

MINUTES

TOWN OF DOLORES, COLORADO

TOWN BOARD OF TRUSTEES

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

DUE TO THE COVID-19 PANDEMIC, THIS MEETING WAS HELD VIRTUALLY AND RECORDED

1. CALL TO ORDER: Mayor Wheelus called the meeting to order and 6:30 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL:

3.1 Board Members Present: Mayor Chad Wheelus, Trustees Andy Lewis, Duvall “Val” Truelsen, Tracy Murphy, Sheila Wheeler, Melissa Watters, and Jennifer Stark.

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

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

5. APPROVAL OF THE AGENDA: *Trustee Murphy moved to approve the Agenda for September 14th, 2020, seconded by Trustee Lewis. Motion carried unanimously.*

6. PUBLIC PARTICIPATION (5 minutes only): Citizens may comment at this time or during a Public Hearing ONLY.

6.1 Jean Becker/ 1200 Merritt Way: She heard that the Town was going to have a bike trail going to Boggy Draw. She stated that people walk that area; there is a steep drop off, with animals, and vegetation. She is concerned about the safety of trail. She requested that the Board consider any proposal carefully. As the President of the Library Board, she informed the Board that the Library Board had a resignation, and will be referring a recommendation for the Town Board to consider.

6.2 Rhoda Franks/30825 Road U: Addressed the Board with concerns for the proposed Bike Trail. She stated that the Trail was not a good idea. There were several safety issues. She asked the Board to carefully consider the proposal.

7. STAFF/PROCLAMATIONS AND PRESENTATIONS

7.1 TOWN AUDIT: Chris Majors/Majors and Haley, P.C., presented the Towns Audit report for the year ending December 31st, 2019. Mr. Majors reviewed the financial highlights of the Audit. The net position of Governmental Activities increased by \$135,860.00, giving a 4.8 percent increase from 2018. Net business type activities increased \$67, 322.00 3 percent of 2018. General Revenues accounted for \$779,284.00 which is 58 percent of all revenues. Governmental activities total assets increased by \$110,219.00. Total liabilities and deferred inflows of resources decreased by \$25,641.00 The Town

incurred \$736,588.00 in expenses related to governmental activities. \$94,631.00 of the expenses was offset by program specific charges for services, grants and contributions. The General Fund had \$872,448.00 in revenue and \$676,028.00 in expenditures. The fund balance increased by \$196,420.00 from \$1,046,195.00 to \$1,242,615.00.

7.2 Sheriff's Report: Sheriff Steve Nowlin reported to the Board the activity for law enforcement for the month of August 2020. He also submitted the June 2020, and July, 2020 expenditures report. Also reviewed was the cost of dispatch fees, Sheriff Nowlin stated that these fees were very expensive and the Sheriff's Department will be looking at other resources for increased service at reduced cost. The new Deputies that will be patrolling the Town are Patrick Goddard, and Isaac Coyote. They have gone around Town introducing themselves and getting to know the Community. Sheriff Nowlin addressed he would like the Board to consider removing the liquor license transfer of location for Montezuma Mexican Restaurant off the Consent Agenda, and asked the Board to delay in approving the transfer as the diagram for areas of consumption was not detailed enough, he also requested that he needed time for a proper investigation.

7.3 Managers' Report: Attorney Jon Kelly presented the report on behalf of Manager Charles. The Chamber of Commerce has applied for a permit for Harvest Fest approved by Manager Charles. Public Works Director Randy McGuire also approved the site plan for the use of the ball fields at Joe Rowell Park. Sheriff Nowlin, Chamber of Commerce Director Susan Lisak, and Manger Charles met for a review regarding a Special Events Liquor License on site from 10:00 a.m. to 4:00 p.m. during the Harvest Fest. Sheriff Nowlin approved the site plan. The Chamber will be responsible for the fees associated with having two deputies. The application is included in the Board packet. **Water Project:** D & L Construction mobilized September 8th, 2020. The construction will begin on First Street and move east. Businesses were notified. D & L will be speaking directly to adjacent property owners as the project progresses, notifying property owners how it will affect them. Water interruptions will not occur until later in the project. **Solar Project:** The request for proposal was made available September 8th, 2020 for vendors. Proposals will be due October 1st, 2020. Staff intends recommendations provided for the October 12th 2020 meeting. The DOLA grant is in process. A three to four week build is predicted and the build could start in 2020, if not then in the spring 2021. **Kaboom Project:** The build week is scheduled for October 24th, 2020. Staff will assist Kaboom with preliminary work including information about the site and obtaining design recommendation from both children ages 2-5 and adults. The build will not be a community project as KaBoom will provide a professional group of installers. This is funded by the Colorado Health Foundation. **Marijuana:** The schedule for adopting the Marijuana Ordinance will be the same as presented: October 12, 2020 First Reading of the ordinance. November 9th, 2020 Second and Final Reading. The month of December will be utilized for drafting required form and establish paperwork. January 4th, 2021 is the day the Marijuana Ordinance will go into effect. It is the intent to have the Land Use Code adopted along the same schedule.

