



IGNACIO TOWN BOARD MEETING MINUTES

Monday, May 9, 2022 – 6:30 PM

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

I. CALL MEETING TO ORDER: Mayor Craig called the meeting to order at 6:34 PM by leading in the pledge of allegiance.

Present: Mayor Clark Craig, Mayor Pro Tem Edward Box III, Trustee Joseph Atencio, Trustee Tom Atencio, Trustee Alison deKay, Trustee Jeremy Schulz

Absent: Trustee Sandra Maez

II. PUBLIC COMMENTS

None

III. CONSENT AGENDA

- A. Regular Town Board Meeting Minutes from April 11, 2022
- B. Financial Records for April 2022
- C. Family Dollar Fermented Malt Beverage Off-Premise License Renewal Application

No financial report due to Tuggy being ill.

Action: Trustee deKay moved to approve the Consent Agenda without the financial records; Trustee Schulz seconded the motion. The motion passed unanimously.

Mr. Garcia noted that the April financial report will be included in the packet for the June meeting.

IV. UNFINISHED BUSINESS: None

V. NEW BUSINESS

- A. Resolution 06-2022 – Designating Regular Board Meeting Days & Times

This resolution changes the meeting time from 6:30 PM to 6:00 PM on the second Monday of the month. Mayor Craig asked if the second Monday of the month works well for staff; his question is based on the fact that the packet is usually not sent out until the Friday afternoon before the meeting, and he would prefer to receive the packet on Wednesday (five days) prior to the meeting. Mr. Garcia stated that is doable. The staff can make the necessary adjustments to get their reports to Ms. Dunton so that the packet can go out on Wednesday.

Action: Trustee Schulz moved to approve Resolution 06-2022. Mayor Pro Tem Box III seconded the motion; the motion passed unanimously.

- B. Resolution 07-2022 – Authorization for the Purchase of the SoCoCAA Goddard Property

Mr. Garcia stated that SoCoCAA would not accept an offer less than \$280,000. After consulting with Mayor Craig, the paperwork was written up contingent upon approval by the Board of Trustees. This resolution is the Board's approval to acquire the lots. The school district will move the mobile units off of the property. Mayor Craig stated that the

documents are available if anyone wants to review them; the Town Attorney has also reviewed them and stated that the contingency of Board approval was a good condition. Some earnest money was put up. Mayor Craig opened the floor for public comments.

Kasey Correia stated that she owns properties on Browning; she wants to know what the Town plans to do with these lots. The Town has acquired other properties as well, and she is wanting to see development of the properties, not simply land acquisitions.

Mayor Craig asked if there were any other public comments; there were none, so he closed the public comment period and asked Mr. Garcia if he wanted to respond to Kasey.

Mr. Garcia stated that the Town does not have an active Economic Development agency, so having land assets works to promote business. This could also be a live/work space for creatives or even potentially a new site for Town Hall.

Action: Trustee deKay moved to approve Resolution 07-2022, Authorizing the Acquisition of Real Property with legal description of lots 7-13 of block 8 of the AASPAS addition within the Town of Ignacio. Mayor Pro Tem Box III seconded the motion. Mayor Craig asked if there was further discussion; Trustee Joseph Atencio expressed concern that we ensure there is enough money to cover this acquisition. Mayor Craig called for a roll call vote. The motion passed with four yes votes, Trustee Joseph Atencio abstaining, and Trustee Tom Atencio voting no.

C. Determining Signers for Checking Account

Mr. Garcia stated that the Mayor has been a signer for years, as has Mayor Pro Tem. The Bank requires minutes that reflect the names and titles of the signers. Mayor Craig stated that he understood Mr. Garcia to be asking for approval for the Mayor and Mayor Pro Tem to be signers on the accounts at TBK and ColoTrust. Mr. Garcia clarified that the motion should be for all financial institutions, and also stated that we need to remove former Mayor Cox and former Mayor Pro Tem deKay.

Action: Trustee Tom Atencio moved to have the Mayor and Mayor Pro Tem be the signers on all financial institution documents. Trustee Joseph Atencio seconded the motion. The motion passed unanimously.

D. Funding Request for Summer Reading Program from Ignacio Community Library

Mr. Garcia stated that Brytanny Medved was online and available to answer any questions the Board might have.

