

**Town of Bayfield  
Regular Town Board Meeting  
November 15<sup>th</sup>, 2011  
1199 Bayfield Parkway Bayfield, CO 81122**

**Town Board Members Present:** Rick Smith (Mayor), Tom Au (Mayor Pro-Tem), Ed Morlan, Debbi Renfro, Justin Talbot

**Town Board Members Absent:** Gabe Candelaria, Dan Ford

**Staff Members Present:** Chris La May (Town Manager), Dirk Nelson (Town Attorney), Marianne Jones (Town Clerk), Ron Saba (Director of Public Works), Chris Choate (Town Marshal,) Gary Maestas (1<sup>st</sup> Deputy)

**Media Present:** Carole McWilliams (Pine River Times)

The meeting was called to order @ 7:03 p.m.

**Minutes:** Tom made a motion to approve the minutes from the November 1<sup>st</sup>, 2011 Regular Town Board Meeting as submitted. Debbi seconded the motion. All were in favor, motion passed unanimously.

**Public Comment:** Carole McWilliams commented on the Town Manager's update about the intersection at County Road 509 & Bayfield Parkway. She feels that it is the siphon and the existing grade of the intersection that causes the limited sight distance. She requested that the Town continue to work on getting this problem resolved with the County and the ditch company.

**Action Agenda Item #1: Approval of Bills**

Chris mentioned an additional payment to Four Corners Materials in the amount of \$317,943.35. He explained that this is the final payment for the street rehabilitation project that was done on Bayfield Parkway, Mill Street and the other streets included in the contract. The original contract was 1,158,187.00 and the final contract with change orders was 1,180,246.31. This is an overage of \$22,059.31 due to the change orders for the Mill Street sidewalk repair & tree removal, improvements to the ditches & additional asphalt needed for the bike path addition on Bayfield Parkway. Chris also noted that a Notice of Final Settlement has been submitted to the newspaper for publication. The check will be released after the 10 day waiting period is over.

Ed made a motion to approve the bills dated November 10<sup>th</sup>, 2011 as submitted with the additional payment to Four Corners Materials in the amount of \$317,943.35. Tom seconded the motion. All were in favor, motion passed unanimously.

**Action Agenda Item #2: Town Updates**

Debbi asked if the Town can turn off water to those businesses that do not comply with the grease trap ordinance.

Dirk answered that he hasn't researched this thoroughly yet but he feels that there might be a problem with using the water utility to enforce sewer compliance. However, the staff is working on the possibility of terminating sewer services for non-compliance. This is a tough thing to do and there isn't an easy answer to this question yet.

Debbi commented that the Public Works crew has spent 200 hours and \$6,000 in hauling fees for grease removal and she feels that something needs to be done to get the violators in compliance with the grease trap regulations.

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Dirk responded that he will continue to research this and see if he can come up with an effective resolution.

Debbi mentioned that the Public Works Director noted in his update that due to the loss of an employee in his department and the gaining of 2 ½ more miles of road (Bayfield Parkway) it is possible that the level of service for snow plowing might be less than it has been in the past.

Justin commented on the update regarding the landscaping improvements in Bayfield Center. He asked if the staff ever facilitated a meeting with all of the business & property owners.

Marianne answered that she doesn't think the meeting ever happened due to Justin Clifton leaving. She said she would get together the minutes from those discussions for Chris's review.

Chris mentioned that he spoke to Mike Ranchee with Colorado Municipal League regarding the application that the Town submitted for off-system road & bridge funds. Mike informed Chris that the Town is eligible for \$700,000.00 under that program for improvements to the twin bridges on Bayfield Parkway.

**Action Agenda Item #3: Public Hearing: 2012 Budget**

Chris gave a power point presentation regarding the budget and a brief summary of each fund. *(The power point presentation is included in the formal minute book & Town Board packet book.*

The main changes since the initial workshop include the following items:

Significant Changes to the Budget Since Initial Workshop Include:

- General Fund:  
A \$60,000 expense for field survey and aerial photography was divided across three funds (General, Sewer, and Water).
- General Fund  
An \$8,000 expense for economic development purposes and \$50,000 expense for contingency items was added.
- General Fund  
A \$518,800 expense was added as a transfer to the Sewer Fund as a loan for the decommissioning of the lagoons (\$500,000) and contribution to Sewer Fund for operating expenses (\$18,800).
- Sewer Fund  
A proposed increase in sewer fees of 5% was added, which equates to \$2.00/ERT/month. There is also the addition of \$500,000 in loan proceeds for infiltration from the Water & Power Authority and \$500,000 in loan proceeds from the General Fund for decommissioning lagoons. General Fund is also transferring \$18,800 as a direct distribution.
- Capital Fund  
A \$100,000 expense was added for Sunrise Estates Drainage repairs.
- Water Fund  
A \$20,000 expense was added for LAPLAWD evaluation expenses.

