

**Town of Bayfield
Town Board Meeting
February 2, 2010
1199 US Highway 160B Bayfield, CO 81122**

Town Board Members Present: Tom Au (Mayor Pro-Tem), Brandon Luter, Debbi Renfro, Justin Talbot, Gabe Candelaria, Dan Ford

Town Board Members Absent: Rick Smith (Mayor)

Town Staff Present: Justin Clifton (Town Manager), Dirk Nelson (Town Attorney), Ron Saba, (Director of Public Works), Marianne Jones (Deputy Town Clerk)

Media Present: Melanie Mazur (Pine River Times)

The meeting was called to order @ 7:04 p.m.

Minutes: Gabe made a motion to approve the minutes from the January 19th, 2010 Regular Town Board Meeting as presented. Dan seconded the motion. All were in favor, motion passed unanimously.

Public Input: David Black (606 Buck Highway) mentioned that the Board should attempt to pass a mill levy during the November election for the Public Works Department. David thinks that the Board should ask the voters to increase the mill levy to help with the maintenance of the streets. He feels that there are a lot of roads that are failing throughout the Town and the Town should have a mechanism in place to fund upkeep of these streets so that the Town does not end up with gravel roads. He thinks that a new mill levy would be a very good idea to fund this type of improvement.

Agenda Item #1: Appoint Town Clerk

Justin stated that Pat Anselmo, the previous Town Clerk, was dismissed from her position on January 25th, 2010. He recommended that Marianne Jones, the current Deputy Town Clerk be appointed to the Town Clerk position. He explained that generally this type of search would be opened up to the public for an interview process but he doesn't feel that is necessary in this instance because of the qualifications that Marianne already has for this position.

Dan asked if this position requires certain certifications.

Justin explained that the Clerk's designation is required for this position. However, Marianne already does have the clerk's certifications available through the Colorado Municipal Clerks Association. He stated that the Deputy Clerk position is set up to be a training position to move into the Town Clerk's position.

Dan asked if there was going to be a problem with not posting the position.

Dirk answered that the Town does have the option to promote from within without posting the job.

Gabe asked about the Deputy Clerk position. He wanted to know if there would be someone else that would be trained to fill the Clerk's position in the event of a vacancy.

Justin answered that the front office will continue to do cross-training throughout the positions so that there will be position coverage. There will also be some rearranging of duties if the Board approves the new position of the Finance Director.

Gabe asked if Marianne is going to continue doing the tasks that she currently does in the Deputy position.

Justin explained that there will be a few changes made with the tasks that Marianne is currently performing. However, he hopes to shift some of the less important job tasks to other positions and focus her attention on the items that are really critical such as working closely with the Town Board.

**Town of Bayfield
Town Board Meeting
February 2, 2010
1199 US Highway 160B Bayfield, CO 81122**

Justin Talbot made a motion to appoint Marianne Jones as the Town Clerk for the Town of Bayfield. Debbi seconded the motion. All were in favor, motion passed unanimously.

Action Agenda Item #2: Approval of Bills

Justin presented Dirk Nelson's invoice that was not submitted by the deadline date and asked that it be approved with the other bills presented. He also mentioned that there were checks cut prior to being approved by the Board for the Historic Plaque program on Mill Street. These checks were cut in order to meet a grant deadline but have not actually been released to the vendors yet.

Gabe made a motion to approve the bills dated January 29th, 2010 including the bill for Dirk Nelson as presented. Dan seconded the motion.

All were in favor, motion passed unanimously.

Action Agenda Item #3: Town Updates

Tom asked if everything went smoothly today with the installation of the Gem Village lift station.

Justin Clifton answered that there have been some issues with the lift station related to freezing. The lift station is fitted with a heater so they are in the process of thawing everything out. Justin expressed that he is disappointed with the customer service that the Town has received from Smith & Loveless (the vendor who provided the lift station). Smith & Loveless wasn't willing to work with the Town on the set-up. The product is very good but they have definitely dropped the ball regarding customer service on this project. However, Justin expressed that there aren't any real big issues regarding this project and the Town is just working to get it completed.

Dan asked about the fiber grant meetings that were scheduled for February 1st, 2010.

