

**Town of Bayfield**  
**Regular Town Board Meeting**  
**June 7, 2011**  
**1199 US Highway 160B Bayfield, CO 81122**

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

**Town Board Members Absent:** Justin Talbot, Ed Morlan

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

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

**Minutes:** Gabe made a motion to approve the minutes from the May 17<sup>th</sup>, 2011 Regular Town Board Meeting as submitted. Tom seconded the motion. All were in favor, motion passed unanimously.

**Public Input:** Debbi passed out a flyer from Regional Housing Alliance. No additional public input was given so that portion of the meeting was closed.

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

Tom made a motion to approve the bills dated June 3<sup>rd</sup>, 2011 as presented. Gabe seconded the motion. All were in favor, motion passed unanimously.

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

Tom asked what the “drop-dead” date is for receiving the Highway 160B funds. He expressed concern that if the funds aren’t received soon, the Town is going to be unable to do the improvements that need to be done.

Ron answered that he expects to receive the check from CDOT around the 1<sup>st</sup> of July; however, he expressed that if the money is not received by that date the window for improvements will get a little tight. Ron stated that the staff will be ready by July 1<sup>st</sup> with all of the bid documents for the improvements that need to be done. As soon as the funds are received, the bid requests will be sent out and the staff hopes to be able to pave the road by the middle of October.

Bob said that he spoke to David Valentinelli with CDOT and David stated that the documents have been signed by all of the CDOT officials. The documents will be returned to the Durango headquarters for some further review by the “right-of-way” department. David also sent a memo dated June 2<sup>nd</sup> that outlined that CDOT is moving forward with the Town take-over of the road and the memo listed a number of items that need to be addressed by the Town. The biggest item on the list is coming up with a new name for the road and changing out the signs to reflect the new name. David explained that if the Town gets the signage together for the road within 90 days after the date of the memo CDOT will install the signs for the Town. However, if it doesn’t get done until after the 90 days is up, the Town will have to pay for the installation. Bob expressed that the Town will stay on top of this project and make sure that everyone gets resolved as quickly as possible.

Rick asked if it would be a good idea to have the staff come up with three names for the road and let the Town’s people vote on those three names during the 4<sup>th</sup> of July celebration. He also asked if it will be possible to get the signs done in time to meet the deadline if the Town waits until after the 4<sup>th</sup> of July celebration.

Ron responded that he thinks it is possible to get them done in time.

Dan asked if there should be some parameters regarding the name.

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Ron said that the name that has come to mind is "Twin Bridges Road". However, he expressed concern that if the Town redoes those bridges and only puts in one bridge the name is going to be a bit deceiving.

It was suggested that the staff come up with 5 names and the Board will pick the top three at the next regular meeting to present to the community at the 4<sup>th</sup> of July.

Rich Graeber introduced the Town/Upper Pine Fire Protection District's joint Information Technology employee, John Werner.

John stated that he is excited to be working for the Town & the District. He stated that he has worked for 34 years for the Mesa AZ Police Department, a lot of which was spent in the IT field. He said he is excited about this change and thanked the Board for the opportunity.

**Action Agenda Item #3: Approval of Engagement of Souder, Miller & Associates**  
**Re: Provision of Engineering, Design and Project Administration Services**  
**For Phase III of CR 501 Pedestrian/Bike Trail Project**

Bob gave his staff report. He stated that the Town received 5 Requests for Qualifications (RFQs) from engineering firms interested in providing services for the County Road 501 pedestrian/bike trail project. Because this project is, in large part, funded by Federal funds, it is stipulated that bids be awarded on the basis of qualifications rather than the proposed cost of the services to be provided.

Bob explained that staff has negotiated with the firm that was deemed to be the best qualified to provide the services required for this project. That firm is Souder, Miller and Associates (SMA) of Cortez, Colorado who, by way of negotiation, propose to provide such services for the sum \$36,400 with the possibility of an additional cost of \$8,491 to address wetland/environmental issues as may be required by State and Federal law.

Bob explained that the cost of SMA's proposed services appear high given the scope of the actual project (approximately 850 linear feet). However, when compliance with the environmental requirements are considered and factored in, the proposed fee becomes more understandable. Additionally, virtually all of the tasks outlined in SMA's scope of services would have to be performed regardless of the size or scale of the project.