7.4 Treasurers' Report: Treasurer Tricia Gibson updated the Board on account activities for the Month of August 2020. The Sales Tax Revenue report was also addressed with revenue showing higher than last year. All accounts are in good standing. Treasurer Gibson also submitted a Local Government Budget Calendar from the Department of Local Affairs.

7.5 Building Officials Report: Building Official David Douady reported the Permits issued #985 and #986 total amount of fees collected were \$360.00. Several building projects are in process. Three business inspections were conducted.

7.6 Public Works: Director Randy McGuire reported the August 2020 water production calculations, for both the water plant and well. Also a report was submitted to the Board packet for daily maintenance reports.

7.7 TOWN ATTORNEY: Attorney Jon Kelly reviewed the ordinance draft on the Marijuana Ordinance. Attorney Kelly explained that ordinance was very long and would take some time for the Board to review. Mayor Wheelus suggested that Board Members look at the Marijuana Ordinance Draft as it will be reviewed on the meeting for the September 28th, 2020 .

8. COMMISSIONS AND COMMITTEES:

8.1 Parks/Playground Advisory Committee: Ex-Officio Trustee Murphy reviewed the report that was submitted. KaBoom Build reiterating what was said in the Managers Report. **Soccer Goals:** The Committee is continuing to pursue soccer goals for the field at Joe Rowell Park. The Committee has invited interested community members to the next regular meeting on September 16, 2020 to discuss goal sizes for ages and interested groups. Trustee Lewis suggested that since the goals are expensive, that the Committee look into a local fabricator for the goals, and volunteered his time. Also concerning Joe Rowell Park, Manager Charles has requested that the Committee work with the Dolores High School Director to improve the condition of the baseball field. Currently the field is not suitable for competitive high school ball games. The goal would be to get the field ready for use in the spring. A review for the other fields and space for other uses as well. Minutes from July 8th, 2020 minutes were enclosed in the Board packet.

8.2 Planning and Zoning: Chairperson Linda Robinson reported to the Board the recap of the P&Z meeting held September 1st, 2020. Chairperson Robinson reported that a temporary use permit for a food truck was approved. Zoe's Ice Cream LLC, to be located at 18390 Hwy 145 in front of Eso Terra Cidery. The permit will last for one year. The Committee reviewed several topics on the Land Use Code: Streets and Parking requirements, Landscape guidelines, promoting low water use landscaping, noxious weed control. The Committee is considering essential characteristics or conditions that will trigger mature tree protections, as trees are very beneficial. Five articles are up for the draft in the new Land Use Code. Articles can be reviewed on the the Town website, under Projects, Land Use Code. Minutes for the July 7th and August 4th, 2020 meetings were submitted to the Board packets for review.

9. OTHER ORGANIZATIONS:

9.1 Chamber of Commerce: Director Susan Lisak stated the Rotary Club has donated \$600.00 for the soccer goals. She agreed that they were expensive and stated that Amazon was selling specified goals for \$1200.00 apiece. She thought that Trustee Lewis's suggestion was a great idea and the Rotary money could be applied toward the cost of fabrication for the goals. Director Lisak informed the Board that the Chamber does have a Dumpster for campers and hunters. They charge \$5.00 for three bags of trash. The Drive-In movie is winding down and there are two Movies left. Friday September 18th will be Grease, and the last movie will be Beetlejuice. Director Lisek addressed Harvest Fest, she stated that social distancing

will be practiced; utilizing three baseball fields each field will be allowed 175 capacity per section. The fields will be divided into Vendors, Car Show, and Games. Entry will be free and sanitation protocol will be in place. Trustee Watters questioned the wearing of masks and social distancing in which Director Lisak replied "I am making all the signs, and we will put a sign up that says masks recommended upon entry, but it is an outdoor event, and it's not required by the state". Director Lisak reiterated social distancing, hand washing stations, and Vendors will be responsible for their sanitation methods. The obstacle course is a no touch course. She stated that there is an allowance for 175 people in each section, as each section is fairly large.

