

**TOWN OF BAYFIELD  
REGULAR TOWN BOARD MEETING  
11 W. MILL STREET BAYFIELD, CO  
APRIL 2, 2008 7:00 P.M.**

**Town Board Present:** Rick Smith, Russ Jones, Carol Blatnick, Mayor James Harrmann, Tom Au, Daryl Yost, Russ Jones, and Niel Hieb.

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

**Planning Commission:** Bob Piccoli.

The Mayor called the meeting to order at 7 p.m.

**Approval of Minutes:** March 17, 2008: Carol asked that the spelling error in Action Agenda #5, 'charges *for* sewer' be corrected. In Action Agenda #7, the second sentence on page four should say '*Brad Elder* had recommended', instead of '*the Planning Commission* had recommended' the request for duplexes be withdrawn. Carol Blatnick moved to approve the minutes of March 17, 2008 as corrected. Rick Smith seconded. The vote was six in favor, motion carried.

**General Public Input:** Glenn Johnston, 359 W. North, Bayfield, spoke. He said the new town hall building is going to be beautiful. However, he is concerned about the access going into the new town hall from North Street. He is worried that the increased traffic will adversely affect the safety of children playing in the area. No other comments were received. Public Input closed.

Daryl Yost made a motion to place an item on the agenda, #1 A, to discuss RFPs for municipal judge. Niel Hieb seconded. The vote was six in favor. Motion carried.

**Action Agenda #1: Approval of Bills:** Carol moved to approve the payment of bills as submitted. Rick Smith seconded. The vote was six in favor, with Daryl abstaining on the vote concerning payment of invoices due to his company, and Tom Au abstaining from the vote concerning payment to Pinnacle. Motion carried.

**Action Agenda #1 A: Bayfield Municipal Judge:** Daryl asked that RFPs be sent out by the Town of Bayfield for Municipal Judge. Rick seconded. The vote was six in favor. Motion carried.

**Action Agenda #2: Departing Board Ceremonies:** Justin addressed the audience and the council members, expressing his appreciation to the board members that are leaving, saying they have served the town very well. He re-affirmed, 'the thanks is sincere. The Town has diverse opinions, the Board has tackled some interesting problems. The board

is leaving the town much better than it was when they started. The Board has always had the best interests of the town at heart'. He thanked them personally and on behalf of the staff. He presented the plaques to Niel, Daryl, Herm, and Carol.

Rick Smith thanked each one personally, saying they have been through some tough times, but they have succeeded in their endeavors. Herm (Mayor Harrmann) thanked all the board for their friendship, commitment, and help. Daryl said he enjoyed the camaraderie, they didn't always agree but they are all great friends. Carol commented 'we came on at a time when things were going straight up, these things are just now coming to fruition, we can be proud of the service that they have given'. They have pursued Mill Street revitalization, accomplished the acquisition of a new town hall, and were actively involved with the Children, Youth and Family master plan. Niel spoke, saying he has been proud to serve the people of this town. He reinforced that he has always tried to concentrate on what was of greatest benefit to the tax payer. He said it has been special to work with staff, Dirk has been a mainstay. Joe (Crain) is a special guy, he has been there, done that, and has great knowledge. He also thanked Pat for her hours of minutes.

**Action Agenda #3: Break:**

A short break was called at 7:15. The outgoing board members were given a 'going away' party with ice cream sundaes.

Mayor ProTem Rick Smith re-opened the meeting at 7:37 p.m.

**Action Agenda #4: New Board Members Welcome:**

Justin welcomed the new board members. Pat swore in Mayor Rick Smith and trustees Justin Talbot, Dan Ford & Robert Piccoli into office, and business continued as usual.

**Action Agenda #5: Town Updates:** Dan asked 'who was chosen as the IT contractor?' Justin answered 'Mark Beasley, Beasley Design from Durango'. Bob Piccoli asked 'where are we with sanitation, design, construction, etc., are we ready to go out to bid in the next two weeks?' Justin answered, 'there is a thirty day bid period. The Town needs to procure property, they need to complete the acquisition of an easement, and all things are running roughly parallel, they are lining up well. The construction documents have passed the State review process. The Town should get a letter from the State giving us the green light saying we can continue'.