Debbi asked what the payback terms will be for the loan from General Fund to the Sewer Fund.

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Chris answered that the loan will be similar to the one that the Town will receive from the Water & Power Authority. It will have a yearly payment plan with a low interest amount.

The item was opened for public comment.

Jim Finn (4242 County Road 523) stated that there is a very active 912 Group in Bayfield and they are extremely interested in whether or not the Town funds the 4CORE request for funding.

No other public comment was offered so it was closed.

Chris mentioned that the Town received letters in opposition to funding 4CORE from Wendy Cox & letters from Ray Wallace & Gary Bennett in opposition to funding 4CORE and Roadrunner Transit.

These items were added into the public record.

Ed asked for clarification about whether or not the General Fund would be giving a contribution to the Sewer Fund.

Chris answered that there is a direct contribution of \$18,800 from General Fund to the Sewer Fund. The staff decided not to do a total amount of 10% in order to keep an adequate ending fund balance in the General Fund.

Debbi stated that she would like to see the contribution to 4CORE eliminated from the budget.

Justin made a motion to eliminate the contribution to 4CORE from the 2012 budget. Debbi seconded the motion.

Ed asked why.

Debbi answered that she doesn't feel that they are doing a good thing for the Town and she has received a lot of comments from Town residents that don't see the benefit of their services.

Justin answered that he thinks there is better uses for those funds within the Town budget.

Tom answered that 4CORE is already receiving money from La Plata County so he doesn't feel that the residents of Bayfield should be "nipped" twice.

Ed stated that energy conservation is one of the key principles for human survival and he feels that it should be something that the Town supports.

Rick commented that he did some research on this matter and he found that 4CORE actually received additional funds than what they reported to the Town. They have a big cache of money in their reserves and he feels that since the Town is tight on funds and he would support a motion to remove it from the Town's budget.

All voted in favor of the motion except Ed, who was opposed. Motion carried.

Justin Talbot stated that he thinks the \$24,000 to Road Runner Transit should also be removed from the budget. He feels that it is too much money for the 14 Bayfield riders that use the service and the money could be used better elsewhere within the Town budget.

Ed asked if the County puts money towards this program.

Chris answered that the County contributes approximately \$42,000 to Roadrunner.

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Tom commented that the Town is losing 2 staff members, the rest of the staff is underpaid, and he thinks it's unwise to spend \$24,000 for 14 riders that utilize the service.

Ed made a motion to reduce the amount of funding to Road Runner Transit to \$20,000.00. Motion died due to lack of a second.

Debbi stated that she is a fan of a public transportation but she does think that \$24,000.00 is too much for the Town budget to absorb. She stated that she would be in favor of something lower that would fit the Town better and would be more justifiable for the number of riders. She noted that there are Town residents that rely on this service (teenagers, senior citizens, etc) and several responsible citizens that are using the service as a benefit to the environment so she would like to see it continue. However, she thinks that \$24,000 is too much for Bayfield.

Rick stated that transit service almost always has to be subsidized until the service reaches a high enough threshold of riders to make it self-standing. This can be a large drain on the small town that has to help subsidize it and he struggles with the amount of money requested. He stated that he would entertain a motion for a lesser amount but isn't prepared to completely remove it from the budget.

Tom commented that he thinks the riders that use the service should pay for it.

Debbi responded that there is benefit to other residents that don't use the service because having less cars on the road has a financial value. Each car kept off the road saves money in the long-run in road improvements so she feels that there is a financial advantage to encourage transit service. However, the cost to Bayfield for the low number of riders is substantially high.

Debbi made a motion to reduce the amount of funding to Road Runner Transit to \$14,000. Ed seconded the motion.

Justin stated that he thinks that the Town could do a lot with \$14,000.00 rather than spend it on giving 14 riders a trip to Durango.

