



MINUTES of the IGNACIO TOWN BOARD MEETING

Monday, October 12, 2020 – 6:30 PM

Remote Public Meeting

I. CALL MEETING TO ORDER: Mayor Cox called the meeting to order at 6:30 PM. She gave the zoom etiquette information, and observed a Moment of Silence, Moment of Gratitude, and Reflection of Hope.

II. ROLL CALL

Present: Mayor Stella Cox, Mayor Pro Tem Alison deKay, Trustee Tom Atencio, Trustee Sharon Craig, Trustee Sandra Maez, Trustee Dixie Melton

Absent: Trustee Edward Box III

Guests: 52 total; those who spoke are listed below

III. PUBLIC COMMENTS

Monique DiGiorgio, Executive Director of Local First, 835 Main Ave in Durango. Monique informed the Board on the availability of insurance for individuals and businesses through Southwest Health Alliance. If the Board or any business in Town has any questions, they can reach out to Local First.

Gina Shulz, 335 ½ Shoshone, wanted to know what the Town would be doing for elections. Ms. Dunton stated there is information in the newsletter, including all the polling locations and other ways to vote.

IV. CONSENT AGENDA

A. Regular Town Board Meeting Minutes from September 21, 2020

B. Special Town Board Meeting Minutes from September 29, 2020

C. Financial Records – September Check Register and Budget to Actual Reports

Action: Mayor Pro Tem deKay moved to approve the consent agenda; Trustee Craig seconded the motion. The motion passed unanimously.

V. UNFINISHED BUSINESS

A. Public Hearing on 2021 Budget (Continued from September 21)

Mr. Garcia stated that the Public Hearing on the Draft 2021 Budget was continued from the September 21 regular meeting. The Special Meeting this evening was scheduled to meet the October 15 Budget submission deadline. He gave an overview of the budget: Enterprise funds are struggling again this year, but overall the financial standing of the Town is solid; the enterprise funds will be addressed in work sessions with the Board. The 2021 Budget is based on the 2020 Budget figures with increases in community support funding; salary and benefits will be discussed in work sessions. No new projects in the 2021 Budget; this will also be discussed in the work sessions. Trustee Craig asked if there was anything that needs to be included in the budget based on SB 2020-217;

Mr. Garcia stated there is nothing in the 2021 budget for this. Chief stated that most of the requirements of this Bill are already in place for IPD, so he does not anticipate additional expenses as a result of this Bill being passed. Discussion ensued regarding a possible work session. Mr. Garcia reminded the Board that the second Strategic Planning Session with the consultant will be on October 20. The consensus of the Board was to have the Budget Work Session at 5:30 PM on Nov 16, prior to the regularly scheduled Board Meeting.

Mayor Cox opened the Public Hearing on the 2021 Draft Budget at 7:00 PM. There were no public comments. She closed the Public Hearing at 7:01 PM.

Mr. Garcia stated that copies of the 2021 Draft Budget are available on the Town website or at Town Hall by appointment.

VI. NEW BUSINESS

A. SUUD Presentation on Water Treatment

Shane Seibel expressed appreciation for being able to make this presentation to the Board and staff. He acknowledged the following people: Madame Chairman Sage; Madame Vice Chair; Tribal Council Members; Madilenia Chavarillo, Growth Fund Operations Manager; Hayes Briskey, Utilities Division Manager; Julian Jubes-Baker, Utilities Division Assistant Manager; and Chris Musgrave, Water Plant Lead Operator.

Mr. Seibel stated that the Southern Ute Water Treatment Plant, which is regulated by the EPA, has treated produced water with artificial fluoride as an additive since the 1990's. Treatment with fluoride is a controversial practice.

The SUUD did research with other tribal utilities in Region 8 (Colorado, Utah, Wyoming), and none use fluoridation. SUUD also contacted Pagosa Springs (stopped this practice in 2005) and Cortez (do not fluoridate their treated water).

SUUD also did a 4-question survey with their utility customers and through the Town in Aug and Sep 2020; total responses were 109. Based on the information gathered, the Tribal Council directed the Utility Division to discontinue the use of fluoridation in the treated water. This was discontinued on September 17, 2020.

