

**Town of Bayfield
Regular Town Board Meeting
December 6, 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, Gabe Candelaria, Dan Ford

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), Chris Choate (Investigator), Dan Abdella (Deputy), Gary Maestas (1st Deputy)

Media Present: Carole McWilliams (Pine River Times)

The meeting was called to order @ 7:02 p.m.

Minutes: Ed made a motion to approve the minutes from the November 15th, 2011 Regular Town Board Meeting as submitted. Debbi seconded the motion. All were in favor, except Dan who abstained from the vote.

Public Comment: Brian White (48 Chateau Lane) stated that he wanted to express concern regarding the Town cutting their funding for the Roadrunner Transit System. He explained that he understands the need for budget cuts but requested that the Town not cut their funding so much that the program is removed completely. He stated that there are a lot of riders who rely on the service and don't have the luxury of driving themselves back & forth to Durango. He also mentioned that for every dollar that is put in through the local communities, that money is tripled through grant funding & matching funds. He stated that he would be willing to volunteer his time to do some grant writing for the Town or the Tribe in order to keep this partnership going between the entities.

Jim Finn (4242 CR 523) stated that he is appearing representing the 912 Tea Party group. He thanked the Board for the ability to participate in the meetings and give input on Town matters. He commended the Board for the decision that was made at the last meeting regarding funding for 4CORE & Roadrunner Transit. He stated that he feels that they took into account a lot of things and they are being good shepherds of the taxpayer's money. He said that he is glad that the transportation amount was not cut completely but thinks the amount that was allocated was a good decision.

Mike Larson (CR 502) stated the he collected signatures from 100 concerned citizens regarding the Roadrunner Transit System. These people want to see the transit system continue and they feel that the Town should continue funding their portion. He stated that the bus system gives people options for when gas prices are high.

Mary Graciano (380 Pearl Street) stated that she rides the bus one to two days per week and has done this since the service was begun. She feels that it would be beneficial to publicize that it's available for anyone and they don't have to ride it everyday. They can just utilize it a few times a week. The bus allows people to get to Durango to do their jobs or to school when they don't have another option. She really feels that the bus affords the residents of Bayfield a safer & environmentally friendly alternative to driving.

Deborah Brille (No Address Given) stated that she works for La Plata County and she rides the bus everyday. She encouraged the Town to come up with the funds that were originally committed to the program so that it can still continue to operate at the current level.

Jessica Wood (No Address Given) said that her husband rides the bus 4 times a week because he is unable to transport himself. She explained that it has been a godsend for their family and they appreciate the availability of it very much. She requested that the Town continue their funding and keep it in service for those families that rely on it.

No additional public comment was offered. Public input was closed.

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Swearing In Of New Town Marshal – Joseph McIntyre

Tom made a motion to appoint Joseph McIntyre as the new Town Marshal for the Town of Bayfield. Gabe seconded. All were in favor, motion passed unanimously.

Marianne swore in Joseph as the Town Marshal.

Action Agenda Item #1: Approval of the Bills

Tom made a motion to approve the bills dated December 5th, 2011 as submitted. Debbi seconded the motion. All were in favor, motion passed unanimously.

Action Agenda Item #2: Town Updates

Debbi asked about the estimate received from Energy Assessment for the Town Hall vapor barrier. She wanted to know if that was a branch of 4CORE.

Chris answered that Stetz Consulting did the assessment on the Town facilities. Energy Assessment was not the name of the firm.

Debbi expressed concern about the estimate received from the assessment versus the contractor.

Chris explained that Mark Stetz gave a very conservative figure because he didn't know if there would be additional work that needs to be done. However, Chris showed the contractors estimate to Mark and he feels that the estimate is fair and accurate with what needs to be done.

Debbi asked how the Parks & Recreation Department advertised the Christmas Celebration. She was concerned that there were a lot of people that didn't know about the event.

Marianne answered that Parks & Rec actually advertised the celebration more this year than in years past. Details were sent out several times via the Parks & Recreation email distribution list, it was advertised on the Facebook page several times, it was in the Pine River Times & flyers were handed out at the basketball games on Saturday and were hung up in prominent locations throughout Town. The total number of people that attended the festival was about 350 which is the best it has been in many years.

