

**Town of Mancos  
Board of Trustees Meeting  
June 25, 2014  
7:00 p.m.**

**A. CALL TO ORDER:** Trustee Michele Black called the meeting to order at 7:05 p.m.

**B. ROLL CALL:** Present: Trustee Michele Black, Trustee Queenie Barz, Trustee Alan Rolston, Trustee James Maestas, Trustee Will Stone.  
Absent: Mayor Rachael Simbeck, Mayor pro tem Todd Kearns

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

**C. APPROVAL OF AGENDA:** Trustee Alan Rolston made the motion to approve the agenda. Trustee Will Stone seconded the motion to approve the agenda. Motion passed.

**D. APPROVAL OF MINUTES OF June 11, 2014:** Trustee Queenie Barz made the motion to approve the minutes of June 11, 2014 as written. Trustee James Maestas seconded the motion to approve the minutes. Motion passed.

**E. AUDIENCE BUSINESS**

- Madeline Williams, 681 Grand Ave. – she spoke regarding the citizen letter regarding the cow in Town. She inquired as to why this item was not on the agenda. Trustee Michele Black advised this may be on a future agenda.

**F. ANNOUNCEMENTS**

- Town Administrator Andrea Phillips reminded the Board of the CML Elected Officials Municipal Boot Camp training on July 1, 2014 in Durango.

**G. TREASURER'S REPORT**

1. 2013 Financial Audit Follow Up  
Town Clerk/Treasurer Heather Alvarez presented a report detailing the General Fund and Enterprise Fund expenditures for 2013. Trustee Queenie Barz inquired as to the comp time and vacation accrual payout.
2. EIAF Grant for Water Meter Replacement  
The Town has received notice from DOLA that we were awarded the EIAF Grant for the Water Meter Replacement Project in the amount of \$200,000. This project and grant are scheduled for a two year period. The total project cost is \$280,000, which includes our matching cash and in-kind in the amount of \$80,000.

**H. PRESENTATION**

Dana Peterson of Pixel Right presented a mock up of the front page of the new website for Board comment. The url is pixelright2.com/tom. The Board will forward suggestions to Town Clerk/Treasurer Heather Alvarez.

## I. UNFINISHED BUSINESS

### 3. Public Hearing – Bubba’s Real Texas BBQ Liquor License

Public Hearing opened at 7:17 p.m.

- Regina Roberts, 601 Grand Ave. – she spoke in favor of this new business opening in Town

Public Hearing closed at 7:19 p.m.

Bubba’s Real Texas BBQ has submitted all required information and passed a background check for a new Liquor License located at 280 E. Frontage Road. At the May 28, 2014, the Board set the perimeters for the liquor license application and a Public Hearing. George Bradley of Bubba’s Real Texas BBQ and the Mancos Marshal’s Office have circulated petitions. Trustee Queenie Barz made the motion to approve the liquor license application for Bubba’s Real Texas BBQ. Trustee James Maestas seconded the motion. Motion passed unanimously by roll call vote.

## J. NEW BUSINESS

### 4. Public Hearing Ordinance 690 Allowing RV Parks In MFR

Town Administrator Andrea Phillips provided the Board with the history of this project that was referenced in her staff report to the Board. At the April 16, 2014 Planning Commission meeting, the property owner addressed the Commission regarding options to allow RV Parks in the MFR district. This item is not addressed in the Mancos Comprehensive Plan. During their regular meeting on May 21, and following a public hearing, the Planning Commission voted to approve this ordinance and refer to the Board of Trustees. This item was also discussed at the June 18, 2014 Planning Commission meeting. Dugan McDonald was present on behalf of the property owner to discuss the project. He provided a proposed map of the project. He discussed the utilities. Ingress and egress will be available via the Hwy 160 bypass road. In response to a comment that Hwy 160B is Grand Ave., Mr. McDonald advised that all of the advertising will include suggested routes through Town.

Public Hearing opened at 7:37 p.m.

