

**Town of Bayfield
Regular Town Board Meeting
December 18, 2012
1199 Bayfield Parkway, Bayfield CO 81122**

Town Board Members Present: Mayor Smith, Trustee Au, Trustee Renfro, Trustee Nyberg, Trustee Nelson, Trustee Davenport, Trustee Morlan (arrived during Town Updates)

Town Board Members Absent:

Staff Present: Chris La May (Town Manager), Kathleen Cathcart (Town Clerk), Erin Dunavant (Finance Director), Dirk Nelson (Town Attorney), Scott Key (Parks and Recreation Director)

Media Present: Carol McWilliams

The meeting was called to order @ 7:00 p.m.

Roll Call: 6 present 1 absent (Trustee Morlan arrived during the Town Updates)

Pledge of Allegiance:

Approval of Minutes: Trustee Davenport made a motion to approve the minutes of December 4, 2012 as amended, (date is to be changed from November 20 to December 4, 2012), Trustee Renfro seconded. Motion passed unanimously.

Approval of Bills: Trustee Nyberg made a motion to approve the bills dated December 5th through December 13th as presented, Trustee Nelson seconded. Motion passed unanimously.

Public Input: None was offered so it was closed.

Town Updates: Trustee Renfro commented that she liked the pictures of the proposed additions to the Water Treatment Plant. Town Manager La May stated that those pictures were presented at the "Neighborhood Meeting". Mayor Smith asked Town Manager La May if he understood, correctly, that Colorado Department of Transportation was making additional funds available for highways. Town Manager La May stated, that he believes that C.D.O.T. is calling the program RAMP. What they are trying to do in the next five years is free up some money that they encumber for multi year projects and try to spend the money in the current year versus holding those dollars for future years. Judy Poe and Judy Gotthelf with the Lavenia McCoy Public Library gave a presentation on the progress of the Library's addition and their future plans of a "Community Garden" and other new amenities.

Action Agenda Item #1: Liquor License Renewal – South-Western Foods Inc.

Town Clerk Cathcart stated that this was an annual renewal for the 3.2 Beer License for South-Western Foods Inc. (The Grocery Store). The application and payment was received in the Clerk's office on November 30th, 2012. According to the Marshal's office there have been no complaints against this license holder.

Trustee Nelson made motion to approve the Liquor License renewal for South-Western Foods Inc., Trustee Nyberg seconded.

Roll call 7 - 0

Motion passed unanimously.

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Action Agenda Item #2: Consideration Of Pre-Annexation Agreement With Jarrett Cook For 1757 Bayfield Parkway

Town Manager La May stated that this is a continuation of the discussion from our last meeting. A pre-annexation agreement has been drafted stating that the Town of Bayfield agrees to provide water and sanitary sewer service to this property that is located outside of the Town limits. Annexation is to take place within two years and the owners agree to pay for one (1) plant investment fee for water and one (1) plant investment fee for sewer, both at the out of town rate of 1 ½ times the normal in town rate. The property owners would also agree to apply for an access permit and pay the applicable fees. They would also pay for one (1) Park Impact Fee.

Mr. Cook stated that he has not had enough time to go through the agreement thoroughly and would like to review it with his attorney.

Mr. Cook also stated that he is unsure why he should pay the out of town rates for his Plant Investment Fees if he is signing an agreement to annex within the next two years. He is also weary of relinquishing his water rights to the Town of Bayfield.

Mayor Smith stated that when the Town annexes properties with Irrigation Rights, the Town acquires those rights and converts them to Municipal Water Rights and they are diverted to the Water Plant for production of water for residential consumption.

The Board agreed to give the Cook's an extension on this agreement.

Mrs. Cook asked if it would be ok for them to go over the agreement with their attorney and "redline" it and then come back to staff with proposed changes.

Town Attorney Nelson stated that would be preferable.

