



AGENDA

TOWN OF DOLORES COLORADO

BOARD OF TRUSTEES MEETING

SEPTEMBER 25TH, 2023, MEETING/WORKSHOP 5:30 P.M.

THE MEETING WILL BE HELD AT TOWN HALL 420 CENTRAL AVENUE.

IF YOU WISH TO ATTEND VIRTUALLY, PLEASE VISIT THE TOWN WEBSITE UNDER GOVERNMENT TOWN BOARD MEETING FOR THE ZOOM LINK

<https://townofdolores.colorado.gov>

WORKSHOP: Starting at 5:30 p.m., with dinner.

1. Discussion: Community Center

BOARD MEETING: Starting at 6:30 p.m.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL:

4. ACTION/APPROVAL OF THE AGENDA

5. IDENTIFICATION OF ACTUAL OR PERCEIVED CONFLICTS OF INTEREST.

6. CITIZENS TO ADDRESS THE BOARD: This is an opportunity for Citizens to address the Board at this time or during a Public Hearing. Each Person will have 5 minutes. The Town Board encourages public comment by the following sources: Live at the Town Hall, virtually via ZOOM (see the Town Website for the link), or by submitting your comments, via email, to the Town Clerk at tammy@townofdolores.com any time before the dated Board meeting.

7. CONSENT AGENDA: No agenda at this time

8. BOARD MEMBERS COMMENTS AND REPORTS:

9. ACTION/APPROVAL OF RESOLUTIONS/ORDINANCES:

10. STAFF REPORTS/PRESENTATIONS:

- Manager Paul Ruud
- Attorney Jon Kelly
- Treasurer Heather Robertson

11. ADMINISTRATIVE BOARD BUSINESS:

11.1 Discussion/Possible Action: Traffic signs for Railroad Avenue-CDOT requirements, and the stop sign on fourth street.

11.2 Discussion/Possible Action: Marijuana/Liquor Occupational Tax

11.3 Discussion/Possible Action: Code Enforcement on noise, weeds, buildings deemed unsafe or hazardous.

11.4 Discussion/Possible Action: Update on Sheriffs 2024 contract.

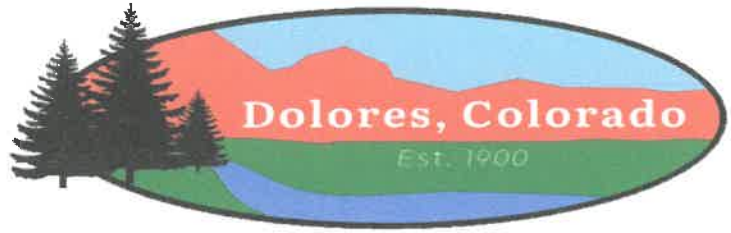
11.5 Discussion/Possible Action: Recommendation from the Housing Task Force to move forward with developing parcels for affordable housing.

12. FUTURE AGENDAS:

- **P&Z meeting.** October 3rd, 2023
- **Parks meeting:** October 12th, 2023
- **Board meetings:** October 9th, 2023, Board meeting, and October 23rd, 2023, Workshop/Board meeting.

13. ADJOURNMENT

A-1



September 20, 2023

RE: Retail Transaction Fee Monthly Invoice

Dear

Your retail marijuana transaction fee payment for the months of January & February is due as soon as possible. Please make your check payable to the Town of Dolores and send payment, along with the list of transaction fees, to our office, there is a drop box for your convenience as well. Just to let you know we are now taking credit cards, there is a 3% fee to use it.

If you have any questions, please contact our office.

Sincerely,

Tammy Neely
Dolores Town Clerk
970-882-7720

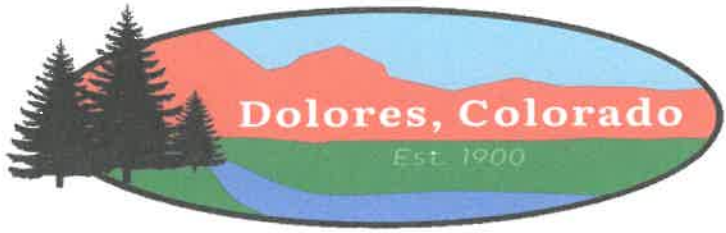
Cut along dotted line & return bottom portion with your payment together with the enclosed reporting form.