- Joan Krajak, 12695 CR 40 – she spoke in favor of the project. She owns a 40’ motorhome which she uses extensively. She does not see an issue with the traffic patterns. With regard to the utilities and quiet time, she does not see a problem with the proposed plan. She feels this project will bring revenue to the Town.
- Peter Brind’amour, 325 E. 1<sup>st</sup> St. – spoke against the project. This parcel is about 100’ from his front door. He thanked the Board for the opportunity to speak. The traffic, noise and pollution are concerns he shares. He addressed the question of the changes to the Mancos Land Use Code because 1) the existing code is intended to promote compatible land use relationships, consistency, and stability in the land use process. He feels the proposed changes are in opposition to these statements in the Land Use Code; 2) the zoning regulations have been established for decades and this will inject a high impact commercial use in a residential neighborhood ; 3) he doesn’t feel we should allow special exceptions because it will set a precedent.
- Patty Russell, 37271 Road G.25 – she spoke in favor of the project. She is a member of Artisans of Mancos and the Mancos Valley Chamber of Commerce. They are working to create economic development. She feels the denial of this project will slow the momentum of economic development.

- Ginny Getz, 11185 CR 38.5 – she spoke against this project. She is a member of Artisans of Mancos. She feels the Town should be looking at the long term impacts regarding the river, storm water discharge, floodplain issues, etc before moving forward with this project. She feels that solar power or wind generated power should also be reviewed before approving this project.
- Ron Lance, 7828 Rd. 41 – he spoke in favor of the project. Mancos is his summer residence. He feels that Mancos should provide welcome to RVers and tourists. He feels this project will attract tourists to increase economic development. He doesn't feel this will impact traffic within Mancos.
- Mary Wilson, 277 E. 1<sup>st</sup> St. – she spoke against this project. She lives approximately one block from the proposed project. She feels that the impact will affect her property. She does not feel that a commercial project will add value to her property. She questioned as to what this change will lead to with regard to future land use in residential zones. The Mancos Conservancy District had refused to endorse an earlier proposal for housing on this parcel. She would like to see this considered as part of the impact decision. She stated she did not see this issue in the Mancos Times.
- Perry Lewis Sr., 12175 CR 44 - he was not speaking either for or against this project. He was speaking on behalf of his neighbor. He feels the people involved in this project are honest and trustworthy.
- Robert Wilson, 277 E. 1<sup>st</sup> St. – he spoke against this project. They did not receive a letter from the Town. He is in favor of an RV park, but not in the residential areas. He feels Mancos needs to move forward, but he would like to see the RV park located somewhere else. He does not feel this project promotes Mancos in the current proposed location.
- Jeannie Clark, 33710 Rd M – she spoke in favor of this project. She inquired as to the existing covenants and feels the owner should be allowed to do as they see fit with their property. She feels this will increase revenue to the Town. She would rather see the RV park instead of low income housing.
- Matt Malmquist, 200 E. Grand Ave. – he spoke against this project. His property is next door to this project. He sees no correlation between MFR and this business. He inquired as to how the lot coverage limitation of 30% complies with the proposed map. He feels the riparian area will be damaged. He is concerned with the leakage of diesel engines. He is also concerned with the existing speeding issues, the increase of traffic and noise. He feels this project should not be allowed in a residential area.
- Tammy Spencer, 11575 Rd 42 - she spoke in favor of the RV park. She feels there is already mass traffic in Town, so we might as well give them the opportunity to spend money in Town.
- Steve & Cynthia Klumker declined to speak.
- Sharon Rosenbaum, 150 E. 1<sup>st</sup> St. – she spoke against the project at this location. She purchased her property because of the river, and she is concerned about the impact of this project on the river. She feels this location should be allowed in a different location. She agrees with previously stated concerns regarding diesel leakage, noise, trash, engine brakes, etc.
- Mike Doyle, 12470 Rd. 44 – he spoke in favor of this project. He does not feel this project will impact the tranquility of this Town. He believes that any multi family dwelling at this location will offer the same traffic and noise issues. He lives next door to an RV park currently, and he does not experience any of the problems being discussed.
- Carrie Summers-Baikie, 38790 Rd. K.4 – she spoke against this project. She just purchased the property at 321 E. Grand Ave. She advised that her buyers want to purchase property in a quiet community. She feels this will hugely impact the sewer

plant by compounding the existing odor problem. She also stated that she does not feel changing zoning for one land owner is a precedent that should be set. She is for an RV park, but not in a residential area. She inquired as to how the Town will enforce the upkeep of the property.