Tom Au asked that the seniors be invited for the next meeting to let them know the progress regarding the Senior Center.

Justin replied he would see to this. He will also compile comprehensive information for the Board and the seniors.

**Action Agenda #6: Town Hall Access:** Justin said he has been approached by several residents who live on North Street. He stressed that all plan reviews were posted for the new town hall situated on Mill Street and North Street. He highlighted the street area in question. He re-emphasized, the architectural design and conceptual processes were all advertised and noticed early in the planning stage.

The entrance off of Highway 160 B will be the primary access for customer traffic. The engineers involved intuitively knew where the traffic would flow. It will run where the course of least resistance occurs.

The design of the building does not encourage traffic to come into the parking area from North Street.

The vast majority of people will choose the access off of Highway 160 B. To the residents living on North Street, he cannot promise this will happen, but he will endeavor to come up with methods that would slow traffic down. If the marshals department uses the North Street access for emergencies, speed bumps would not be effective. The wild card will be the Department of Motor Vehicles. The marshals department does not generate heavy traffic at all. As a rule, there will be one deputy on duty each shift. It is normal for three or four vehicles to be parked in the marshals parking area during a twenty four period. If the parking area located adjacent to the marshal's office is designated for employee parking, it will encourage the general public to use the 160 B exit.

The town could place traffic signs asking that only certain vehicles use the North Street access. Justin prefers that any drastic implementations would only be put in place after a history of traffic flows has been established.

Rick opened the discussion to the public. Rick Larkin, who resides directly across from the North Street access, spoke to the Board. He pointed out that North Street is a dead end street. There is already heavy traffic. He would like signs put up. He has touched base with Marshal Harrington, who will be at a subsequent meeting to give his insight. Tom Motz (who rents from Mr.Larkin) spoke. He said that the intersection where traffic exits from North Street onto Highway 160 B. is already a dangerous place. He feels that, when additional traffic exits from the marshal's parking lot, then off of North Street onto Hwy 160 B., it will cause additional problems. Kathy Motz commented 'there were signs put up at the park, people don't pay any attention to them'. She has to back out of her driveway. She would be backing into traffic.

Hally Hallberg, residing at 328 North Street, spoke of her concern. She said a lot of locals take this route to the nature park. There are a lot of people and animals on the road. Linda Nielson said 'ditto to everything that has been expressed'.

Marty replied that the size of the building determines the size necessary for the parking area. It is a building code. The request to 'move' the entry over would entail much more than the moving itself. It would require a study, and it would be very costly at this stage of the game. The resident at 473 W. North said that the biggest problem is the y, the yield area located between North Street and Mill Street. The slow speed is a redeeming quality. Athenia Howard said there have been close calls on the intersection. There is no regulating traffic sign on North where it intersects with Mill.

Russ addressed the issue of the marshal needing a more closed space for detainees. He would like for Harrington to come to speak to this issue.

Jim Harrmann said the visibility at the intersection of Mill Street and W. North and at W. North and Highway 160 B. is horrible. It is his inclination that, with a little experience, people will come to realize that the 160 B entry is the more desirable.

There are a lot of kids going down to the nature trail. Tom Motz would still like to see 'something' done with Mill Street. Perhaps the Town could make it a one- way going east. Athenia suggested putting a stop light where the caution light is.

Rick remarked ‘please remember that Highway 160 B. is CDOTs road. Justin closed with the statement that there is a realistic expectation that changing the access will be considered. They will discuss the viability of the change.

