



MEETING MINUTES of the IGNACIO TOWN BOARD

Monday, September 16, 2019 – 6:30 PM

Abel F. Atencio Community Room

570 Goddard Avenue, Ignacio, CO 81137

- I. **CALL REGULAR MEETING TO ORDER:** Mayor Cox called the meeting to order at 6:32 PM by leading in 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

Guests: Clark Craig, Ron Dunavant, Shane Seibel, Rocco Fuschetto, Shannon Mullane (arrived at 6:39 PM)
- III. **PUBLIC COMMENTS**

None
- IV. **CONSENT AGENDA**
 - A. Regular Town Board Meeting Minutes of August 19, 2019
 - B. Financial Records – Check Register for August 2019

Action: Trustee Craig moved to approve the consent agenda; Mayor Pro Tem deKay seconded the motion. The motion passed unanimously by voice vote.
- V. **UNFINISHED BUSINESS**
 - A. ISD 11JT Annexation – Continued from August Meeting

Draft of Annexation Agreement and plat are in the packet. Discussions with CDOT – they are looking at trying to make the signalization of Becker Street intersection in 2020 – recommend drafting an IGA between CDOT, Town of Ignacio, and School District; will work on that. Sites for future Town Hall or Wastewater Treatment Facility; possibly purchase ELHI Property for that purpose and Mr. Garcia wants to request first right of refusal and put that into the Annexation Agreement if that is of interest to the Town Board.

Dr. Fuschetto stated that he would like to have the annexation agreement approved at the ISD Board Meeting on October 10 at 7:00 PM since there will be three seats changed in November and the new school board members have not been part of the conversation.

Mr. Garcia has requested other IGA's for signalization between CDOT, County and Tribe; will ask CDOT to cover ½ of the cost and the other half will be split between School and Town.

Action: Trustee Atencio moved to send the draft of the Annexation Agreement to the School Board for their meeting in October; Trustee Craig seconded the motion. The motion passed unanimously by voice vote.

Mr. Garcia will attend the ISD Board Meeting on October 10 at 7:00 PM to answer any questions that the school board may have. Trustee Melton stated that if the first right of

refusal is the only thing that causes the Board to hesitate in approving the Annexation Agreement, it can be struck. The Board concurred.

VI. NEW BUSINESS

A. SUUD – Utility Rate Discussion

Mr. Garcia gave some background on this issue; Shane Seibel is here to represent the Tribe. There is nothing new to discuss because the information requested has not been received. Mr. Seibel made comments as the new ED; he stated we are in this together... 2009 – ISD; 2014 – rate hikes not implemented; the Tribe is always open to negotiating. Utilities Division is operating at a deficit and the Tribe is operating at the expense of the Tribal membership. 40 Million dollars has been invested in the water and waste water and they rank in the top of the nation. He will plan to be here tomorrow evening for public comment and to answer any questions. Only 46 days into his new role and wants to let you know that the Tribe is simply trying to cover their costs. Acknowledged the challenge is tough; the Tribe cares about the product.

Mr. Atencio thanked Mr. Seibel for coming. He acknowledged that the wastewater treatment is top-notch; there is not 5,000 people using that plant, which is what it was built for. He requested the information again to justify the rate increase on the wastewater fees. Mr. Seibel responded with some history regarding Tranquilo Court and Rock Creek and the fact that the expectation was for growth to happen, but then the market crashed in 2007-2008 and the anticipated growth did not happen. The size of the treatment plant was appropriate for the anticipated growth. He will give information on why the sewer rates are increasing.

Mayor Pro Tem deKay expressed appreciation as well, especially that Mr. Seibel spoke to partnership. She commended the product and expressed that the issue is that we can no longer afford the product.

Ms. Craig stated that the rate analysis has already begun when she came on the Board; the anticipation was that going to the flow model (as opposed to the ERT model) would reduce the rates and that has not happened. Instead, it is the opposite.

Ms. Melton also expressed appreciation for the acknowledgement of community; we do not want to be antagonistic; we are looking out for those people on social security who would not be able to afford other utilities, food, medications, etc. Let's work together to find a solution for everyone. We are all in it together.

Mr. Seibel stated that communication is vital to get on the same page. All costs are rising and adjustments need to be made with that rising challenge. The costs are what they are. He asked what the surcharge is that the Town places on water and wastewater and passes on to their customers.

Mr. Garcia stated that he would like to meet with Mr. Seibel to give him the three-year history of discussions.

Dr. Fuschetto stated that the Tribe did not charge the school for the taps for the middle school; in return, the school built lines so the flow could be improved and the school donated property to the tribe for the master meter to be installed...just some historical background.

Mayor Cox also expressed appreciation for Mr. Seibel's presence at the meeting tonight and expressed hope that we can all work together to get this resolved. At this time there are more questions than answers; we would like those questions answered so we can explain to our

constituents why the rates are rising so high. She expressed the desire to work together as the community that we are. Let's all walk the good road.

