

**TOWN OF BAYFIELD
Regular Town Board Meeting
1199 W. Hwy. 160 B.
Bayfield, Colorado 81122**

August 4, 2009 7 P.M.

Town Board Present:

Mayor Rick Smith, Council Members Justin Talbot, Tom Au, and Dan Ford.

Staff Present:

Justin Clifton, Town Manager and Pat Anselmo, Clerk.

Media:

Jason Gonzales, Durango Herald, Melanie Mazur, Pine River Times

The Mayor called the meeting to order at 7:09 p.m. It was late due to another meeting having been scheduled in the Board room.

General Public Input:

Melanie Mazur spoke regarding plans for Heritage Days, she said they are still going strong.

General Public Input closed.

Action Agenda

Item # 1: Approval of Bills

Tom Au moved to approve the payment of bills as presented. Dan Ford seconded. The vote was four in favor, with Councilman Au abstaining from the vote on invoices that may be due to his place of business. Motion carried.

Item # 2: Town Updates:

Justin Talbot asked what the plan of attack was on the decommission of the existing sewer plant. Justin C. replied it was his understanding there is a two year time span to get this accomplished.

Justin C. continued, the funding issues with Gem Village have been resolved. He received good news regarding the US Fish and Wildlife, they have rescinded their request for the 'more detailed consultation regarding endangered species', which had something to do with diverting water away from Dry Creek. 'Things are back on track, everything is

on schedule. He anticipates a sewer rate increase to cover the costs the Town will be faced with.

Justin C. was questioned about the activity, or more precisely, the lack of activity on the Jack Roe property. Three leaks have been discovered in the distribution line between that tank and the connection at Dove Ranch, which was installed by the developer. The questions was posed, 'Do we need to lien this property?'

Tom Au commented that Deputy Choate did a good job at the Artistic Homes site.

Item # 3: Set Public Hearing- Special Events Permit – Chamber of Commerce:

Tom Au moved to set a public hearing on August 18, 2009 for the consideration of the request from the Chamber of Commerce to acquire a Special Events Permit for the Soap Box Derby, to be held September 7, 2009 between 10:00 a.m. and 5 p.m. The location of the event will be at the far east portion of the south alley way in the Dove Ranch Subdivision. This is on private property. Justin Talbot seconded. The vote was four in favor. Motion carried.

Item # 4: Annual Liquor License Renewal –Chavalos Mexican Restaurant, 637 Colorado Drive, Bayfield CO.

Justin Talbot moved to approve the annual renewal of the liquor license for Chavalos Mexican Restaurant, located at 637 Colorado Drive, Bayfield, Colorado. Tom Au seconded. The vote was four in favor. Motion carried.

Item # 5: Regional Association Intergovernmental Agreement:

Several towns have expressed their desire to be an active committee member, using their combined efforts to be a viable entity in this joint effort. By joining forces, they can use a strength in unity approach to expand collaboration efforts and take advantage of opportunities that would not be available for a Town the size of Bayfield.

Rick Smith expressed a strong desire to be a part of this, saying it will give Bayfield a distinct advantage on the fiber optic project.

The Regional Housing Alliance is talking about expanding. The vision is to run the R. A. I. A. by consensus, not by majority.

The letter of interest for the Tier III grant is due by August 12. It was emphasized that each participating town has one vote, regardless of its size. It will not cost the Town any money at the preliminary stage.

Tom questioned if this participation would be renewable each year. Justin C. replied in the affirmative. It will so state on the certificate of participation.

Dan Ford moved to approve the IGA for The Southwest Colorado Council of Governments and the Certificate of Participation in the agreement. Justin Talbot seconded. The vote was four in favor. Motion carried.

Item # 6: Resolution #239: Acquisition of Highway 160 East.

Justin C. explained, 'when the Town originally got into the loop, we were told we didn't meet the qualifications'. The project initially put in first place was considered too costly,

and CDOT took that project off of the list, and by a process of elimination, Bayfield fell into place for qualifying. The Resolution reflects the Towns interest to take over Highway 160 E. We have asked for 6.8 million from the State to do so. Although we initially started at 7 million, it was decided to ask a little less and perhaps have a better chance of success, which was a wise decision.

The rights of way at 8 corners merge. This needs to be addressed.

Dan asked about the cost structure at the intersection at the Shell station, 'would the cost to the Town increase if it takes this (portion of highway) over. Tom Au moved to approve Resolution #239, a resolution of the Board of Trustees of the Town of Bayfield, Colorado concerning the Acquisition of Highway 160 E. as Part of the Colorado Department of Transportation Maintenance Incentive Pilot Program, with the only change being the date line at the bottom of the page. Justin Talbot seconded. The vote was four in favor. Motion carried.

Item # 7: New/ Unfinished Business:

Justin Talbot asked about the progress on the creation of guidelines for developers, some residents wanted to know what is going on there. He asked the Board for input on this. Residents would like some sort of a contract or agreement that developers would fill out to let residents know what was going on around them when new development starts. He is also concerned about the construction trailer (Artistic Homes) sitting there and wanted to know how long it would be allowed to remain.

Justin C. replied, 'it is considered temporary. The question is how long it would take the development to build out'. He will check with Dirk on this. The Town may have some leverage in the Land Use Code.

Justin Talbot asked if Ron (Saba) is overseeing this site, the sidewalks, etc.' Justin C. said 'yes, he is'. The Town will hold the builder responsible for any problems before the C.O. is issued. When Mike (Shave) sees things that need attention, he lets us know, even though it is not in his purview.

Motion to adjourn 7:40 P.M.

Approved As Written, August 18, 2009