Bob stated that there is approximately \$56,000 in Federal Enhancement monies remaining to fund this project. The engineering fees are eligible for reimbursement. Thus, if \$36,000 or so is paid to SMA for its services, about \$20,000 in federal money will remain. This sum, when added to the \$14,000 already committed by the Town along with two private contributions of \$5,000 each, totals about \$44,000 which hopefully, will be adequate to actually build the trail.

Bob recommended that the Interim Town Manager be authorized to enter into a contract for services with Souder, Miller and Associates that embodies the tasks and responsibilities set forth in the "scope of services" and within the financial parameters set forth therein.

The floor was given to Brent Adams with Souder Miller & Associates.

Brent stated that he is aware that the engineering cost is high for such a short section of trail design. However, SMA's hands are tied by the requirements that CDOT has for the use of these federal funds. One of the biggest costs is the requirement for a hazardous waste assessment. Brent stated that SMA tried to convince CDOT to waive this requirement but they were unsuccessful. Another big ticket requirement is the storm water maintenance plan. This is required regardless of the disturbance of the project. Brent explained that these items don't seem necessary but they are forced because of the source of the funding.

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Brent expressed that SMA will only bill what actually gets built. The maximum bid is \$36,000.00 but it is possible that the final amount will be less than that. He also explained that the actual bid for engineering services is only \$15,202.00 but the remainder of the bid amount is for the environmental study & storm water management plan. He stated that SMA has completed one project with enhancement grant funding and is working on another one. He expressed that they are well aware of the difficulties of working with CDOT and their requirements.

Dan asked if this trail is going to the driveway of the Foursquare Gospel Church (rather than the edge of their property).

Brent responded it will tie into the existing trail and go all the way to the church driveway.

Dan asked if the challenge will be the bar-ditch that runs adjacent to the road.

Brent answered that he thought this would be an expensive project when he did his initial assessment; however since the option to pipe the ditch is available he feels that the costs might not be as high as originally expected.

Gabe asked if it might be possible to see if La Plata County did a full hazardous plan on this project during phase 1 & 2.

Bob answered that the staff will find out if that plan is available and determine if their study encompasses this next phase in an effort to reduce engineering costs.

Brent commented that everything he has found so far has not included any documentation on this section of the project.

Dan made a motion to engage Souder Miller & Associates as the engineer for the County Road 501 pedestrian/bike trail project and allow the Interim Town Manager to procure a contract for services that embodies the tasks & responsibilities set forth in the scope of services and within the financial parameters set forth by the engineer.

Gabe seconded the motion but he requested that the contract be appropriately "phased out" and that the Town is not charged for services until the work is completed (rather than a lump sum payment). Dan agreed. However, Brent explained that SMA does not bill until project items are completed so there was no need to modify the motion

All were in favor except Debbi, who abstained from the voting.

**Action Agenda Item #4: Intergovernmental Agreement With Upper Pine Fire Protection District For Information Technology Services**

Marianne gave her staff report. She stated that the Board decided to accept the proposal from Rich Graeber with Upper Pine Fire Protection District to split the cost of an Information Technology (IT) position that would work for both the Town and the Fire Department. The Board agreed to do an 80/20 split for this position's salary (80% Upper Pine & 20% Town of Bayfield.) To formalize this proposal, Dirk drafted an IGA between the Town and Upper Pine Fire outlining the terms & conditions of the contract.

She mentioned that she had spoken to Rich regarding the language in the contract that states that the Town will pay the District on a monthly basis and Rich agreed to wait until September to do an invoice (which allows three months of services) and then will bill the entire amount to the Town for 2011. This will give the Town the ability to make sure that the situation is working out for both entities before payment is made.

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Marianne stated that staff recommends that the Board approve the IGA between the Town of Bayfield & Upper Pine Fire Protection District for cost sharing of the joint funded Information Technology Position with the minor change to the language regarding payment for the services.

Gabe so moved. Debbi seconded the motion. All were in favor, motion passed unanimously.

**Action Agenda Item #5: New/Unfinished Business**

Marianne asked the Board if they wished to move the Board meeting scheduled on July 5<sup>th</sup> due to the 4<sup>th</sup> of July holiday.

The Board agreed to leave the meeting on the 5<sup>th</sup>.

Dan suggested having Erin, the Finance Director attend the Town Board meetings periodically to answer questions regarding the financials.

