

**Town of Bayfield
Regular Town Board Meeting
January 3rd, 2012
1199 Bayfield Parkway Bayfield, CO 81122**

Town Board Members Present: Rick Smith (Mayor), Tom Au (Mayor Pro-Tem), Ed Morlan, Debbi Renfro, Gabe Candelaria, Dan Ford

Town Board Members Absent: Justin Talbot

Staff Members Present: Chris La May (Town Manager), Dirk Nelson (Town Attorney), Marianne Jones (Town Clerk), Erin Dunavant (Finance Director), Ron Saba (Director of Public Works), Joseph McIntyre (Marshal), Gary Maestas (Senior Deputy)

Media Present: Carole McWilliams (Pine River Times)

The meeting was called to order @ 7:05 p.m.

Minutes: Tom made a motion to approve the minutes from the December 20th, 2011 Regular Town Board Meeting as submitted. Gabe seconded the motion. All were in favor, motion passed unanimously.

Public Comment: None was offered so it was immediately closed.

Action Agenda Item #1: Approval of the Bills

Tom made a motion to approve the bills dated December 30th as submitted. Tom seconded the motion. All were in favor, motion passed unanimously.

Action Agenda Item #2: Town Updates

Dan asked about if insurance will cover the costs of the lightning strike to the Grassy Meadow radio tower site.

Chris answered that the Town does not own that site, it is owned by the State. However, when lightning took it out over the summer, Emergency Services realized that without it there is no radio contact throughout Town. The Town has been speaking with the Fire Department and has determined that it would probably be a good idea to upgrade the tower with AC power. Staff is researching the possibility of using "Bender Boxes" that will be used as mobile transmitters and give communication in dead spots throughout the Town. Once it is determined if they are a good option or not the staff will return to the Board to seek approval to purchase.

Ed asked about the ice skating rink.

Chris answered that the warm days have put a damper on the ice rink experiment.

Gabe suggested that it would be a better idea to put the rink in the shade rather in the sun of the ball field.

Chris explained that the reason for putting in the ball field is so that Parks & Recreation could have some control on the comings and goings of those using the ice. The rink will generally only be used at nighttime when it is cold enough that the entire rink is frozen and the lights can be utilized.

Action Agenda Item #3: Authorization Of Contract For Preliminary Engineering Report For Infiltration Repairs

Chris gave his staff report. The 2012 Budget includes a \$500,000 loan from the Colorado Water Resource and

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Power Development Authority (CWRPDA) to fund sanitary sewer infiltration issues in the Town sewer system. The CWRPDA has various loan application deadlines throughout the year including: March 15, June 15, September 15, and December 15. In addition, the CWRPDA has other deadlines for preliminary engineering reports, which are required before funds can be loaned. The Preliminary Engineering Report (PER) is required to be submitted to the Colorado Department of Health and Environment (CDPHE) forty five (45) days before the loan application deadline. With the first loan deadline set March 15, 2012, the Town would need to submit the PER to the CDPHE by February 1, 2012.

Chris explained that the CWRPDA announced that their 2012 interest rate will remain at 2%. If the Town desires to seek a loan from the private market, the interest rate and subsequently the cost of the loan would be greater. For instance, \$500,000 at 2% equates to ~\$30,353 annual debt service or ~\$607,000 over the 20 year life. \$500,000 at 3% equates to ~\$33,276 annual debt service or ~\$665,517 over the 20 year life. Therefore, over the life of the loan a 1% increase in interest rate would equate to ~\$58,517.

Staff would like approval to move forward with the preparation of a PER to meet the February 1 deadline, and subsequent March 15th loan application deadline. Please note that the Town may seek reimbursement, upon approval of the loan, for PER costs.

Due to the holidays and Town and SMA closures, Chris was unable to get a scope of services prepared for the meeting. Chris recommended that the Board authorize him to contract with Souder Miller and Associates for the preparation and submittal of a Preliminary Engineering Report (PER) for the wastewater collection system repairs in an amount not to exceed \$18,000.00.

Gabe asked if this project will be taken out of the money budgeted for infiltration repairs.

Chris answered that the Town will fund it initially and then the expenditure amount will be covered by loan proceeds once they are received. This portion of it will be considered part of the total project cost.

Gabe asked if this report will show that the \$500,000 budgeted will cover all of the repairs that need to be done. He expressed concern that it could cost more than that to fix all of the problems (especially if streets have to be torn up to fix the lines).

Chris answered that the staff hopes that this PER will show that slip lining the problem lines will be the best solution. Staff figures that this will make the money go further and get more repairs done.

Gabe stated that he thinks that this is a good idea.

Rick commented that the Town's goal is to preserve the wastewater plant capacity. He feels that this is a good move and it is money well spent.

Gabe expressed that the sewer plant is going to end up out of compliance if the infiltration isn't fixed and an expansion will have to be done (which is a huge expense to the Town). He asked if there is other money available that the Town could utilize.