- Jim Justice, 333 S. Mesa – he spoke in favor of this project. He feels this will benefit tourism in the Town. He feels the revenue share needs to be split more.
- Brittany Meyer, 200 E. Grand Ave. – she spoke against this project. Her property is adjacent to this project. She presented a petition to the Board against the RV Park which will be attached to these minutes. She feels these proposed changes will benefit only one property owner because all other MFR zoned properties are developed. She doesn't feel this project suits the character of Mancos. She is concerned about traffic, property values, noise, river pollution and trespassing on her property. She is also concerned about a safe path from this location to downtown. She is in favor of an RV park at a different location in town. She requested the Board consider the long term ramifications of this project rather than short term economic potential.
- Pete Loyd, 333 N. Main – he spoke in favor of this project. He stated he collects 25% of sales tax generated in Mancos. He feels this project will increase the sales tax percentage. He advised that this developer also developed the Zane Grey park which is a beautiful place. He also mentioned the success of the Sundance RV park in downtown Cortez.
- Joanie Trussel, 292 1<sup>st</sup> St. – she spoke against this project. She feels that the people in favor of the project don't live near the proposed project. She feels there are other ways to encourage revenue that don't impact the quality of life in Mancos.
- Regina Roberts, 601 Grand Ave. – she spoke in favor of this project. She sees traffic at the stop sign in front of her house. She stated that at one time Boyle Park allowed overnight RV parking. United Campground also allows RV parking. She would like to have a place in town to dump her RV tanks.
- Claire Krecyk, 200 E. Grand Ave. – she spoke against this project. She is concerned with noise, traffic congestion and river pollution. She values the quiet and peace in Mancos. She pointed out the existing ordinance will not allow for long term use. She is concerned about the impact to the residential area.
- Tim Hunter, 100 Bauer Ave. – he spoke in favor of this project. He has heard discussion about other people's property rights versus the property rights of this property owner. He does not feel the development will impact the environment in a negative manner. He advised that the Army Corp of Engineers reviewed the property when the previous development plan was submitted. He hasn't heard any concerns that can't be worked out during the development process. He feels the current developer is very conscientious.
- Jan Lawrence, 41980 Hwy 160 - she spoke against this property. She owns property adjacent to the proposed development and owns a business in Town. She would like guaranties about noise and trespassing. She is in favor of economic growth. She inquired as to who will police the property. She asked about the impact to the river. As an employee of the Parks Service, she saw extensive vandalism and maintenance issues.
- Joann Riffel, 401995 CR H – she spoke in favor of this project. She agrees with Tim Hunter, Pete Loyd & Perry Lewis. She owns the Millwood Junction. She is sympathetic to the people who own property and business in Town. She feels all new business development helps everyone in Town.
- Tim Lawrence, 41980 Hwy 160 – he spoke against this project. he owns property adjacent to this property. He is concerned about the access off Hwy 160B and CDOT



regulations. He is concerned about trespassing issues. He feels the proposed project is very dense for the amount of land proposed.

- Jim Cody, 43728 Road M – he spoke in favor of this project. He owns the laundromat in Town. Now that the Mesa Verde RV park has laundry services, his business has dropped during the summer. He does not feel this will be an inconvenience as he lives adjacent to an existing RV park now. He is seeing economic development in the Town, and he feels this will assist existing businesses to stay in business long term.
- Tony Littlejohn, 39841 Hwy 160 – he spoke against this project. He likes Mancos just the way it is, low key, uncomplicated and quiet. He feels the riparian corridor is beautiful just the way it is. He is against the change in zoning just for a 75 spot RV park. He feels there are other ways to garner increased business opportunities. He is not anti growth, but he feels growth should be smart growth. He doesn't feel a project with this heavy footprint so close to downtown would be smart growth.
- John Harris, 13602 CR 43.5 – he spoke in favor of this project. He is a developer on this project. He stated the RV park will be built to the highest standard. He feels the economic impact will be fairly sizable to the Town. He understands the concerns presented tonight, and he stated they will work with an engineering firm to address as many concerns stated tonight as possible.
- Evan Meyer, 200 E. Grand Ave. – he spoke against this project. His property is next door to this proposed development. He is concerned about the effect on his quality of life and property values. He is concerned about noise, pollution, and pedestrian safety. He does feel there will be a positive economic impact, but he feels this is not a wise economic investment. He is very concerned that prohibitive increases in gas and RV maintenance prices will cause a long term decline in RVs and RV parks.
- Ed Hallam, 351 Grand Ave. – he is neutral on this project. He lives across the street from this project in the MFR zone. He feels this is a difficult issue. His concerns are ingress and egress. His biggest concern is the impact to the Town's infrastructure. He feels that an impact fee may mitigate this concern. He also feels the Town really needs to consider the impact on the infrastructure before making a final decision on this project. He is also concerned with the density of this project with regard to the wetlands and the floodplain. He also discussed the large removal of the existing trees and native vegetation.

Public Hearing closed at 9:02 p.m.