Tom mentioned the Mill Street Coffee Shop that is going in and asked if the Town will be requiring parking in lieu of fees for that business.

Chris answered that he has been researching the parking fee extensively during the Use By Review process for the coffee shop. He explained that the Bayfield Land Use Code has a requirement that states if new Mill Street businesses are unable to provide adequate parking they must pay a fee in lieu of parking (and that fee will be established via resolution). Chris read through minutes from previous meetings and the parking fee resolution was never passed. Therefore, the fee has never been established and the Board has never made a formal decision on whether or not they will be charging the parking fee to those businesses on Mill Street who can't meet the parking requirements.

Dan suggested that the Town should adopt a philosophy of waiving parking fees until there is a parking problem on Mill Street.

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Chris stated that the idea of a parking in lieu of fee is a great idea but in practice it creates problems because it doesn't support getting more businesses into the downtown area. He feels that these kinds of fees could make or break a deal and could cause a vacancy rather than an active business.

Debbi agreed that until there is a problem the Town should continue to encourage businesses on Mill Street.

Rick clarified that the sentiment of the Town Board is that the possibility of implementing a parking in lieu of fee is possible at sometime in the future but the Board has not officially adopted a resolution establishing the fee. The Board reserves the right to do that in the future if it is needed; however, right now the Board would rather encourage new businesses into downtown.

Chris asked if the Board approves the Request For Qualifications for the Town Engineer.

The Board approved it.

Chris mentioned that the recycling center will be closed half day on Christmas Eve & New Years Eve.

Action Agenda Item #3: Road Runner Transit – Request For Additional Funds

Chris gave his staff report. He stated that Roadrunner Transit is requesting \$1660.00 in additional funding from the Town of Bayfield for 2012. The Board decided to reduce the amount of funding from \$23,893.00 to \$8,000.00. Roadrunner is requesting that the Board increase that amount to \$9,660.00 in order to maintain the service.

The floor was given to Peter Tregillus with Roadrunner Transit.

Peter stated that they have ran the numbers based on the funding amount of \$8,000.00 from Bayfield and they are currently \$3300.00 away from having a balanced budget based on some dramatic changes to the service. Therefore, they are requesting that the Town fund the service at \$9,660.00 in 2012. With the matching funds that this money will generate, they will be able to achieve a balanced budget. They are eliminating a driver position and utilizing an executive staff person to drive one of the routes. However, he reiterated that while they are going to be able to maintain the service in an abbreviated fashion it is still going to be very tough with the amount of money available.

Peter clarified that the number of passengers riding the bus is between 11 to 33 passengers per trip. The average is about 20 riders but there has been higher ridership than that in stronger transit years. They hope to get more people utilizing the service but they really need something to offer the riders to gather more interested people.

Eileen Wasserbach, the Director of SUCAP stated that the Tribe came to the Town in 2005 and the Board agreed to partner with SUCAP to offer transit services. The Town Board felt that it was good opportunity and it was a good service for the Bayfield residents. The Bayfield contribution is about 1/6 of the total budget for running the transit service. She explained that the program shouldn't really be classified as "community donations" because it's not a program that the Town just donates to. It is a Bayfield program and the Town is a big part of keeping it running.

Eileen said that the average number is about 20 people per day. However, that is direct service for 20 people every day for an hour. She feels that there are very few programs that offer that kind of direct service for that kind of timeframe. She feels that it is actually a bargain for the Town.

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She explained that the reduced amount received from Bayfield has caused an overall cut of about \$50,000.00 out of the transit budget due to the matching & federal funds that are now available based on the number of matching funds. This is about 1/3 of the budget in 2011. Working with that amount and being creative with the budget, it has been determined that \$1660.00 will maintain transit but it will have to be reduced service. If there is an additional amount that the Board would like to allocate to the service that would ensure that service would be similar to 2011 and people wouldn't have to wait all day for a return trip to Bayfield.

Tom asked how much the fares are for riding the bus.

Peter answered that it is \$3.00 round-trip (\$1.50 per way). The riders also have the option to get a punch-pass which gives a discount.

Debbi asked how much money the County is contributing to the program. She also requested information on whether or not the riders are actual Town residents rather than County.