**Action Agenda #7: Presentation of the 2007 Audit by Michael Branch:**

Mike opened his comments with ‘governmental accounting is not an easy concept’. He offered to make himself available for the Board, perhaps some time during a future Board retreat, to answer questions they may have regarding financing, budgeting, etc. He would be more than happy to come back for the benefit of the new members. He remarked the financial condition of the Town is very healthy. Revenue exceeded expenditures. That is the way it is supposed to be! The Town has always budgeted very conservatively. They consistently meet budget laws. The town should be able to pay for the new town hall with the existing loan. The Capital reserve is healthy. He explained the difference between governmental and enterprise funds. Capital projects usually has a limited life, it exists to build certain projects. The Debt Service Fund is basically a clearing place for money received via property assessments on the SID to pay for the infrastructure done at the Bayfield Center. The Town is not directly liable for the loan, but would be contingently responsible in case of default by the property owners.

The Conservation Trust is funded by the State lottery. It has to be used for parks. The town financed the funding for the new town hall. As the draws continue, they will come out of those funds. The fund balance will drop down as this occurs.

Rick asked staff to schedule Mike for the retreat. This will give the Board time to get their questions ready for him.

**Action Agenda #8: Extension of Final Plat Approval- Bayfield Commercial Center (Elston Annexation & Subdivision):**

Concerning the extension of the final plat for Bayfield Commercial Center, (Elston), Dirk gave Dan verbal authorization to vote in this matter, because it is an extension only. This is a three (3) lot subdivison. When they were initially approved, one lot was residential, one retail, and the third storage. The code specifies that, once you get final plat approval, you have ninety (90) days to record the plat. Due to local conditions and other extenuating circumstances, they are not ready to meet the ninety day deadline. Joe Crain is requesting that the Board authorize a 61 day extension. The sixtieth day falls on Sunday, so they should be given 61 days, which moves the deadline to June 16, 2008. Staff has no problems with granting the extension if the Board decides to grant it. Tom Au moved to grant an extension for the recording of the final plat for a 61 day period for Bayfield Commercial Center (Elston Annexation and subdivision) which will expire June 16, 2008. Russ seconded. The vote was five in favor. Motion carried.

**Action Agenda #9: 911 Board Appointment:**

Justin explained that this is one of many boards the Town is involved with. This particular one is related to dispatch services. The 911 Board is partially funded through charges for phone service. Marshal Harrington’s term on the 911 Board is nearing it’s completion. Justin is requesting that he be allowed to represent the Town on the 911 Board. He would need a letter from the Town Board appointing him to the vacancy that will be created by Marshal Harrington. Russ so moved to approve the letter. Dan

seconded. Justin added 'the Board meets (maybe) once a month. This may be changed to quarterly'. The vote was five in favor. Motion carried.

**Action Agenda #10: Liquor License- Bayfield Liquor:** Russ feels that all annual liquor license renewals should be done administratively. His wish is to have only those applications for a new liquor license come before the Board for approval.

Russ moved to approve the annual renewal of a liquor license for Bayfield Liquor. Tom seconded. The vote was five in favor, motion carried.

Dirk will research the issue of allowing administrative approval of annual liquor license renewals. He asked the Board if they were inclined to let annual renewals be done administratively.

Staff is to make copies of applications for annual liquor license renewals in the future for the boards review.

**Action Agenda #11: Schedule: Economic Development Meeting and Retreat:**

The next regular meeting of Town Board will be April 15. There will be a Planning Commission meeting on April 8, a work shop on April 22 for discussion of the east side development. This workshop is not mandatory. However, since this project is in the preliminary planning phase, it will be very helpful to have input upfront.

Discussion was held to determine a good day for the Board retreat. It would be nice if they could schedule a Saturday, for a full day, to help bring the new Board members up to speed. April 19 would be the earliest day possible, but April 26 would be much better for all involved. Justin will put this on the agenda for discussion on April 15. He asked the Board to give him feedback on what they would like to cover during the retreat.

Rick asked for input on how they would like to schedule the retreat, if they would prefer to hold it outside of Town. He forewarned there may be a lot of executive session discussion.

Justin said the retreat will more than likely be held in Durango. Board members will be notified.