Name _____

Amount remitted _____

For the month of _____

420 Central Ave. • P.O. Box 630 • Dolores, Colorado 81323
Phone (970) 882-7720 • Fax (970) 882-7466



Retail Marijuana Retail Occupation Tax Form

Pursuant to Article III of the Dolores Marijuana Code a tax of \$3.00 per sales transaction is levied on all medical and retail marijuana sales in the Town of Dolores. This includes the sale of any marijuana product and marijuana infused product. It does include the sale of merchandize or other non-marijuana product. You are required to report transactions and remit the occupation tax on a monthly basis unless otherwise permitted by the Town Clerk pursuant to the Dolores Marijuana Code. You are required to maintain records of all sales, and upon request of the Town Clerk, make those records available for inspection, to verify the reported transactions. Your return is subject to audit by the Town of Dolores.

Reporting Period from _____ (date) to _____ (date)		
Line	Description	Amount
1	Total Sales all products for Reporting Period	\$
2	Of Total Sales (Line 1) for Reporting Period amount of sales of marijuana products	\$
3	Of Total Sales (Line 1) for Reporting Period amount of sales of non-marijuana products	\$
4	Total Sales Tax Remitted to Colorado Department of Revenue for Reporting Period	\$
5	Total <i>number</i> of sales transactions for non-marijuana product	
6	Total <i>number</i> of sales transactions of all marijuana products for Reporting Period	
7	Multiply Line 6 by \$3.00 and enter amount here—this is the Amount Due	

Remit the Amount Due shown on Line 6.

Licensee or authorized agent (date)

By signing this form, Licensee or authorized agent states that the information provided on this form is true and correct under penalty of perjury.

420 Central Ave. • P.O. Box 630 • Dolores, Colorado 81323
Phone (970) 882-7720 • Fax (970) 882-7466

5.16.380 - License fees and charges.

1. Applicants for retail marijuana business licenses or existing licensees shall pay the following fees (which are in addition to any state license fees, whether or not shared with the town and in addition to any applicable fees required under the town land use code and building code):
 - a. New license for retail marijuana center application fee: one thousand dollars.
 - b. New license for retail marijuana cultivation facility application fee: one thousand dollars.
 - c. New license for retail marijuana manufacturing facility application fee: one thousand dollars.
 - d. New license for retail marijuana testing facility application fee: one thousand dollars.
 - e. Annual operating fee: one thousand five hundred dollars.
 - f. Renewal of existing retail marijuana business license application fee: one thousand dollars.
2. The fees above apply to each license issued, and a business with multiple locations in the town must pay separate fees for each location. The appropriate fees must be paid in conjunction with any application or request before the town will process or act upon forms submitted. All fees are non-refundable in the entirety. No fees previously paid by a licensee in connection with a license shall be refunded if the licensee's license is subsequently suspended or revoked.

(Ord. No. 546 , § 1(2.17), 11-23-2020)

Annual Operating Fee - 1500.00
 Renewal Fee - 1000.00
 Business License - 25.00

} yearly

Occupational Tax - 3.00 per transaction > Monthly

5.16.620 - Tax overpayments and deficiencies.

An application for refund of tax monies paid in error or by mistake shall be made within three years after the date of payment for which the refund is claimed. If the town clerk determines that within three years of the due date, a vendor overpaid the occupation tax on the provision of medical marijuana or retail marijuana, she shall process a refund or allow a credit against a future remittance from the same taxpayer.

If at any time the town clerk determines the amount paid is less than the amount due under this article, the difference together with the interest shall be paid by the medical marijuana business or retail marijuana business within ten days after receiving written notice and demand from the town clerk. The town clerk may extend that time for good cause.

(Ord. No. 546, § 1(3.6), 11-23-2020)

5.16.600 - Collection of tax.