The Tribal Council also recommended public outreach regarding dental health; SUUD is working with Tribal Health Services to this end.

SUUD recommends that the Town of Ignacio release a Public Service Announcement to their customers, indicating that the Tribe's Water Plant will no longer be using artificial fluoride in the treatment process; the SUUD highlights that the treatment process will continue to follow stringent regulations, producing high quality water for the Tribe and local community. Mr. Seibel ended the presentation by giving contact information for himself (970-563-3000) and Chris Musgrave (970-563-5509).

The Board expressed appreciation for the presentation and information, as well as the presence of the various Tribal Council Members, Chairman, and Vice Chair.

B. Resolution No. 09-2020 – Resolution for the Municipal Court Judge Appointment

Mr. Garcia stated that Judge Harrison resigned at the end of her term (July 2020); the Town put out an RFP with only one respondent, James A. Shaner. Mr. Shaner had applied and interviewed at the same time as Judge Harrison, so the Town is already

familiar with him. The application and letter of interest are included in the packet. Mr. Shaner will serve with the same compensation as Judge Harrison, with the addition of \$50.00 travel reimbursement per court appearance.

Action: Mr. Atencio moved to approve Resolution 09-2020; Trustee Maez seconded the motion. The motion passed unanimously.

C. Ordinance No. 344 – Municipal Code Update in Chapter IX: Business Regulations

Mr. Garcia gave the background on this item, stating that the Board had requested an update to the Municipal Code section on Business Licenses, providing language that would allow for the suspension or revocation of business licenses under certain conditions. He asked the Town Attorney, David Liberman, to comment on the Draft Ordinance. The language is taken from an Ordinance that the Town of Morrison adopted. The Board members asked several questions and gave input, as follows.

Mr. Atencio asked if the Town of Morrison had used this ordinance and if it held up in a court of law; Mr. Liberman stated they had.

Trustee Melton stated that she would like to see more detail regarding the step-by-step procedure that would be followed after a complaint against a business; the ordinance seems to jump to a hearing. Mr. Liberman stated that the ordinance does not have a warning provision, but that it could certainly be added. Mr. Garcia added that he envisions that the Town staff would be in communication with the business, identifying the issues and working toward resolution, prior to the formal process of bringing the issue to the Board and the Board and Attorney setting a hearing date.

Trustee Craig stated that the timing of this Ordinance is difficult for her, due to not everyone believing that public health is being hurt in any way. She struggles with the idea of an immediate temporary suspension, due to a lack of communication with the business prior to action being taken against them. She also stated that most of our business do not receive postal service at their local address, so only five days to receive the notice is insufficient. As a business owner, she feels that the Ordinance language comes across as anti-business.

Mayor Pro Tem deKay asked if there were remedies other than revocation or suspension of the business license. Mr. Liberman stated that the direction he was given dealt specifically with business licenses; if there are other issues that the Board want him to present as options he is happy to work on that. Mr. Garcia stated that he believes the ordinance does not necessarily result in the closure of a business; the Board would have other options under Section E of the current version of the Ordinance.

Mayor Pro Tem deKay stated that her frustration has been that the Executive Orders have not been enforceable from the beginning; she desires that the Town have enforcement options in place for items in the Municipal Code.

Trustee Atencio agreed with Trustee Melton that there should be more procedural language in the Ordinance.

Mr. Garcia requested direction from the board regarding the form of delivery and timing of delivery that Trustee Craig addressed in her comments. The consensus of the Board was that the notice should be hand delivered (not mailed) and the owner/manager would have seven days to respond.

Mr. Garcia stated that he and Mr. Liberman will work on the changes the Board has requested and will bring it back to the Board when they desire. The consensus of the Board was to have this brought back at the November 16 regular Town Board Meeting.