Ed responded that there are social policies associated with this type of service and there a lot of people that aren't going to be able to pay their own way. He feels that in order to do what's right for the environment people need to figure out ways to be more conscientious about the planet. Ed states that public transit is a step in the right direction.

Justin commented that losing the Intern position is a big loss for the Town. He feels that it is tough economic times and since the Town is losing employees it isn't wise to spend such a high dollar amount on 14 riders.

Ed noted that if the Town doesn't put in their part towards the service it's not going to be able to function.

Rick stated that he is struggling with the fact that the staff isn't getting raises again, the Town is losing employees, and the employees have to absorb extra time and workloads. He stated that he would like to see a smaller number and have the remainder put back into the budget as a benefit to the employees.

Ed called to question.

Ed and Debbi were in favor. Justin, Rick & Tom were opposed. Motion failed.

Ed made a motion to reduce the amount of funding to Road Runner Transit to \$10,000.00. Debbi seconded the motion.

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Ed and Debbi were in favor. Justin, Rick & Tom were opposed. Motion failed.

Ed made a motion of to reduce the amount of funding to Road Runner Transit to \$8,000.00. Debbi seconded the motion.

Rick, Ed & Debbi were in favor. Justin & Tom were opposed. Motion carried.

Rick stated that he would like the additional amount to go into the budget for the Town employees.

**Action Agenda Item #4: Sunflower Estates**

Chris gave his staff report. He stated that Mr. Smith desires to speak with the Board regarding the ability rezone the property located at 42811 US Highway 160 (Bynum) for residential/automotive repair shop.

Property was annexed into the Town of Bayfield in 2004 and zoned Multi-Family. There are a few items spelled out in the annexation agreement including:

- Owner agrees to connect the elderly care facility and the residence located on the property to the Town's water system and the Bayfield Sanitation District central sewer system within two years from the date of this agreement.
- Owner agrees not to undertake any activity on the property that would interfere with the ability of the Town to obtain other required easements or to construct the new roadway in the future.
- Owner needs to seek an easement or other agreement from the adjoining property owner to allow the deck to remain and to comply with set back requirements.
- Owner must provide the Town with proof of CDOT approval for the use of the existing access from Highway 160 to the property prior to operating the property for commercial purposes.
- A predecessor in title to the Owner granted a sixty foot wide access easement without specific location in the north portion of the property to Paul Peeples and Southwestern Foods, Inc.

On May 11, 2005 the Bynum's provided a 20-40 foot easement to the Town on the easterly boundary of the property for Public Roadway and Utility purposes in accordance with the Annexation Agreement.

On November 2007 the property was rezoned to Business, with the following conditions:

- 1) Any commercial use of any type on this property shall first receive approval from CDOT, including the issuance of an access permit and the construction of any improvements required by CDOT. This restriction shall remain in effect until a new access that does not require CDOT approval is completed.
- 2) Any commercial use at this location using the current septic lagoon waste water system must receive approval from the San Juan Basin Health Department. This restriction shall remain in effect until the property is serviced by municipal water and sewer utilities.

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- 3) No use or occupancy of the property that is in any way associated with post-incarceration persons shall be made without first obtaining specific approval from the Town of Bayfield for such uses under a "Use By Review" procedure under Town codes then in effect.

The rezone of the property to commercial had the result of limiting the use of the structure on-site. The Land Use Code only allows group quarters/elderly care as a Use By Review. It does not provide for multi-family.

On May 12, 2009 the Town approved a Use By Special Review for one year, for seasonal workforce housing under group quarter use, subject to four staff recommendations:

- 1) That the facility accommodates no more than 24 persons.
- 2) That the requirements of the San Juan Basin Health Department be met.
- 3) That the requirements of CDOT be met.
- 4) That the requirements of the Fire District be met.

Applicant never moved forward and approvals have lapsed.

Kevin Smith has interest in purchasing the property located at 42811 US Highway 160 or the Sunflower Estates property (Bynum). Property is currently bank owned and being offered for sale at an attractive price. Town staff has received numerous calls and inquires regarding this property; however, there are numerous concerns related to access, water and sanitary sewer services.

Mr. Smith's request to use as an automotive repair shop and residential dwelling unit has challenges, as the current land use code does not appear to provide for that mixed use.