*Economic Development:* Jack has been dedicating a lot of time to this area. He has been working on grants as well as the comprehensive plan. He would like to assemble a large group of participants. The economic session will be noticed in the spring newsletter. It requires a strategic plan, in-depth vision, and of course resources to tap into. It would probably be a partnership that would serve at the pleasure of the Town board.

Rick asked 'if you schedule this for April 22 or April 29, please keep it from 6 to 8 p.m. If you decide on April 15<sup>th</sup>, please remind them'.

Russ would like further discussion regarding Mike Branch's participation in the retreat.

Russ has always been satisfied with answers from Justin and does not see the need for Mr. Branch to be there. Rick concurred, saying the Board should continue the status quo. If they have questions in the future, then they could contact Mike Branch.

Dan commented, it might be advisable to go with the adage 'if it isn't broke, don't' fix it!'

**Action Agenda #12: New/ Unfinished Business:**

Justin gave an FYI to the Board concerning Dove Ranch Subdivision. Bradley let his letter of credit expire (which covered roads, sidewalks, lights, gutters, etc). Justin made

an effort to have Bradley extend the letter of credit. Brad said he would *not* extend it. Justin feels there are some very serious issues that need to be dealt with. Taylor Circle has a major crater in the road surface. There are also some compaction issues. Justin made it clear that the original letter of credit must be re-established. Brad is in Cancun, and does not appear to be overly concerned about letting the letter of credit expire. Justin explained that Brad has substantial interest at risk, he had an agreement, he broke it. There is no excuse for his errant action. Justin expects to get the Letter of Credit back in place expeditiously.

Justin suggested the Board entertain requiring deposits from developers in the future. It may be advisable. There would be no partial release of warranties. Dan asked if the letter of credit expired on a certain day. Justin replied 'yes, Brad had specific date deadlines'. He added that, if the weather had cooperated, the Town could have done the inspections before the letter of credit expired. He suggested that the Town require that developers notify the Town that they are going to let their letters of credit expire.

Dirk interjected, saying the Town does have some leverage. If Brad does not have a letter of credit in place before the next board meeting, the Town could notify him that he is in default. The notice would give him ten days to comply.

Dan commented that this phase needs to get done before the Town approves the next one.

Russ asked Justin to explain the situation regarding the sewer issue for the Bayles' property (Juniper Circle). Justin said the Town found the problem. There are three trees growing over the sewer line. The Town installed a flapper valve. The line is crushed, there are roots growing through the line. The Town needs to replace that portion of line soon. He said there is another location near Wilmer. He is waiting on Ron to get back to him on this. The crushed line is the service line. Tom explained 'the trees are growing right on top of the lines'.

Tom said he found a camera (sewer line) for \$10,000. He gave the data to Jack. It is portable, has DVDs, and it is a great tool. Justin commented that Ron is currently out of town, but he and Justin have talked a lot about it. Ron thinks the town should go with the more expensive system (\$40,000). Tom added, the camera that Edgemont uses has a push cart, it was very usable. A lot of lines are in places where a vehicle cannot drive. Tom is very much in favor of the lesser cost system.

Russ asked how the Board intends to handle the vacancy for the trustee position. Justin will provide data for the Board that will explain some options. Dirk commented that the Board has sixty (60) days to fill the vacancy.

Tom Au commented that a land owner in Mesa Meadows has fenced off the easement. This is where one of the trails is supposed to go. He asked Justin to check into it.

Rick mentioned that, traditionally, each member of the Town council took turns attending the Planning Commission meetings. Justin will update the Planning Commission schedule and let the board know the assignments.

The Mayor can make the appointment to the Planning Commission if the board so approves. Ed Morlan has expressed his interest in being on the Planning Commission. The Town needs to advertise for the other vacancy.

Rick mentioned that the Board needs to appoint a Mayor Pro Tem. Russ nominated Tom Au. Dan seconded. The vote was four in favor. Motion carried.

Motion to adjourn.

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