Chris answered that the USDA has a program.

Gabe answered if the Town could present to both the USDA & the Water & Power Authority.

Chris answered that the USDA requires more environmental and historical review because it is federal money. However, it is another option that is available. However, he thinks that the Authority is a better option and would like to move forward with that application. If that application fails, the Town will look into USDA for funding.

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Tom asked how much staff time has been spent on this project.

Ron answered that the Public Works crew has videoed all of the lines in Town. They will continue reviewing and re-videoing problem areas. The staff has determined that the areas that have PVC pipe is in very good shape. Therefore, the focus is on areas with clay, manholes that are leaking, etc. However, he feels that without the PER this project cannot move forward. They need a comprehensive report outlining everything that needs to be done and the best & most cost effective way to get it completed. He thinks that all together it will probably be about 200 hours between three employees to get everything done.

Chris estimated approximately 40 hours in administrative time preparing the proper paperwork.

Ed made a motion authorize the Town Manager to contract with Souder Miller and Associates for the preparation and submittal of a Preliminary Engineering Report (PER) for the wastewater collection system repairs in an amount not to exceed \$18,000.00. Gabe seconded the motion. All were in favor, motion passed unanimously.

Action Agenda #4: Discussion & Possible Action: Town Survey Work

Chris gave his staff report. He stated that the Town does not have a contract for surveying services with a professionally licensed surveyor. Similar to the engineering RFQ we sent out, I would like to seek a master agreement with a surveyor for on-call services. There are times when the Town needs legal descriptions reviewed or prepared or actual field survey work completed. Additionally, we have the need for survey work for the water and wastewater models.

Chris asked if the Board desires to seek a competitive survey contract and recommended that the Town put survey work out to bid and select one surveyor or firm to complete the survey work for the Town under a master agreement.

Tom excused himself from the discussion.

Debbi asked approximately how much money the Town spends on surveying services.

Chris answered that the Town anticipates a lot of survey work in the next year due to the budgeted projects that are going to be done. He thinks there is going to be some significant costs associated with them and feels that it would be nice to have someone on a master agreement to get things done rather than getting bids on every project or every time work is needed.

Dan answered that he thinks this is long overdue and that the Town go out to bid on this item.

Gabe argued that if the project is in the Town budget, the department heads have the capability to hire who is available and the best person to get the job done as quickly as possible.

Chris responded that the Town has to factor in the fairness of who is getting the work each time.

Marianne mentioned that the recently adopted purchasing policy states that formal bids have to be done for all items over \$500.00.

Gabe still does not feel that it is a good idea to put this item on a master agreement because it should be up to the department head to find the right person for the service when it's needed.

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Chris responded that the Town still has to take into consideration the fairness of the work. Setting up a master agreement shows that it was taken out to bid, people were given the opportunity to submit their qualifications and the Town selected the most qualified and competitive bid to perform the service.

Gabe stated that if the Town is going to go out to bid on this item, it should take everything that is a contracted service out to bid as well. He specifically mentioned that he thinks that the Town needs to go out to bid for legal services.

Chris explained that the Town Attorney is generally considered part of the Town staff and they are integral to the staff. There is a lot of history and institutional knowledge that is gained from having the same attorney for a long period of time.

Gabe stated that he also thinks that the building official needs to be taken out to bid as well. He also thinks that the Town needs to establish a policy regarding contract employees.

Rick said that he feels that the Town does need to contract surveying services because he feels that it will give the Town the advantage of always knowing the service costs and having someone available to do the work the Town needs done.

Gabe responded that he thinks it's a good idea as well but wants it to be consistent across the board for all of the contracted employees that work for the Town.

Ed made a motion to issue a Request For Qualifications to seek a competitive survey contract for Town survey work so that the Town can select one surveyor or firm to complete the survey work for the Town under a master agreement. Debbi seconded the motion. All were in favor except Gabe, who was opposed.

Rick requested that the staff look at a policy on how to deal with contracted employees to be presented to the Board at a future meeting.

Tom rejoined the meeting.

Action Agenda Item #5: Approval of Memorandum of Understanding For Participation In Southwest Drug Task Force

Chris gave his staff report. He explained that the Town of Bayfield desires to be a participating member of the Southwest Drug Task Force (SWDTF); a multi-agency task force that will target the illegal narcotics trade.

The Southwest Drug Task Force requests that member agencies sign a Memorandum of Understanding (MOU) to participate.

Chris recommended approval of Memorandum of Understanding authorizing the Town of Bayfield, through the Bayfield Marshal's Office, to participate in the Southwest Drug Task Force.

Ed made a motion to approve the Memorandum Of Understanding establishing participation in the Southwest Drug Task Force. Debbi seconded the motion. All were in favor, motion passed unanimously.

