

**TOWN OF BAYFIELD
REGULAR TOWN BOARD MEETING
11 W. MILL STREET BAYFIELD, COLORADO**

APRIL 15, 2008

Town Board Present:

Russ Jones, Justin Talbot, Mayor Rick Smith, Tom Au, Bob Piccoli, and Dan Ford.

Staff Present: Justin Clifton, Town Manager, Pat Anselmo, Clerk, Joe Crain, Planner, Dirk Nelson, Attorney, and Jack McGroder, Management Intern.
Marty Zwisler, project manager, was also present.

Media: Carole McWilliams, Pine River Times

Mayor Rick Smith called the meeting to order at 7 p.m.

There were no minutes to approve.

The meeting was opened for General Public Input. Phyllis Ludwig addressed the Board. There were several senior citizens present. They just received the budget, so she went to Denver and spoke with a metal building contractor. She said the seniors would prefer to have the metal building and more amenities. They (the seniors) have raised \$25,563.00. Glenn Johnston had read the spring newsletter regarding branches. He asked if residents would be allowed to take branches to the burn site before the spring clean up week.

Russ told Glenn that the Bayfield Convenience Center on C.R 223 takes this material all year long at no charge.

Public input closed.

Rick said there needs to be an additional item put on the agenda, ahead of item number one, for the approval of bills.

They also need to add an agenda item for New/ Unfinished Business, # 10 A.

Approval of Bills: Russ had questions concerning the stolen signs, the cost to clean up the septic tank (senior center location) and the dispatch bill. Justin will research the dispatch billing. Dan asked if the bill for Basin Pump and Supply will be forwarded on to Sunrise. Justin thought initially they would pay for it. However, Basin said the HOA refused to pay the bill.

Bob Piccoli questioned the Humphries Poli invoice, wondering how much remained on the architectural fee contract.

Tom Au moved to pay the bills as presented. Russ seconded. The vote was five in favor, motion carried.

Action Agenda #1: Updates:

Rick asked if the Board had any specific questions on materials submitted concerning updates for Town Hall, Sanitation, etc.

Russ asked about Ron's update regarding water. Justin said the Town is waiting on final negotiations with Jack Roe. Joe Crain noted 'all we have is an easement for any and all work'. Justin was asked how the road is going (road to the new water tank site). Justin replied he wished it was going better. There are financing issues. Jack has approached Justin with different proposals. All the Town asked was for Jack to provide the labor. The town would still supply the materials. Joe Crain said that Jack has spoken with his bank. They wanted the town to agree to let Jack file the entire subdivision but only bond for the water and the sewer. There is a problem with that. After the subdivision is filed, lots can be sold at will. Staff will not support this. Joe said it would be piecemeal subdivisions. It is in limbo. Justin confirmed that the easement has been

filed, and the easement provides everything the town needs in perpetuity. Dirk does not see that there is a problem, unless Jack does not do what he originally said he would.

Sanitation Backup Issues: Tom Au said ‘we were told that there wasn’t any problem on the towns part. Now it is coming out that the problem is in the towns lines’. Justin explained that when there are multiple backups in one area, there is a relationship between the service lines and the main line. He said backups are going to happen. The town cannot control where the back up occurs.

Tom said the roads at Mesa Meadows are horrible. The town identified those roads (problems) last year. Justin got their commitment in writing to correct the roads, exactly where they (problems) are and exactly how they will be fixed. Problems occurred because of inadequate compaction around manholes. However, they passed the compaction testing. Ground water is an issue. Most roads are failing in the area where old ground water ran.

Dan asked for additional information on the sanitation waste water treatment facility project. Justin answered ‘we must award a contract by the end of May’. Dan wondered if the Town is going to have sufficient time to take all the data into consideration. Justin feels that one week is sufficient time. Justin added ‘the contractors are well aware of the project. They should be asking the appropriate questions during the 30 days. The entire project is driven by the schedule’.

Robert Piccoli asked what the estimated schedule is for project completion. Justin answered ‘eleven months, depending on weather’. Justin has done a lot of follow up on the property acquisition, the reviews from the State, and the professionals involved. He re-affirmed ‘we *will* be on schedule with the compliance schedule’.

Justin let the Board know that several staff members had attended a supervisors training seminar. It covered coaching, dealing with problem employees, and staff development.

There are two private foundations that have contributed to the Senior Center project. Boetcher has given \$25,000, Gates is contributing \$85,000. This means the Town only has \$130,000 left to raise. LPEA has been approached to contribute to the cause.

