



IGNACIO TOWN BOARD MEETING MINUTES

Monday, September 12, 2022 – 6:00 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 6:00 PM by leading in the pledge of allegiance.

Present: Mayor Clark Craig, Mayor Pro Tem Edward Box III (joined via Zoom at ____), Trustee Joseph Atencio, Trustee Tom Atencio, Trustee Alison deKay, Trustee Sandra Maez, Trustee Jeremy Schulz

Absent: None

II. **PUBLIC COMMENTS**

None

III. **CONSENT AGENDA**

A. Regular Town Board Meeting Minutes from August 8, 2022

B. Financial Records for August 2022

Action: Trustee Schulz moved to approve the Consent Agenda; Trustee deKay seconded the motion. The motion passed unanimously.

IV. **APPROVAL OF THE AGENDA**

Action: Trustee deKay moved to approve the agenda; Trustee Maez seconded the motion. The motion passed unanimously.

V. **UNFINISHED BUSINESS**

None

VI. **NEW BUSINESS**

A. Planning Commission Application from Rod Gantt

Mayor Craig asked if everyone knew Mr. Gantt; most of the Trustees stated that at least know of him. Mayor Craig commented that Mr. Gantt had given ample information on his application and asked staff if they had any comments. Chief Phillips stated that he had worked with Mr. Gantt for about 25 years; he retired from human services and is a very fine gentleman. Mayor Craig stated that he had worked with Mr. Gantt when Mr. Gantt brought an application to the PC and he was very pleasant to work with.

Action: Trustee Tom Atencio moved to appoint Rod Gantt to the Planning Commission; Trustee Schulz seconded the motion. The motion passed unanimously.

B. Planning Commission Application from Michael Montoya

Mr. Montoya was present and introduced himself. The Board members expressed appreciation for Mr. Montoya's interest, completing the application, and attending in person. Mr. Montoya stated that he worked at the Casino in accounting, and has

volunteered with Boy Scouts, Girl Scouts, Knights of Columbus, and has served as an election judge.

Action: Trustee deKay moved to appoint Michael Montoya to the fourth seat on the Planning Commission; Trustee Joseph Atencio seconded the motion. The motion passed unanimously.

C. Municipal Judge Appointing Committee

Mayor Craig stated that there are applications in the packet from interested parties; he asked Mr. Garcia to lead the Board through this agenda item since this was his first time being involved in a Municipal Judge Committee.

Mr. Garcia stated that the Town Board has, in the past, appointed an interview committee to fulfill this function of the Board; it is the Board's responsibility to hire the Municipal Court Judge to serve a two-year term.

Mayor Craig asked if there were any volunteers from the Board to serve on this committee. Trustee Schulz, Trustee Joseph Atencio, and Mayor Craig volunteered to be on the interview committee. Mayor Craig asked that Ms. Dunton email the entire Board with the date and time of the interviews after this decision is made during Trustee Reports.

D. Town Attorney Rate Increase

Mayor Craig stated this was discussed at a prior meeting. He and Trustee Schulz interviewed Mr. Liberman; in that interview he committed to writing a document that summarized that interview and, even though that document has not yet been created, he believes that the Board can move forward with this process.

There was discussion concerning the current rate that Mr. Liberman charges (\$153) and the last increase that was given (June 2018). Both Mayor Craig and Trustee Schulz recommended that the Board approve the rate increase. Mr. Garcia stated that Mr. Liberman had given a range on the desired increase, between \$175 and \$185. Mr. Atencio stated that he had to hire an attorney recently and he had to pay \$250 per hour. He believes we are underpaying our Attorney.

Action: Trustee Tom Atencio moved to accept Mr. Liberman's contract at a rate of \$185 per hour; Trustee Joseph Atencio seconded the motion. Mayor Craig clarified that the rate increase would be effective as of September 12, 2022; he then called for a vote. The motion passed unanimously.

