day as the Playground Fundraiser, and requested the Board stop by.

**8.2 Discussion and possible action:** Manager Charles discussed the increase in water and sewer rates, in which Resolution NO. R419 Series 2020 was presented, a resolution increasing base rate for water and sewer services. The Resolution is to increase revenue for some much needed infrastructure repair on the Towns water and sewer system. This will be a significant improvement overall. The plan overview which CDHP required the improvements. Manager Charles that the Resolution is subject to change and needs reviewed. Trustee Stark questioned the one dollar per year increase and stated it was a bit much. Trustee Folsom stated that he echoed Trustee Starks comment, and questioned how viable were the grants. Manager Charles stated that the CDOT issue was very important, meaning that CDOT will wait

until 2021 to re-pave the highway allowing the town to trench the lines rather than bore the highway. Trenching is much less costly than road boring. Manager Charles reiterated that the resolution can be modified. Trustee Stark commented that there needs to be more research. Trustee Truelsen expressed that he was not happy with the \$1.00 increase as well and that the Board should increase for one year for now. Trustee Biard understood that the \$1.00 increase would help maintain and would like to see it in the 2021 budget. Trustee Stark stated she would like more information. *Trustee Biard moved to increase the water rate to \$5.00 and sewer rate to \$2.50, withholding the \$1.00 per year increase for the next 5 years, seconded by Trustee Folsom.* Trustee Folsom was still a bit apprehensive, he questioned about the citizens who are on fixed income. Manager Charles stated a possible refund based on needs. Second amended motion, Trustee Truelsen amended the original motion that the increase will be effective on May 1<sup>st</sup>, 2020, seconded by Trustee Folsom. Motion carried unanimously.

**8.3 Discussion and possible action: Ordinance 542**, an ordinance authorizing the sale of Town-owned property located at 111 North 14<sup>th</sup> Street (previously the town shop) to the Dolores School District RE-4A. As town property can only be sold by Ordinance, this will be the **first reading of Ordinance 542**. A standard real-estate contract was reviewed and explained by Attorney Kelly. The actual closing date will be May 29<sup>th</sup>, 2020 for the amount of \$40,000.00, with an **as is** condition and split closing costs. Trustee Folsom moved to accept the first reading of Ordinance 542, seconded by Trustee Biard. After further discussion of a Public Hearing, Trustee Folsom amended the first motion to include a Public Hearing at the April Board of Trustee meeting will be set for April 13<sup>th</sup>, 2020. Trustee Biard seconded again. Motion carried unanimously.

**8.4 Discussion and possible action:** Resolution R420 Series 2020, to create a separate bank account with Dolores State Bank for the Community Playground Project. Trustee Folsom moved to approve a Community Play Ground Project bank account with Dolores State Bank, seconded by Trustee Biard. Motion was carried unanimously. Trustee Stark questioned the names assigned to the account (Mayor Chad Wheelus, Pro Tem Duvall "Val" Truelsen and Treasurer Tricia Gibson), she questioned being this is an election year and the Mayor and Pro Tem are up for re-election. Trustee Folsom inquired about the bank fees.

**8.5 Discussion and possible action:** Concerning an agreement with the Dolores Chamber of Commerce pertaining to assisting the Town and Farmer Market with advertising and marketing. Manager Charles requested \$1000.00 donation, for the Farmer Market. This will help the Farmers Market in advertising, new banners, and help pay for musicians, making the Farmers Market a more successful event. Originally the Chamber asked the vendors to pay a modest fee of \$25-\$50 per vendor for the entire year, to cover expenses. At a recent vendor meeting the plan was met with dissatisfaction by the vendors. Mayor Wheelus agreed with the idea of keeping costs down, as the Farmers Market was good for the community. Trustee Stark questioned why there was an agreement with the Chamber of Commerce, when the Town is sponsoring the Farmers Market. Susan Lisak the Chamber of Commerce Director reiterated that the Town donation would help offset the cost of banners and music. Susan also stated that she is promoting the Farmers Market through Facebook as well. A suggestion was made that possibly the Vendors can display a donation bin. After discussion the Board agreed that there was to be no vendor fee for the Farmers Market. The Board acknowledged the request.

**8.6 Discussion and possible action:** Concerning the submission of an Energy Impact Grant to the Colorado Department of Local Affairs (DOLA) for the construction of a Photovoltaic Solar Project at the Town Waste Water Plant, Town Hall, and Town Shop. Manager Charles requested permission from the Board to move ahead with the Shaw Solar Project. He recommended that the Board approve the grant application through DOLA grant. *Trustee Folsom move to approve the DOLA grant application and budget for the Solar Project, seconded by Trustee Watters. Motion carried unanimously.*

**8.7 Discussion and possible action:** Resolution NO R421 Series 2020. A Resolution to purchase the Harris Bothers Property. A tract of land approximately 37 acres in the W/2 SW/4 Section 10, Township 37 and the S/2 SE/4 of Section 9 , Township 37 North, Range 15 West, NMPM less those tracts described in Book 100, Page 377, Book 117 and Town of Dolores as filed in Book 1 and Book 3 and Lot 18, Block 7, Town of Dolores. Known by assessor's parcel number 5359-094-00-002 and by street address as 202 North 2<sup>nd</sup>, Dolores Colorado 81323. The parcel of property has value for the Citizens of the Town of Dolores as open space and to prevent destabilization of the canyon slope along the north side of the Town of Dolores. The purchase price is \$36,000.00, plus customary closing costs, survey, and title insurance not to exceed \$7000.00. It is requested by the property owner that the Town recognized to the Harris Family. The closing will take place after the closing for the shop property in July of 2020. Manager Charles read the survey by Huddleston Land Surveying, which came out inconclusive as it was mostly canyon wall. Mayor Wheelus asked if part of the land could be surveyed, possibly the top. Trustee Stark also agreed with the top being surveyed. *Trustee Truelsen move to approve Resolution NO 421 Series 2020, with a survey completed at the top of the Mesa N/W portion, seconded by Trustee Folsom. Motion was carried unanimously.*

Mayor Wheelus announced that this was the last meeting for Trustee James Biard, and thanked him for his service on the Board.

**9. ADJOURNMENT:** Mayor Wheelus adjourned the meeting at 9:02 p.m.

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Mayor Chad Wheelus

Town Clerk Tammy Neely