

**REGULAR TOWN BOARD MEETING
1199 W. HWY 160 B.
BAYFIELD, COLORADO 81122**

JUNE 2, 2009 7 P.M.

Town Board Present:

Mayor Rick Smith, Council Members Brett Clough, Justin Talbot, Tom Au, Dan Ford, and Debbi Renfro.

Staff Present:

Justin Clifton, Town Manager, Dirk Nelson, Town Attorney, Joe Crain, Planner, Pat Anselmo, Clerk.

Media: Carole McWilliams, Pint River Times

The meeting was called to order by Mayor Smith at 7: P.M.

Approval of Minutes: May 19, 2009:

Dan Ford moved to approve the minutes of May 19, 2009 as written. Brett Clough seconded. The vote was six in favor. Motion carried.

General Public Input:

The Mayor opened the meeting for general public comment. There was no response. This portion of the meeting closed

Action Agenda Item # 1: Approval of Bills:

Justin Clifton explained the amount due for fixing portions of Grace Sossaman's fence and sprinkler system. Most of this amount will go directly to the fencing company. Justin also wanted to add an invoice for Alpine Construction for the storage building in the amount of \$6,250.00 for foundation design.

He added, the total cost of the building will be around \$27,000 without bay doors.

Tom Au moved to approve the bills as presented, with the inclusion of the additional invoice for Alpine Construction. Brett Clough seconded. The vote was six in favor, Tom Au abstained from voting on any amounts due to his company. Motion carried.

Action Agenda Item # 2: Town Updates:

Justin C. asked if the Board had any questions regarding the information as presented with the packets. Justin Talbot asked if the pump head had been retrofitted. Justin answered that it had.

Concerning the Down Town Arts and Crafts, this request is pending response from the DBA (Downtown Bayfield Association). The request was to close Mill Street for the activities, but it would only be on weekends.

Bob McGraw submitted a report from the Planning Commission. Mayor Smith said that Commissioner McGraw should be present during future Town Board meetings in order for him to answer any questions that may be posed by the Town Board.

Rick added that he would touch base with Bob, asking him to be here the first meeting of each month.

Action Agenda Item # 2 A: Public Hearing for Chamber of Commerce request for the Special Events Permit:

The Mayor amended the agenda to discuss the Special Events Permit for the Chamber of Commerce. This item was inadvertently omitted from the agenda. The area in Joe Stephenson Park has been duly noticed and the information was also printed in the local paper giving the public ample notice of the hearing. A public hearing for Consideration of a Special Events Permit was added as Action Agenda Item 2 A. Brett Clough moved to approve the request for a Special Events Permit for the Chamber of Commerce for both July 4, 2009 and September 26, 2009, to be held in Joe Stephenson Park. Tom Au seconded. The vote was six in favor. Motion carried.

Action Agenda Item # 3: Public Hearing : Amendment To The Bayfield Land Use Code, Table A.a.xx iii Non-Residential Lot & Dimension Standards: Lot Area Minimum Per Unit From 6,000 square feet per Unit To 2,000 square feet Per Unit For Second Floor Residential Units In The Business (B) Land Use District:

This is for an amendment to the Bayfield Land Use Code, changing the lot area minimum per residential unit from 6000 sq ft to 2000 sq ft for the second story residential units in the Business (B) zone. Staff recommends the approval of the requested change by amending the Table A.a.xx iii, non-residential lot and Dimension Standards to reflect 2000 sq ft minimum per residential unit. The Mixed use will be favorable to the development to the east of Bayfield. The Planning Commission voted 6 to 0 to recommend approval of the change to the Bayfield Land Use Code. Staff also recommends approval.

The Mayor opened the floor for public comment. None was given. The Public Hearing closed. (Note: the agenda reference Table A.a. xx iii is correct; the summary sheet for agenda item #3 should read A.a. xx iii)

Tom Au moved to approve the change to the Bayfield Land Use Code. Brett Clough seconded. Dan Ford remarked that he may have possible financial interests connected to the Bayfield Business District zone and asked to be excused from the vote. This change will be presented as an Ordinance in the near future. The vote was five in favor, with Dan Ford abstaining from the vote. Motion carried.

Action Agenda Item # 4: Public Hearing/ Consideration: Amendment To The Bayfield Land Use Code, Table A.a.xx iii Non-Residential Lot & Dimension Standards Lot Area Minimum per Unit From 3,500 square feet Per Unit to 2,000

**square feet Per unit For Second Floor Residential Units In the Mill Street (MS)
Land Use District:**

This is an amendment to the Bayfield Land Use Code, changing the Mill Street Zone Lot area minimum per residential unit from 3,500 square feet to 2,000 square feet for the second story residential units. The Planning Commission voted 6 to 0 to recommend that the Town approve this change to the Bayfield Land Use Code. Staff is recommending that the ‘one unit/3500 sq ft of lot area’ be replaced in the table to indicate ‘one unit/2000 sq ft of lot area’.