E. RHA Funding Agreement

Mayor Craig stated that the RHA has been dormant for some time and is now starting up again. Former Mayor Stella Cox, Interim Town Manager Mark Garcia, and now Mayor Craig have participated in this process. Mayor Craig asked Attorney Liberman for any information he would like to share regarding this agreement.

Mr. Liberman stated that he is the attorney for the RHA; he stated that he most likely drafted this agreement years ago so he felt he should not give advice to the Town on this item. Mayor Craig stated that the only change he is aware of is that Ignacio's financial participation is now 2%.

Mr. Garcia stated that this is a two-year agreement; the RHA is looking for an executive director and this funding agreement is primarily designed to cover the cost of the administrative needs over the next two years.

Trustee Joseph Atencio asked what the benefit to the Town would be. Mr. Garcia stated that is yet to be determined; the RHA will assist with housing in each community in various ways such as introducing a developer, establishing a long-term funding opportunity for each community (such as a lodging tax), etc. RHA staff has previously worked on the Rock Creek housing project. Trustee Joseph Atencio asked if the RHA actually builds any housing. Mr. Garcia stated they have not built anything, but have worked with the County and the City through an entitlement process in the land use code in Durango. They managed the affordable housing piece for the City of Durango for a while; that could be something they provide as well.

Mayor Craig stated that there are still a lot of unanswered questions. The last few RHA meetings have centered around finding grant monies to offset costs of studies and make sure that we are not all trying to solve the same problem. He asked Mr. Garcia for a deadline on the decision. Mr. Garcia stated as soon as possible, but it is not urgent.

Trustee Joseph Atencio asked what the Town would be committing to. Mayor Craig stated that this is a financial commitment of \$4,500 in 2023, \$5,700 in 2024 and \$6,000 in 2025.

Trustee deKay asked if these funds would provide access to grant monies for housing projects. Mr. Garcia stated that he would need to get more information for the Board. Trustee deKay stated that she is not comfortable signing a three-year contract since this is a new organization; she would prefer a one-year agreement that can be renewed.

Trustee Joseph Atencio stated that he would like to know more about what the benefits will be to the Town before we commit to financial support.

Trustee Tom Atencio asked about the Administrator that will be hired. Trustee Joseph Atencio asked when this person would be hired. Mr. Garcia asked Mayor Craig to respond to this question.

Mayor Craig stated this it is not his intention to act on this item this evening. The RHA has had 5 people apply for this position; two of those people have made it to the final round. Believing that this is public information, he stated that Mr. Garcia is one of the two applicants; Mr. Mike Segrest of La Plata County is the other applicant. The RHA Board will discuss these two applicants at their meeting on the 19th.

Trustee deKay stated that she would like the Town to be involved in the conversations that the RHA is having around housing; her intent is not to leave the RHA but needs some questions answered before making the financial commitment.

Trustee Schulz suggested tabling this item until the October meeting. Mayor Craig stated that the agreement is in draft form and is not ready for signatures yet; he said that the best part of this evening's conversation is that the Town has provided valuable feedback to the RHA.

Mr. Garcia stated that his interest in the Executive Director position with the RHA are personal. He has been commuting from Pagosa to Ignacio for almost 7 years now and this position would provide for him to work remotely most of the time. He stated that, should he be hired for this position, he wanted to assure the Board (based on Trustee deKay's comments) that he would remain intimately involved in the housing work here in

Ignacio. He has enjoyed his work here and all that has been accomplished over the past seven years and looks forward to all the good things that are in process now coming to fulfillment. In response to Trustee Atencio's questions, he hopes the future Executive Director of RHA would find the potential projects here in Ignacio interesting and would provide great support for them.

Mayor Craig stated that the Town would be lucky to have Mr. Garcia in either role – continuing as Interim Town Manager or as the new Executive Director of RHA. He asked Mr. Garcia to send the Exec Dir job description to the Board Members. Mr. Garcia expressed appreciation for the support and stated he would send the job description to the Board.