Action Agenda Item #2: Senior Center GMP Approval:

The Town brought in FCI on a qualification basis. Justin said ‘we are out to bid, we will close soon’. He is asking for approval from the Board to have the Mayor sign the GMP contract when it is ready. He queried the Board, ‘Do you want to review it before the Mayor signs? We close April 17. Do you want to have a special meeting?’ Justin is trying to avoid any lag. He reassured the Board, it will be reviewed thoroughly at staff level. Robert Piccoli and the Mayor both asked to be included in the contract review with Justin.

Russ moved to approve giving the Mayor the authority to sign the GMP contract subject to review. Dan seconded. They need to meet before April 24. The vote was five in favor. Motion carried.

Action Agenda #3: Master Plan Appointment:

This item pertains to the La Plata County Children, Youth and Family master plan. Justin explained ‘they are focusing on positive plans’. He asked the Board if they want to appoint a trustee or if they would like to ask Carol Blatnick to continue her involvement with this position. Bob replied that, since Carol has had so much experience, and, if it is appropriate, he would like to see her continue. He added ‘if she is willing, that is the way to go’. The Board and the Mayor were in agreement with Robert’s proposal.

Justin will ask Carol to continue serving on behalf of the Town.

Action Agenda #4: North Street Access:

Justin pointed out that this plan was discussed many months ago. This is not the time in the construction schedule to change the access. Rick said that, at this point, we know it is necessary to keep a watchful eye on the situation, adding ‘we are not sure to what extent the problem will

evolve'. Dan noted 'this was laid out over the course of the last year. It is at a point that we cannot go back'. He suggested taking staffs recommendation. The Board concurred. Justin remarked 'we will mark the employee parking early on'. Rick said it would be a substantial cost to do a change in access now. Russ said the cost would not be justified. Rick spoke to the residents, asking that they 'please keep it touch, let us know how things are going'.

Action Agenda #5: RFP Municipal Judge:

Council member Yost had asked that this item be brought up. Justin has compiled a list of criteria that needs to be met when considering the applicants. Any court of record requires a licensed attorney to oversee municipal court. Russ would like to be involved in interviewing the applicants.

Action Agenda #6: Homestead Cost Reimbursement Agreement.

The Homestead at Bayfield is going to pursue flagpole annexation. They are going to submit a petition. Joe said 'we need to check out the infrastructure. Before doing this, they have to know who covers the cost to do this. If the Town has to engage an engineer out there, Homestead would be responsible for paying for it. They need to be held responsible for paying any costs that the Town incurs pursuant to the process. The Town needs to be very careful in studying everything before we take anything over'. Ron has done a preliminary drive through. He has some concerns. The Town does not know who owns the water rights. Dan asked if this agreement binds the Town. Joe responded 'no, this just binds them. This is just something that needs to be in place to be certain the Town is covered for any costs that may be incurred. There will be legal costs, surveying, engineering'. Dan cautioned, 'there have been several people who have left under stressed circumstances. We do not want to get involved with this mess'. Bob Piccoli asked if CDOT has expressed any concerns. Joe replied he has not heard back from them as yet. The County is not involved because none of their roads are involved. Joe was asked 'who is watching the farm?' Joe responded 'this agreement is'. Russ moved to approve the agreement between the Town of Bayfield and the Homestead At Bayfield LLC appurtenant to cost reimbursements. Tom seconded. The vote was five in favor. Motion carried.

Action Agenda #7: Administrative Review of Liquor Licenses:

Justin believes that this action requires a resolution. He has not had time to produce one but will have it ready for approval at the next meeting.

Action Agenda #8: Board Appointment Ideas:

Justin wants to collect ideas from other municipalities. The board can appoint a designee on any basis it chooses. Justin recommends spending some time together as a full board to formulate some sort of formal process for accepting applications. This would be a good item to discuss during the retreat. Justin said there may be some scheduling problems. April 26 is Fort Lewis College graduation.

There is no space available to hold a retreat in Durango. Rick proposed holding the retreat in May with the full board. He is in favor of conducting a short work session to come up with the appointment process. HE would like to have Justin, Joe, and Jack attend. Russ suggested doing an RFP for applications. Dan asked what choices they had. Justin remarked 'you can solicit someone'. He suggested leaving applications open until May 6, doing some public service announcements, distribute fliers, and then make a determination sometime between May 6 and May 20. Dan asked if the Casino would be a viable alternative for the retreat. The reply was in the affirmative.

Rick questioned 'when would you want to schedule the work session for selection of applicant criteria?' Justin recommended reviewing all the applications together so everyone would be on the same page.

