

**Town of Mancos  
Board of Trustees Meeting  
March 12, 2014  
7:00 p.m.**

**A. CALL TO ORDER:** Mayor Rachael Simbeck called the meeting to order at 7:03 p.m.

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

Staff Present: Town Administrator Andrea Phillips, Town Clerk/Treasurer Heather Alvarez, Public Works Director Robin Schmittell, Marshal John Cox, 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 26, 2014:** Trustee Rovilla Ellis made the motion to approve the minutes of February 26, 2014 as written. Trustee Todd Kearns seconded the motion to approve the minutes. Motion passed. Madeline Williams, 681 Grand Ave, asked about the Reed Land Swap item from the last meeting. Madeline Williams questioned as to why it wasn't posted on the website. Town Administrator Andrea Phillips advised that she is seeking three bids for this item.

**E. AUDIENCE BUSINESS**

None for items not on the agenda.

**F. TREASURER'S REPORT**

- February Bills & Claims  
Mayor pro tem Perry D. Lewis made the motion to approve the February Bills & Claims as presented. Trustee Rovilla Ellis seconded the motion. Motion passed.

**G. ANNOUNCEMENTS**

- Town Administrator Andrea Phillips announced the Candidates Forum on March 18 from 6:00 p.m. to 8:00 p.m. at the Mancos Community Center.
- Town Administrator Andrea Phillips reminded everyone the Mancos Melt is this weekend with proceeds going to the Mancos Historical Society.
- Trustee Queenie Barz invited everyone to the VFW on March 17 for the annual St. Patrick's Day celebration.
- Trustee Chip Tuthill stated Riverside Ave. is a mess due to the installation of the fiber cable.
- Trustee Chip Tuthill asked Town Administrator Andrea Phillips to contact Ruben Maestas for an appointment.

## H. UNFINISHED BUSINESS

### 1. Ordinance 678 Series 2014 Habitation in RVs

After receiving public comment during the February 26, 2014 Board meeting, Town Administrator Andrea Phillips is proposing rather than approve this ordinance, the Board of Trustees consider setting up a special task force to research and bring forth recommendations on this issue. She is seeking input from the Board of Trustees as to how to proceed.

- James Justice, 333 S. Mesa St. – he commented that he feels the Town needs some form of oversight of habitation in an RV. He suggested some type of permitting process.
- Barbara Black, 342 Grand Ave. – she spoke at the last meeting. She reminded the Board even the Fire Dept. is against this ordinance. She doesn't understand how the purchase of a permit makes living in an RV any safer. Is the Town Board willing to assist people living in RVs in finding alternate housing? She drove each street in the Town after the last meeting and didn't find any RV or trailer blocking traffic.
- Sunny Gail, 400 Grand Ave. – she feels the same as the previous speaker. She feels there are higher priorities in Town, although there is a need to clean up the Town. There is an 80' right of way on her street. From her fence to her neighbor's fence is only 74', so her fence and yard from 1883 are currently in the right of way. She is concerned that this ordinance is not enforceable.

Trustee Chip Tuthill commented that this ordinance doesn't address the concerns of the people. He doesn't see a need for this ordinance. Mayor Rachael Simbeck advised that even if the Town receives a complaint from one person, if the Municipal Code doesn't address the issue, the Board is unable to address the issue. She is in agreement with the suggestion to form a Task Force that includes citizens of Mancos. Mayor pro tem Perry D. Lewis feels we should drop the issue. Trustee Todd Kearns feels that there is not a problem with parking RVs and trailers in the right of way. He does feel that habitation in RVs does need to be reviewed to be sure the potential homeless issue is addressed. Trustee Queenie Barz agrees with Trustee Kearns, in addition she is concerned about the possible sewage discharge. Town Administrator Andrea Phillips advised that the Mancos Municipal Code currently does not allow habitation in accessory dwellings. Trustee Chip Tuthill feels it should be addressed on a case by case basis, and that existing laws are in place to deal with this issue. Trustee Alan Rolston agrees with Trustee Tuthill. The Board decided to take no further action at this time.

### 2. Ordinance 679 Series 2014 Storage of RVs

After receiving public comment during the February 26, 2014 Board meeting, Town Administrator Andrea Phillips is proposing rather than approve this ordinance, the Board of Trustees consider setting up a special task force to research and bring forth recommendations on this issue.

- Jennifer Guy, 333 S. Mesa St. – she has a camper in her yard, along with a utility trailer and construction trailer, none of which are in the right of way. She feels that RVs in the street are unsightly. She doesn't feel it is the Town's responsibility to provide storage for excess vehicles. It is the owner's responsibility to store their items on their property. She feels that if the Town wants economic development, we need to clean up our Town.

Trustee Todd Kearns feels this is not an issue the Town should address at this time. He does agree that there is not a lot of storage in Mancos. Trustee Chip Tuthill feels that if vehicles are block the line of sight for traffic safety reasons, this should be addressed. Otherwise, he agrees with Trustee Kearns. Trustee Queenie Barz agrees with Trustee Tuthill with regard to vehicles blocking the line of sight. Trustee Alan Rolston agrees with Trustee Barz. Marshal John Cox would enforce existing regulations blocking Town sidewalks. Trustee Queenie Barz made the motion to strike down Ordinance 678 and Ordinance 679 Series 2014. Trustee Chip Tuthill seconded the motion. Motion passed unanimously by roll call vote.

