

**Town of Bayfield
Regular Town Board Meeting
July 19, 2011
1199 US Highway 160B Bayfield, CO 81122**

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

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

Media Present: Carole McWilliams (Pine River Times)

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

Minutes: Justin made a motion to approve the minutes from the July 5th, 2011 Regular Town Board Meeting as submitted. Gabe seconded the motion. All were in favor, motion passed unanimously.

Public Input: None was offered so it was immediately closed.

Action Agenda Item #1: Approval of Bills

Debbi asked about the business license refund to Angie Tatton.

Marianne explained that she had to deny a business license because the use requested was not allowed in the zoning district proposed. Therefore, the business license fee had to be refunded to the applicant.

Justin Talbot asked about the phone bill at the Senior Center.

Marianne explained that the bill includes two phone lines & DSL service for the building.

Dan asked about the bill to Fort Lewis College for the GIS project.

Marianne explained that the Town received a grant (in conjunction with several other municipalities who each paid \$5,000.00) for a GIS mapping project. The Town of Bayfield is the fiscal agent for the project and does the reimbursement applications to DOLA when invoices are received for the project. The total amount out of pocket for the Town of Bayfield is \$5,000.00

Gabe made a motion to approve the bills dated July 15th, 2011 as submitted. Debbi seconded the motion. All were in favor, motion passed unanimously.

Action Agenda Item #2: Town Updates

Gabe asked about infiltration repairs throughout Town.

Ron answered that they have found a lot of areas in Town that are infiltrating the sewer system. The Town did a slip line on one of the main lines that was infiltrating 40 gallons per minute. There is also another area that is infiltrating 20 gallons a minute that will require the replacement of a whole line & the removal of a manhole. There is also a home that has a sump pump that is pumping water into the system and the staff is working on a solution to that problem with the homeowner.

Ron stated that he hopes to be less than 400,000 gallons by the end of July. He explained that he has found a lot of areas with broken lines that need to be fixed as well. There is a whole section of line on North Street

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(about 600-700 feet) that is going to have to be replaced. The problem areas that have been identified so far are located in downtown, Mesa Avenue, Appaloosa Drive, & Pony Lane, They haven't been able to do every line yet but they are working every day to get it done. He hopes to get the plant numbers down to 350,000 and only spend approximately \$30,000.00. However, he mentioned that the Town is going to need to put together a plan outlining how to fix all of the outstanding items. He thinks it would be a good idea to slip line a lot of the lines during 2012.

Gabe asked if this is something that would be put together in a bid package.

Ron answered that it may or may not go out in a bid (depending on the dollar amount of the work) and the number of companies that do this type of work.

Gabe asked if any of the areas are located beneath the streets that are on the street rehabilitation list.

Ron responded that all of those areas have already been replaced. However, he suggested that the Town would be better off to slip line rather than replace the clay lines because it is a solid fix that is just as strong as PVC pipe (plus it is less expensive). He has had really good luck with the slip lining and he thinks it's the best way to go. He hopes to get all of the problems slip lined over the next 5 or 6 years and the Town will be in very good shape in the future.

Gabe asked about the Town's liability regarding the Highlands Subdivision and if the drainage & weed issues turn over to the County since the developers are not planning to move the process forward with the Town.

Dirk answered that it will be handled by the County. However, anyone impacted by a drainage issue on the property would have a claim against the property owner. But the Town would not have any jurisdiction or liability regarding the property.

Debbi disclosed that she has been contracted by the developer to do their storm water management plan. She explained that there doesn't seem to be an issue with the drainage system currently and she is keeping an eye on it (for as long as she is contracted).

Dan asked if there is an agency that would govern the property if there is a hazard.

Dirk answered that as long as their storm water management permit is current; they are complying with state regulations.

Chris clarified that the permit is issued by the Colorado Department of Health.

Dan asked about any consequences if they don't move forward with the project.

Debbi answered that they do have the option to re-vegetate the area and eliminate the drainage issue but if they decide not to do that, they will have to continue to pay somebody to manage their plan for them to remain in compliance.

Dan asked about the man-hole that has been taken out of service.