Justin Clifton answered that he was in meetings all day on the 1st and feels that there are some really good project requests. There is 61 million dollars worth of requests for 17 million dollars worth of grant funds. He felt that the presentation given by the SWCOG was very well given and that it was competitive in comparison to the other projects presented. However, there are some applicants that asking for 10 million dollars or more so it is possible that the Town will not receive any funds if these bigger projects win the grant award. He stated that the Town will know who was granted the funds within 2 weeks.

Justin Talbot presented an LPEA map to the Board members that showed the fiber lines that currently exist throughout the Town. He stated that he is not opposed to Bayfield getting fiber but he wants to make sure that the Town is not embarking on a project that it is not necessary. He explained that most of the facilities that would be the beneficiaries of the fiber connection already have fiber relatively close. These fiber lines have been laid by Fastrack. He explained that Qwest has also laid some fiber lines throughout Bayfield but he does not have access to maps of those lines.

Justin Clifton stated that there's a component of competition that would make anybody uneasy but there's still a lot of potential benefit because this improvement would build in extra capacity that service providers like Fastrack can use and it's possible that it will help enhance the services that they currently provide. However, it is also possible that another service provider could do the same. Currently, Fastrack calls the shots on who can or cannot use the service and since they are a wholesale provider they primarily provide direct services to commercial or government entities and then they sell their services to a retail providers for other customers.

**Town of Bayfield
Town Board Meeting
February 2, 2010
1199 US Highway 160B Bayfield, CO 81122**

Justin is not sure that other providers would have to compete directly with FastTrack; however, part of the purpose of an open access network is to proliferate competition. It would allow other providers to come in that don't have to bear the upfront capital costs and compete. This is the advantage of this project. However, providers like Qwest or Fastrack are always going to be big players in this project and the Town will have to have a lot of discussion with them on this matter.

Justin Talbot asked if the Town is aware that these fiber lines will have to be laid underground.

Justin Clifton answered that the Town is aware that the lines will have to be buried.

Gabe asked if the Bayfield School District is happy with the connection options that they are using currently.

Justin Clifton answered that he doesn't know. There is a program called E-Rate that is available to schools. Schools can receive certain rebates and incentives and there's some potential benefit for this program to the school take advantage of the E-Rate program. However, Justin doesn't know exactly how the entire process works but they were included in the proposal and thinks that they are interested in the program.

Justin Talbot asked what connection is being used at the Town Hall.

Justin Clifton answered that Fastrack would not run a fiber line to the new Town Hall when it was built so the Town is using a T1 line provided through Brainstorm Internet.

Debbi stated that there is a gap in the fiber service between Durango and Bayfield. She explained that when the Fire Department was looking into options for the new administration building they discovered that they would get a faster speed using a T1 line rather than using fiber. Because of the gap, Bayfield does not actually have the full capability of fiber speed. She wanted to know when they planned to bridge that gap.

Justin Clifton answered that the plan is to finish that fiber line immediately. There is also a plan to extend the internal network within Bayfield as early as this summer as well.

Ron Saba (Director of Public Works) commented that if this project does happen it is going to put a lot of strain on the Public Works department. He thinks that there needs to be some consideration made for the extra work that will be incurred and make sure that some of the costs are covered through the money received.

Justin Clifton commented that the results of the grant distribution will be available in two weeks. If the Town is granted the money, these items will all need to be discussed in more detail at that time.

Gabe asked if staff plans to send out some media releases regarding the opening of the Recycling Center.

Justin Clifton answered that he has already spoken with Carole McWilliams with the Pine River Times and he has already began work on a press release that will be released first thing in the morning on February 3rd. He also hopes to put up some signage and balloons to announce to the public that it is open.

Gabe asked if this will be open to everyone or just Bayfield residents.

Justin Clifton answered that the Town really wants this center to be utilized. However, if the Town does not get a contribution from the County for their residents that are using this service, the Town might have to reassess some fees for those patrons. For right now, the Town is going to be keeping track of addresses and data of those utilizing the facility and then present clear data to the County with a request for funds. Justin also asked if the Board would be interested in having some sort of ribbon cutting for the facility.

It was decided that a ribbon cutting would be held at 9:00 a.m. on February 6th.

**Town of Bayfield
Town Board Meeting
February 2, 2010
1199 US Highway 160B Bayfield, CO 81122**

Justin Talbot requested some information on the costs to maintain, locating, & general repairs for the fiber lines. He would like some idea of how much it's going to cost the Town to have these lines.