Meeting paused at 9:02 p.m.

Meeting restarted at 9:19 p.m.

Trustee Michele Black reminded the audience that this ordinance is not specific to the project discussed tonight. Trustee Will Stone confirmed that the park will be closed during the winter months. He also stated the river has contained pollution and contamination. He addressed the property owners adjacent to the property with regard to past heavy equipment use on the property. Although he wants to review the density of this project, he is currently in favor of this project. He advocates for private property ownership rights. He would like to see this as a special use rather than a use by right. Trustee Alan Rolston stated 16-20-80 states the adverse impacts should be mitigated. He is not in favor of this ordinance because he would also like to see this as a special permit use. He wants to research the impacts of this project to Town infrastructure. He also appreciates the peace and quiet in Mancos and understands the struggle to manage growth in the town. Planning Commission Chairperson Marianne Griffin addressed the Board. She reminded the Board that RV parks are not mentioned in the Comprehensive Plan so this is a completely new idea for the Town. The Planning Commission approved the permitted use in the MFR to allow the regulation of RV parks within the Town limits. Town Administrator Andrea

Board of Trustees

June 25, 2014

Page 5 of 8

Phillips reminded the Board that the proposed ordinance allows RV parks as a permitted use, not a special use permit. Trustee Alan Rolston clarified that by passing this ordinance, RV parks would be allowed as a permitted use. He would prefer that this be allowed by special use permit rather than permitted use by right. Trustee Queenie Barz stated she also prefers a special use permit requirement rather than a permitted use by right. She has done extensive research on RV parks. She received one negative remark from surrounding property owners in the process of her approximately 30 hours of research from Pagosa Springs, Durango, Mancos or Cortez. She would like to see the 14 day restriction lifted to allow for long term stays. She also feels the Town boundaries limit where this project may happen. Trustee James Maestas also feels that this should be allowed as a special use permit rather than a permitted use by right. Trustee Michele Black offered the audience a last chance to address this topic:

- Bob Becker, 240 W. Montezuma – he is neither for nor against the proposed project. He does disagree with setting a precedent by changing the use for one property owner. Living across from the water dock, he is familiar with traffic, dogs, trash issues. The Town did address his original concerns, and they haven't had a problem in the past 8 years.
- Liz Bohm, 39405 Rd. G – she feels strongly about private property rights. She is concerned with how the change in zoning impacts current property owners. She thanked Trustee Queenie Barz for her research on this issue. She inquired as to if the Sundance RV park in Cortez is in a residential neighborhood, and she was informed that yes, it is. She is in favor of the RV park but against placing it in a residential neighborhood.
- Peter Brind'amour – he reiterated his concern with changing a long term, established land use code being changed from residential to a high use impact zone.
- Lorraine Becker, 240 W. Montezuma – she spoke in favor of the RV park. She feels that if the RV park is properly managed there will be no problems. She feels that the speeding issue is a Town wide issue not specific to this location.
- Regina Roberts – she asked if the Town Administrator would outline the additional uses in the MFR zone that are not residential uses. She also feels that there are no other locations in Town that will support this project due to lot size. She sees this as an opportunity to bring money to town.
- Carrie Summers-Baikie – she reiterated that she owns a real estate business in town. She inquired as to who will install the sidewalks from the proposed RV park to downtown Mancos. She feels that the proposed project will affect existing property values.
- John Harris – he reminded the Board that this issue was approved by the Planning Commission and referred to the Board for approval as a permitted use by right. He stated that he inquired as to a special use permit option at the beginning of this process. He advised the Board that there is a limit as to how long the developers will wait to complete this project.
- Dugan McDonald – he also would not like to have to go back to the beginning of this process to start over. He feels the restrictions necessary can be included in the proposed ordinance. He believes this is the only property in Town that will support the proposed project.
- Matt Malmquist – he feels that this a special project so should require a special use permit.
- Ed Hallam – he addressed Dugan McDonald's comment regarding this being the only property in Town to support this project. He feels that that statement supports the argument in favor of a special use permit rather than a permitted use by right in MFR.

Trustee Alan Rolston inquired of Dugan McDonald and John Harris as to if their opposition to the special use permit is a timing issue. John Harris advised that he is opposed to starting this process over. Trustee Will Stone made the motion to approve Ordinance 690 Series 2014. Trustee Queenie Barz seconded the motion. Trustee Alan Rolston clarified that there will be no requirement for a special use permit. Trustee Queenie Barz requested that Section 16-4-230(1) be amended to remove the last sentence limiting the stay to 14 days to allow for long term stays. Trustee Will Stone amended his motion to include Trustee Queenie Barz's suggestion. Trustee Queenie Barz seconded the amended motion. Motion passed by roll call vote with Trustees Michele Black and Alan Rolston voting against.