F. CDOT Local Agency Contract for Goddard Sidewalk Project

Mr. Garcia stated that the contract is in the packet. In summary, CDOT is working on an overlay from Elmore's Corner to 318 through Ignacio. They will replace all handicapped ramps at all intersections along Goddard Ave/Hwy 172. At the north end of Town there will be a number of changes in traffic flow and some sidewalk additions. The financial commitment "shall not exceed" \$130,000; CDOT would do all the engineering and the work. Mr. Garcia stated that he will look into MMOF Grant funding for this project. If MMOF funding is not available, there are monies in the capital improvement fund that could be earmarked for this. Mayor Craig asked if Mr. Liberman had reviewed the contract; Mr. Liberman responded by saying this is a standard contract for CDOT. Mr. Garcia stated that he may ask CDOT about extending up other side streets if the concrete pricing remains favorable; he will bring this back to the Board for final approval next year.

Action: Trustee Schulz moved to contribute \$130,000 to the CDOT sidewalk project along Goddard Avenue / Highway 172; Trustee deKay seconded the motion.

Trustee Atencio asked where this money would be taken from. Mr. Garcia stated that it will be added to the 2023 budget in the Capital Improvement Fund. Trustee Atencio asked if the motion could be amended to reflect that.

Trustee Schulz moved to amend his motion to approve \$130,000 from the Capital Improvement Fund toward the Goddard Ave sidewalk project with CDOT along Hwy 172; Trustee deKay seconded the amended motion. Mayor Craig called for a roll call vote. The motion passed unanimously.

G. COVID-19 Update

Mr. Garcia stated there is no update. As long as the emergency declaration from the State is still in effect, this will remain on the agenda. Once the State emergency declaration is lifted, San Juan Basin Public Health will follow suit and then the Town can do the same. If the Board so desires, we can amend the resolution that stated that we would remain under the emergency declaration as long as the state and county are in the state of emergency or we could leave it as is. Mayor Craig asked Mr. Garcia to check into this.

VII. STAFF REPORTS

A. Police Department

Chief Phillips stated that, as far as he knows, Boulder County is the only county to opt out of the emergency declaration; there is potential federal funding available to communities and counties that remain under the emergency declaration.

Green Chile Fest, Motorcycle Rally and Southern Ute Tribal Fair and Parade have happened since the last Board Meeting. All of these events were well attended – better than previous years. Tribal Parade was over an hour long due to it being the 100th annual.

Watched a substance on Kratom; Senate Bill 22-120 is designed to address this. It is a natural herb that comes from a tree in China. Primary use is opioid withdrawal; it appears it could be addictive. Two communities in Colorado have already banned it; it is currently available at the Durango Smoke Shop. Chief will keep the Board informed on legislation surrounding this.

Trustee deKay asked about updating our current ordinance that bans marijuana to include Kratom. Mr. Garcia stated that he will visit with Mr. Liberman about this.

B. Public Works Department

Jeremey is absent but, if there are questions, Mr. Garcia can answer them.

Trustee Tom Atencio asked about the contract with the company that cleans the parks (Lawn Slingers); in the past the Town hired a seasonal worker. What is the comparison of price of this contract and hiring seasonal worker? Is this company able to provide assistance like seasonal workers were able to do?

Mr. Garcia stated that we have attempted for two years to hire a seasonal worker and have been unsuccessful. As far as the price, it is basically the same as a seasonal worker. We are working on using our staff on bigger projects, and if they had to do the parks maintenance, they would not be available to do those bigger projects. This line item is slightly over budget but it seemed like a good alternative. Mr. Garcia believes that Jeremey made a wise choice to hire this contractor.

Trustee Schulz stated that new legislation requires that the Town extend certain benefits to even part-time employees, such as paid time off; this is added expense that the Town does not pay to a contractor.

Mayor Craig also stated that, if the company uses their own equipment, there is not the cost of wear and tear on our equipment.