Justin Clifton answered that he will provide some more detail on financial statements pertinent to Bayfield. He thinks that the consultants have this information but he has not received it yet. He also wants to find out if a maintenance contract is even possible for these fiber lines so that the Town does not have to maintain and repair the lines themselves. He wants to make sure that there is an option for outsourcing these matters because it would put too much burden on the Town staff to take it on and the staff also doesn't have the expertise for it. It will have to be self-sufficient to be a viable option for Bayfield. If the Town receives funding, the staff and the Board will really need to look closely at all of the details. This would include questions about construction and engineering of the project all the way to the day-to-day repairs and maintenance.

Debbi asked if the Board was aware and agrees with the action items that are being pursued by the RHA (Regional Housing Alliance).

Justin Clifton stated Jenn Lopez with RHA is available to come and speak with the Board if they are interested in that occurring.

Debbi expressed that she wants to make sure that she's representing the entire Board's view on these items when she sits on this board.

Justin Talbot stated that it might be a good idea to have Jenn Lopez and talk to the Board.

It was decided to have Jenn Lopez come in and have an open ended discussion regarding the RHA items.

Gabe asked staff if they are still looking into incorporating the decommissioning of the lagoons into the Gem Village Lift Station project.

Justin Clifton answered that he is looking at a preliminary bid schedule but the list has to be revamped because it includes a lot of items that don't need to be done. The decommissioning plan is being reviewed by Greg Brand with Water Quality Control. His review of the plan is the first main step because he needs to give his stamp of approval. He can also give some advice on the items that can be eliminated that don't affect water quality. He has also spoken with funding agencies and it looks like the proposed scope of work and the budget are within the parameters for the DOLA & EPA grants. However, the ARRA funding would not be available for the additional scope of work. Staff is running the numbers to see if the project is going to cost more than what is budgeted for 2010.

Action Agenda Item #4: Finance Director Position

Justin explained that the change in the Clerks position has provided an opportunity to explore some re-organization ideas for the front office. He proposed to abolish the Deputy Clerk position and create a Finance Director position. He feels that it is imperative at this stage in the Town's evolution that one position be dedicated almost solely to oversight and management of the Town's finances.

The Finance Director would handle most if not all of the financial responsibilities held by the Clerk including financial reports, account management etc. However, creating a position dedicated to financial matters would allow for other tasks to be assigned including: maintaining capital project budgets, financial reporting for grants, budget analysis research into areas such as procurement policies, local preference, use tax etc., assistance with rate studies and capital investment strategies etc.

**Town of Bayfield
Town Board Meeting
February 2, 2010
1199 US Highway 160B Bayfield, CO 81122**

He feels that due to efficiencies gained in the front office and the personnel that is currently have in place the Town could increase over-all productivity and reduce overall FTE. He proposed to hire a Finance Director at 32 hours per week. The job description currently contemplates an hourly wage of \$20-\$25 per hour. In the right circumstance, he thinks that it might be possible to could pay above the \$25 and still remain within total payroll in the 2010 budget.

Justin explained that he has consulted other municipalities and other agencies to create the plan and the specifics of the job description. He is confident that the Town can get a highly qualified individual at this wage. He expressed that he would like to assemble a search committee that would assist in establishing the selection criteria, interview process and make a recommendation for a new hire. He requested two Board members to assist in the process. He specifically asked Dan Ford if he would be one of them, as his financial expertise will be very valuable.

Dan responded that he would be happy to serve on the committee. He also added that he thinks that bringing in a finance director would be a very wise move for the Town. He suggested that he would like for this person to be knowledgeable in market trends and be able to locate the best investments for the Town funds. He stated that he strongly supports creating this new position and agreed to help with the interview process.

Justin Clifton said that he will add more detail about being able to locate and invest Town funds into the job description.

Justin Talbot asked if this person will help out with the some of the Deputy Clerk job duties.

Justin Clifton answered that he will be shuffling job duties between positions to keep everything balanced. He hopes to get the best person for this position and then allow them to grow into the position and take on more duties as their schedule allows. He thinks that productivity will be much higher than it ever has before with the creation of this new position.

Dan made a motion to create a new full-time regular position of Finance Director for the Town of Bayfield. Brandon seconded the motion. All were in favor, motion passed unanimously.

Justin asked if another Board member would be willing to serve on the committee.

Gabe agreed that he would also serve.

