



IGNACIO TOWN BOARD MEETING MINUTES

Monday, February 14, 2022 – 6:30 PM

Abel F. Atencio Community Room, 570 Goddard Avenue
and via Remote Public Meeting

I. **CALL MEETING TO ORDER:** Mayor Cox called the meeting to order at 6:33 PM. She read the Zoom etiquette and opened the meeting by leading the pledge of allegiance.

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

III. PUBLIC COMMENTS

Liam Moore, 4th grader at Ignacio Elementary School, expressed an interest in attending space camp this summer. He gave some background and had a PowerPoint Presentation ready for the Board. He told why he is interested in attending, what he hopes to learn, and gave the cost to attend space camp (\$3,000). He stated ways that he intends to raise funds, and requested a \$250.00 gift from the Board. He stated he will return after space camp with a report of what he learned. He expressed appreciation for the Board's time and consideration of his request. Mayor Cox stated the Board will consider his request and Mr. Garcia will let him know their determination.

IV. CONSENT AGENDA

- A. Regular Town Board Meeting Minutes from January 10, 2022
- B. Special Town Board Meeting Minutes from January 31, 2022
- C. Financial Records – January 2022 Check Register and Accounting Reports

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

V. UNFINISHED BUSINESS

- A. Resolution 03-2022 – Setting the Ballot Title and Content of a Ballot Issue and Other Details for the Regular Municipal Election to be Held on Tuesday, April 5, 2022

Mr. Garcia stated that this Resolution sets the Ballot Title and Content for the Marijuana Question; this was discussed at the January 31 Special Meeting. At that time the Board was leaning more toward an occupational tax than a sales tax. There have been questions from the public with regard to this issue, whether or not it will be on the ballot; it has been brought back before the Board for their consideration and action.

Action: Trustee Atencio moved to approve Resolution 03-2022, A Resolution of the Board of Trustees of the Town of Ignacio, Colorado, Setting the Title and Content of a Ballot Issue to be Submitted to the Electorate of the Town of Ignacio and Setting Forth Other Details Relating Thereto at the Regular Municipal Election to be Held on Tuesday, April 5, 2022. Trustee Craig seconded the motion.

Mr. Garcia requested that the ballot questions be read; Mayor Pro Tem deKay read the ballot language for both retail and medical marijuana questions.

Mayor Cox requested a roll call vote; the motion passed unanimously.

B. Rock Creek Housing Plan Presentation

Mr. Garcia introduced Nancy Dosdall with SEH, the engineering firm that completed the plan for Rock Creek Housing. Ms. Dosdall stated that this final report is a summary of the work they have done. They began with a housing study on current stock (about ½ single family homes and ½ mobile homes and very few multifamily units). There is a lot of public support for apartments and multi-family units and new single-family construction. Many people wanted outdoor gathering spaces and walkability. Ms. Dosdall then reviewed the various concepts of the types of housing, as well as the access to Rock Creek. She answered questions from the attendees, and discussed cost estimates for each of the concepts. Public opinion was in favor of both affordable rentals and affordable homes for purchase. They used IndieDwell products as an example and for ideas of costs. Full cost estimates range from \$257,400 for single family and duplex models down to \$140,000 per unit for apartments. This includes construction and infrastructure both.

Mr. Garcia stated that the purpose of this information is to be able to share it with any development companies that might be interested in developing the property; he hopes it could be a turn-key operation. He hopes to get grant funding for the infrastructure and sell it to the developer for what the cost was to the Town.

There were questions from the audience and the Board that Mr. Garcia and Ms. Dosdall answered. A developer has not stepped forward yet, partly because Ignacio is not part of an opportunity zone (this is a state-designated area that defers capital gains tax for 10 years). The Board expressed appreciation to Ms. Dosdall.

C. Broadband Plan Presentation

Mr. Garcia introduced Diane Kruse with NeoConnect, the consulting firm that completed the Broadband study. Ms. Kruse stated that the pandemic showed how little connectivity there is in a lot of areas, and the response of the government in an attempt to provide funding for communities to be able to access connectivity. She reviewed the benchmarks for unserved and/or underserved communities. She also reviewed the current providers in our area. An RFP was submitted to the providers and the Town partnered twice with FastTrack to submit a grant request to the Department of Regulatory Affairs (DORA); FastTrack was denied both times. Ms. Kruse encouraged the Town to pursue other partners to obtain funding for the monies that are still available through DORA. She said there could be a cost savings using abandoned water lines in the Town; the cost for installation is 1.56 million without using the existing conduit and about 1.16 million with the use of existing conduit.

Ms. Kruse reviewed some potential funding (DORA, American Rescue Plan Act, and Infrastructure & Jobs Act, and DOLA), and talked about some of the requirements of each. The recommendations moving forward are: implement broadband friendly policies, ordinances and incentives; continue to invest in conduit; invest in middle-mile infrastructure. She reviewed some of the broadband friendly policies that have been used effectively in other communities. She also recommended that the Town leverage

partnerships with services providers, CDOT, TriState, La Plata Electric, La Plata County, SWCCOG, Region 10 (a council of governments on the western slope), and the Southern Ute Tribe.