The Mayor opened the floor for public comment. None was received. The Public Hearing closed.

Consideration: Brett Clough moved to approve the suggested change in the Bayfield Land Use Code, Table A.a. xx iii changing the lot area minimum from 3,500 square feet per unit to 2,000 square feet per unit for Second Floor Residential Units in the Mill Street (MS) Land Use District. Debbi Renfro seconded. The vote was six in favor. Motion carried.

Action Agenda Item # 5: Public Hearing: Amendment To The Bayfield Land Use Code: Amendment of Article 4 by adding Section 4-10 Finding Completeness & Setting 15 Working Days to Make That Determination:

Currently the Bayfield Land Use Code does not address when a project can be deemed complete to enter the land development review process. Projects have been coming in just under the deadline for submission and have to be referred out immediately due to the mandated time frames noted in the Code. Staff is recommending that the Town Board amend Article 4 of the Code by adding a Section 4 – 10, Finding of Completeness, that sets a 15 working day timeframe for making the findings. The Planning Commission voted 6 to 0, recommending that the Town Board approve this change to the Bayfield Land Use Code. Staff recommends that the proposed Section 4-10 be added to Article 4, setting a 15 working day review period in which to make a finding of completeness. Joe Crain feels it is a necessary change in order to allow sufficient time for review of all material.

The Mayor opened the Public Hearing. No one commented. The Public Hearing closed. Justin Talbot moved to amend the Bayfield Land Use Code by inserting Section 4-10 under Article #4, setting a 15 working day review period in which to make a finding of completeness. Dan Ford seconded. The vote was six in favor. Motion carried.

Action Agenda Item # 6: Street Striping:

A revised plan for street striping was drafted by Ron Saba after hearing comments regarding striping from the Board during a prior meeting. This plan was included in the packet. It represents the minimum striping he feels comfortable with. Staff is now asking for the Boards approval to accept this as the approved street striping map. The map reflects substantially less striping than what he has been doing in the past.

There will be some residents that will call in, regardless. Some people feel there should be more striping, some feel there should be less. The Mayor asked that Tamarack, Wilmer, Cedar and Oak streets be taken off of the map.

The Board definitely wants striping in front of the mid-school, running down to the intersection of Cedar. They do not feel there should be striping in any cul-de-sac. They definitely want to keep the striping on Pearl Street and on Church Street.

Action Agenda Item # 7: Cost Share Agreement- Eastside Intersection:

Justin C. said this is pretty simplistic. The Town has received some additional people that are willing to participate in the costs. The Haga property may be on board.

The draft agreement calls for maximum payment of \$1000 from each participant, with \$500 down at the inception. The study is expected to cost around \$22,000.00. The parties agree that the total amount to be contributed by the owners toward the cost of the study shall not exceed one third of the cost of the study. If there are enough participants, the cost should be less than \$1000 for each one involved. The Town will need to incorporate a master agreement for those people coming in later. This cost share draft agreement that is under consideration tonight is applicable to the cost of the traffic study only.

Tom Au moved to approve the draft of the agreement, noting there may be minor modifications. Debbi Renfro seconded. The vote was six in favor. Motion carried.

Action Agenda Item # 8: Fiber Infrastructure:

The Town can use some grant money to extend fiber to outlying areas. The critical decision is in the determination if Bayfield will participate in any application, whether or not to work with Fast Track to extend their infrastructure, or if the Town wants to own its own infrastructure. If the Town owns the infrastructure, they would have to deal with the maintenance and repairs related to operating the new infrastructure. Having the ability to offer fiber infrastructure would attract business, which in turn supports a sound economic base. Having the infrastructure would benefit everyone in the region, residential, business, and government entities. There would be no exclusive rights.

The Mayor supports the whole idea. When Ignacio did not have a fiber connection, they joined forces with the County, the City of Durango; Region 9 spearheaded it. The Tribe contributed substantial monies to finance it. They stipulated that no other provider could be put on the line.

Rick suggested that Bayfield adopt the Cortez model, let Fast Track lay the fiber, but the Town will own it, and would be able to decide who could participate and who could not. This keeps the competition open. The Town would offer the fiber, and the fiber companies would pay a fee to the Town. There are grant monies currently available. Region 9 is trying to coordinate the effort. Silverton wants to be a part of it. Pagosa also wants to participate. Durango already has theirs.