Ron answered that it is behind Mesa Avenue where an abandoned sewer line is located when the subdivision was built. When the line was abandoned they left the manhole and it is infiltrating the system. The Town is going to have to replace about 200 feet of line in that area in order to fix the problem.

Dan asked if the staff is finding these problems using the new sewer camera.

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Ron answered that they are using the camera and it has been a huge help during this process.

Justin asked for more detail on the Highlands subdivision.

Chris La May stated that he spoke with the engineer for the project (Jim Flint) and Jim said that the development group felt that the requirement for the cost associated with improving the water line didn't sit well with them and that was the main reason that they decided not to execute the annexation agreement.

Tom asked if the Town has any recourse since they haven't been paid for those improvements.

Dirk responded that the Town does have the ability to lien the property.

Dan asked how much is due to the Town for those improvements.

Marianne answered that she thinks it's approximately \$30,000.00.

Ed asked for clarification on what happened with this project that the Town had to fix.

Ron answered that the Town had an agreement with Jack Roe (the original developer of the subdivision) that the Town would buy the materials and he would put in a waterline to the new water storage tank located on his property. The Town did inspections of the line as it was being installed but pressure tests are not completed until the very end and when that happened it was discovered that the bolts had not been tightened properly so the line leaked at every joint. Therefore, the Town had to dig up the line to fix all of the leaks in order to get the water storage tank online.

Chris expressed that the developers feel that what transpired between the Town and Jack Roe was not their fault and they don't feel that they should have to pay for his mistake. He asked if the Board wants to move forward to try and recoup those costs.

Debbi asked if the Town puts a lien on the property if that means that it wouldn't actually do anything to the current owners; it would just ensure that the Town gets paid in the event that the property is sold.

Dirk concurred.

Gabe asked Dirk if that would be his recommendation.

Dirk answered that the Town would have to go through a process in order to lien the property but it is an option.

Debbi stated that she doesn't want to go after the current owners but she does think the Town needs to recoup their money if possible.

Dan stated that the owner of the property allowed the Town to have an easement through his property (it wasn't part of his development) and the Town put a water tank on that property. The Town bought the materials and probably should have installed the waterline themselves but the Town allowed Jack Roe to do that. Dan recollected that the previous Town Manager stated that it would be cheaper to fix any errors done by Jack Roe than to bear the cost of installing the waterline in full.

Ron explained that Jack Roe needed that waterline for his subdivision just as much as the Town needed it for the water storage tank.

Gabe concurred that the waterline would have had to be constructed by Jack regardless of whether or not the Town would have been involved.

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Dan stated that it could still be argued that the Town should have bore the entire cost of the project.

Tom expressed that the Town had an agreement with the developer that stated that the Town would purchase the materials, the developer would install the line and the developer would warranty the line for a year.

Ron explained that there are two lines, a main line and a fill line. All of the connections for the subdivision are in place whenever that property decides to develop. Ron said that the staff inspected the line when it was installed but the staff didn't inspect the bolts. The reason for this is once the pressure test is done, if the bolts aren't tightened the line will leak and the developer will have to dig up the line to fix the problem. However, in this instance the developer left prior to that happening and the Town was forced to make the corrections.

Dirk suggested that the staff research this item further and bring it back to the Board at the first meeting in August with a recommendation.

The Board concurred.

Ed acknowledged Marianne for volunteering to fill in on the La Plata Youth Services Board.

Action Agenda Item #3 – Approval of Contract for Mill & Overlay of Bayfield Parkway & Discussion Regarding Improvements To The Twin Bridges

Chris gave his staff report. He stated that the Town went out to bid for the mill and overlay of Bayfield Parkway and received 3 bids for the project. All of the bids received were under the engineer's estimate of 1.1 million dollars but the lowest bid was from Four Corners Materials. They bid \$781,481.00. Since their bid came in so low, it allows some flexibility for the Board to possibly accept some of the alternates that were also sent out to bid. The alternates are as follows: 1) Rehabilitation of Mill Street 2) Rehabilitation of East Street 3) Rehabilitation of Elm Circle 4) A 4" asphalt shoulder along Bayfield Parkway from County Road 521 to County Road 526 5) A 5" asphalt shoulder along Bayfield :Parkway from County Road 521 to County Road 526. Four Corner's total bid for the base bid plus alternatives 1, 2, 3, & 4 was \$1,142,837.45. The bid for the base bid plus alternatives 1, 2, 3, & 5 was \$1,158,187.00. This is substantially less than the engineers estimate for the entire project. He stated that the staff recommends awarding the contract to Four Corners Materials for the mill & overlay and select alternatives 1, 2, 3, & 5.