Peter stated that he thinks that the majority of the Bayfield riders do live in Town but there are a few that come in from Forest Lakes or Heartwood. The County contributes \$42,000 and \$28,000 of that money is allocated specifically to Bayfield. And Commissioner Hotter did not anticipate that they are going to cut any of the transit funds.

Debbi stated that she wants to make sure that the Bayfield contribution is fair to the residents but she does believe in the transit system and wants to keep it funded to the best of Bayfield's ability.

Peter stated that they are working on adding additional marketing strategies to increase ridership.

Ed asked if the Town can change the budget at this point in the process.

Dirk answered that the budget has not been formally adopted yet so it can still be amended. The motion approving the budget will need to outline the changes.

Rick thanked Peter & Eileen for their time & effort on this matter.

Chris suggested that if the Board is inclined to increase the amount of funding for Roadrunner, they could possibly decrease the amount of contingency. This would not change the bottom line of the budget and will still leave a healthy contingency balance.

Dan expressed frustration that the funding amount for 4CORE and Roadrunner was changed from the November 5th meeting when the amounts were originally voted on. The Board voted to fund Roadrunner & 4CORE at the entire amount requested and he is disappointed that the Board changed that decision at the next meeting. He asked the Board members their thoughts on the change & why it happened.

Rick answered that during the Public Hearing for the budget, 4CORE and Roadrunner was brought up again for discussion. There were a few Board Members that felt that those two items needed to be revisited & discussed further. Out of that discussion it was decided that the consensus was that the amounts should be changed from the original vote due to the loss of employees and the fact that the staff was not receiving any additional compensation. The Board decided that those funds could be better utilized elsewhere in the budget.

Rick stated that personally he was not comfortable with the fact that the Town lost a position in Public Works, the Intern position was eliminated, and the Marshals Office is not being rewarded for their on-call time. He wanted to see some of the money in the budget allocated to the staff.

Justin said that he feels that the money could be allocated in better places. He explained that he was not at the community funding meeting so he wasn't able to give his opinion on the matter but he thinks that the Town is

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really having to cut the budget down due to economic times and he feels that if the departments are cutting their budget, everything else needs to be cut as well.

Debbi responded that she always thought the original number was high. She spent a lot of time researching the matter and decided that the Town was paying more than its fair share towards the service. She feels that the amount they were requesting was extremely high and she felt that a lower number was justifiable. She explained that she proposed a higher number but the Board collectively decided on \$8,000.00.

Ed stated that he supports transit but the rest of the Board felt they should get a lower amount. He stated that he definitely wanted to make sure that they received some funding even if it wasn't the entire amount.

Dan stated that he wants to make sure that the Board doesn't subject itself to political landscapes. He wants to make sure that the Board is acting on behalf on the citizens and for the people of Bayfield that need the support and help. He wants to see the Town fund as many of these programs as possible and that the Board isn't listening to those people who find fault with the system. He wants the Town to do what is best for the residents.

Ed made a motion to adjust the 2012 budget by increasing the donation to Roadrunner Transit by \$1660.00 and decreasing the contingency line item by the same amount. Debbi seconded the motion.

Gabe requested that Town receive a substantial report in March from Roadrunner for the Board to review.

Ed amended his motion to add that request of Roadrunner. Debbi seconded the amendment.

5 voted in favor of the motion, Justin & Tom were opposed. Motion carried.

Action Agenda Item #4: Resolution #267: Adoption of 2012 Budget

Chris gave his staff report. He stated that this is the Resolution formally adopting the 2012 Budget.

Gabe made a motion to approve Resolution #267 adopting a budget for the calendar year beginning on the first day of January 2012 and ending on the last day of December 2012 as amended (with the addition of the allocation to Roadrunner Transit) with the following amounts:

General Fund		\$2,220,537
Capital Improvement Fund		\$2,625,415
Sewer - Operating	\$1,238,587	
Sewer - Capital	<u>\$500,000</u>	
Sewer Fund		\$1,738,587
Water - Operating	\$441,292	
Water - Capital	<u>\$20,000</u>	
Water Fund		\$461,292
Garbage Fund		\$123,793
Transportation Fund		\$4,040,000
Conservation Trust Fund		\$72,000
SID Debt Service Fund		\$147,425

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Equipment Replacement Fund	\$145,000
Total	<u>\$11,574,049</u>

Debbi seconded the motion.

