

Town of Bayfield
Regular Town Board Meeting
May 3, 2011
1199 US Highway 160B Bayfield, CO 81122

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

Town Staff Present: Bob Ledger (Interim Town Manager), Dirk Nelson (Town Attorney), Marianne Jones (Town Clerk), Chris Choate (Marshal), Ron Saba (Director of Public Works)

Media Present: Carole McWilliams (Pine River Times)

The meeting was called to order @ 7:01 p.m.

Minutes: Gabe made a motion to approve the minutes from the April 5th, 2011 Regular Town Board Meeting as submitted. Tom seconded the motion. All were in favor except Dan, who abstained from the voting.

Tom made a motion to approve the minutes from the April 19th, 2011 Regular Town Board Meeting as submitted. Dan seconded the motion. All were in favor, motion passed unanimously.

Public Input: Rich Graeber (Fire Chief – Upper Pine Fire Protection District) advised that the Fire District is in the process of applying for a grant through the State of Colorado and Homeland Security for pre-disaster funding. He explained that he will be coming to the Town Board to request that a Public Safety staff person and a Board member be involved in the grant process. The grant will help with fire mitigation, flood prevention, heavy snow preparation, snow removal, etc. Rich also stated that there might be funding available for situations like the drainage issue that happened in the Yucca Estates subdivision recently. Rich explained that he is working on getting county wide buy-in on the project. Upper Pine will be the lead agency in the year-long process but they will be recruiting input from the public, the Town and the stakeholders. The Fire Department won't be asking for any sort of financial support, just a staff person & a Board Member to serve on the grant committee. He said that he hopes to bring back the official request within the next month.

Tom asked who is funding the grant money.

Rich answered that it is being funded through Homeland Security (FEMA).

Kaye Phelps (1048 North Oak Drive) mentioned that the sewer back-up at 969 N. Oak Drive was not the only back-up on Oak on March 23rd, 2011. She explained that she also had sewer back-up into her home as well on that same day but she did not contact the Town of Bayfield regarding the issue. She also stated that Gosney Park located on Oak Drive is in poor condition and she asked if the Parks Department could possibly fix the swings that are located in that park. She also asked if the Town has any plans to upgrade that park.

Marianne answered that the Parks Department has applied for a grant from Great Outdoors Colorado (GO-CO) that would allow the Town to put in a whole new playground in that location but the Town has not heard back about whether or not the grant has been awarded.

Kaye expressed that it is the only park located on that side of Town and it would really be nice to have somewhere for the kids to play. She also asked if there were any community members involved in the decision of the five finalists for the Town Manager position and how the community will be included in the hiring of that position.

Rick responded that the Board Members and the consulting firm went through the applications and decided on the 5 finalists that will be interviewed. There will be a community reception with all five candidates held on the 19th of May and then the Board and the Department Heads will conduct the interviews on May 20th.

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Kaye commented that she doesn't feel that the staff should be involved in the interview process since the new Town Manager will be their boss. She also thanked the Public Safety department for doing additional patrol around the neighborhoods.

Action Agenda Item #1: Approval of Bills

Dan made a motion to approve the bills dated April 29th, 2011 as submitted. Gabe seconded the motion. All were in favor, motion passed unanimously.

Action Agenda Item #2: Town Updates

Debbi asked if Ron if any of the businesses with problem grease traps have been more willing to comply with the ordinance since the article was published in the newspaper.

Ron answered that one of the businesses had come in just that day to get the phone number of a septic company so that he can get his grease trap sucked as quickly as possible.

Justin asked if there has been a change on the water issue on the Ludwig property since the soil relocation was completed.

Gerald Ludwig answered that he still has water in his field.

Tom asked if there has been any development with obtaining the Dove Ranch drainage easement.

Dirk answered that he has called a couple of times but hasn't gotten a response.

Dan asked for the dates & times of the meetings for the Westside Traffic Study.