Ron mentioned that the original bid documents called for a 3" depth on the asphalt shoulder. However, the Bayfield Construction Standards state that asphalt has to be a minimum of 4" thick. Unfortunately, it is not possible to lay the asphalt 4" thick as listed so it will have to be laid at a 3" depth (which could potentially fall apart very quickly) or a 5" depth (which will last much longer)..

Ed asked about replacement of the Twin Bridges.

Chris responded that the discussion regarding the bridges is going to have to wait until a later date because there are some things that still need to be researched. He explained that he provided information regarding replacement of the bridges under the assumption that the bids were going to come in at a much higher price so there would be some need to look at how the Town is going to fund future projects. He stated that there is definitely some financial analysis that needs to be done to ensure that the Town has a sustainable maintenance program for its streets and roads and he hopes to have an in depth conversation in the near future regarding the best way to appropriate the funds that were received for the acquisition of the road.

Ed asked if there is a need to replace the overflow bridge.

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Chris answered that the need for the overflow bridge needs to be evaluated by the engineer but it is possible that it may not be needed. It might be possible to take out the current bridge and replace it with culverts & fill dirt (which would be substantially less costly).

Ed commented that the Town will probably have to get permits to deal with the wetlands in that area.

Ron mentioned that it might be possible to do a wetlands trade if that area has to be disturbed. However, he stated that the main thing that the staff would like to do is the base bid plus the add alternates. There are a lot of other things that will still need to be completed and the numbers presented reflect that the Town is going to have to be very careful about how the money received is spent but the staff is amazed by the bid amounts and feels that it is a good starting point for the road maintenance fund.

Dan stated that he wants to make sure that the staff is following the bid that was submitted to CDOT. He explained that he wants the components of the bid that was sent to CDOT to match how the Town is spending the money. The staff did a lot of work to determine that the 6.8 million dollars was going to be enough to repair & maintain the road and he wants to make sure that it is being spent in the way that was outlined originally.

Gabe asked if the Town came up with the \$6.8 million dollar price.

Rick answered that it was actually the State's number. The Town actually offered 6.2 million but the State suggested that 6.8 million would be more adequate based on typical maintenance data.

Dan cautioned that the staff & the Board need to be conscience when spending those funds. He is very concerned about the possibility of spending \$250,000.00 on equipment, 1.1 million for the rehabilitation project and a potential 4 million dollars for reconstruction of the bridges; because that will only leave approximately 1 million dollars for maintenance.

Ed made a motion to award the contract to Four Corners Materials based on the staff recommendations and include add alternates 1, 2, 3, & 5. Gabe seconded the motion.

Chris asked if the Board wanted to give a possible contingency amount that could be used in the event of possible change orders during the project. He explained that this project is going to move very quickly and it might be difficult to get the Board together to approve change order so he suggested that it might give some flexibility if there was some contingency money available readily for quick changes.

Gabe stated that 10% is a standard amount for large construction projects. He asked Ron his opinion on the amount that should be allocated.

Ron stated that 5% should be sufficient.

Chris concurred and suggested a change to the motion outlining the contract amount and allowing a 5% contingency over and above the contract amount if needed.

Ed amended his motion to award the contract in the amount of \$1,158,000.00 to Oldcastle Materials, dba: Four Corners Materials with a 5% contingency based on the staff recommendations and to include add alternates 1, 2, 3, & 5. Gabe seconded the amendment.

Dan asked if the 5% would be on each line item or on the total bid price.

Chris answered that the contingency money would be used for change orders that might come in and that need immediate response. However, any changes over and above \$50,000.00 or if the accumulated of change orders exceeds \$50,000.000 the staff will have to come back to the Board for approval. This will just give the staff some flexibility to keep the project flowing in the event of a change.

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All were in favor, motion passed unanimously.