Trustee Tom Atencio asked if the original amount requested (\$300.00) would be sufficient and if there were other organizations that are donating financially. Brytanny stated that other organizations have donated large items (kiddie pools, play sand, etc.) and prizes from organizations such as Tico Time, Rec Center, the Train, etc. She also stated that she believes that, due to her mindfulness of keeping costs at a minimum, it should cover whatever is lacking. The question was asked how many kids will be involved; 150 is the minimum number.

Mayor Craig stated that he sits on the Library Board; there is no conflict of interest due to the fact that he will not personally benefit from these funds and he will vote. He opened the floor for a motion.

Action: Trustee Tom Atencio moved to grant the Ignacio Community Library Summer Reading Program \$300.00; if there is additional need, he asked Brytanny to come back to

the Board. Trustee Joseph Atencio seconded the motion. The motion passed unanimously.

Brytanny expressed deep appreciation to the Board. Mayor Pro Tem Box III commended Brytanny for getting donated items from Durango and Pagosa, which are part of the larger community. Mayor Craig requested a report at the end of the program.

Trustee Tom Atencio asked if this can be in the annual budget; Mr. Garcia stated that Brytanny can submit a request letter at budget time each year and it will be considered. Brytanny expressed appreciation for this offer.

E. Board Appointments

Mayor Craig stated that former Trustee Sharon Craig had written up some information about the various boards that she was on and asked Mr. Garcia to talk about them. Mr. Garcia stated that, in addition to what Sharon had written, there is additional information in his staff report about other boards.

1. La Plata Economic Development Alliance Board

Mayor Craig asked if anyone wanted to volunteer for this Board that meets on the first Wednesday of each month, 3:30-5:00. Trustee deKay stated that the difficulty is the time that the Board meetings are held. Mayor Craig stated that the investor meetings are on Tuesday mornings at 7:30, and he is a part of these meetings already as a business owner and a representative for the Chamber of Commerce; he is willing to also represent the Town at these Tuesday morning meetings if the Board of Trustees would like him to do that. Mayor Pro Tem Box III stated that he would like to represent the Town at the Board meetings on Wednesdays.

Action: Trustee deKay moved to appoint Mayor Pro Tem Box III to the La Plata Economic Alliance Board to represent the Town of Ignacio at their monthly meetings; Trustee Tom Atencio seconded the motion. The motion passed unanimously.

2. Colorado Municipal League Policy Committee

Mayor Craig explained that this committee looks at all the legislation that is being introduced and it meets October through April, the second Friday of the month, 9 AM to Noon. Clarification was given that the person sitting on this committee must be an elected official, but it is not mandatory that the Town have a representative on this committee. Sharon Craig stated that this committee takes a lot of advance preparation and reading prior to the meetings; she believes it is important that small communities such as ours have a voice on this committee. Again, the time that the meetings are held was an issue for the Board members.

Mayor Craig stated that he would like to apply for the Executive Board of CML and asked the Board if they would support him in that. They concurred.

3. Regional Housing Authority Board

Mr. Garcia stated that this organization has been renamed as the Regional Housing Alliance. This organization was dormant until 2020, and since then he and Mayor Cox have been attending the meetings. They are looking for an interim executive director. The Board has one elected position and one staff position from the Town of Ignacio. Mayor Cox was the elected official that served on this board and Mr. Garcia is the staff

person. He also serves as the treasurer for the organization. This Board meets the first Thursday of each month, 2:30-4:30.

Trustee deKay stated that she has great interest in this Board, but cannot due to the timing of the meetings. Mr. Garcia stated that he can approach the Board to see if they would be willing and able to change the meeting times. Mayor Craig stated that he could attend the next meeting as an elected official until the decision is made regarding the meeting times.

Action: Trustee deKay moved to appoint Mayor Craig to represent the Town of Ignacio; Mayor Pro Tem Box III seconded the motion. The motion passed unanimously.

4. South West Colorado Council of Governments

Mayor Pro Tem Box III was the elected official that was designated as the Town's representative and Mr. Garcia was the alternate. In Mr. Box's absence, Mr. Garcia has been attending these meetings. The executive director has resigned and several of the counties that were represented on the COG Board have pulled out. With all of these changes, the COG Board has decided to move the administrative functions of this organization under Region 9. Most likely these two organizations will draft an agreement in the not-too-distant future to combine into one organization with different arms. The COG is currently looking for a Broadband Program Manager. These meetings are scheduled on the same day as the Region 9 Board meetings. These meetings are on the fourth Thursday of the month in the afternoon.