Bob responded that the contract has been finalized with Drexel Barrell, the consultant for the project. He stated that he has a tentative date of June 7th prior to the Regular Town Board Meeting for the kick-off meeting. This meeting will include the property owners, the Town Board, & any other interested parties and will discuss the approach, timeframe, how to conduct the analysis, etc.

Action Agenda Item #3: 4CORE Presentation

Bob stated that per the request of the Town Board, 4CORE (Four Corners Office For Resource Efficiency) was asked to come to the Town Board Meeting and give a short presentation regarding their mission and the services that they provide to local governments.

Bob introduced Aileen Tracy, the 4CORE Director and Amanda Saunders, the Program Coordinator.

Aileen & Amanda gave a power point presentation. *(Note: A copy of this presentation is included in the official minute book and Town Board packet).*

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Bob mentioned that Mark Stetz, an energy auditor for 4CORE came into the Town Hall and has already found some issues with the efficiency in the building. Mark will be giving the Town an evaluation of ways to improve that efficiency within all of the Town facilities.

Kirk Coppinger, the Assistant Program Manager for CORE stated that he is involved in the weatherization program for low income families. He feels that what 4CORE does is very valuable to the community and he hopes that they are able to continue to do that in Bayfield.

A representative from the La Plata Electric Board (*She did not give her name*) stated that La Plata Electric helped spear-head getting this group together in 2006 because they felt it would be good for LPEA to team up with BP & Atmos Energy to work on energy efficiency. They felt that it would be beneficial to all of the parties involved. She explained that LPEA stepped up first to get involved and donate money towards the organization that is now 4CORE. LPEA feels like they do a good job for the community.

Tom asked if the grant funding is coming from federal funds.

Aileen answered that the grant money they receive is federal funds. However, they do receive some private funding that is donated by LPEA, BP, & Atmos (approximately \$25,000.00 each per year).

Tom asked how many employees the organization employs.

Aileen answered that they have 10 full time employees and 1 part-time employee.

Tom asked if they are just an administrative group that is distributing the funds as they are received.

Aileen answered that they do education and outreach programs and they perform inspections of homes to make sure work is done properly, etc.

Tom asked if they have regular Board meetings.

Aileen answered that they have a public Board meeting once a month on the 4th Tuesday. The meetings are held in the Carnegie Building on 2nd Avenue in Durango from 2:00 – 4:00 p.m. They also post the minutes from all of these meetings to their website.

A member of the public (*he did not give his name*) asked who is eligible to perform the work for these upgrades that are done to the homes (such as the weatherization and energy efficiency upgrades).

Aileen answered that they use local contractors. They issue a request for proposals and they choose the best bid & most qualified bidder based on those proposals.

Kirk explained that this is a pretty atypical practice for this type of work because most government funded programs use their own crews to do upgrades. However, 4CORE does use sub-contractors from the local area that bid on the work and then 4CORE performs inspections to make sure that the work is done satisfactorily. He also stated that the weatherization program that they are doing right now is income based and is being done for people who are in the low-income tax bracket.

Tom asked why this is only being done for people with low-incomes.

Aileen explained that low-income is part the stipulations of the program.

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The representative from LPEA stated that they feel the best thing they can do is help the low-income families to insulate their homes with the grant dollars because it's the only way that these families will ever have the chance to have the work done in their homes. It was explained that this can be done for rental properties as well.

It was asked what the income level is that would qualify for this type of assistance.

Aileen answered that 200% at or below the federal poverty limit.

Rick asked who would apply for the assistance with rental properties, the tenant or the landlord.

Aileen answered that the tenant would need to be the one requesting the upgrade and 4CORE would require that the landlord contribute toward the project as well

Ed commented that he feels that this is a great program that helps a lot of people to save energy and be more efficient.

Action Agenda Item #4: Joint Funded IT Position

Marianne gave her staff report. She stated that The Town has been approached by Rich Graeber with Upper Pine Fire Protection District about the possibility of splitting the cost of an Information Technology (IT) position that would work for both the Town and the Fire Department.