Action Agenda Item #4: Continuation of Franchise Agreement With USA Communications

Chris gave his staff report. He stated that at the July 5, 2011 Board of Trustee regularly scheduled meeting, the Board was presented a Franchise Agreement with USA Communications. The Board of Trustees continued the agenda item to the July 19th meeting and requested the new Town Manager research whether the term of the franchise agreement, ten (10) years, and the percentage, five percent (5%), of the gross revenues are standard terms for Franchise Agreements within Colorado municipalities and other considerations.

He explained that in his previous experiences he has found that the standard contract with cable franchises includes a ten (10) year term and five percent (5%) of the gross proceeds. Additionally, he went to a few other larger municipality websites, who generally have greater bargaining power with the cable companies and reviewed their agreements:

- City of Fort Collins - ten (10) years and 5% of gross proceeds;
- Commerce City – ten (10) years and 5% of gross proceeds.
- City and County of Denver - ten (10) years and 5% of gross proceeds

Chris feels that the term of ten years and 5% of the gross revenues are fairly typical.

However, he mentioned that there are some items that are typically addressed in franchise agreements that is not included in the proposed contract (such as relocation, public access, etc.); He feels that the Town of Bayfield may want to take the opportunity to negotiate more specific language including:

- Definition of Gross Revenues (monthly fees, sale of converters, late fees, in accordance with GAAP)
- Establishes Burial Standards (i.e. cable drops 12 inch depth, feeder and trunk lines 24 inches, fiber optic 36")
- Requirement to share trenches or bores with other utilities.
- Relocation language could be strengthened to include removal, replace, modify or disconnect...
- Require notice to property owner related to trimming of trees and shrubbery.
- More clearly define insurance requirements (\$1,000,000 Commercial, \$1,000,000 Automobile, requirement to carry Workers Compensation)
- Extension of services – proposed 30 homes per route mile. Might want to reduce to 10 homes per quarter mile.
- Proposed agreement reads Franchise Fee Payment may be in lieu of permit charge. Town may want to assess a street cut permit fee.
- Town could request a Capital Access Fee for Public, Educational and Governmental (PEG) access.
- Town may establish Customer Service Standards, but may not want to get in the middle.
- Town may request more specific technical requirements (two (2) hour standby power).
- Town may want to establish process for revocation.

He feels that these changes will be beneficial to both parties because it will clear up any questions about what the requirements & expectations are on both ends.

Chris recommended tabling the consideration of Ordinance #364 indefinitely and directing the Town Manager to continue negotiation with USA Communications related to the proposed franchise agreement.

Dan made a motion to follow the advice of the Town Manager and table consideration of Ordinance #364 indefinitely and instruct the Town Manager to continue negotiations with USA Communications related to the proposed franchise agreement. Debbi seconded the motion.

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Ed suggested asking USA Communications if they might be interested in some fiber connectivity.

Gabe asked if the Town needs to create construction standards for utilities such as phone, cable, electric & gas.

Debbi stated that most of the utility companies already have standards in place that they are required to use. So she doesn't think that the Town will have to create those standards for them. She also mentioned that there were some new subdivisions that did not receive service from the old owner and the new owners have finished doing the installation and the service is now available to those residents. She complimented that they have really been working hard for the Town of Bayfield.

Ed suggested asking USA if they plan to offer an upgraded cable system that will also carry data/internet.

Debbi responded that USA has already said that they plan to offer internet services as well as cable.

Gabe asked if the contract is non-exclusive.

Chris answered that it is.

Ron stated that he agrees with Gabe about the need for utility standards. He explained that there are companies that string cables through culvert pipes or the cables aren't buried correctly so he thinks that the Town does need to come up with some policies or standards to address these sorts of problems.

Gabe reiterated that the Town needs to get these standards into place because the fiber project is going to happen in the near future and it would be best to have the installation done according to the Town's specifications rather than just allowing them to do it however they want.

Rick suggested requesting staff to look into adding utility standards to the construction standards that are already in place.

The Board concurred.

All were in favor, motion passed unanimously.