Action Agenda Item #6: Approval Of Memorandum Of Understanding For The Disbursement Of Funds Obtained By The Southwest Drug Task Force Through Forfeiture And Seizure Of Assets

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Chris gave his staff report. He explained that in addition to the MOU for participation, the Southwest Drug Task Force also requests execution of an MOU detailing the distribution of funds through asset seized by SWDTF. He explained that the Town will receive 13.3% of the seized assets.

Chris recommended approval of the MOU establishing guidelines with respect to disbursement of funds obtained by the Southwest Drug Task Force (SWDTF) through forfeiture and seizure of assets.

Ed made a motion to approve the MOU establishing guidelines with respect to disbursement of funds obtained by the Southwest Drug Task Force (SWDTF) through forfeiture and seizure of assets. Gabe seconded the motion. All were in favor, motion passed unanimously.

Action Agenda Item #7: Resolution #274 – Setting Official Posting Place For Town Board Agendas

Chris gave his staff report. He stated that the Colorado Revised Statute 24-6-402(2)(c) requires that the Town Board designate the public place for posting notice of public meetings. This is supposed to be done each year.

The Town will be passing a Resolution each January to designate the Town Hall as the designated posting place for the Town Board agenda & any other public meetings (such as special meetings, Planning Commission, etc).

Chris recommended approval of Resolution #274 setting the official posting place for Town Board agendas.

Gabe asked if it is regularly posted anywhere else as well as Town Hall.

Marianne answered that it is posted at the Post Office and the Town website.

Dan made a motion to approve the Resolution #274 setting the official posting place as the Town Hall for Town Meeting agendas. Debbi seconded the motion. All were in favor, unanimous.

Action Agenda Item #8: Discussion & Possible Action: Youth Late Registration Fee Policy

Chris gave his staff report. He stated that the Parks & Recreation Department would like to change their policy for youth sports late registration fees. Currently the policy reads that early registration is \$30.00 per child and late registration is \$50.00 per child. This fee was voted and approved by the Town Board for the 2010 budget year.

Parks & Recreation is having some problems with this late registration fee and they feel that they are losing participants in the programs because of it. Residents feel that \$50 is too much for the program; therefore, parents who miss the early deadline are generally choosing to not sign up their children. It has been realized that only 1-3 late registrations are being received, it is extremely hard to enforce and it isn't needed to organize the program in time for the coaches meeting.

Chris stated that the staff would like to make one of the following changes regarding late fees:

1. Do away with the late registration fee. Just have one fee (\$30), and one deadline. If someone misses the deadline, then they will be put on a waiting list, and only added to a team if needed to balance out a roster.
2. Keep the late fee, but change it from \$50 to \$35.

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Dan suggested doing away with the late fee completely.

Rick agreed and stated that the Town wanted to get as many people as possible participating in the Town programs.

Debbi stated that she feels that Parks & Recreation knows their programs the best and she is fine with adopting whatever they recommend will work for their department.

Ed asked why this item is coming to the Board instead of being changed administratively.

Chris answered that items that are associated with fees are generally approved by the Board.

Ed made a motion to remove the late registration fee for youth sports. Debbi seconded the motion. All were in favor, motion passed unanimously.

Gabe stated that he agrees that this matter did not need to come to the Board for approval and should have just been handled by the staff.

Action Agenda Item #9: New/Unfinished Business

Chris outlined the following meetings:

- Wells Fargo Economic Summit at 8:00 a.m. at the Fort Lewis College Concert Hall.
- Meeting With the SW Council of Governments on January 13th, 2012.
- Business Forum on January 19th, 2012.
- Breakfast with the County Commissioners on Wednesday February 8th, 2012.
- Pine River Irrigation Ditch Meeting on January 28th @ 1:30 p.m.

Dan asked if Fast Track has been contacted about speaking with the Town Board.

Ed answered that he has left a message but she has been out of the office due to the holidays. He will continue to try to get a hold of her.

Dan stated that he still wants to get information on what the overall costs will be of the fiber optic project. He would like some detail from an entity that has managed this process and been able to work through all the costs of running it. He also wants to speak to Fast Track and get details from them before making any decisions.

Gabe agreed and stated that he wants a plan with concrete number on how much the project is going to cost and the project revenues that it will bring in. Gabe also asked for an update from Dirk on the water filing.

Dirk answered that he has a meeting with the Los Pinos Ditch Company to finalize a few items with them. The item is still in process and is continuing to progress.

Gabe asked about the Ludwig property.

Chris answered that he hasn't heard anything but will follow up on it.

Tom mentioned that he spoke to J. Paul Brown regarding the frustrations the Town is having with CDOT. J. Paul suggested that the Town write a letter to Ellen Roberts and request a meeting to get the ball rolling for the two intersections.

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Ed suggested sending a letter to the Transportation Planning Commission as well.

Debbi reiterated that she wants to see a policy made regarding contract employees and brought back to the Board.

The meeting was adjourned @ 8:11 p.m.

Minutes approved as submitted on January 17th, 2012

Approved:

Rick K. Smith
Mayor

Marianne Jones
Town Clerk