Currently the Town does not have an IT person on staff and contracts with a gentleman from Durango for services. The Town has been using this person since the transfer into the new Town Hall in 2008. This set-up has substantial disadvantages for the Town Staff. Not having anyone in house to deal with daily problems is very frustrating and leads to a lot down-time as staff waits for the contractor to get to Bayfield to fix problems. The majority of issues that happen must be addressed by other Town Staff who are already extremely busy with their own job duties and don't really have time for these types of issues or they don't have the actual knowledge to fix the problems so it takes much longer to find a resolution. Also, daily maintenance is not being done because the contractor is more "problem-driven". He does come in about once every six months to download upgrades and do some moderate maintenance but that generally only happens in the Town Hall building and the other computers in remote locations don't get serviced (Senior Center, Public Works, Water & Wastewater Plants).

Currently the Town has the following electronic items:

- **Administration:** 2 Exchange Servers, 2 Laptops, 6 Desktop Personal Computers, 2 Scanners, 2 Black & White Printers, 1 Color Printer, 1 Fax Machine, A Digital Projector, Digital Camera & Copier.
- **Parks & Recreation:** 5 Laptops, 2 Printers, Fax Machine & Copier
- **Public Safety:** 5 Laptops, 7 Desktop Personal Computers, 5 In-Car Modems, 5 In-Car GPS Systems, Camera & Recording Systems, Copier Machine, 4 Printers, 6 800 Mghz In Car Radios, 6 800 Mghz Handheld Radios, & 6 VHF In-Car Radios.
- **Public Works:** 2 Desktop Personal Computers & 2 Printers All in Ones
- **Water:** 2 Desktop Personal Computers & 1 Printer All In One
- **Sanitation:** 2 Desktop Personal Computer & 1 Printer All In One + 1 Laptop that is used for both water & sewer (SCADA system).

The Town also has 25 VOIP Desktop Telephones & 17 Cell Phone Lines (including 5 Blackberry Smartphones).

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Marianne explained that this amount of electronics is a substantial increase to what the Town had in the previous location; however, the budget for network support & computer maintenance is almost the exact same as it was before.

As technology continues to change and upgrade, the Town will also have to be prepared to move with the changes. The Town is still operating in Windows XP on the majority of the computers, Microsoft Office 2003 and the "Classic" version of Caselle (the Government Accounting Software used for Payroll, Utility Billings, Accounts Payable, etc). The Town will need to upgrade to Windows 7, the new version of Microsoft Office, & the "Clarity" version of Caselle within the next year or so. It would be extremely helpful to have someone on staff to help with these changes & conversions.

The Town will also have GIS in place once Fort Lewis College finishes their scope of work for the GIS grant that we received (in collaboration with Silverton, Dolores, Mancos, & Pagosa Springs). Once that GIS system is in place, the Town will need someone that can maintain and continue the updates of that system. Currently, the Town doesn't have anyone in house with these skills or the knowledge to do this work.

There are also other items that could be handled by an IT person that would be extremely helpful such as VOIP Phone Management, Cell Phone Management, Communications Maintenance & Management (the radios, laptops & cameras used by the Public Safety Department), and assistance with Spillman (the records management program used by Public Safety). Currently, the Town Clerk handles all of the cell phone management and the Public Safety department doesn't have anyone that they can utilize for their radios, cameras, laptops or Spillman.

An IT person could also help to come up with a replacement program (similar to the fleet replacement program that was adopted in the last few years for vehicles) in order to make sure that the Town is ahead of the curve when it comes to the replacement of electronic devices throughout the organization.

Marianne explained that while this collaboration would be extremely beneficial to the Town, there are some financial items that need to be looked at before making a decision on this matter. Staff pulled financial records of what has been paid to Creative Compass since 2009 and the amounts spent are relatively low. (She noted that this is also reflective in the amount of service that the Town receives each year for computer maintenance & support). Everything is paid to Creative on an hourly basis plus the cost of any supplies that he has to purchase for the Town system.

