

**Town of Mancos  
Board of Trustees Meeting  
February 26, 2014  
7:00 p.m.**

**A. CALL TO ORDER:** Mayor pro tem Perry D. Lewis called the meeting to order at 7:04 p.m.

**B. ROLL CALL:** Present: Mayor pro tem Perry D. Lewis, Trustee Queenie Barz, Trustee Rovilla Ellis, Trustee Todd Kearns  
Absent: Mayor Rachael Simbeck, Trustee Alan Rolston, Trustee Chip Tuthill

Staff Present: Town Administrator Andrea Phillips, Town Clerk/Treasurer Heather Alvarez, Public Works Director Robin Schmittel, Marshal John Cox, Parks & Recreation Director Leslie Hopkins, Town Attorney David Liberman

**C. APPROVAL OF AGENDA:** Trustee Todd Kearns made the motion to approve the agenda. Trustee Queenie Barz seconded the motion to approve the agenda. Motion passed.

**D. APPROVAL OF MINUTES OF February 12, 2014:** Trustee Queenie Barz made the motion to approve the minutes of February 12, 2014 as written. Trustee Rovilla Ellis seconded the motion to approve the minutes. Motion passed.

**E. AUDIENCE BUSINESS**

None

**F. ANNOUNCEMENTS**

- Town Administrator Andrea Phillips advised the Planning Commission would like to discuss design standards of the highway business district on March 8 at 10:00 a.m. at Town Hall.

**G. PRESENTATION**

**Proclamation of Thanks to Mancos Community and Volunteers  
Certificates of Appreciation to Gray Stecher, Eireland Fagan & River Martucci**

Mayor pro tem Perry D. Lewis read the proclamation of thanks to the Mancos Community and Volunteers during the recent water system outage. Certificates of appreciation were presented to Gray Stecher, Eireland Fagan and River Martucci for their hard work.

**H. UNFINISHED BUSINESS**

1. Public Hearing Ordinance 678 Habitation in RVs

Public Hearing opened at 7:12 p.m.

- a) Sunny Gale, 400 Grand Ave. - read a prepared statement. Although she feels that other issues such as water, sewer, storm drains should take precedence, she has several comments. Related to item #3 under restrictions, many people don't know where the right of way is located so a public education piece is necessary
- b) Regina Roberts, 601 Grand Ave. - she is against Ordinance 678 because it says she is allowed to park her RV in the public right of way for 30 days at a time, but Ordinance 679 says her empty RV can't be parked in the public right of way for more than 48 hours; she agrees with the previous speaker that the roads and rights of way aren't clear in Town; she will be asking the Town to survey every unpaved road in Town; she does not want to inform the Town each time she has guests staying in her RV; she is against long term habitation.
- c) Barbara Black, 342 Grand Ave. - read a prepared statement against Ordinance 678. She has lived in her home since 1945 without a problem; she can't park her RV in her driveway because she is being told that it is in the right of way; her RV has been parked there for 6 years without a problem to snow plows or emergency vehicles; she has no where else on her property to park her vehicle; she does have guests sleep in the RV, but no sewage is released; she inquired as to whether seniors and young families living in RVs have been contacted; she feels this is not the way to clean up the Town by disrupting so many lives.
- d) Tom Nunn, 864 Riverside Ave. - he is against Ordinance 678. He does not feel that the Town should tell the public what to do with their private property; he has an RV and two utility trailers parked on his property; living in his RV has enabled him to upgrade and remodel his home; he feels we should address unfinished business such as Western Excelsior, the smell from the sewer plant and cleaning up alleys in Town.
- e) Gilbert Archuleta, 515 Grand Ave. - he has lived here all his life; he has a home improvement business for the past 40 years; he has a utility trailer hooked to a work truck that holds all of his tools, when it is not parked at a job site, it is parked at his house, what happens when the truck and trailer are not parked at the job site? This will create a hardship for his business.
- f) Madeline Williams, 681 Grand Ave. - she feels that with the economic conditions being what they are, many people have no where else to live; she understands that handling on a case by case basis creates a management problem, but she feels the complaints the Town is receiving are about negligent property.
- g) Tom Martinez, 416 N. Main St. - he is against these ordinances. He just moved his RV onto his property to allow him to remodel his home.
- h) Sherry Romero, 864 Riverside Ave. - she works in Colorado Springs to fund the house they are rebuilding in Mancos; they purchased an RV to live in while they are remodeling the home; it has taken them two years to earn the money to buy the materials to fix the home; she feels the one year time limit is not sufficient.

Public Hearing closed at 7:35 p.m.

For sanitary, security and health reasons, it is recommended that the town prohibit permanent habitation in recreational vehicles within town. Provisions are made to accommodate guests in a recreational vehicle for limited amounts of time. A permit

process is also provided to allow an inspection RV to be habited for up to one year, while a SF home is under construction. This item was heard at a public hearing before the Planning Commission on January 15, 2014. Trustee Queenie Barz stated that from the emergency response side habitation in RVs is a serious issue because the emergency responders don't know where to go in the event of an emergency. She is also concerned about the health issue with regard to the increased demand on the Town water and sewer system. Trustee Rovilla Ellis inquired as to whether the storage of recreational vehicles on private property was prohibited. This particular ordinance only addresses habitation in RVs on private and public property. Trustee Todd Kearns is concerned with the sewage. He believes there are other ordinances in place to handle that issue. Trustee Queenie Barz inquired as to whether Staff might review the habitation issue on a case by case issue to confirm that sewage is not being dumped illegally. She also feels these people should register with emergency services so they are aware in the event of an emergency. The ordinance makes allowance for a permit as a temporary field office up to one year. Town Administrator Andrea Phillips stated that a utility trailer associated with construction on a lot would be allowed as an exception. This item was tabled until March 12, 2014 to allow further discussion before a complete Board.