Action Agenda Item #3: Consideration of Resolution 293, a Resolution Of The Town Of Bayfield, Colorado Acting Through The Bayfield Sewer Enterprise Amending Rates And Charges For Sewer Service Provided By The Town

Town Manager La May stated that as we have discussed in the 2013 Budget we had included a 5% increase to the sanitary sewer rates. This is equivalent to \$2.10 per ert. The reason for this is we would like to execute the loan that we have been approved for, from the Colorado Water and Power Development Authority, so that we can begin to address our infiltration repairs. The Town is also in the process of doing a utility rate study. That study is taking some time because of a delay in getting the survey data on the water and sewer lines. In the mean time we need to demonstrate to the Colorado Water and Power Development Authority that we have increased our rate in order to move forward with the loan.

Trustee Renfro made a motion to approve Resolution 293, Trustee Davenport seconded.

Roll Call 7 – 0

Motion passed unanimously.

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Action Agenda Item #4: Consideration Of Resolution 292, A Resolution Of The Town Of Bayfield, Colorado, Adopting A Supplemental Budget For The Calendar Year Beginning On The First Day Of January 2012 And Ending On The Last Day Of December 2012 And Appropriating Additional Sums Of Money To The Various Spending Funds For The 2012 Budget Year

Town Manager La May stated that what is being presented is a supplement to the 2012 budget for expenditures that were unexpected. When reviewing all of the funds, it appears that the General Fund, the Water Fund, the Garbage Fund and the Equipment Replacement Fund have the potential of going over budget.

Trustee Davenport asked to have the “singed” by The Mayor changed to “signed”.

Trustee Au made a motion to approve Resolution 292 as amended, Trustee Morlan seconded.

Roll Call 7 – 0

Motion passed unanimously.

Action Agenda Item #5: Presentation By Town Marshal Regarding Safe2Tell Program

This item was postponed until the next meeting.

Action Agenda Item #6: Consideration Of Resolution 291, A Resolution Approving A Debt Payment Schedule For A Loan From The town Of Bayfield General Fund To The Town Of Bayfield Sewer Fund For The Decommissioning Of The Wastewater Lagoons

Town Manager La May stated that we have decommissioned the lagoons at the Waste Water Treatment Plant. In order to pay for that project the money was borrowed from the General Fund. Now that the project is complete, we need to adopt a repayment schedule. The resolution outlines the terms of the repayment of \$475,038.00 from the Sewer Fund to the General Fund.

Trustee Morlan made a motion to approve Resolution 291, Trustee Renfro seconded.

Roll Call 7 – 0

Motion passed unanimously.

Action Agenda Item #7: Discussion And Possible Action – Parks And Recreation Department Reorganization

Town Manager La May stated that during our 2013 Budget preparation we had talked about bringing on an additional Park’s Worker who would also be the Recycle Attendant. A portion of those wages were to be funded out of the Garbage Fund. We have since made the decision to close the Recycle Center. We have revisited whether or not we can still bring on a full time Park’s employee to assist in the Parks and Recreation Department and we feel that with some reorganization this is possible. This position will eliminate the need for “Seasonal Employees”. The Parks and Recreation Department will also be raising some of the fees to cover the costs of this new employee.

Trustee Nelson stated that she feels that having “Program Coordinators” at the sporting events was a wonderful benefit. She also stated that a \$5.00 increase in participation fees is a very good way to support the Parks and Recreation Department.

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Trustee Davenport asked that since we will not have operating costs of the Recycle Center, are there any savings that we could transfer to help with the costs of the new employee.

Town Manager La May stated that the Recycle Center was a way to avoid a penalty and the Garbage Fund was subsidizing its operation. The Garbage Fund has essentially been running in the red for the last two years. Now the Garbage Fund will be running at a zero balance.

Trustee Morlan asked if the Senior Center is under Parks and Recreation and is Brenda one of its employees.

Town Manager La May stated that Brenda is not one of the employees that we are discussing. The Senior Center does fall under Scott Key's supervision, but we did not incorporate that into our analysis.