Action Agenda Item #5: Resolution #258 – Signature Authority For CDBG Grant - Regional Housing Alliance

Marianne gave her staff report. She stated that the Town of Bayfield is the Grantee and Regional Housing Alliance is the Sub-Grantee for a CDBG grant that will be used to offset RHA audit expenses in 2011, pay for development consultants to implement a land development strategy and to specifically cue up 3 development parcels, & to pay for a CPA to reorganize RHA & Homes Fund accounting systems.

It will also focus on furthering the following items for pieces of a land development strategy: Information-sharing to promote low cost housing development, policy support for equitable, smart-growth policies, Joint RHA/Homes Fund "Housing Development Support Program", & New Homes Fund "Housing Development Loan Fund"

The Town has served as grantee on CDBG grants in the past (for Colorado Housing & BEEP). The way the process works is that the Sub-grantee fills out all of the required documentation and then sends it to the Town of Bayfield for signatures & processing. DOLA sends their check to the Town and the Town then cuts a check to the Sub-Grantee for the amount of the check received from DOLA. (The Town will basically serve as a pass-through for the funds)

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Marianne explained that the Department of Local Affairs (DOLA) requires that the Town Board pass a resolution outlining signature authority for the processing of the CDBG grant paperwork. Resolution #258 will give signature authority to the Town Manager & Town Clerk to process this grant paperwork as it is submitted by Regional Housing.

DOLA also requires a form titled "Signature Authority & Delegation Of Signatory Authority" to accompany the Resolution which also outlines the Town Manager & the Town Clerk to process the paperwork.

Gabe asked if this carries any encumbrances for the Town or hinder the Town's ability to get funds in the future.

Ed responded that if the paperwork is not done correctly it could definitely have future repercussions for the Town because the Town is ultimately the responsible party.

Gabe cautioned that he just wants to make sure that the Town doesn't get left "holding the bag" and he asked for the amount of the grant.

Marianne got the grant contract/scope of services and provided it for the Board to review. The total amount of the grant is \$50,000.00

Ed made a motion to pass Resolution #258 establishing signature authority for the Town Manager and the Town Clerk to execute all documents pertaining to the CDBG grant between the Town of Bayfield & Regional Housing Alliance. Dan seconded the motion.

Justin asked if any of the development parcels are located within Bayfield Town limits.

Debbi answered that Bayfield didn't qualify due to size and the three sites haven't been chosen yet. But there are certain criteria that will be considered when choosing the development parcels.

Justin asked why Bayfield is the responsible party when the project is not going to benefit the Town.

Debbi answered that the municipalities that are members of the Regional Housing Alliance take turns being the responsible party.

Gabe asked what the Town's financial burden is for administering the grant.

Marianne answered that there is a grant reimbursement agreement for the Town staff's time that is put into the project.

All were in favor, motion passed unanimously.

Gabe made a motion to approve the signature delegation for contract encumbrance #H1CDB11015 and appoint Chris La May & Marianne Jones as agents of the Town of Bayfield. Tom seconded the motion. All were in favor, motion passed unanimously.

Action Agenda Item #6: Acceptance of Resignation of Municipal Court Judge & Declaration of Vacancy

Chris gave his staff report. He stated that the Town received a resignation letter from Julie Westendorff, the Municipal Court Judge that has been serving the Town since 2008. Julie has decided to run for an elected office and is obligated to resign her office when she becomes a candidate. Per the terms of her contract, she

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has to give the Town 60 days notice so her resignation date will become effective on September 9th, 2011. This is prior to court on September 13th so the Town will need to have someone in place prior to that court date (or reschedule it).

Chris explained that the Board will need to accept the resignation & declare of vacancy in this position so that the staff can move forward with filling the position.

The Town staff has revised the Request for Applications that was sent out in May of 2008 and would like to send it out to the newspapers by the end of the week. Staff has recruited input from Julie & Marshal Choate on the details that need to be included in the qualifications.

The Municipal Judge position is appointed by the Board so staff will need to set up a time to do interviews that work for the entire Board. Chris spoke to Dirk on this matter and Dirk has sent information out via his attorney's listserv and has already recruited a few interested parties and Julie noted that she might have some interested people as well.

Gabe made a motion to accept the resignation of the Municipal Magistrate & declare a vacancy for the position. Debbi seconded. All were in favor, motion passed unanimously.