Below is a breakdown of the amounts paid:

- 2011 - \$1489.45 to date
- 2010 – \$7677.52
- 2009 – \$9364.03

These costs are only reflective of the amounts paid directly to the contractor used by the Town. There are also additional costs such as payments to Mobile Radio & Communication Equipment for reprogramming of radios and repairs (approximately \$1,000.00 per year). It also doesn't address the amount of time spent by the Town Clerk doing IT related items throughout the work day (which equates to about 10-15% of her time each day/week for a total of \$5,000 - \$7,500.00 each year).

Upper Pine is proposing a 60/40 split between the Town and Fire Department for an IT position which would cost the Town approximately \$27,040 - \$29,280 each year. This would allow the Town to have a person on staff approximately 16-20 hours per week.

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After researching the cost difference for this initial proposal, staff spoke to Upper Pine Fire again to see if they would be willing to do a lower split due to the cost difference that it would be to the Town from what it is currently paying. Rich agreed that the Fire Department would also be willing to do an 80/20 if the Town Board might be interested in pursuing that idea. That would cost the Town approximately \$13,500 - \$14,640 (which is much closer to the amount that is being paid out currently).

Marianne explained that this would be a great advantage to the Town Staff and would definitely eliminate a lot of the current frustration that the employees have with the technology side of their jobs. It would also allow the Town to be more "pro-active" regarding IT issues instead of "re-active" as it is right now.

She expressed that the staff realizes that this is a big jump from what is currently being paid out now and she asked the Board for direction on whether or not they would be interested in pursuing a possible agreement for a joint funded position to address some of the issues outlined above.

The floor was given to Rich Graeber, the Fire Chief for Upper Pine Fire Protection District.

Rich stated that the Fire Department needs an IT person on a regular basis but has found that they don't utilize a person for an entire 40 hours a week doing just IT services. They have a total of about 30 computers, 250 radios, pagers, microwave connectivity between the stations, GPS units, records management software, etc. The Fire Department has the desire to find a person with higher qualifications, knowledge, and expertise which will require the starting salary be a little more than what they are paying currently. He stated that the Fire Department has already found a possible candidate that meets almost all of the requirements laid out by the Fire Department and the Town staff. He explained that the Fire Department is going to move forward with hiring someone for this position regardless but after discussions with the Town staff he feels that it would be beneficial to both entities to do a joint-funded position in which both parties can receive well-needed resources from a highly qualified individual.

Marshal Choate explained that the Town has acquired a lot of systems over the last few years that go over and above the typical IT type person. The Public Safety department has modems, GPS units, cameras, recording systems, VHF and 800 MHZ Radios and it requires a certain type of expertise to maintain and work on these types of technology. Currently, the marshal's office is relying on the hospitality of other departments or individuals to fix these things when they break or are in need of maintenance. However, the marshal's office is worried that they are going to eventually run out of "favors". He feels that the Town needs to get to the point where they are self-sufficient in being able to maintain the systems that have become an everyday part of life in their field. A lot of the technology that they have acquired was done so because they didn't have any other choice and they really need to have someone that can maintain it now that it is installed and being used every day.

Chris explained that all of the agencies in La Plata County are using Spillman as their records management program and it is an extremely useful program for records management but it is very cumbersome at times.

Gabe asked if there are people trained on the Spillman program to do set up and training.

Chris answered that the Durango Police Department does has a guy that has been to the training and is a licensed technician.

Rick expressed that in the past there wasn't much of a need for an IT person to be on staff but he feels that the Town has grown to the point where it is necessary to move to the next step in this area. There is a lot of technology involved in the day-to-day operations of the Town and the Town staff needs to have someone that is taking care of that technology to ensure that it works properly so the staff can do their jobs efficiently. He

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expressed that he feels that the Town is fortunate that the Fire Department is willing to join forces on this matter because the Town wouldn't be able to afford to hire someone on their own and this would be a great opportunity to move forward and give the staff what they need.

Chris said that this possibility has been discussed in the past but that it didn't move forward but he really feels that the relationship between the Town and the Fire Department is such that this will be an agreement that will be beneficial to both entities and be very successful. He feels that having someone with the knowledge and skill set will be a great asset and resource for the Town and that the arrangement will work very well for both departments.