The applicable land use districts that would be most similar include:

*T, Transitional* The T district is intended to provide an area where residential and commercial uses can occur side by side with a minimum amount of inconvenience to each other and other uses, subject to review, as set forth in the Use Table. The district is applied to parts of the community that are now business use or may in the future change to business use.

The Use Table does not provide for vehicle sales, service, or storage in the Transitional Zone.

*PUD, Planned Unit Development* The PUD district is intended to preserve open space and to protect and enhance the unusual, important or unique environmental, cultural or scenic assets of Bayfield. Such assets include, but are not limited to, landforms, vegetation, drainage courses, neighborhood character, cultural resources and scenic views. The PUD district provides flexibility in the siting of structures and the development of sites to preserve these assets.

This property is an integral part to the Town realizing a full movement intersection at U.S. Highway 160 and Bayfield Parkway East, and therefore, the Town should proceed with caution. There have been numerous inquiries regarding the purchase of the property and it is my belief that the long term use of the property is commercial. If the property is down zoned, the Town may not have the opportunity in the future to return to commercial. Although in all likelihood if the intersection is completed there would likely be a push to zone commercial.

The floor was given to the applicant, Kevin Smith.

Kevin stated that his primary interest in the property is for residential use but it is zoned commercial currently. This causes a problem for getting a loan on the property. He explained that he would also like to have a one-man automotive repair out of the location at some point in the future.

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Debbi stated that when the intersection is put in on the eastside of Town, this piece of property could be a primary entrance into the Town. She explained that she doesn't have a problem with what Kevin is proposing but she wants to make sure that the improvements have good aesthetics and look attractive to people as they travel through Bayfield.

Kevin stated that he wants to make sure that it has good eye appeal as well. He hopes to upgrade the home because it's a hodge-podge of additions that have been put together. He would like to eventually remove it completely and put a nicer home towards the back portion of the property.

Debbi asked about the second residence on the property.

Kevin answered that the other residence is still occupied and the tenant pays space rent. At some point in the future that home is going to have to be removed because it is located in the road right-of-way that is platted for the new intersection.

Rick mentioned that all of the properties surrounding this piece of land are slated for commercial use in the future. This is the reason that this piece was rezoned to its current designation so that it would be more consistent with the proposed uses surrounding it.

Kevin stated that he knows that there will be properties with commercial uses coming in all around him.

Chris noted that hopefully this intersection & this area of Town are going to be a major access point & commercial corridor for the eastside of Bayfield.

Rick said that the current access this property has onto Highway 160 will have to move when the new intersection is put in per CDOT requirements.

Kevin responded that he anticipates that change and he thinks it will be preferable for the access point to move.

Ed asked if Kevin has an auto-repair business in Town currently.

Kevin answered that he is just now getting his business off of the ground. He is currently working out of his garage.

Ed asked if a residential home is allowed on a commercial piece of property.

Chris answered that the Land Use Code does not allow residential on a commercial piece of property.

Ed mentioned that residential is not the plan for that area of Town. He expressed that he would not be in favor of rezoning the property to residential because that would alter the Town's future growth plans.

Rick asked if this is a decision made by the Board or the Planning Commission.

Chris answered that the request will be heard by the Planning Commission for a recommendation to the Board. However, the final decision will be made by the Town Board.

Rick asked if the Board needed to make a decision on this matter.

Chris explained that the applicant wanted to bring this in front of the Board to "take their temperature" on the request so that Kevin can make a financial decision to move forward or not. There are other challenges associated with the property such as the sanitary sewer system. Right now the property is serviced by a lagoon system that is obsolete and the San Juan Basin Health permit has expired. SJBH has determined that if the

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property is going to have a commercial use it will need to be connected to the Town central sewer service. The closest sewer lines are off of Colorado Drive or on the other side of the Highway 160.

Debbi asked what zoning designation would work for the request being made.

Chris answered that it would most likely have to be a Planning Unit Development.

Rick asked if the property has been annexed into the Town.

Marianne answered that it was annexed.

Debbi asked for clarification about why the Town wouldn't allow residential on the property since it already has that use on the property now. She asked if a "grandfather" clause would allow this applicant to use the property as residential.

