



MINUTES of the IGNACIO TOWN BOARD MEETING

Monday, November 16, 2020 – 6:30 PM

Remote Public Meeting

I. **CALL MEETING TO ORDER:** Mayor Cox called the meeting to order at 6:51 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 Edward Box III, Trustee Sharon Craig, Trustee Sandra Maez, Trustee Dixie Melton

III. PUBLIC COMMENTS

Emily Meisner, Economic Development Alliance for La Plata County. Wished to withdraw the funding request from the agenda.

IV. CONSENT AGENDA

A. Regular Town Board Meeting Minutes from October 12, 2020

B. Financial Records – October Check Register and Budget to Actual Reports

Trustee Atencio requested that the liquor license renewal applications be considered separately from the minutes and financial records and that they be approved by roll call vote. Mayor agreed.

Action: Mayor Pro Tem deKay moved to approve the consent agenda, pulling the two liquor license renewals out for a separate vote; Trustee Atencio seconded the motion. The motion passed unanimously.

C. Sidekick Liquor License Renewal Application

D. Pinon Liquors Liquor License Renewal Application

Action: Trustee Maez moved to approve the liquor license applications from Sidekick Lounge and Pinon Liquors; Trustee Melton seconded the motion. The motion passed unanimously.

Mr. Garcia requested that Unfinished Business be moved to after the presentation on the Broadband Plan, as public comment on Ordinance 344 has taken up considerable time in previous meetings; Ms. Meisner is no longer on the agenda, so the Broadband Update would be the next item if the Board is in agreement. The Board concurred.

Trustee Craig pointed out that there were hands raised if Mayor wanted to take public comment. Mr. Garcia stated that the public comment time could be reopened after the presentation by Ms. Kruse

Mr. Garcia introduce Ms. Diane Kruse, the contractor with NeoConnect that is working on the Broadband Plan. Grant monies available to support the needs identified in the plan.

Ms. Kruse gave her presentation. Local governments are investing in broadband because bandwidth needs are increasing rapidly and having broadband capacity is an important driver for economic development. She explained Gigabit strategies, which are broadband services that have the capacity to upload and download at 1000 megabits per second (current standard 25 Gigabits in download and 3 Gigabits in upload, which is not enough to support all that people are now doing from their homes). Residential internet usage increased 92% in the first month of the pandemic; many people report wanting to continue working from home in the future. The FCC map shows that Ignacio is currently served; however, that map is based on advertised speeds, not actual speeds. The Town is in conversations with the School District and the Tribe to collectively do a private testing of actual internet speeds, which will open up grant funding possibilities. Hoping to have the 1000 megabits per second because that is necessary for the economic development (eg: a realtor can upload a video of a home for sale). \$80-\$120/month for homes and small businesses; school districts and large companies would pay \$500-\$750 per month for this service. Average cost to install broadband is somewhere between \$2.75 and \$3.25 million per town. DOLA and EDA fund middle mile fiber optic infrastructure projects (these provide redundancy so that there is more than one way in and out of town). Department of Regulatory Affairs will fund up to 75% of last mile projects (the projects within town limits). Next steps: finalize capital costs, prepare a financial model, informal outreach to current internet providers to gauge their interest in a public/private partnership with the Town. DORA grant deadlines are January 15 and July 15; hope to be able to move forward for the January deadline. Update and possible action at the December meeting.

Various board members asked questions about financial commitments and the timeline moving forward; Ms. Kruse and Mr. Garcia answered as best they could at this time. Mr. Garcia assured the Board that a report will be given at the December meeting.

Mayor opened the public comment portion of the meeting again. Only one person spoke, James Brown, 510 Arboles.

V. UNFINISHED BUSINESS

A. Ordinance 344 – Modifying Chapter IX, Section 9-1 of the Town of Ignacio Municipal Code Regarding Business Licensing

Mayor stated that public comment will be limited to three minutes and meeting decorum must be maintained. She requested that Mr. Garcia give a background on this agenda item. Mr. Garcia reminded the Board that a draft of this Ordinance was presented at the October meeting, and there were changes that members of the Board requested. This draft of the Ordinance reflects those changes.