Rick recommended picking a day after all applications have been received. They could then review them and have that information ready for the meeting on the 6th. After a short discussion it was determined to set Friday May 2nd for the cut off date for receiving applications. Tom commented that by doing so, the Board would know who is interested by May 6. Bob Piccoli said it would be advisable to set the initial criteria by the time the position is advertised. He recommended using the format that was utilized by the League of Women Voters for their forum questions. Russ agreed, you need to set the criteria beforehand.

The decision was to set this for a work session on April 29. Rick asked that they come in at 5 p.m. on the 29th. Everyone said that would work.

Justin will send the necessary materials and get the ads in the paper by Friday April 18th.

Dan directed the Boards attention to a point of order 'Grant Richards is here representing Homestead. The board should let them know what decision was made earlier this evening'.

At this point, Mr. Richards was informed that the Board approved the agreement between The Town of Bayfield and The Homestead At Bayfield LLC.

Justin interjected that the Economic Development meeting is at 7 p.m., so the Board could move the workshop to 5:30 p.m. on April 29.

He re-iterated that applications for trustee are due no later than May 2, the Board will meet on April 29 for the workshop, and that the appointment will occur on May 20.

Rick questioned 'do you want to wait until the person comes on board to schedule the retreat?'

Justin was asked to put negotiations with the State on the next board agenda.

It was decided to schedule the retreat for May 31.

Action Agenda #9: Bike Trail IGA:

The Intergovernmental Agreement between the Board of Commissioners of La Plata County, Colorado and the Town of Bayfield needs to be finalized. Local Agency Matching Funds total \$68,000, \$27,000 during FY 2008 and \$41,000 during FY 2009. The Town shall contribute \$35,000 toward the \$68,000 for Improvement costs, \$17,500 for the fiscal year 2008 and \$17,500 for fiscal year 2009. This will be covered by matching funds through an enhancement grant. This is the trail going up C. R. 501. The town is co/applicant. The Board agreed to take on maintenance costs. This IGA covers the approvals formerly made. The trail is in the counties right of way for the most part. The County will transfer its interest by quitclaim deed or some other appropriate instrument. The school does not want the Town encroaching on their property. There will be a bridge.

Russ moved to approve the IGA with the County for the C. R. 501 Shared Use Path. Bob seconded. The vote was four in favor with Tom Au voting in opposition. Motion carried.

Action Agenda #10: Board Retreat Agenda:

This item had already been covered in discussions earlier this evening.

Action Agenda #10 A: New/ Unfinished Business:

Justin let the Board know that Balty Quintana, Town Manager of Ignacio, wanted to know if the Town of Bayfield wants to be involved in any bike rally. They think perhaps they could expand the activities if Bayfield chooses to be involved.

Dan commented perhaps this matter could be deferred to the Chamber of Commerce. Justin remarked the Town would not be able to dedicate staff involvement.

Russ asked what the town would have to offer. Justin suggested maybe a concert. Tom wondered what they would expect from Bayfield. Bob noted, the people are here regardless, the noise will be here regardless. Jack mentioned there was a group from the Vallecito area trying to pull them

up that way. Bayfield could offer the use of its park for vendors or other businesses. Russ stated the proposals would be interesting to see.

May 15 is the Children, Youth, and Family Master Plan presentation, which is to be held at the Smiley Building Auditorium in Durango. The Mayor will attend. Others are invited to do so. CML puts on an elected officials training. Justin wanted to be sure that the board is aware of the training opportunities offered. He said that most of the information given through CML was covered in the Board's initiation meeting. If anyone is interested, please let him know. The training is in Denver.

Dirk confirmed that the Town does not need a resolution to implement the rate increase for WCA. Tom commented that staff needs to be sure that any sewer replacement line has plenty of supervision by the appropriate people, he cautioned, 'make sure that the contractor does what he is supposed to do'.

People have been asking for a place to take branches, limbs, twigs etc. Russ reminded the Board that Brad Elder offered to provide a place to take branches. He has a chipper and could use the mulch it creates for landscaping. Justin said 'an open ended drop off invites problems'. Russ said we could do a schedule for drop offs.

Tom asked if Justin has done the planning commission schedule. Justin replied no.

The Town needs to fill the planning commission seats. Justin will get a schedule out ASAP to the board.

Rick reminded the Board that the Town had already received one applicant requesting consideration for the Planning Commission vacancy. Ed Morlan has expressed his desire to serve. Ed has talked to Justin, and Justin feels Ed would be an asset to the Planning Commission.

Dan moved to accept Justin's recommendation to appoint Ed Morlan to the Planning Commission. Justin Talbot seconded. The vote was five in favor. Motion carried.

Motion to adjourn, 9 p.m.