The Board gave a unanimous yes to move forward with the reorganization of the Parks and Recreation Department.

Action Agenda Item #8: Authorization To Proceed With Task Order 1 – Street Maintenance Master Plan

Town Manager La May stated that it was discussed previously to try and speed this project up so that we could determine whether or not we needed to do any street maintenance projects in 2013. We have asked Brent Adams with Souder, Miller Associates to put together a scope of services. We have a master agreement with Souder, Miller Associates so they prepared a scope of services in a task order form, which would allow them to begin a Street Maintenance Plan. This is essentially looking at the condition of our streets and determining what best treatments would be appropriate.

Trustee Renfro asked what happened to the list of information that was compiled about three years ago.

Town Manager La May stated that the information is still out there and some of it will be used for the Master Plan.

Trustee Nelson asked if there is a time frame that they gave us that they will have this done by.

Town Manager La May stated that we want to get this done as quickly as possible, probably by March if not sooner.

Trustee Renfro stated that she would like to know how they used that previous information.

Trustee Nelson made a motion to approve the Task Order 1, Trustee Au seconded.

Roll Call 7 – 0

Motion passed unanimously.

Action Agenda Item #9: Discussion And Possible Action – Employee Handbook Chapters 11-12

Town Manager La May went through chapters 11 and 12 of the Employee Handbook.

Trustee Au asked about Town Employees having passengers in the Town vehicles, whether or not they were covered by our insurance.

Town Manager La May stated that they would not be covered by insurance. We would like consistently with all departments, that the vehicles are used for work purposes only.

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Mayor Smith asked about having the Town Emblem on all Town vehicles.

Town Manger La May stated that he thinks the emblems are something that staff can do without putting it in the Employee Handbook.

Trustee Morlan asked why the specifics for social media is a little more detailed then others.

Town Manager La May stated that the social media is something we are faced with more and more and we are really struggling on how do deal with it.

Action Agenda Item #10: Discussion And Possible Action – Town Manager’s Performance Evaluation

Mayor Smith stated that in the packet the Board Members will find the evaluation form to be completed and returned to him via email. The Mayor will then put them together and average the seven documents and list all comments and submit it to be included in the packet for January 8th, 2013.

Trustee Morlan suggested that we think about doing a 360 evaluation, including the public.

Mayor Smith stated that would be something to discuss before the next evaluation.

Trustee Nyberg asked if Town Manager La May fills out an evaluation form for himself.

Mayor Smith said no but that could be part of the 360 review.

New/Unfinished Business

Town Manager La May stated that with the situation going on at the schools, we do have Deputies at every school until Friday.

Town Manager La May also wanted to mention that the Public Works Department has been very busy plowing snow.

Trustee Nelson asked if we are accepting credit cards at the Town Hall, yet.

Town Manager La May replied no.

Trustee Nelson asked if anything legally has happened with the sewer problems at the Kimball residence.

Town Manager La May stated that we have had no further updates from the Kimball’s.

Trustee Nelson asked if we were having any issues with the trees and snow plowing in Dove Ranch.

Town Manager La May stated that he is not aware of any issues at this time.

Trustee Nelson asked if we had received the formal letter from the State regarding the closure of the Recycle Center.

Town Manager La May said that he had not received that letter.

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Mayor Smith would like to compliment the Marshal's Office on the job that they have been doing at the schools. He also complimented the Public Works Department on the snow plowing.

Executive Session In Accordance With C.R.S. 24-6-402(4)(e) To Determine Positions Relative To Matters That May Be Subject To Negotiations; Developing Strategy For Negotiations; And instructing Negotiators For Acquisition Of Park Property

Trustee Renfro made a motion to go to Executive Session, Trustee Davenport seconded.

All in favor motion passed unanimously.

Board adjourned to Executive Session at 8:19 pm

Board came out of Executive Session and adjourned at approximately 9:00 pm