Chris answered that currently both of the homes would be classified as a non-conforming use. Once they are improved, remodeled, expanded, or changed in any way, they have to be brought up to meet the current land use designation requirements. Consequently, the elderly care facility was granted through a Use By Review process and since it has been abandoned for many years that approval has now lapsed. To reside in the house, it would still have to go through an approval process. And unfortunately, residential is not allowed in commercial zoning districts.

Ed asked if a person buying the property could move into the mobile home on the property without going through the approval process.

Kevin answered that the mobile home is not actually a part of the property; it is owned by a third party and the owner just rents space from the land owner. If she leaves, she will be taking the mobile home with her. He then asked if based on all of this information if the Board might be willing to consider changing the zoning district to something other than commercial.

Rick answered that he wouldn't be in favor of it because of the Town's conceptual growth plan for that section of Town.

Ed concurred that he would not be in favor either.

Justin stated that he would be willing to entertain some ideas for the property.

Tom suggested the possibility of doing a subdivision of the property with a residential lot in the back and a commercial lot near the highway.

Rick recommended that the applicant continue working with Chris La May on the possibilities for the property to see if there is an option that is feasible for both parties.

**Action Agenda Item #5: State of the Marshals Office – Presented by Chris Choate**

Chris Choate stated that this will be his last Town Board meeting as the Town Marshal and he asked Chris La May to put him on the agenda to give a brief summary regarding the Marshals Office. He explained that the Marshals Office has had 2 major crime incidents in the last couple of years. 1 incident was a breaking & entering at Lewis Merc & Mini Merc and the bank robberies. He disclosed that both of these items have been solved and the Marshals Office is just waiting on sentencing. He thanked the staff for the tremendous amount of work they did to solve those cases and he feels that the Marshals Office is in a good place to make the

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transition to the new Marshal. He explained that those types of crimes are not part of the “everyday” things in the department. So far in 2011, the Marshals Office has handled 2980 calls (which is approximately 319 calls per deputy). This is 650 calls more than 2010 and 775 calls more than 2009. He expressed that the numbers of calls continues to increase each year and while adding a deputy has really helped with the call load; the increase in calls is still outpacing the number of deputies.

Chris also mentioned that he has received phone calls from 8 people involved in the interview process and they all expressed that they were extremely impressed with the process the Town implemented for hiring the new Town Marshal. Chris feels that Bayfield really did a really good thing with that process and went way beyond what has been done in law enforcement recruitment in this area. He expressed that there was a lot of trepidation by the staff regarding the process but after going through the process all of the staff was extremely impressed with the set-up and how things were done.

Chris thanked the Board for allowing him to serve as Marshal for the Town. He commended the entire staff of the Marshals Office and encouraged the Board to continue their support of that team and allow it to grow as they have been doing in the past. Chris also thanked the Board for the opportunity to move on to the next endeavor in his career and stated that he is looking forward to working with the Board in the future.

**Action Agenda Item # 6: Award of Public Works Storage & Sanding Shed Contract**

Chris gave his staff report. He stated that the Public Works Metal Building Addition project was advertised on October 11, 2011 and a mandatory pre-bid meeting was held on October 19, 2011.

On Monday, October 31, 2011 four (4) lump sum bids were received and opened for the project. Bids were as follows:

Neil's Excavation	\$77,720.00
Kennebec Construction	\$38,200.00
Animas Valley Construction	\$73,450.00
Alpine Enterprises	\$32,562.00

Alpine Enterprises was the lowest bid and the Town has had past experience with them, as they constructed the original metal building.

Chris stated that the staff recommends awarding the Public Works Metal Building Addition contract to Alpine Enterprises for an amount of \$32,562.00, and set aside an additional 10% or \$3,256 for contingencies.

Justin made a motion to award the contract for the Public Works Metal Building Addition to Alpine Enterprises for an amount of \$32,562.00, and set aside an additional 10% or \$3,256.00 for contingencies. Debbi seconded the motion.

All were in favor, motion passed unanimously.

**Action Agenda Item #7: Award Of Steel Manufacturer Fabrication Contract**

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Chris gave his staff report. He stated that the Town provided metal building materials specifications to steel manufacturers for the Public Works Metal Building Addition. Staff made the decision to purchase the steel for the building in an effort to save money through the mark up by the contractor. The specifications for the steel were provided to 6 manufactures.