Trustee Craig asked for clarification on the newly added language “where Town staff deems there to be an imminent threat.” Mr. Garcia referenced a building that is unsafe for customers to enter, and stated that it would be at the discretion of staff to determine what the imminent threat is. Trustee Craig felt the language was too broad; current discussion has been around businesses that are not requiring masks and her question is if this language would pertain to that issue. Mayor Pro Tem deKay suggested changing it to the Town Board determining there is an imminent threat. Mr. Garcia stated there is not a lot of detail in this item, but the test would be that there is life safety or health issues involved. He stated that there could be more work on this

wording. Mr. Garcia stated that, at this time, the mask order enforcement is not the issue; Town Staff believes it is the responsibility of San Juan Basin Public Health to enforce the mask order, just like any other health order. Mr. Liberman stated that it is the Board that will suspend, revoke, or not renew a business license; it is not the staff that would do this. Discussion ensued regarding examples of what an imminent threat might be; the consensus of the Board was that the language was too broad and needed to be refined.

Trustee Craig also stated that she was not comfortable with including Executive Order in section A 2 because usually there is not an emergency declaration that lasts this long and executive orders don't usually apply to business licenses. She believes that businesses have not received enough information about this proposed ordinance. Trustee Atencio asked how the businesses could be better informed. Trustee Craig stated that it might have been good to include it in the annual business license renewal letters that had just been sent out.

There were no other comments from the Board, so the Mayor opened the public comment section on this agenda item. The following people spoke: Mandy Brown, 510 Arboles Street; Clark Craig, Chamber of Commerce President; James Brown, 510 Arboles; Lisa Bagstad, declined to state her address due to multiple death threats.

Mr. Garcia stated that the Ordinance is up for adoption or amendment based on the pleasure of the Board. Trustee Atencio stated that he wanted to get more input from business owners and suggested that one Board member, Mr. Craig as president of the Chamber, and perhaps a staff member, approach each business for their input if they wanted to give it.

Action: Trustee Atencio moved to table this until the next meeting to allow time for meeting with the business people. Mayor Pro Tem deKay stated that she is opposed to tabling this; she would like to see it adopted and, if necessary, make changes to it in the future. Trustee Melton stated that she is not opposed to tabling it; however, what information will we receive that we have not already received? Trustee Craig suggested emailing the businesses that have email addresses on file with the Town; also, there are hands up for public comment.

Mayor Cox opened the floor for more public comment. Clark Craig, President of the Chamber of Commerce spoke. There were no other hands raised or comments made.

Trustee Atencio asked if Mayor would call for a second of his motion or if he should withdraw it. Trustee Craig seconded the motion.

Mayor Cox clarified that Trustee Atencio's motion was to table this to allow time to gather input from business owners. Trustee Atencio stated that was his intent. Trustee Melton stated that she would like the comments by the next meeting. Mayor Pro Tem deKay stated that she feels this is public enough, having been in the newspaper and distributed by the Chamber of Commerce, that it should be acted on this evening. Trustee Box III stated that another effort to get business input is good, putting a time limit on their response time. Mayor Pro Tem deKay suggested a week. Trustee Craig stated that Clark would need a copy of the changes that were made in the draft ordinance this evening; Mr. Craig stated that he would be willing to work with Trustee Atencio on this but that he would need more than one week.

Mr. Garcia stated that this issue came up because there is no language in the current code to suspend or revoke business licenses. This has been on the table for three months. San Juan Basin Public Health stated on their conference call today that Mercy is at capacity, sending COVID patients out of the region. La Plata County will be going into red status tomorrow. Durango stated that they would like more authority to enforce public health orders. There will be expanded language on enforcement throughout the state. It would be good to have this Ordinance in place in the event we want to take enforcement action. Delaying this is not going to help the cause. It is going to get worse before it gets better.

Trustee Melton asked if there is another meeting scheduled prior to next month's regular meeting. Mr. Garcia responded that he was going to present the idea of another budget work session as well as a work session for the strategic planning with the consultant.

Action: Trustee Atencio amended his motion to add the time limit of two weeks, and schedule a special meeting to take action at that time. Sharon seconded the motion. Mayor Cox called stated that the comment period is closed and called for a roll call vote. The vote passed with four in favor and three opposed.