Mr. Garcia stated that the rate increase will be discussed tomorrow evening. Information was sent in the most recent utility bill about this. We do not have a formal rate structure yet; your rates will take effect October 1 and ours will not take effect until January 1. Mr. Seibel stated that he will make time to meet with Mr. Garcia. He expressed appreciation for the Board's time and reiterated that the Tribal Members are affected just as much as the Town.

VII. STAFF REPORTS

A. Police Department

Chief's report is in the packet. Mr. Garcia stated that Chief is traveling to Utah to attend a funeral of a family friend.

Mr. Atencio asked if we have gotten the second resource officer. Mr. Garcia stated that the MOU has been signed; however, the staff is short and so we are in a holding pattern. We have even advertised outside the area and no one has responded. All local jurisdictions are short-staffed.

Trustee Craig stated that she was able to attend the active shooter drill and it went very well.

Mayor Cox asked if she would actually declare a state of emergency or not. Mr. Garcia clarified that the declaration would happen, if necessary, after such an event happened.

B. Public Works

Mr. Howlett is out sick again and is dealing with some health issues. Stan Cox has been serving as foreman and Chris may be out awhile longer due to needing medical attention.

Water project Phase 1 is completed; moved on to Phase 2. Services are now provided to the new homes on Becker Street.

Fall Clean-up first weekend in October.

Mayor Cox asked if the root-removal has been scheduled. Mr. Garcia stated that the local companies are busy. It was done in the spring and hoped to do it again in the Fall but it may not happen for awhile.

C. Clerk / Treasurer

Mark Garcia and Clark & Sharon Craig will represent the Town of Ignacio at the CML Fall District Meeting on September 25.

Upcoming board meeting dates that need to be changed to meet state statute deadlines for filing draft (Oct 15) and final (Dec 15) 2020 budgets: The Board concurred on October 14 for the October date. December 9 is the tentative date for Dec; this will be finalized in October.

Ignacio Creative District events on town website; please log on and take the survey.

ISD Football funding request:

Action: Trustee Atencio moved to donate \$250; Trustee Maez seconded the motion. Mayor Cox requested a roll call vote; the motion passed unanimously.

D. Town Manager

Reminder of work session tomorrow evening. Will discuss rates in executive session.

2020 Budget – sales tax information in packet. County sales tax up about 4.65%; Town sales tax is down 3% and Mr. Garcia thinks it may be due to closure of The Patio. Two spreadsheets in packet: “City County Sales Tax 19” shows when sales tax is collected by merchant and paid by the State; “City County Sales Tax 19 Rev1” show when the Town receives the tax payment (which is typically two months in arrears).

Draft budget in advance of the October 9 meeting; Tuggy has been working on the increases in Aflac, CEBT, etc. and those numbers will be reflected in the 2020 budget.

SHE bought out Russell Engineering; Mr. Liberman has reviewed the contract, made comments, and it is not back at SEH for signature.

Pump station testing end of September.

Code update – hope to have a draft code completed on the 24th of this month. Grant ended end of August, so it needs to be completed quickly to submit final report on grant.

Entry signs have been ordered; hope to have them up by mid-October.

No major planning or subdivision items at this time; it was nice to complete the Walker and Herrera annexations and subdivisions work.

Raw water easement – no update

No updated jurisdictional agreement from Tribe yet.

CDOT – will push for them to cover 50% of the signalization costs.

E. Attorney

None. Mr. Garcia will have Mr. Liberman review the ISD Draft Annexation Agreement.

VIII. TRUSTEE REPORTS

Green Chile Fest this weekend. Trustee Craig on CML Executive Board and Policy Committee. Creativity Lab survey – it is important to get as many responses as possible. Committee from Denver will be here on Oct 3 and 4; there will be a luncheon on Friday for stakeholders in the community and a publicity event that evening at the ELHI Fall Harvest Festival.

Mayor Cox commented that today is Trustee Melton’s birthday; the Board and guests sang to her.

IX. MISCELLANEOUS

None

X. EXECUTIVE SESSION: C.R.S. 24-6-402-(4)(e)(I) – Determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations and/or instructing negotiators

Action: Motion made by Trustee Craig to move into executive session; motion seconded by Trustee Melton. Motion passed unanimously.

The Board went into Executive Session at 8:03 PM. Upon returning from Executive Session to Open Meeting, Mayor Cox stated that the time was 9:26 PM. The participants in the executive session were: Mark Garcia, Interim Town Manager; Tom Atencio, Trustee; Sandra Maez, Trustee; Dixie Melton, Trustee; Sharon Craig, Trustee. For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action

occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record. There were none expressed.

Mayor Cox stated that the next item on the agenda is adjournment. Mr. Garcia stated that, per the Board's guidance, he will work on some rates for the work session tomorrow evening and have them available for the Board's review. He will also work on the other matters pertaining to rates in general with communications with the Tribe and the Town Attorney.

XI. ADJOURNMENT

Action: Being no further business before the Board, Mayor Cox adjourned the meeting at 9:27 PM. The next regularly scheduled meeting will be on October 14, 2019, at 6:30 PM in the Abel F. Atencio Community Room at 570 Goddard Avenue.

Stella Cox, Mayor

Date

Attest: Tuggy Dunton, Town Clerk