Ms. Kruse responded to various questions. Mr. Garcia expressed appreciation to Ms. Kruse for all the work that NeoConnect has done.

VI. NEW BUSINESS

A. Land Use and Development Code Update and Public Hearing

In January the Planning Commission reviewed the LUDC and Zoning Map. They approved the resolution to recommend to the Board the adoption of the LUDC; they did not approve the resolution to recommend that the Board adopt the Draft Zoning Map. Mr. Garcia stated that the next step in the process is a public hearing. There are written comments from Mr. May that are part of the packet. This meeting was published in the Durango Herald as a Public Hearing.

Mayor Cox opened the public hearing at 7:55 PM.

Mr. May wrote a letter that he submitted to the Town; he requested that Mr. Garcia read the letter, which Mr. Garcia did. Mr. May contended that R2 is not a good zoning designation for Browning Avenue, as there are multiple businesses already on that street.

Gina Schulz, 335 ½ Shoshone, asked if Mr. Garcia could share the proposed zoning map for the people who are attending remotely, which Mr. Garcia did. She requested that he point out the property designated as Rock Creek, which he did.

Mandy Brown, 510 Arboles, stated that Mr. May visited her house on Saturday and stated to her what he stated this evening; he also expressed this to the Planning Commission in January.

Mayor Pro Tem deKay clarified that the change in the zoning map does not change his ability to continue his current use until such time as the use is changed. Mr. Garcia stated that this is correct; until such time as the use changes, he would be able to continue operating as he is currently operating under a non-conforming use.

Mr. May stated that he currently has a use-by-right property and the zoning should not be changed.

Lana Jo Chapin asked if the format of the hearing is a single statement or a back-and-forth discussion; Mayor Cox stated that it is a public hearing for people to make comments, not a debate. Lana Jo expressed appreciation to the Board for the opportunity to comment and reiterated Mr. Garcia's statement regarding the non-conforming use of Mr. May's property. She referenced the many properly noticed planning commission meetings that have happened and expressed that her understanding of the purpose of rezoning is for consistent, fair and compatible zoning, focusing on Goddard Avenue as the business district, protecting residential neighborhoods while retaining current uses.

Clark Craig, 15682 State Hwy 172 #45, stated that his term with the Planning Commission expired last month, and he wanted to express appreciation to the people who were involved over the past three years in bringing this draft of the LUDC and zoning map to the Board for consideration: Gina Schulz, the late Bill Baird, Mandy Brown, Teresa Campbell, Dixie Melton, Sharon Craig, Mr. Garcia and Nancy Dosedall. He expressed

excitement over the fact that this is now before the Board and hoped that the Planning Commission fulfilled the desires of the Board.

Mayor Cox closed the Public Hearing at 8:20 PM.

B. Ordinance 350 – Amendment to the Town of Ignacio Municipal Code and Adoption of the Land Use and Development Code and Zoning Map

Mr. Garcia stated that he would like to echo Mr. Craig's comments and express appreciation to all the people involved in bringing this to the Board.

Action: Mayor Pro Tem deKay moved to accept Ordinance 350, An Ordinance of the Town of Ignacio amending the Town of Ignacio Municipal Code Chapters 2 and 3 in their entirety and establishing a new chapter 2 entitled Land Use and Development Code and amending the official zoning map of the Town of Ignacio as part of a Town-wide rezoning of property; Trustee Melton seconded the motion. Mayor Cox called for a roll call vote; the motion passed unanimously.

C. Sewer Rate Increase Discussion and Public Hearing

Mr. Garcia stated that the work the consultant submitted in December contained an error and the amount that the consultant recommended was not sufficient to cover costs. The Town passes on the charge that the Tribe bills to the Town and the base rate covers our costs for maintenance and operations. There is no proposed change to the base rate, simply to the amount per 3,000 gallons in order to cover the cost charged by the Tribe. This evening's meeting was published in the Durango Herald as a Public Hearing.

Mayor Cox opened the public hearing at 8:26 PM.

Clark Craig, 15682 State Hwy 172 #45, Co-Owner of the Mobile Home Park, stated that they have been working with staff and, effective March 1, they will begin implementing the ERT program for the tenants in the park. There are a handful that will see and increase in their sewer bill; for 39 of the tenants, their rate will go down. He agrees the rate change and applauds the efforts of staff.

Mr. Garcia stated that it has been a pleasure working with the Craigs. He commended them for working hard to find the leaks and repair them to reduce water loss and bring the rates down for their tenants.

Mandy Brown, 510 Arboles, asked several questions regarding the billing structure; Mr. Garcia answered the questions. She also asked if infrastructure grants available through the state could be used to help offset some of the price increases. Mr. Garcia stated that the Board had previously looked at establishing our own waste water treatment plant and the price tag came in at over 8 million dollars. There are monies budgeted in 2022 for continued feasibility studies if the Board desires staff to pursue that.