Action: Trustee Joseph Atencio moved to appoint Trustee Tom Atencio to the South West Colorado Council of Governments; Trustee deKay seconded the motion. The motion passed unanimously.

F. Tap Fee Waiver Request from Dancing Spirits Community Arts Center

Mr. Garcia stated that the letter from Kasey is in the packet, and that Kasey is present to address the Board. In her due diligence, she approached Southern Ute Utilities to request a waiver of their fees; their policy states that the Town must apply for the waiver of plant investment fees from the Tribe. Kasey has submitted a letter of request to the Town; however, there is no policy in place for this type of request. The Town needs to establish policy that includes similar fee waiver considerations with the Tribe for business development and affordable housing fee waivers. The consensus of the Board was for Mr. Garcia to work with Mr. Liberman and SEH (the Town's engineering firm) as needed and bring a draft policy back to them at the June meeting. Trustee deKay stated that the Board may want to consider waiving all our fees so that it is not a deterrent to business and/or housing growth. Mr. Garcia stated that there are two different fees: Plant Investment Fees are set through rate analysis and they contribute toward the building of new plants and/or maintenance of current plants; the Tribe sets these fees but we have never seen the rate analysis on them. Tap fees, which the Town charges, are for the actual work done to expose the main, tap into the main, and provide the service to the specific location.

Mayor Craig thanked Mr. Garcia for the information and invited Kasey to address the Board. Kasey showed the conceptual drawing of the building to the Board and listed some of the fees she will need to pay: building permit, utilities installation, plant investment fees, etc. She is looking for ways to stretch the budget to build a community art center;

this is key for revitalization, for community, etc. Her request to the Town is that they waive the tap fees. Mr. Garcia asked if she was making this request only for the tap fees or if she was including the plant investment fees that the Tribe charges; she stated it would be both. The Board asked questions of Kasey. The decision needs to be made by June so that she knows the amount of her grant request. The clarification from the Tribe is that the Town would need to apply for the plant investment fee waiver on Kasey's behalf. Mr. Garcia stated that the Town is also open to Kasey submitting a request for a waiver of her building permit fees when she gets to that point in this process.

Mayor Craig expressed appreciation to Kasey for her presentation. Several Board members commented about fees, fee structure, and requesting more information from the Tribe regarding the rate analysis for their plant investment fees. Mayor Craig asked what Mr. Garcia needs from the Board. He stated he needs direction from the Board on how to proceed, and suggested that policy be created that establishes parameters for applicants that would qualify for fee waivers and then the process can be done administratively. Mayor Craig summarized the discussion by stating that the Board is in support of Dancing Spirit and that staff will bring a draft policy to the June meeting.

Trustee Tom Atencio asked if the letter to the Tribe and a decision on the specific request from Dancing Spirit are two separate issues and if the Board should vote on the Dancing Spirit request now. Mr. Garcia stated it is the prerogative of the Board whether they want to make a decision at this time or after policy is set. Mayor Craig stated that he would entertain a motion if one is desired at this time.

Action: Trustee deKay moved to grant Dancing Spirit Community Art Center a waiver of the Town's utility tap fees and also draft correspondence to the Southern Ute Utilities and Growth Fund to request a waiver of their plant investment fees. Mayor Pro Tem Box III seconded the motion. The motion passed unanimously.

Kasey expressed appreciation to the Board; Mayor Craig thanked Kasey for being at the meeting.

G. Kasey Correia Planning Commission Application

Mayor Craig stated that Kasey is not a resident within the Town but she does own property within the Town. With the recent update to the Land Use and Development Code, non-residents who own property or businesses within the Town can be represented on the Planning Commission, but they cannot be the majority. Currently there is only one person on the planning commission; the minimum number of commissioners for a quorum is three. The next applicant would need to be a resident of the Town.

Action: Trustee Tom Atencio moved to accept the application of the Board or Commission Appointment for Kasey Correia to the Planning Commission; Trustee Joseph Atencio seconded the motion. The motion passed unanimously.

H. Limited Gaming Grant Application

Mr. Garcia stated that this is a formality that would grant staff authority to apply for the annual Limited Gaming Grant through DOLA. This last year we received about \$10,000 (down from \$146,000 in prior years) due to the Casino being closed during the pandemic.

Action: Trustee Schulz moved to submit the application for the limited gaming grant; Trustee Joseph Atencio seconded the motion. The motion passed unanimously.