The Town received the following quotes:

- Metal Depot \$21,240.31
- B & C Steel \$22,405.00
- CPC Construction Projects LLC \$23,368.80

Chris stated that staff recommends purchasing the steel from Metal Depot for an amount not to exceed \$21,240.31.

Justin made a motion to approve the contract for the steel metal fabrication with Metal Depot for \$21,240.31. Debbi seconded the motion. All were in favor, motion passed unanimously.

**Action Agenda Item #8: Award Of Aerial Photography Contract**

Chris gave his staff report. He stated that as discussed and proposed in the 2012 Budget, the Town desires to spend significant resources evaluating the Town's drainage, sewer, and water systems. The 2012 Budget includes:

- Aerial Photography
- Field Survey (Water, Sewer, Storm water)
- Modeling (Water, Sewer)
- System Planning (Water, Sewer)
- Rate Study (Water, Sewer)

In an effort to get a jump start on the projects, as there is a chronological order that needs to take place, staff desires to conduct the Aerial Photography in 2011. Most of the leaves are off the trees and if the photography can be accomplished before significant snowfall the project will be in a good place in 2012. However, if it is not completed before significant snowfall, the work probably won't be completed until late spring/early summer. This would likely delay the modeling, planning, and rate study and might jeopardize the completion of those items in 2012.

The Town Staff, with assistance from Tom Au, received two quotes for aerial photography. Quotes are as follows:

**Wilson & Company, Inc. Engineers & Architects**  
**9401 Reeds Road**  
**Overland Park, Kansas 66207**

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For the 2'CI with color orthos (6"pixels), no planimetrics: **\$39,900** if we can fly it in next couple of weeks before snow

- o We will need about 30 control point of which 10 should be targeted

For the 1'CI with color orthos (3"pixels), no planimetrics: **\$107,900** if we can fly it in next couple of weeks before snow

- o We will need about 100 control point of which 20 should be targeted

**Olympus Aerial Survey, Inc.**  
**30 WEST 2950 SOUTH**  
**SALT LAKE CITY, UT 84115**

**Option 1** (estimate 75 field control points required)  
1"=50' mapping, 1 foot contour interval, planimetry and orthophotography (0.25 foot pixels) **\$77,460**

**Option 2** (23 field control points required, point up red triangles)  
1"=100' mapping, 2 foot contour interval, planimetry and orthophotography (0.5 foot pixels) **\$20,380**

**Option 3** (9 field control points required)  
1"=200' mapping, 4 foot contour interval, planimetry and orthophotography (1 foot pixels) **\$ 8,590**

**Option 4** (37 field control points required, all red triangles)  
**a.**1"=100' mapping, 1 foot contour interval, planimetry and orthophotography (0.5 foot pixels) **\$36,420**

or

**b.**1"=100' mapping, 1 foot contour interval, planimetry and orthophotography (0.25 foot pixels)  
**\$44,620**

Chris stated that staff recommends contracting with Olympus Aerial Survey, Inc for aerial photography at 1" = 100' in an amount not to exceed \$20,380. Please note that the field control points will be under a separate contract likely costing \$3,000 - \$5,000.

.Ed made a motion to accept the staff recommendation and contract with Olympus Aerial Survey, Inc for aerial photography at 1" = 100' in an amount not to exceed \$20,380.00. Justin seconded the motion. All were in favor, except Tom who abstained from the voting. Motion carried.

**Action Agenda Item #9: Public Hearing: Ordinance #366**

Chris gave his staff report. Historically there have been challenges associated with collecting water and sewer bills for the property owned by 160 Partners, LLC. The business recently sold, but the party responsible for the water and sewer bill still owns the physical property. The new business owner inherited a \$6,178.00 water and sewer bill and is refusing to pay. They contend that they did not have anything to do with the delinquent charges.

Staff decided that by certifying the outstanding charges, the Town is placing a levy on the property, and the Town is guaranteed payment through annual property tax payments. State statutes provide for such measure. Chris said that the staff has informed the property owner that the Town is taking such action.

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Chris stated that staff recommends approval of the Ordinance #366 authorizing the certification of assessment for collection of outstanding water and sewer bill charges.

Debbi asked if this will show up in the title work for the property.

Chris answered that the land has been liened as well so the outstanding amount will show up in the title work and on the property tax rolls.

Ed asked if it will accrue interest.

Dirk answered that if they don't pay it by the due date listed on the property assessment it will begin to accrue interest at that time.