Debbi asked how much time the staff feels they need this person to be in the office to take care of Town related items.

Chris answered that the Town could easily utilize the person 2 days a week.

Rick mentioned that the Fire Department and the Town Staff can work out the time difference. He realizes that there is going to be times that the Fire Department is going to need them for a long stretch of time and vice versa. However, he feels that in the end it will work out to be a fair split. He thinks that a well written Memo of Understanding could really outline all the details and keep the confusion to a minimum.

Chris mentioned that in an emergency situation there is a real need to have someone that can set up all of the communications equipment so that Public Safety staff is not being pulled away from the scene to deal with IT related items.

Dan agreed that there is a need for this within in the Town but there are a lot of things that are needed right now. He asked if there is a pool of people that would meet the requirements outlined by both the Fire Department and the Town.

Rich answered that they have scheduled an interview with a candidate that really does have most of the qualifications outlined. However, if he doesn't work out they will have to do a pretty extensive search for the right person.

Dan stated that the Town and the Fire Department would really need to iron out the details regarding the relationship, who the person would answer too, and what the parameters of his job description are within both entities.

Rich stated that Upper Pine already has this position created so it will remain an Upper Pine employed position but this person's time would be contracted to the Town according to the Memo of Understanding.

Dan stated that he would like to fund this position as much as possible while staying within the current 2011 approved budget.

Marianne mentioned that if the Town decided to do an 80/20 split the amount would be approximately \$13,500.00 which would be very close to the amount that is being paid out of the budget currently.

Rick asked if it would be possible to get an analysis of the Town budget to see if these additional funds can be found within the confines of the current budget throughout the different line items and departments.

Bob answered that the staff can certainly get together that information. He also mentioned that the Town just recently received a grant for GIS mapping and services that will require maintenance once it is officially turned over

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to the Town and the Town doesn't have a person on staff that is qualified to continue the maintenance of that system.

Justin stated that he likes the idea but that he wants to see if the money can be found in the current budget and he also wanted to know what the contract with Upper Pine would look like and if the contract will have an "opt out" clause.

Bob explained that Dirk will draft a Memo of Understanding between the Town and the District and there will be an "opt-out" clause in the contract that will apply to either party.

Debbi made a motion to instruct the staff to work with Upper Pine Fire District on an 80/20 split for the Joint-Funded IT position and come up with a draft Memo of Understanding. She also requested that the staff try to find the allocated funds within the confines of the 2011 approved budget. Dan seconded the motion. All were in favor, motion passed unanimously.

Action Agenda Item #5: Plat Amendment – Cinnamon Heights Subdivision

Dirk gave his staff report. He stated that the Cinnamon Heights Subdivision submitted a Plat Amendment to the Cinnamon Heights Planned Unit Development (PUD) Plat for approval by the Town Board. The reason for this submittal is that it has been discovered that one of the buildings as constructed encroaches a few feet into the platted common element.

Dirk explained that the subdivision's Home Owner's Association (HOA) owns the common elements and they have agreed to sign the correction plat outlining this change to the PUD. The title company has approved the plat and the plat language so Dirk is willing to accept their finding that no other property owner has any direct interest in the common elements in the subdivision.

The Bayfield Land Use Code does not have an explicit procedure outlined for this type of correction so the applicant was told that it needed to be brought to the Board for approval.

Dirk mentioned that a similar item was approved for Fox Farm in 2010 to address the exact same problem that happened with the construction of a duplex in that subdivision.

John Ralph with the Wells Group stated that he is helping Business Bank with the sale of 5 units in this subdivision (a duplex and a triplex). He explained that the construction of the duplex was done by several different contractors and so when he was recruited to organize the sale of the units he contacted a surveyor to survey the project. Through the survey it was discovered that the building footprint is not located in the right location so it was required that the recorded plat had to be amended and filed with the County before the units could be sold.

John stated that he has already gotten the signatures needed from the HOA and utility companies and that he only needs the signature from the Mayor in order to finalize the plat and have it recorded.