C. Clerk/Treasurer

Kelly McCoy gave notice and September 1 was her last day; she gave enough notice that the Town was able to hire her replacement and she was able to receive some training from Kelly. Come by and welcome Julie Romero as the new Administrative Assistant.

CIRSA Training on Thursday; September 19 is Special Meeting and Work Session that Ms. Dunton will not be able to attend and Michala will handle the responsibilities as Deputy Clerk/Treasurer; September 21 is La Plata Economic Development Alliance Summit; CML is September 28 and Ms. Dunton will register those who are able to attend (spouses are welcome).

ISD Thank-You Note with Punch Pass which will be held at the office at Michala's desk.

Trustee Joseph Atencio asked about the IT Support contract. Ms. Dunton stated that a decision has not been made yet; she and Mark are in conversation with the two companies with the best proposals (EnvisionIT out of Englewood and ImageNet out of Farmington) and hope to make a decision by the end of the week.

Mayor Craig commented that Michala's last name has changed and congratulated her on her marriage.

D. Town Manager

Special Meeting on Monday the 19th to complete the annexation process of Ignacio South. Working with Young family on the annexation agreement for their properties. Subsequently there will be a boundary line adjustment process that will help clean up all the issues; this will come before the Planning Commission. The Young annexation agreement is taking longer than anticipated due to there being both a court-appointed conservator and a trustee of the revocable trust.

Still working with Timber Age Systems and Sinton Development on model homes on El Paso Alley with the intent of proofing out affordable housing. Sinton Development has agreed to work with Timber Age; Sinton may be interested in developing Rock Creek as well. We have been awarded a Technical Assistance Grant with CHAFA which bring SEH back in to refine the conceptual plans for Rock Creek into something that will work with Sinton and Timber Age. Multiple programs coming down the pike that could provide infrastructure funding; this development will probably be about 1 million and the Town would have to match half of that. This is a complex project that the RHA could potentially provide some support for as well.

Broadband – Tribe is moving forward with their project. Things are starting to fall in place at the State level for potential funding to get fiber to the premises; FastTrack has been awarded funding after their previous denials. They are in discussion with the Tribe to make sure there is not duplicity of effort.

Mr. Garcia will be out of Town September 20 to October 8; Chief Phillips will cover in his absence.

E. Town Attorney

This past month Mr. Liberman worked on the potential ELHI purchase, attended Board Meetings, assisted on Zito franchise, assisted Ms. Dunton with business license tax question and FAMLI Opt Out Notice to Employees, discussions with Mr. Garcia on water line and irrigation water rights involving the Tribe and a little bit with the annexation.

VIII. TRUSTEE REPORTS

Trustee Schulz commented that the Green Chile Fest was a great success and complimented Sharon Craig on a job well done.

Discussion about dates for Municipal Judge interviews; the consensus of the subcommittee was to meet on October 13 at 1 PM and schedule the interviews each hour and have an hour at the end for discussion among the subcommittee members. The interviews will be in-person only, not via Zoom. Ms. Dunton stated that she will reach out to the candidates to inform them of the interview times.

IX. MISCELLANEOUS

Mr. Garcia stated that on Monday the 19th there will be a budget work session prior to the formal presentation of the budget on October 10.

- X. EXECUTIVE SESSION:** For a conference with the Town attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) pertaining to agreements with the Southern Ute Indian Tribe

Action: Trustee deKay moved to go into Executive Session for a conference with the Town attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) pertaining to agreements with the Southern Ute Indian Tribe. She stated that the Board will go into Executive Session, no action will be taken during Executive Session, we will not return to open meeting after Executive Session. Trustee Joseph Atencio seconded the motion; the motion passed unanimously.

XI. ADJOURNMENT

Being no further business before the Board, the meeting was adjourned 7:28 PM. The next regularly scheduled meeting will be on Monday, October 10, 2022, at 6:00 PM in the Abel F. Atencio Community Room and via Remote Public Meeting.



Clark Craig, Mayor



Date



for

Attest: Tuggy Dunton, Town Clerk