I. COVID-19 Update

Mr. Garcia stated that there are some positive cases among staff and, as a result, Town Hall is still operating at reduced capacity.

VI. STAFF REPORTS

A. Police Department

Chief's report is in the packet; he is not present this evening. There were no questions from the Board regarding Chief's report.

B. Public Works Department

Mr. Mickey said that the BIA has not yet increased the water flow enough for there to be raw water for the Town; that should happen by Friday. There is now an application process in place that the Town has to fill out each year to get the water; the Town had not been notified of this new requirement.

Mr. Garcia stated that, with the award of the grant for the Storm Sewer project, Mr. Mickey and his crew will be putting that on their schedule. We have to wait until we are under contract before we can acquire the pipe, and there is a large lead time associated with that. He hopes to expend most of this grant by the end of this year, and will apply again for Phase 2 next year. This project will begin at the outflow from Rock Creek, South of Family Dollar, and hope to get as far as Navajo Street in Phase 1.

C. Clerk/Treasurer

Mr. Garcia stated that Ms. Dunton was ill last week so there is no Clerk/Treasurer Report, but there is a CML Knowledge Now document in the packet that Ms. Dunton wanted to share with the Board. This is a hot topic at CML, and most communities are opting out of this program. He stated that the new Deputy Clerk/Treasurer started work today and expressed confidence that she will be a great addition to the team.

D. Town Manager

Mr. Garcia stated there was a Broadband Summit in Cortez last week, put on by a consortium of communities. There were a number of private venture companies as well, interested in knowing what is happening in our region. Region 10 has been very active in the deployment of fiber throughout the state; they have successfully negotiated for a build along Highway 151 all the way to Pagosa Springs. The Tribe is a partner in that project, as well as Archuleta County, La Plata County, and La Plata Electric Association, all of which have committed to this. CDOT is working on fiber from the tunnel to Pagosa Springs, and there is talk about fiber from Pagosa to Durango. Mr. Garcia was able to connect with the Tribal representative at this Summit, and he is scheduled to meet with that individual to discuss how the Town can participate with the Tribe on their build through the Town. Bonfire is the Tribe's contractor that is doing the build; Spark is the ISP that would provide fiber to the premises.

There is an Executive Order from the Governor for CDOT to rewrite their policy concerning usage of right-of-way for private ventures (such as broadband); Mr. Garcia serves on the Transportation Commission, and he is pushing CDOT to get this completed.

Trustee Joseph Atencio asked what it will take to get fiber to the premises here in Ignacio. Mr. Garcia stated that we need access to the fiber, and then contract we can contract with an ISP to get fiber to the premises.

E. Town Attorney

This past month Mr. Liberman worked with Mr. Garcia and the Mayor on a real estate contract and with Mr. Garcia and Mr. Mickey on issues concerning the Young easement.

Mr. Garcia stated that the evaluation of the Town Attorney will be on the June agenda, rather than on this evening's executive session as had been planned.

VII. TRUSTEE REPORTS

Trustee Tom Atencio asked about office hours. Mr. Garcia explained that we have been open to the public from 10 AM to 2 PM since we reopened almost a year ago. Mr. Garcia stated that if an individual would like to meet with staff outside of those hours, they can set an appointment, and people can drop payments in the drop box at any time. Trustee Tom Atencio stated that he feels the office needs to be open more hours. Other members of the Board concurred. Mr. Garcia stated that he will take this under consideration and discuss it with staff.

VIII. MISCELLANEOUS:

Trustee deKay stated that she forwarded the executive session motions to the entire Board so that the meeting can proceed.

Mr. Garcia stated that he and Mayor Craig had made some minor changes to the agenda form and the Board discussed some of these changes.

IX. EXECUTIVE SESSION to discuss the purchase, acquisition, lease, transfer, or sale of real, personal or other property of interest under C.R.S. Section 24-6-402(4)(a).

Action: Mayor Pro Tem Box III moved to go into executive session to discuss the purchase, acquisition, lease, transfer, or sale of real, personal or other property of interest under C.R.S. Section 24-6-402(4)(a); Trustee deKay seconded the motion. The motion passed unanimously.

X. ADJOURNMENT

Being no further business before the Board, Mayor Craig adjourned the meeting at 8:45 PM. The next regularly scheduled meeting will be on Monday, June 13, 2022, at 6:00 PM in the Abel F. Atencio Community Room and via Remote Public Meeting.



Clark Craig, Mayor



Date



Attest: Tuggy Dunton, Town Clerk