Marianne responded that she will be at the July 5<sup>th</sup> meeting.

Gabe asked Dirk about the water rights conversion.

Dirk answered that he has been in contact with Pete Foster with Wright Water and they are working on finalizing some paperwork. Dirk also filed the diligence filing on the conditional rights but there are still some other items that need to be completed but the matter is moving along.

Gabe reminded the Board & the staff that there is another item that needs to be completed for the finalization of the sewer plant land conveyance on East East Court. There is a small piece of land that needs to be conveyed to Gabe and he asked if it might be possible to get that matter on the next Board agenda.

Dirk said that this does need to be completed and approve the deed.

Tom asked if a lot consolidation needs to be done for this matter.

Dirk said that he will research this and try to get it resolved in time for the next Board meeting.

Tom asked if the drainage easement has been acquired for Dove Ranch from Pine River Valley Bank.

Dirk stated that he has had a conversation with Mike Minell at Pine River Valley Bank and forwarded some information but Dirk has not heard back from him regarding the matter. Dirk said that he will follow up again and see what he can find out.

Debbi mentioned that she was told at the Regional Housing Alliance (RHA) Executive Meeting that 4CORE is trying to merge with another non-profit organization. It was also suggested that RHA is one of the possible organizations that they are going to merge with. Debbi announced that she wanted the Board to be aware of this matter and that it will be discussed further at the July 27<sup>th</sup> RHA meeting.

Tom requested the Debbi get information and send it to the Board as it becomes available.

Debbi asked how to disseminate that information.

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Dirk responded that she should send it to Bob or Marianne and they will make sure it gets to the Board Members.

Rick commented that Chris La May signed the contract for the Town Manager position on May 27<sup>th</sup> and should be in Bayfield within 6 weeks of that date.

Rick also asked if it would be possible to have something done about the unsightly look of the foreclosed home located @ 1123 N. Cedar Drive.

Marianne stated that she will check into that for him.

Dan mentioned that it might be in the best interest of the Town to enact some sort of requirements regarding the maintenance of foreclosed properties. He suggested possibly passing an ordinance or something that would allow the Town some enforcement options for keeping these homes from being an eyesore.

Chris Choate stated that the nuisance ordinance could be implemented for those types of situations but there are a tremendous number of vacant lots within the Town that are in violation of that ordinance. It is difficult at times to get a response from the violators but Chris has had better luck with homes that are in foreclosure and are owned by a bank looking to sell the property. He said that he will also look into trying to get this matter resolved.

Rick commented that Bob Ledger's last day with the Town will be June 15<sup>th</sup> and he commended & thanked him for all that he did for the Town during his 90 days. Rick expressed that finding Bob was a tremendous thing for the Town and he appreciated all of the guidance that Bob was able to pass on to the staff and the department heads. Rick also requested that Bob come back once Chris La May arrives to speak with him and give him information about ongoing projects.

Bob responded that he really enjoyed the experience of working for Bayfield; especially working with the Town Board and the staff. Bob commented that he was extremely impressed by the staff's abilities, competencies, dedication and commitment that the staff has for the community. He expressed that he would certainly be willing to come back and brief Chris and do anything else that would help out the Town.

Rick asked if Bob had a recommendation on who should fill the position during the lag time until Chris La May begins the position.

Bob recommended that Marianne Jones fill the position during the lag period. He explained that she knows the administration of the Town, the historical aspect of the things that have happened in the past, and she has a very good working relationship with her peers. Bob expressed that she is the font of the information at the Town and he could not have succeeded during his time with the Town without her. He said that he has no hesitation that she will be able to fill the role and that the Board will be well-served with her in that role.

Dan asked if it would be possible to go ahead and act on this matter in lieu of the time-frame and the fact that the Board won't meet again before Bob leaves.

Dirk stated that he did feel it would be okay to make an appointment if the Board felt it was appropriate despite the fact that it was not listed as an action item on the agenda.

Gabe made a motion to appoint Marianne Jones as the acting Town Manager for the interim between the departure of Bob Ledger and the arrival of Chris La May.

Dan seconded the motion. All were in favor, motion passed unanimously.

The meeting was adjourned @ 8:02 p.m.

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*Minutes were approved as submitted on June 21<sup>st</sup>, 2011.*

**Approved:**

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Rick K. Smith  
Mayor

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Marianne Jones  
Town Clerk