10. REVIEW OF THE CONSENT AGENDA: The review of the Consent Agenda is intended to allow the Board by a single motion approves matters that are considered routine or noncontroversial. There will no separate discussion of these items unless a Board Member requests an 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 Minutes: For the meeting on August 19th, 2020 and the Continuation Meeting on August 24th, 2020.

10.2 Proceedings: For the month of August, 2020

10.3 Continuation Meeting for September 28th, 2020 at 6:30 p.m.

10.4 Liquor License: Transfer of location application for Montezuma Mexican Restaurant.

10.5 Special Events Liquor License Permit: Dolores Chamber of Commerce Harvest Fest.

Trustee Stark moved to approve the Consent Agenda, removing item number 10.4 out of the consent agenda, and move to item 11 The Removed Consent Agenda Item 10.4 for further review, seconded by Trustee Murphy. Motion carried unanimously.

11. REMOVED CONSENT AGENDA ITEMS:

11.1 Liquor License Transfer of Location: (Previous item #10.4) Transfer of Location Liquor License for Montezuma Mexican Restaurant. Mayor Wheelus opened the topic for discussion. Sheriff Nowlin asked if the license approval could be reviewed/approved on the September 28th Continuation Meeting as he would like to have time to prepare an inspection of the premises. Attorney Kelly asked if the Board could approve the license contingent of Sheriff Nowlin investigation. The issue with the Transfer of Location was the previous license holder that left did not surrender the license properly. Attorney Kelly explained that the previous license holder failed to surrender the license to the Colorado State Liquor Enforcement Division (LED). Clerk Neely was communicating with LED; concerning the surrender, they explained that the previous holder needed to file a Surrender of License Affidavit. The previous owner came and filed the Affidavit as of the 14th of September 2020, clearing the new license holder to proceed. There was some question about the diagram showing a large area of consumption. It was concluded that the License Holder correct the diagram submitted to show several issues. Trustee Stark asked about violations for the Montezuma Mexican Restaurant, Sheriff Nowlin answered that there were no violations. *Trustee Murphy moved to approve the permit application for Montezuma Mexican Restaurant*

contingent on Sheriff Nowlin completing his review, seconded by Trustee Wheeler. Motion carried unanimously.

12. PUBLIC HEARING: None

13. INTRODUCTION OF ORDINANCES AND RESOLUTIONS:

13.1 Resolution #428-Series 2020: The Resolution refers to certain elected and/or appointed officials of the Town of Dolores be deemed not to be employees, within the meaning of the Workers Compensation Laws. *Trustee Truelsen moved to approve Resolution #428-Series 2020, seconded by Trustee Murphy. Motion carried unanimously.*

14. ADMINISTRATIVE:

14.1 IT Upgrade Update: Building Official Douady updated the Board on the It Upgrade. He submitted a spreadsheet of the costs and requirements to upgrade all IT equipment. The equipment for the Water Plant, Town Shop, and Town Hall. A cost comparison was done using 2 different IT companies. ImageNet and Netforce PC. It was determined that NETFORCE PC came in the most cost effective. David recommended the Proposal submitted by NETFORCE PC. Trustee Stark asked if there was a probationary Contract. *Trustee Stark moved to approve the contract with NETFORCE PC for 1 to 2 year period, depending on what the town staff recommends, seconded by Trustee Murphy. Motion carried unanimously.*

15. ADJOURNMENT: Mayor Wheelus adjourned the meeting at 9:05 p.m., until September 28th, 2020 for a continuation and workshop.

Mayor Pro Tem Duvall "Val" Truelsen

Town Clerk Tammy Neely