1. Every vendor providing medical marijuana or retail marijuana taxable under this article shall remit such tax on or before the tenth day of each month on account of medical marijuana or retail marijuana transactions in the preceding month. Said payment shall be accompanied by a return which shall contain such information and be in such form as the town clerk may prescribe.
2. The burden of proving that any transaction is exempt from the tax shall be upon the vendor.
3. If the accounting methods regularly employed by the vendor in the transaction of business, or other conditions, are such that the returns aforesaid made on a calendar month basis will impose unnecessary hardship, the town clerk may, upon request of the vendor, accept returns at such intervals as will, in the town clerk's opinion, better suit the convenience of the vendor and will not jeopardize the collection of the tax; provided, however, the town clerk may by rule permit a vendor whose monthly tax obligation is less than one hundred dollars to make returns and pay taxes at intervals not greater than three months.
4. It shall be the duty of every vendor to maintain, keep and preserve suitable records of all sales made by the vendor and such other books or accounts as may be required by the town clerk in order to determine the amount of the tax of which the vendor is liable under this article. It shall be the duty of every such vendor to keep and preserve for a period of three years all such books, invoices and other records and the same shall be open for examination by the town clerk or designee.
5. The tax to be paid by a vendor shall not be stated and charged separately from the sale price of medical marijuana or retail marijuana on any record thereof at the time when the sale is made or at the time when evidence of the sale is issued, such as a receipt provided, a vendor may indicate on the record or receipt the sale price "includes Town of Dolores Occupation Tax."

(Ord. No. 546, § 1(3.5), 11-23-2020)

5.16.060 - Application and license fees.

1. Application and license fees (which are in addition to any state license fees, whether or not shared with the town and in addition to any applicable fees required under the town land use code and building code) for medical marijuana businesses shall be as follows:
 - a. New license application fees:
 - i. First submittal: one thousand dollars.
 - ii. For associated facilities or licenses: five hundred dollars.
 - b. Fingerprint-based criminal background check fee, per person checked: actual cost.
 - c. Renewal application fee: five hundred dollars.
 - d. Late renewal fee: five hundred dollars.
 - e. Change of business manager: one hundred fifty dollars (plus actual fingerprint-based background check fees).
 - f. Transfer of location: one thousand dollars.
 - g. Modification of premises or other activities for which a fee is permitted, but for which a fixed amount is not set in this article: two hundred fifty dollars.
 - h. Change of corporate structure or change of a controlling beneficial owner: one hundred fifty dollars per person (plus actual fingerprint-based background check fees).
 - i. Other change in financial interests: one hundred dollars minimum, or actual cost if more than one hundred dollars.
 - j. The board of trustees, by resolution, may increase or decrease any fee or cost or otherwise modify any other provisions set forth in this section. Any such increase, decrease or other modification shall be evidenced by an appendix to this article.
2. The primary purpose of the fees established in this section is to defray the costs of the particular municipal services provided and not to defray the costs of general services provided by the town or to raise general revenues. The fees provided in this section are reasonably related and proportional to the costs of the services provided and do not generate additional net revenue.
3. Fees described in this section are non-refundable even if a license or application is denied, approved but not issued, lapsed, abandoned or withdrawn.

(Ord. No. 546, § 1(1.6), 11-23-2020)



NOTES

TOWN OF DOLORES COLORADO

DOLORES ATTAINABLE HOUSING TASK FORCE

AUGUST 31ST, 2023, 6:30 P.M. MEETING/WORKSHOP

THE MEETING WILL BE HELD AT TOWN HALL 420 CENTRAL AVENUE.

IF YOU WISH TO ATTEND VIRTUALLY, PLEASE VISIT THE TOWN WEBSITE UNDER PROJECTS - ATTAINABLE HOUSING TASK FORCE FOR THE ZOOM LINK

<https://townofdolores.colorado.gov>

Starting at 6:30 p.m.