The question was raised, 'would the cost to the end user be influenced by whether Fast Track owns it or whether the Town owns it. Rick said the cost to the end user will go up if Fast Track owns it. If the Town owns the fiber, they could set the pricing structure.

Justin C. spoke with Jay Harrington (City Manager, Cortez). ' A lot of communities have done this but not all have done it well. Could we work out something with Fast Track, an

agreement, working together, using grant money to fund the project?’ Dan Ford said although it may be of great benefit, he is not sure the Town should be involved in ‘running a business’. He would like more information before a decision is made. Rick countered with ‘the fiber needs to be run through the business parks, to the east side, the west side, and thru downtown’. Justin C. is to contact Jay Harrington. Debbi Renfro questioned, ‘who would do maintenance? Do we have people qualified to put damaged lines back together?’

Rick responded that this could be contracted out to La Plata Electric, or DB Technologies from Farmington. Repairs would need to have it’s own line item (budget).

QWest fiber is proprietary. No one can touch it.

Rick commented that Region 9 can get little people involved in order to compete with Fast Track.

Justin C. added, ‘when you lay the phone lines, you could install the fiber during the process instead of retrofitting it later’.

Rick explained, the majority of the cost is not for the fiber, it is for the installation.

Justin C. said he will involve Cortez in the planning process for this proposal.

Action Agenda Item # 9: Ratification of Planning Commission Appointment:

Gabe Candalaria submitted a letter asking to be considered for the vacancy on the Planning Commission.

Brett Clough moved to approve accepting Gabe Candalaria as the new member of the Planning Commission to fill the vacancy created by Ms. Hanna. Justin Talbot seconded. The vote was six in favor. Motion carried.

Action Agenda Item # 10: Budget Scenarios:

Justin C. did not have anything ready for inclusion in the packet, but he submitted numbers to the Board this evening.

He presented six different scenarios, adding ‘It is going to get very interesting while trying to meet the operational costs in the next few years.’

Option #1 is the least optimistic. Option #6 is the most optimistic.

The options are based on existing factors, the data does not include any additional wants/desires.

In order to fund the increase in operations costs, it will be both necessary and difficult to cut back on the capital side.

He asked for questions and/or comments. He re-confirmed that the vehicle replacement fund is fully funded in all of these scenarios.

Dan Ford does not want to make any long term commitments, citing the current economic conditions. Justin C. said ‘we have gradually been narrowing the percentage of sales tax taken to capital in the past few years. When we go through the budget process, some departments will come forward with more requests for additional people. The options presented are only a tool, to be used as guidelines.

He is not asking that the Board consider this 5 year presentation as one set in concrete.

The numbers include the additional staff for public works. It does not include an in house engineer.

A lot depends on the end of the ten year payment on the Town Hall.
This data will be incorporated in the coming budget.
Without a new source of revenue, the rec center is not workable.

Action Agenda Item # 11: Set Public Hearing: Back Porch BBQ New Liquor License:

Tom Au moved to approve the submittal of the application for a new liquor license from Back Porch BBQ and to set the Public Hearing date for July 7, 2009. Brett Clough seconded. The vote was six in favor. Motion carried.

Action Agenda Item # 12: New/Unfinished Business:

Justin C. received the information from Debbi on the electric golf cart idea.

Justin C. added 'we are going to get funding for the Gem Village project from the Water and Power Authority, a loan with a full principal forgiveness.

In light of this, the Town will be able to keep the monthly rate decent.

The County is hosting a breakfast June 11, at the Double Tree in Durango at 7:30 a.m.

He can send out an e mail reminder. They would like to have a RSVP. It is on a Thursday morning. It will last about 1 ½ hr.

Rick, Brett and Justin C. plan on attending.

Tom Au said he did not receive a water bill for amounts due May 28.

Debbi asked if the two people up front (administrative office) are able to deal with losing two staff members (temporarily). Justin C. answered, 'they are surviving. We have been doing cross training'. He brought up the idea of closing the Town Hall offices for lunch for an hour. The Board said this was a management call, and left it up to Justin.

Justin T. asked if the back flow preventer has been done. Justin C. replied that it had.

Brett Clough said 'congratulations on getting the Gem Village funding'.

Rick said 'thank you for mowing over by the water salesman. Please convey my thanks to Ron and staff'.

The Town also received a letter from Mark Newell thanking staff for their help.

Rick asked the Board what they wanted to do for the 4 of July celebration this year. 'Do you want to ride in the parade?' Three Board members will be out of town for the holiday.

Motion to adjourn