## **I. NEW BUSINESS**

### **3. Adoption of Board of Trustee Protocols**

The Board of Trustees has been working on drafting protocols by which the Board will govern itself. A final draft, including comments from Town Attorney David Liberman, is presented for Board review and approval. Trustee Chip Tuthill commented that in less than a month there are potentially four new Board members. He suggested the Board wait to adopt the protocols. Trustee Todd Kearns feels this Board has worked extensively on this document and should address this issue. Mayor Rachael Simbeck feels the protocols can be revisited at a future date, if necessary. Mayor pro tem Perry D. Lewis feels this document potentially blocks him from requesting information. Future Board members may be hindered from requesting information or discussing issues. Mayor Rachael Simbeck stated that this gives the Town Administrator guidelines for dealing with Trustee requests.

- Mayor pro tem Perry D. Lewis advised on page 2, item 6 regarding Board members not communicating with other individual Board members between meetings. He feels Board members should be allowed to communicate on legislative issues, not quasi-judicial. Town Attorney David Liberman reminded the Board to avoid a meeting outside a public meeting. If two Board members are discussing the issue, that is acceptable. Any communication between more than two Board members should be avoided. Trustee Chip Tuthill doesn't agree with this document at all. Mayor Rachael Simbeck feels that item is an ethics issue to be used as a guideline. Trustee Alan Rolston feels this item violates common sense. Trustee Rovilla Ellis feels this item should be left in the document. Trustee Queenie Barz feels individual Board members should be allowed to discuss without soliciting votes. This item will be stricken from the document.

- Mayor Rachael Simbeck requested clarification on item #2 page 1 as to whether the request should be in writing. Mayor pro tem Perry D. Lewis feels the request should be in writing.

Trustee Todd Kearns made the motion to approve the Board of Trustee Protocols with striking #6 on page 2 and including changes made by Town Attorney David Liberman. Trustee Alan Rolston seconded the motion. Motion passed by roll call vote with Trustee Chip Tuthill voting against.

4. Energy Impact Fund Grants

The Town is currently preparing for two large public works capital improvement projects including the addition of a new water tank and replacement of all Town water meters and rebuilding broken meter pits. After meeting with Ken Charles from DOLA, he advised that the Energy Impact Assistance Fund grant applications are due April 1. Town Administrator Andrea Phillips will confirm that the USDA funding won't be affected by the delay in bidding the project. The Board directed Town Administrator Andrea Phillips to apply for the EIAF grants for both projects.

5. Economic Development Incentives

Town Administrator Andrea Phillips is requesting direction from the Board as to whether they would like her to research and draft an economic development incentive policy as well as which type of incentives to offer. Mayor pro tem Perry D. Lewis is in favor of developing some type of policy. Trustee Chip Tuthill stated this could also be offered to businesses that are expanding. Mayor Rachael Simbeck advised that this could be offered to businesses wishing to annex into the Town limits. Town Attorney David Liberman advised that sales tax rebates are allowed, but tap fees rebates should not be considered. The Board directed Town Administrator Andrea Phillips to research economic development incentive ideas. This item will be brought to a future meeting.

6. Resolution 6 Series 2014 Water Rate Increase & Water Rate Plan

A final draft of the suggestions from RPI Consulting for increasing Town water rates to fund future capital improvements within the Town of Mancos is included for discussion. Also included is a resolution to increase utility rates. This resolution will increase rates \$5.00 per month for each service type, reducing the base gallons to 7,000 per month and increasing the overage rate to \$2.00 per 1,000 gallons beginning April 1, 2014. The resolution also includes a monthly rate increase of \$2.50 each year from 2015 – 2018. Trustee Chip Tuthill made the motion to approve Resolution 6 Series 2014 A Resolution Pursuant To Sec. 13-1-40 Of The Mancos Municipal Code With Regard To An Increase In Water Rates For The Town Of Mancos. Trustee Alan Rolston seconded the motion. Trustee Queenie Barz inquired as to whether we can lower the base gallons to 8,000 in 2014 and 7,000 in 2015. Trustee Chip Tuthill amended his motion to change the base rate to 8,000 the first year. Trustee Alan Rolston seconded the amended motion. Motion passed unanimously by roll call vote.

7. Town Facebook Page

Town Administrator Andrea Phillips is requesting direction from the Board as to whether

they would like to establish and begin using a Town of Mancos Facebook page to communicate with the public. Trustee Todd Kearns would also like to see a Reverse 911 system. Marshal John Cox discovered that the cost is \$1,000/month for maintenance and a per use charge. Trustee Todd Kearns would like to see the Staff discuss this issue with the Mancos School District. Trustee Chip Tuthill would like to see a Town Facebook page. Mayor pro tem Perry D. Lewis would like to see the Town have a Facebook page. Mayor pro tem Perry D. Lewis would like to see the page be informative only. Trustee Todd Kearns agrees with Mayor pro tem Lewis. Trustee Queenie Barz also agrees with Mayor pro tem Lewis. Trustee Chip Tuthill feels that comments should be allowed on the page. The Board directed Town Administrator Andrea Phillips to research potential guidelines. They also directed Town Administrator Andrea Phillips to move forward with publishing the Facebook page.

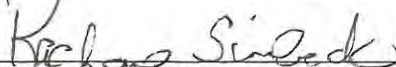
8. March 2014 Monthly Administrator Update  
Included for Board review. Trustee Queenie Barz commented that she received positive feedback from Paul Hollar at Montezuma County with regard to the Town's handling of the recent water emergency.
9. Letter of Support for SWCCOG Recycling Grant  
Included for Board review.
10. Sample Ballot for April 1, 2014 Municipal Election  
Included for Board review.
11. Executive Session – Contract With Water Meter Vendor  
After discussion, it was decided to bring this item before the Board if the Town receives the EIAF grant.

#### J. ITEMS FOR MARCH 26, 2014 AGENDA

- Website RFP Vendor Selection – Executive Session

#### K. ADJOURNMENT

Meeting adjourned at 9:02 p.m.

  
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Mayor Rachael Simbeck

  
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Town Clerk/Treasurer Heather Alvarez

*approved 3/24/14*