- 1. CALL TO ORDER: Manager Charles called the meeting to order at 6:34 p.m.**
- 2. ROLL CALL:** Taskforce members Kirk Swope, Lainey Nemanic, Trustee Shiela Wheeler, Commissioner Linda Robinson, Mayor Leigh Reeves, and Jen Stark (arrived after roll call). Staff members, Jon Kelly, Ken Charles, David Doudy and Ann Swope. Manager Charles asked if anyone wanted to amend the agenda.
- 3. Discussion of Rural Homes contract with the possibility of additional work.**

Additional work suggested by Manager Charles includes creating a Deed restriction document, developing a financing assistance template to highlight sources for developers, homeowner financing and downpayment assistant programs. Development of the Request for Qualifications and engage C-Dot and an engineer to work on infrastructure needs (water, and sewer) for the 1.4-acre parcel east of town. Manager Charles feels like these elements are necessary to have in place to begin the development phase of this project. Rural Homes will assist the Taskforce and the Board of Trustees fit these to the town.

There was a brief discussion of potential local developers who might be interested in submitting qualifications and proposals. Jen Stark mentioned the Regional Housing Alliance of La Plata County and wondered if it served Montezuma County as well.
- 4. Discussion of Recent Ordinances related to workforce housing.** Manager Charles reviewed the elements of the recent ordinances that were adopted to promote affordable housing. These strategies are recommended by the funding agency Department of Local Affairs and House Bill 123 voted into existence in the 2023 general election.
- 5. Discussion of recent/future grant applications**

Manager Charles got estimates from SGM engineering and D & L Construction companies for chip seal and curb and gutter. This is one part of a Grant for Stronger Communities application to be submitted by the town. He has these estimates and other infrastructure costs of this

development. The members have concerns for community push back for this type of isolated infrastructure improvement occurring while not improving other neighborhoods. The other concerns are for run off flooding which is a problem in this area and finally the cost-waiver of taps and installation fees and drainage improvements.

Mayor Reeves asked about the inventory of “Affordable Homes” to qualify as Affordable Housing. A property must meet the criteria in the definition of Affordable Housing adopted by the town. The members spent some time identifying homes in Dolores that may meet affordable housing eligibility. Most of them are rentals operated by Montezuma County Housing Authority.

The newly established Proposition 123 funding program has an opt in deadline in November. The requirement for opting in would be creating a growth plan for adding Affordable Housing units to the housing stock in Dolores. Member Stark feels like it would be good to designate some members to look through the Affordable Housing and Proposition 123 details and have the knowledge in house to continue working toward. The group designated Jen Stark to do the studying of the information and creating memos to share regarding the way it works for Dolores. There will be a Resolution required to authorize the town to opt in. Jon Kelly will begin the process of creating the opt-in resolution.

Sheila Wheeler asked about long term affordability of these housing units and was reassured that the manufactured structures have built-in efficiencies such as solar panels, heat pumps and insulation factors for the climate. These will help keep the utility costs down. Plumbing codes now require water conservation fixtures as well.

- 6. Citizens to address the Task Force: This is an opportunity for citizens to address the Board at this time of the meeting.** The Task Force encourages public comment by the following sources: Live at the Town Hall, virtually via ZOOM (see the Town Website for the link), or by submitting your comments, via email, to the Town Clerk at tammy@townofdolores.com any time before the dated meeting.

There were no citizens attending this meeting.

7. Task Force Discussion/Recommendations to the Town Board

Taskforce member Stark moved and Taskforce member Numanic seconded to proceed to move forward with developing parcels for affordable housing, an agreement to consider the gifting of the parcels for development with appropriate restrictions, support to apply for grants and additional assistance and support to proceed with a Request for Qualifications that is developed and approved by the Planning Commission and The Board of Trustees to go out to bid.

Yes: Swope, Numanic, Robinson, Reeves, Wheeler, and Stark.

No: none

This will be presented to the Board of Trustees for considerations. Members have some concern about the board members to be able to make an educated decision and will depend on staff to bring them up to speed on the project.

- 8. Future meetings: follow up with details of opting in the Proposition 123 funding, current inventory of Affordable Housing eligible dwellings in Dolores, and local housing resources like Regional Housing Alliance.**