Mr. Garcia asked if the consensus of the Board was to strike the last sentence of section B and will forward the revised version to Mr. Craig and Trustee Atencio. He asked for direction with regard to scheduling a special meeting. Mayor Pro Tem deKay stated she would like to schedule a special meeting on Monday, November 30, at 5:30 PM, followed by the work session with Sandhya.

VI. NEW BUSINESS

A. Update on Broadband Plan – Diane Kruse

This was moved to earlier in the meeting.

B. Update and Direction on Rock Creek Housing Plan

Mr. Garcia stated that he had received information from the consultants that was not included in the packet. The consultants have come up with proposed site plans, and he would like to present those to the Board at a future meeting.

C. COVID-19 Update

Mr. Garcia stated that he covered this in the Ordinance discussion.

VII. STAFF REPORTS

A. Police Department

ELHI has requested a parade permit from a "Light Up The Town Parade" on Friday, December 4, at 5:30. Instead of spectators on the sidewalks, they will be in their vehicles and the parade route will begin at the High School, go South on Goddard, West on Ute, North on Browning, and back to the High School.

The Police Department have all been tested for COVID and are all negative at this time. This testing will most likely be ongoing.

B. Public Works

Mr. Roukema stated that he will be doing an audit on Thursday and Friday with the state to review all the paperwork for the past three years.

Sewer main replacement of 160' of collapsed clay pipe.

Winterizing and repairs of equipment

Six building permits open currently

Bucket truck broken down; banner torn by the winds and have not been able to take it down due to bucket truck

250 meters will be installed by Kave Construction; 75 more that Public Works will do as soon as possible

C. Town Clerk/Treasurer

Judge Shaner was appointed on October 12. Due to previous time commitments, court time needs to be changed to 1:30 PM on the third Tuesday of each month.

Regularly scheduled Board Meetings are currently on the third Monday of each month. Due to holidays and/or statutory deadlines at least four meetings of the year need to be changed. Suggested changing to the second Monday of each month. The consensus of the Board was to move it to the second Monday of each month. This will be an item on agenda for November 30.

D. Town Manager

Mr. Garcia stated that Ms. Dunton has reviewed the Fee Schedule and has recommended changes. This will be discussed at the next budget work session.

Mr. Garcia sustained injuries in a bike accident and has been recovering; as such, he was not able to get a written report to the board for this meeting.

Final design from CDOT and hope to go to bid by the end of this month.

Monthly meetings with Tribal Chairman Sage and Vice Chair Frost.

Excited about broadband project; hope to save money using steel pipe that is already in the ground from abandoned gas lines.

Housing options from Rock Creek will be forwarded to the Board.

New COVID protocol for temperature checks in the office.

Dee has been assisting with the budget and other items; he requested that she report on the transition to TBK.

Dee stated that the Wells Fargo account is not officially closed. Money in TBK Savings account with remainder of the money in the Colotrust Account. TBK is working well.

Mr. Garcia commended Dee and Tuggy on the transition between banks; it took longer than expected but has gone smoothly.

The next work session with Sagebrush Consulting will review the past two work sessions; a written report will be forthcoming. The mission and vision is the missing

portion of the strategic plan. Mr. Garcia commended the Board for how well they have worked through the process using remote meetings.

E. Town Attorney

Mr. Liberman stated that he has worked primarily on the Ordinance, and passes on CIRSA and CML Attorney emails to Chief and Mr. Garcia.

VIII. TRUSTEE REPORTS

Trustee Atencio requested the business list from Ms. Dunton for the outreach to the businesses.

Mayor Pro Tem deKay expressed appreciation to Mr. Garcia for his presence this evening in spite of his injuries and also for the work he has been doing remotely with staff during his recovery. Mr. Garcia expressed appreciation and commended the staff for being a great team.

Mayor Cox stressed the importance of practicing proper protocol to follow the health orders and CDC guidelines.

IX. ADJOURNMENT

Being no further business before the Board, Mayor Cox adjourned the meeting at 9:35 PM. There will be a budget work session on November 23 at 5:30 PM and a special meeting on November 30 at 5:30 for the Ordinance and the strategic planning session with Sagebrush Consulting immediately following the special meeting. The next regularly scheduled meeting will be on Monday, December 14, 2020, at 6:30 PM via Remote Public Meeting.



Stella Cox, Mayor



Date



Attest: Tuggy Dunton, Town Clerk