2. Public Hearing Ordinance 679 Storage of RVs and Equipment

Public Hearing opened at 7:49 p.m.

- a) Tony Aspromonte, 899 Bauer Ave. – speaking against. He has lived at that residence with his trailer out front for 20 years without complaint; because there is no curb, gutter or sidewalks there's no reason to prohibit him from parking his trailer in front of his house; he feels this ordinance is premature.
- b) Sunny Gale, 400 Grand Ave. – to follow up to her previous statement, she is unclear as to how this will be monitored.
- c) Regina Roberts, 601 Grand Ave. – with regard to the second whereas in the ordinance relating to access for snow plows, emergency vehicles, etc, all the vehicles parked on the street will be in the way of snow plows; with regard to safety vehicles response, she doesn't feel her RV prohibits safety vehicle response; with regard to street repairs, the homeowner should be notified; the majority of homes on Grand Ave. do not have a garage or carport, so vehicles must be parked on the street; there is only one storage facility close to Town, but they are no longer taking outside storage
- d) Barbara Black, 342 Grand Ave. – her RV is parked on Beech St. in front of her barn on her concrete driveway; it is not blocking her neighbors, street or alley.
- e) Tim Hunter, 100 Bauer Ave. – he feels the reasons for the ordinance are lacking; he feels the emergency responders will find a way; vehicles parked over manholes can be towed if necessary; utility trailers are left in front of job sites for longer than 48 hours, he expects to be able to park his utility trailer if he pays for a building permit; he feels that existing laws are in place to deal with this issue; if the Town wants to enforce rights of way, the Town should pay to survey all streets.
- f) Rick Spencer, 425 W. Sunset – no one knows where the Town rights of way are located; if the Town is working toward beautification, the streets should be graveled and potholes filled; speaking on behalf of the Fire Department and Montezuma

County Sheriff's Office, the emergency responders have no issues with the existing situation. He feels this reference should be removed from the ordinance.

Public Hearing closed at 8:06 p.m.

Mayor pro tem Perry D. Lewis feels that this ordinance is not necessary at this time as the Town has more important issues on which to focus. Trustee Todd Kearns would not vote to pass this ordinance as written. Trustee Queenie Barz would not vote to pass this ordinance as written. This item was tabled until March 12, 2014 to allow further discussion before a complete Board.

## **I. NEW BUSINESS**

### **3. Resolution 5 Series 2014 Appoint Election Judges**

We are required to appoint election judges for our municipal elections. Trustee Queenie Barz made the motion to approve Resolution 5 Series 2014 Resolution Authorizing the Town Clerk To Appoint Election Judges For The April 1, 2014 Municipal Election. Trustee Rovilla Ellis seconded the motion. Motion passed unanimously by roll call vote.

### **4. Reed Land Swap With School**

- a) Madeline Williams, 681 Grand Ave. – she inquired as to the bid received from Maness & Associates in the amount of \$1,500 - \$2,000. She wondered if the Town has obtained other bids to obtain a lower price.

Sharon Reed's property extends to the north side of the Mancos River and is in the path of the planned Mancos River Walk. Mancos Schools may be willing to swap a like-size parcel of their property to the west of Ms. Reed's property in exchange for her piece of property on the north side of the river. They would give the town an easement for the trail. Trustee Rovilla Ellis made the motion to authorize the Town Administrator to move forward with obtaining bids on a survey and work with Ms. Reed and Mancos School District on obtaining a trail easement. Trustee Todd Kearns seconded the motion. Motion passed unanimously by roll call vote.

### **5. FYI**

- a) Attorney Memo on Emergency Moratorium
- b) Voting Fact Sheet
- c) After Action Report on Water System Emergency
- d) Thank You card from Valley Inn

### **6. Executive Session – Contract With Water Meter Vendor**

Trustee Todd Kearns made the motion to enter executive session for purposes of developing strategy for negotiation and receiving legal advice per C.R.S 24-6-402(4)(e). Trustee Queenie Barz seconded the motion. Motion passed unanimously by roll call vote.

Executive session began at 8:26 p.m.

Executive session ended at 8:35 p.m.

Mayor pro tem Perry D. Lewis, Trustee Todd Kearns, Trustee Alan Rolston, Trustee Rovilla Ellis, Trustee Queenie Barz, Town Administrator Andrea Phillips, Town Clerk/Treasurer Heather Alvarez, Public Works Director Robin Schmittel and Attorney David Liberman participated.

This item will be placed on the March 12, 2014 agenda for full Board discussion.

**J. ITEMS FOR MARCH 12, 2014 AGENDA**

- Water Rates Plan
- Adoption of Board of Trustee Protocols

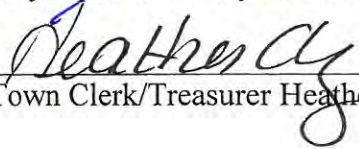
**K. ADJOURNMENT**

Meeting adjourned at 8:45 p.m.



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Mayor pro tem Perry D. Lewis



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Town Clerk/Treasurer Heather Alvarez