All were in favor, motion passed unanimously.

Action Agenda Item #5: Public Hearing: Ordinance #367: Appropriation Of Funds For 2012

Chris stated that this is the Ordinance appropriating money to the different funds & spending agencies for the 2012 budget.

The item was opened for public hearing.

None was offered so it was immediately closed.

Gabe made a motion to approve Ordinance #367 appropriating sums of money to the various funds, in the amounts and for the purposes as set forth for the 2012 budget year as presented. Debbi seconded the motion.

All were in favor, motion passed unanimously.

Action Agenda Item #6: Resolution #268 - Setting The Mill Levy For 2012

Chris stated that this is the resolution setting the mill levy for 2012.

Gabe made a motion to approve Resolution #268 to set the mill levy for the Year 2012 to help defray the costs of government for the 2012 budget year. Dan seconded the motion.

All were in favor, motion passed unanimously.

Action Agenda Item #7: Resolution #269 – Sewer Rate Increase

Chris gave his staff report. He stated that it has been discussed in budget workshops and at the public hearing, the 2012 budget to do a 5% increase in sanitary sewer rates or \$2.00 per Equivalent Residential Tap (ERT). The increase is proposed in an effort to complete the engineering work related to the sanitary sewer system including a survey, capacity modeling, valuation of asset, future system planning, and rate evaluation. In addition, the rate increase will be necessary to support the annual debt service on \$500,000 CWPRDA loan and \$500,000 loan from the General Fund.

He stated that staff recommends approval of the resolution amending the rates and charges for sewer service provided by the Town.

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Ed made a motion to approve Resolution #269 acting through the Bayfield Sewer Enterprise amending rates & charges for sewer service provided by the Town. Debbi seconded the motion.

Dan asked for clarification about the new rates.

Chris answered that the monthly bills will increase from \$40.00 per month to \$42.00 per month. Plant Investment Fees are not changing at this time but will be reviewed during the sewer rate study in 2012.

All were in favor, motion passed unanimously.

Action Agenda Item #8: Resolution #270 – Naming of Bayfield Parkway

Chris gave his staff report. He stated that when the Town took over Highway 160B from CDOT it was required that the Town change the name of the road. The Town held a naming contest and it was decided to name the road Bayfield Parkway. Property owners have been notified of the name change and signs along the route have been changed. However, the County Assessor has requested a formal resolution re-naming U.S. Highway 160 B to Bayfield Parkway.

Chris recommended approval of the resolution changing the name of U.S. Highway 160 B to Bayfield Parkway.

Dan made a motion to adopt Resolution #270 changing the name of US Highway 160B to Bayfield Parkway. Debbi seconded the motion. All were in favor, motion passed unanimously. (Note: Gabe had stepped out of the room and did not vote on this item).

Action Agenda Item #9: Resolution #271 – “No Parking Zones”.

Chris gave his staff report. He explained that when activities are held at Joe Stephenson Park, participants often park near the intersection of W. South Street and S. West Street, which results in constriction of the roadway. This makes it challenging to drive through the area and it poses a risk to pedestrian safety and vehicle damage.

He stated that staff has prepared a resolution establishing the east and west sides of S. West Street for a distance of one hundred feet (100') south from the intersection of W. South Street and S. West Street and the area adjacent to the south softball field outfield fence at Joe Stephenson Park as “No Parking”. Chris recommended approval of the resolution.

Debbi asked if the Town owns this area.

Dirk answered that the Town does own the property.

Chris clarified that the no parking area will be located on Town property (either easements or actual owned property.)

Dan made a motion to approve Resolution #271 designating “No Parking” zones on certain sections of S. West Street and in certain locations in Joe Stephenson Park. Gabe seconded the motion. All were in favor, motion passed unanimously.

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Action Agenda Item #10: Detox Memo of Understanding

Chris gave his staff report. He explained that in 1995 La Plata County, Southwest Colorado Mental Health Center (AXIS), City of Durango, Town of Ignacio and Southern Ute Indian Tribe (SUIT) entered into a La Plata County Detoxification Facility Intergovernmental Agreement to provide for the construction and operation of a detoxification facility in Durango Colorado for intoxicated persons arrested, detained, transported or otherwise coming into the custody of the original parties.