Action Agenda Item #5: 501 Shared Use Path

Justin gave his staff report. He stated that the Town and County collaborated to build the 501 Shared Use Path in 2007/2008. The path was supposed to be completed during the summer of 2009 but extenuating circumstances caused a delay. The County, as the contracting entity, has contributed the most of the financial resources plus the vast majority of oversight and staff time. It was always contemplated that the Town would take care of maintenance. In this sense, the project is not much different than infrastructure built by the private side, the Town needs to ensure it is inheriting a good product.

The path is substantially complete now but some work remains to be completed this spring. There has been much discussion about the incomplete status of the path and general concern about how the path will be transferred to the Town and when maintenance will commence. Since the path is substantially complete, there is interest to announce its opening and allow residents to use it. However, Gabe, Debbi and Ron have pointed out that the contract is still open and a punch list of items has not been completed. The concern is that if the Town plows the snow, or even if the public uses the path, it could create some disagreements come spring about the contractors remaining work.

**Town of Bayfield
Town Board Meeting
February 2, 2010
1199 US Highway 160B Bayfield, CO 81122**

To mitigate these concerns the Town can rely on the following: 1) The IGA that states that they do not take ownership until the project is complete; 2) A final punch list that identifying all current remaining contractor obligations, and; 3) A letter written by Justin Clifton clarifying the Town's position with maintenance and acceptance of work.

Justin expressed that these items could protect the Town and the Town could allow the path to open before the contractor is complete. He also feels that the County and Town have a good working relationship that would enable them to adequately resolve any potential disagreements. However, he also expressed that opening the path before final completion still has risk. Therefore it might be a good idea to wait until the project is complete before it is opened, in which case it would not be maintained by the Town and would not be available for use.

Gabe commented that Justin did a very good job writing the letter stating the Town's position on this matter. He feels that this project should be left with the County until the project is completed. He thinks the Town should receive a nice finished project. He thinks the responsibility should stay with the County until the punch list is completed and the Town will take it over at that time.

Justin Talbot & Tom agreed.

It was decided to inform the County that the Town will reschedule a ribbon cutting in the spring.

Action Agenda Item #8: New/Unfinished Business

Justin reminded the Board that the BP Senior Center Luncheon will be held on Wednesday February 3rd, 2010.

Gabe, Dan, Debbi, Justin & Tom all stated that they would be attending.

Ron commented that the Town has had a lot of snow over the last few weeks and the Town residents have been fantastic at helping the Public Works Department. They haven't had difficulty with people moving cars out of the way and everyone has been extremely cooperative. Ron also thanked Justin & the Board for getting the department the equipment that they need to do their job efficiently.

Dan commented that Public Works has done a terrific job on snow removal.

Ron also mentioned that he has been working on a fee schedule for development inspections. He stated that he is concerned that if a project comes in that the Town might not be able to collect the appropriate inspection fees. He would like to get these amounts approved as soon as possible so that any new development would be subject to the new fees.

Justin Clifton stated that he will make sure and account for those fees in the event that any new proposals are submitted to the Town. There will be language in the SIA that states that the developer will be subject to any new fees that are implemented.

Justin Talbot asked if Justin Clifton was notified about the issue with the trash cans that was written up in the Pine River Times.

Justin Clifton answered that Bill Faust did send him the editorial at the same time it was sent to the Times. Justin spoke with Bill Rose with Transit Waste regarding trash pick-up on that particular day. Bill sent 3 trucks to Bayfield that day and was onsite himself. One of the trucks got stuck on Juniper and it cost Transit Waste \$1000.00 to get it unstuck. However, they did not blame the Public Works Department for that issue. The Town crews do a better job than most other areas. The trash trucks did attempts to get down Sage Street but have

**Town of Bayfield
Town Board Meeting
February 2, 2010
1199 US Highway 160B Bayfield, CO 81122**

difficulty due to the cul-de-sac therefore; they pulled a lot of the trashcans out by hand. Justin feels that they really did put forth more effort than any other Thursday and tried to service as many customers as possible despite the circumstances. However; Transit did tell the Town that if there are customers who did not get serviced because of the snow, they could pile their excess trash next to their cans and they will pick it up by hand.

The meeting was adjourned @ 8:15 p.m.

Approved as written on: February 16th, 2010

Approved:

Rick K. Smith
Mayor

Marianne Jones
Deputy Town Clerk