Gabe asked how it was allowed to be built if it was this far off the platted footprint.

Dirk answered that the builder did not build it as it was shown on the site plan and within the footprint of the planned unit development.

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Gabe commented that the Town probably needs to add something to the process for building permits that makes builders present their surveys prior to the pouring of foundations to keep this from continuing to happen.

John Ralph commented that he was required to submit the survey to the Town prior to pouring the concrete footer on the townhomes that he built in the Sunrise Villas subdivision.

Dan mentioned that it is required by the lenders to get that survey completed prior to the pouring of the foundation.

Gabe expressed that he has been pushing to receive as-builts on everything that is built in Town so that there are complete records of development. He feels without this requirement the Town is going to continue to see these types of problems.

Dirk responded that the land use code does require as-builts for new subdivisions and infrastructure but it does not require as-builts for new single-family/multi-family homes that are constructed.

Dan agreed that the Town does need to fine-tune the process since this problem has occurred in the past and seems to be a recurring issue.

Debbi recommended that it would be a good idea to require the ILC (Improvement Location Certificate) be issued to the Town prior to foundation since it is required for the lenders anyways.

Justin made a motion to approve the amendment to the Cinnamon Heights plat. Debbi seconded the motion. All were in favor, except Tom who abstained from the voting.

Rick suggested that the staff follow-up on this process.

Dirk recommended speaking to Mike Shave, the Town building inspector and engage him in the process to find out the best way to handle these sorts of issues and how to keep them from occurring in the future.

Action Agenda Item #6: Liquor License Renewal – La Casita Mexican Restaurant

Gabe made a motion to approve the Liquor License Renewal for La Casita Mexican Restaurant. Tom seconded the motion. All were in favor, motion passed unanimously.

Gabe thanked the little businesses for continuing to provide services in Bayfield during such hard economical times.

Action Agenda Item #7: New/Unfinished Business

Bob mentioned that he met with David Valentinelli with CDOT regarding the County Road 501 Trail extension project. David gave the Town information on how much money might be left over after this project is completed that could be available for use in the future. Bob also stated that the Town received the engineering Requests for Qualifications for the project but the staff has not had to chance to go through them yet. The staff hopes to do that within the next couple of days. Bob expressed that David was unable to give an exact date when the money would be transferred to the Town for the acquisition of Highway 160B but the hopes is that it won't be more than 30-45 more days.

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Bob also mentioned that he was told by CDOT that the Town will need to change the name of Highway 160B once it is taken over by the Town. He suggested that the Board should start thinking about ideas because he thinks that the naming of the road will be a pretty big deal for the Town. Bob feels that CDOT has been very cooperative with this staff on all of the Town projects. CDOT has been very forthcoming with turning over all records regarding Highway 160B and they are being very helpful in the matter.

Ron said that he met with Dave Trautner with Trautner Engineering and Dave is going to give his recommendations for the improvements that need to be made to Highway 160B, Mill Street, East Street, & East Elm Circle. Ron asked the Board if they are interested in putting in an additional 5' of asphalt on the sides of Highway 160B as a bike path/pedestrian path (similar to the one on Mountain View Drive).

Gabe asked if the Town wants to restrict truck traffic on Highway 160B once it is in the possession of the Town. He also suggested that it might be a good idea to reduce the speed limit on that road in order to make it safer for pedestrians and kids on bikes.

Ron agreed that the speed limit will probably need to be reduced in order to make it safer for pedestrians. However, he does feel that it would be very cost effective to go ahead and add the additional asphalt during the paving process and give the residents a nice walking path down that road and tie it to the other paths on the north side of Highway 160. Ron explained that if the Board is interested in this proposal it will be included in the bid documents as an "Add Alternate" that will be bid on separately so that the Board can decide if it is economically feasible to include in the improvements.

The Board gave approval to include the "Add Alternate" in the bid documents.

The meeting was adjourned at 9:06 p.m.

Minutes were approved as submitted on May 17th, 2011

Approved:

Rick K. Smith
Mayor

Marianne Jones
Town Clerk