5. Olio LLC Liquor License Renewal

The liquor license for Olio, LLC will renew on July 8, 2014. Jason Blankenship has submitted the renewal application to the Town for your review. There have been no violations in the past twelve months. The Mancos Marshal's Office has no objections to the renewal. Trustee Will Stone made the motion to approve the renewal of the liquor license for Olio LLC. Trustee Queenie Barz seconded the motion. Motion passed unanimously by roll call vote.

6. Chavolo's of Mancos Liquor License Renewal

The liquor license for Chavolo's of Mancos renewed on June 16, 2014. Chavolo Ortiz has submitted the renewal application to the Town for your review. There have been no violations in the past twelve months. The Mancos Marshal's Office has no objections to the renewal. Trustee Will Stone made the motion to approve the renewal of the liquor license for Chavolo's of Mancos. Trustee James Maestas seconded the motion. Motion passed unanimously by roll call vote.

7. Appointment to Design Review Board

Gilbert Archuleta has submitted his letter of interest for the Design Review Board. Trustee Queenie Barz made the motion to appoint Gilbert Archuleta to the Design Review Board. Trustee Will Stone seconded the motion. Motion passed unanimously by roll call vote.

8. Mancos Library Water Tap Use Agreement

Currently, the Mancos Pedestrian Bridge does not have irrigation or a water tap installed. Last year, the Town did use the Library water tap to water the landscaping, and the Town paid any charges over the base rate. The Mancos Public Library is willing to allow us to use their tap again this year, with the same agreement that we pay any overage charges on the tap. Trustee Alan Rolston made the motion to Approve the Temporary Use of the Mancos Public Library Water Tap and authorize Mayor pro tem Todd Kearns to sign the agreement. Trustee Queenie Barz seconded the motion. Motion passed unanimously by roll call vote.

9. Boyle Park Information Request

Per the request at the June 11, 2014 Board meeting, Staff has been researching the history of Boyle Park. Boyle Park was deeded to the Town in 1919 with the following conditions:

- Said land shall be kept up and maintained at all times as a public park forever
- Never be used for the manufacture or sale of intoxicating liquors
- Never be used for the operation of gambling institutions or gambling devices

Trustee Will Stone made the motion to postpone this item for a future meeting. Trustee Alan Rolston seconded the motion. Motion passed.



10. Speed Control Options for E. Montezuma

This is a continuation of the discussion at the June 11, 2014 Board meeting. The posted speed is 25 miles per hour, but motorists appear to be traveling much faster on this stretch of road. At the last board meeting, the Board directed staff to work with the Marshal's Office on options for speed control measures. Town Administrator Andrea Phillips presented several speed control options to the Board. The Marshal's Office has been researching this issue by instituting extra patrols. Marshal John Cox suggested increasing signage along this street as a first step in addressing this issue. Speed bumps would need to be pulled up during any grading operations and during the winter. He would prefer a radar trailer rather than the speed bumps. The Board directed Town Administrator Andrea Phillips to purchase additional signs and research new and used radar trailers. Additional information will be brought to a future meeting.

11. Mobile Town Hall Meetings

At the annual Board of Trustees Retreat, the Board discussed holding a Mobile Town Hall Listening Tour series to engage the public in a new way. Members discussed holding these open discussions at various places around town and at different days/times. The goal is to reach out to residents and business owners to hear what they are concerned about. After discussion, it was decided that Town Administrator Andrea Phillips will bring proposed dates to the next meeting.

12. Citizen Recognition Program

In an effort to create positive recognition for maintenance and improvement of yards and home exteriors, the Board of Trustees created a Citizen Recognition program last summer. This item was postponed for a future Board meeting.

13. July 2, 2014 Monthly Workshop

Workshop on August 6 will be devoted to 2015 Budget discussion. Trustee James Maestas requested that discussion on Western Excelsior be included on the agenda with a possible update on the speeding measures.

**J. ITEMS FOR July 9, 2014 AGENDA**

- Public Hearing – Ordinance 689 LUC Retail Marijuana
- Wester Excelsior Particulate Mitigation Update

**K. ADJOURNMENT**

Meeting adjourned at 10:46 p.m.

  
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Trustee Michele Black

  
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Town Clerk/Treasurer Heather Alvarez