The item was opened for public hearing. None was offered so it was immediately closed.

Ed asked if the new owners are complying with the grease trap/sand inceptor requirements.

Chris answered that when the business changed hands the staff had the new owners sign an acknowledgement regarding the grease trap & sand inceptor and what the requirements for maintaining those items will be.

Ron stated that the biggest issue with this business is the sand inceptor. He recommended that this ordinance is a very good idea and suggested that it might be a good thing to use in the future for other violators of Town ordinances.

Tom made a motion to pass Ordinance #366 authorizing the certification of certain charges, fees and assessments to the Treasurer of La Plata County for collection. Debbi seconded the motion. All were in favor, motion passed unanimously.

**Action Agenda Item #10: Discussion Regarding Town Engineer Services**

Chris gave his staff report. He stated that the Town entered into a contract with Souder Miller & Associates for Town engineering services in May of 2006. Brent Adams has been the assigned engineer. Chris feels that Mr. Adams is thorough and competent; however, there appears to be a desire from Board members to either put engineering contracts out to bid or seek engineering services from a more local provider. Chris explained that he is inquiring as to the desires of the Board to bid out a new Town Engineer contract.

Chris said that the Town has also been utilizing Brilliam Engineering for water related engineering and they have assigned Patrick O'Brien as designated engineer. Staff is happy with his work.

The Town has also used engineers for specialty projects including wastewater plant design, structural design, and transportation (i.e. Stantec, Wilson, Drexel Barrell).

Chris explained that it might be appropriate to re-bid Town Engineering services as the contract is approaching five (5) years. There are arguments for and against. On one hand it is nice to have an established relationship with an engineer so that expectations are understood. Additionally institutional knowledge is always a plus and likely reduces some of the cost on projects.

Tom stated that he thinks it would be a good idea to set the contract out to bid and find out what is available. .

Ed suggested that it might be good to do this before budget time rather than after.

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**1199 Bayfield Parkway Bayfield, CO 81122**

Debbi stated that she would like more information in the Request For Proposals rather than just an hourly rate. She would like to know the engineering firms company philosophy on how they do things. She feels that it's very possible for engineering firms to come in with a low hourly rate but then take a much longer timeframe on the projects and bill them to the Town. She thinks that this is an issue with the current engineer.

Chris responded that when engineering services is sent out for RFP the response is generally a fairly robust proposal. The staff and the board will then consider those proposals on a number of factors, rather than just basing it on the hourly rate.

Debbi mentioned that she would like to see the Town revise the development submittals and fees so that they are standardized for commercial developments. The engineering fees are not a set amount and it's very difficult to budget how much the fees are going to be because the engineering costs are a wild card. She also expressed disappointment that the design standards still haven't been completed.

The Board agreed that they would like to send the engineering services out for RFP.

**Action Agenda Item #11: New/Unfinished Business**

Chris mentioned the CDOT funding of \$700,000.00 for the twin bridges. He stated that he will be meeting with Richard Vick, the structural engineer tomorrow. They will discuss the pros and cons of accepting federal funds and what the requirements will be (and how much more it will cost). Chris stated that he has to get an answer back to CML by the end of the week on whether or not the Town is going to accept the funds.

Tom stated that he wants the staff to make sure that the Town isn't accepting money just to spend money due to the federal funding requirements.

Chris said he will do a full analysis of the cost benefit and figure out how much more money it will cost the project to meet the federal requirements for funding. He also mentioned that the bridges will have to be replaced within 2 to 3 years if the Town accepts the money.

Debbi asked if it will be possible to replace the one bridge and replace the other with a culvert system.

Chris said that will be possible if the engineering comes back showing that as a feasible solution.

Ed asked about the Senior Board meeting.

Chris answered that things are going very well with the Seniors. They held an Arts & Crafts Bizarre and had a very good turnout for the event. Chris also mentioned the Old Fashioned Christmas Festival that will be held on December 3<sup>rd</sup> at the Senior Center. .

Ed asked about the Ludwig property.

Chris answered that the Town has submitted the documents to the engineer hired by CIRSA. Staff is waiting to hear from them on what the next step is going to be.

Rick thanked Chris Choate for his years of service as the Town Marshal and thanked the staff and Board Members for attending the interview process for the new Marshal.

The meeting was adjourned at 9:10 p.m.