The detoxification facility was constructed and subsequently operated by AXIS Health, the original parties subsequently entered into a Memorandum of Understanding with the Town of Bayfield and Fort Lewis College for the period of 2002 through 2004. The parties further entered into a Memoranda of Understanding for the periods 2004 through 2007, and 2008 through 2010. The 2008 -2010 MOU was amended extending it through December 2011.

The contributing parties now wish to enter a new agreement with AXIS operating the detoxification facility for the benefit of the citizens of La Plata County and Montezuma County for another three years (2012 – 2014) and including Southwest Memorial Health System (SWMHS) in Cortez as a contributing party.

The proposed MOU includes the contributing parties sharing the operating and capital expenses of the detoxification facility, not otherwise funded, based on the following cost-share formula:

- a. Bayfield - (1.09%)
- b. SWMHS - (1.33%)
- c. Ignacio - (1.87%)
- d. Fort Lewis College - (4.24%)
- e. La Plata County - (21.91%)
- f. SUIT – (22.2%)
- g. City of Durango - (47.36%)

The total operating and capital expenses to be shared by the contributing parties, in the first year of this Agreement, shall not exceed Three Hundred Ninety-one Thousand One Hundred Twenty-seven Dollars (\$391,127).

There is currently a reserve of \$52,603 and the intent of the agreement is that the reserve would be utilized over the next two years to absorb any increases in operating and capital expenses and that AXIS Health will not approach the MOU member's mid-year for extra funding.

If nothing materially changes with the funding (i.e. La Plata County or City of Durango withdraws); AXIS Health will cover through the net funding overrun and its own contribution if any losses of the program for the next three years.

The Town of Bayfield or any other contributing party may terminate participation in the Agreement by providing written notice to each of the other parties not later than one hundred eighty (180) days prior to the end of the current calendar year.

If one of the other contributing parties terminates its participation, the Town of Bayfield and the other parties have until the later of one hundred eighty (180) days before the end of the then-current calendar year or sixty days after receipt of the notice of termination by the contributing party to terminate its own participation in the Agreement.

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Any party electing to terminate its participation in the Agreement shall remain obligated for its share of the collective contribution through the end of the then-current calendar year.

Chris recommended approval of the Memorandum of Understanding (MOU) regarding Southwest Colorado Mental Health Center, dba Axis Detoxification Facility.

Ed made a motion to approve the Memo Of Understanding with Southwest Colorado Mental Health Center, dba Axis Detoxification Facility. Gabe seconded the motion.

All were in favor, motion passed unanimously.

Action Agenda Item #11: Liquor License Renewal – The Local

Gabe made a motion to approve the liquor license renewal for 2012 for the Local Restaurant. Tom seconded the motion.

All were in favor, motion passed unanimously

Action Agenda Item #12: Liquor License Renewal - Wells Liquor

Gabe made a motion to approve the liquor license renewal for 2012 for Wells Liquor. Tom seconded the motion.

All in favor, motion passed unanimously.

Action Agenda Item #13: New/Unfinished Business

Chris reminded the Board about the Senior Christmas Luncheon on December 16th @ the Senior Center. He also mentioned that there will be a Wells Fargo Business Forum in January (date to be determined) and a Southwest Council Of Governments presentation on January 13th @ 11:30 a.m.

Rick encouraged the Board members to attend that meeting because it is going to be very informative.

Dan mentioned that there is few elected officials represented at these meetings so he recommended that it would be a good thing if the COG could get more elected official input.

Chris stated that there will be a Bayfield Business Forum meeting on Thursday, January 19th. This meeting is to help improve the business climate in Bayfield and there will be several organizations present, such as Region 9, Chamber of Commerce, Small Business Development Center, the Alliance, etc.

Ed noted that the Town received formal correspondence from CDOT that the Town will be receiving \$707,000 from CDOT for bridge replacement on Bayfield Parkway.

Dan asked how snow plowing went the first time and if there were any complaints from residents.

Chris stated that he hasn't received any complaints and he feels that the Public Works crew did a good job.

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Rick welcomed Joseph McIntyre as the new Marshal.

The meeting was adjourned at 8:45 p.m.