The following members of the public made comments, suggestions, and expressed opinions and concerns about this Draft Ordinance: Ezra Lee, 8229 CR 334, Ignacio; Misti Witt, 9598 State Hwy 172, Ignacio; Gina Schulz, 335 ½ Shoshone Ave in Ignacio; Douglas Little, El Paso Road in Ignacio; Katie Hott, 545 Browning in Ignacio; Nathan Sandburg, 232 Sage Crest Lane, Bayfield; Tyler Sanders, 11743 E Via Canada in Yuma, AZ; Yvonne Chapman, 8 Summit Swing in Arboles; Victoria Schmitt, 1001 E 5th Ave in Durango; Holly Hott, 6675 State Hwy 151, Ignacio; Mandy Brown, 510 Arboles Street in Ignacio; Maggie Reed, 2943 CR 321 in Ignacio; Trudy Fuher, 5872 State Hwy 172, Ignacio; Chris May, 8 El Paso in Ignacio.

D. Resolution No. 10-2020 – Resolution Supporting Gallagher Amendment Repeal

Mr. Garcia gave the background on this item, stating that CML is in support of this Amendment. Explanation was given that this will not increase property taxes, but will prevent the revenues to Special Districts (such as the Library, School, and Fire Districts) from continuing to drop.

Action: Trustee Craig moved to approve Resolution 10-2020; Trustee Melton seconded the motion. The motion passed unanimously.

E. COVID-19 Update

Mr. Garcia stated that staff has submitted reimbursement requests for CARES Act Funding to the appropriate agency for COVID-19 related expenses. Due to the fact that all meetings are being done remotely now, one of the approved expenditures could be the replacement of the Board and staff laptops/Chromebooks. He asked for input from the Board what they would like to use moving forward. Mr. Garcia stated that he will reach out to each Board member and get their feedback on what they would like.

La Plata Cares Initiative provides for businesses to be able to receive reimbursements on COVID-19 expenses. Applications are submitted through Aid to All. Information is on the Town's website.

VII. STAFF REPORTS

A. Police Department

Calls for service are down 11% from this time last year.

Currently assisting La Plata County in creating an Emergency Operation Plan that will be released in 2021. This will help in responding to emergencies such as the King Mine Spill and 516 Fire.

217 is the Law Enforcement Integrity Act; one of the emphases is de-escalation. IPD has access to an instrument that teaches officers how to de-escalate in real-time scenarios. They officers used this in their weekly training last week. Hope to have it in the Community Room next April and invite the Board and members of the public to see how the decisional simulator works.

Tribe has invited Public Safety Officers to COVID testing next week.

B. Town Clerk/Treasurer

Written report was in packet. Transition to TBK is complete with regard to deposits and payments. Wells Fargo account will be closed soon.

Ms. Dunton has been working with Mr. Garcia on a policy to establish criteria for assisting community members and/or businesses who are struggling to pay their utilities due to impacts from COVID 19.

C. Town Manager

Written report was in packet. Shane Roukema, part-time Building Inspector, has accepted the Public Works Director position and will begin on October 14. He has some required certifications, and will obtain those he does not yet have as quickly as possible.

Becker/Goddard intersection is moving forward and should go out to bid in November.

Work Session with Sandhya on October 20.

Broadband Planning and Rock Creek Development projects moving forward.

Hope to move Land Use Draft Code forward with Planning Commission.

D. Town Attorney

Forwarding information regarding SB 217 and COVID 19 to Mr. Garcia, Ms. Dunton, and/or Chief Phillips.

VIII. TRUSTEE REPORTS

Trustee Craig attended CML Policy Committee Meeting last Friday. Greenwood Village has asked CML to be involved the conversations about SB 217, especially in regard to clarifications that need to happen and caps on litigation costs and restitution amounts.

Mayor Pro Tem deKay expressed appreciation to Mayor Cox and Trustee Box for joining the third grade and talking about municipal governance. The students enjoyed it and learned a lot.

IX. ADJOURNMENT


Being no further business before the Board, Mayor Cox adjourned the meeting at 9:22 PM. Mr. Garcia reminded the Board about the Work Session with Sagebrush Consulting on October 20. The next regularly scheduled meeting will be on Monday, November 16, 2020, at 6:30 PM via Remote Public Meeting. There will be a budget work session at 5:30 PM on November 16, 2020, immediately preceding the Regular Meeting.



Stella Cox, Mayor



Date



Attest: Tuggy Dunton, Town Clerk