Mayor Pro Tem deKay asked about loss factor; Mr. Garcia stated that it is still included on the water bill but not on the sewer bill.

There were no more public comments; Mayor Cox closed the Public Hearing at 8:32 PM.

D. Resolution 04-2022 – Adopting Sewer Rate Increase

Action: Mayor Pro Tem deKay moved to approve Resolution 04-2022, a Resolution of the Town of Ignacio adjusting utility rates in the sewer enterprise for 2022; Trustee Maez

seconded the motion. Mayor Cox requested a roll call vote; the motion passed unanimously.

E. Resolution 05-2022 – Designating Election Official for the Regular Municipal Election on April 5, 2022

Mr. Garcia stated that this is a standard resolution in preparation for the municipal election.

Action: Trustee Craig moved to approve Resolution 05-2022; Trustee Maez seconded the motion. Mayor Cox called for a roll call vote; the motion passed unanimously.

F. COVID-19 Update

We are still under an emergency declaration because SJBPH is still operating under its emergency declaration. Hospital usage is decreased.

There are new federal mandates regarding sick leave for employees who are absent due to covid; Tuggy has implemented these into our payroll system. Testing is available, both at-home and here at Town Hall in case any Board members and/or staff need them.

Mayor Cox asked if we report our testing to SJBPH. Mr. Garcia responded that generally we do; however, when SJBPH was recently overwhelmed with too many cases to do contact tracing we did not report all the positive cases.

VII. STAFF REPORTS

A. Police Department

Chief's report is in the packet; he is out ill this evening. Mr. Garcia asked if there were any questions. Trustee Craig stated that in his report Chief asked for approval to apply for the JAG Grant; she moved to approve his application for that grant. Mayor Pro Tem deKay seconded that motion. The motion passed unanimously.

B. Public Works Department

Mr. Mickey stated that the pipe and fittings have been received and the Town is in initial survey stage and is working on easements with the property owners.

Purchased a gas monitor which will allow staff and contractors to safely enter storm and sewer drains and work on gas lines.

SEH has completed the storm water model for Browning Ave storm drain system; staff is working on a budget for this project. He answered questions from the Board regarding the location of this work and installing conduit for Broadband while the ground is dug up. Mr. Atencio asked about metering the Town's sewer to the Tribe's plant. Mr. Mickey said this would involve not only metering but also a 24-hour surveillance. Mr. Garcia stated that we can visit on this at a later time.

C. Clerk/Treasurer

Mr. Garcia stated that Ms. Dunton is out sick, but that he would be willing to answer any questions. Mayor Pro Tem deKay asked how gas is calculated; Mr. Garcia explained this.

D. Town Manager

Mr. Garcia will work on a grant for the storm project. He stated that Jeremy has a "can do attitude" and will do as much of the work in-house as possible. He commended

Jeremey for taking this initiative on this; he suggested using capital improvement monies to match the grant funding.

Colorado University was in Town on January 12, working on downtown redevelopment. He expressed appreciation to Trustee Craig for showing them around ELHI.

A lot of work with the SWCCOG and Regional Housing Authority. Region 9 is currently providing administrative oversight to SWCCOG since the executive director resigned.

Colorado Creative Industry is working with Art Space and Ignacio is going to be slated as a project community. There will be a market study and feasibility survey that will be done; hopefully CCI will cover the cost of these and/or we can write grants for this. Art Space creates a live/work environment for creatives (culinary arts, theaters, carvers, etc.). The work that the Creative District is doing is setting the stage for this. Mr. Garcia stated that he believes this could be a total change for Ignacio; the Town has gone through the boom and bust of the oil industry several times and a creative project has the potential of establishing Ignacio in a new light. The Tribe will want to participate in this as well; Ramona Eagle, Vice Chair of the Tribal Council, is on the Creative District Board and many of the Tribal members are creatives.

Mr. Garcia reminded the Board of Liam Moore's funding request for Space Camp and asked for direction. By consensus, the Board stated that they would like to support him at \$250.00 and asked that he return and give a report after Space Camp is over.

E. Town Attorney

Mr. Liberman has been working on the Marijuana Ballot Language, the LUDC update and zoning map, and working with Jeremey Mickey on the Town easement.

VIII. TRUSTEE REPORTS

Trustee Craig stated that the Creative District received a resolution of support from the Tribe, and will apply for state certification this year. There are projects in the works.

IX. MISCELLANEOUS

None.

X. ADJOURNMENT

Being no further business before the Board, Mayor Cox adjourned the meeting at 9:01 PM. The next regularly scheduled meeting will be on Monday, March 14, 2022, at 6:30 PM in the Abel F. Atencio Community Room and via Remote Public Meeting.



Stella Cox, Mayor



Date



Attest: Tuggy Dunton, Town Clerk