Action Agenda Item #7: Consideration of Letter of Commitment for the Southwest Drug Task Force Position

Chris Choate gave his staff report. He stated that in May of 2011 the Bayfield Marshals Office was contacted by Lt. Pat Downs regarding a funding opportunity available to BMO and the Task Force. The Rocky Mountain High Intensity Drug Trafficking Area Board (HIDTA) has chosen to fund the majority of a Task Force position for a local law enforcement agency and voted to offer that position to the Bayfield Marshal's Office. That position must be additional to the staff that is currently employed, meaning the Town cannot eliminate one of the 6 full time certified employees by transferring an officer to the Task Force.

Chris & Lt. Downs have been in regular contact regarding this position, which HIDTA will begin funding during 2012. This funding does not represent a grant, per se, rather an incorporation of this position into their existing operating budget.

The breakdown of expenses, as proposed by BMO and accepted by HIDTA, is as follows:

• Base Salary	\$48,000.00 (HIDTA)
• Benefits (Ins., Ret., Etc...)	\$19, 547.00 (HIDTA)
• Vehicle Lease (Annual)	\$5,000.00 (HIDTA)
• Vehicle Operation (Fuel)	\$3,500.00 (BMO)
• Telephone (Annual-Cell)	\$785.00 (HIDTA)
• Misc. Equipment	\$2000.00 (BMO)

HIDTA funds will pay the Town officer's salary, benefits, telephone fees, and will cover the lease vehicle and its maintenance through the fleet program with the La Plata County Sheriff's Office. The Bayfield Marshal's Office will be required to cover the fuel costs for that vehicle and the officer's miscellaneous equipment expenses. The Bayfield Marshal's Office is also required to provide an 800 mhz pac-set (hand-held radio). However, the Town has received one spare radio through a State grant and will receive another in 2012. The cost of one of those radios is approximately \$2,500.00. No immediate purchase will be necessary.

The cost to the Town of Bayfield for their participation in the Task Force (year one) will be approximately \$5,500.00. HIDTA funds will cover the payroll expenses and vehicle in the amount of \$73,332.00. This position

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is incorporated into the existing HIDTA budget. Any increases in salary, benefits, etc... would be submitted in Task Force budget proposals to HIDTA in future years.

From an operational standpoint, the Town officer will be assigned exclusively to the Task Force. That officer will report to and be supervised by Lt. Downs. Chris stated that it would be his preference for that officer to hold the rank of Sergeant or Investigative Sergeant for operational and administrative purposes. Chris submitted an existing MOU between the member agencies of the Task Force to the Board on July 5, 2011. It outlines how departmental policy plays into each individual officer's involvement and gives a basic framework for how the group works. The Town officer will work within Bayfield Marshals Office policies and procedures and within CIRSA guidelines.

Chris explained that Lt. Downs has expressed his desire and the desire of the La Plata County Sheriff and the other Task Force agencies to incorporate the Marshal's Office into their operation.

Chris stated that he feels that it is very important for the Town to take advantage of this opportunity. It represents a chance for the Town to take a comprehensive, proactive stance on activities in and around the Town on a level not currently possible. Chris recognizes the Town's needs and the needs of the Task Force and he feels that it would help all parties involved if the Town would let the Task Force know whether they intend to move forward and fill the position, or if the Task Force should pursue other local possibilities.

Chris asked the Board to approve the Bayfield Marshal's Office assignment of one officer to the Southwest Drug Task Force and for the approval of \$6,000 to be incorporated into the 2012 budget to cover the expenses related to position.

Gabe clarified that for \$6,000.00 La Plata County will get another person added to their drug enforcement ability and Bayfield will contribute those funds.

Chris answered that is exactly what will happen.

Ed asked if the Town will have to hire a new officer to replace the drug task person.

Chris answered that the Town will have to hire another officer if one of the current officers moves into the position. However, while it will add an additional salary position into the budget, the amounts expended by the Town will only increase by \$6,000.00. The Town will still have 6 full-time officers and there will be an additional position that is specifically related to the drug task force that is funded by HIDTA funds.

Justin asked if this person will specifically do work for Bayfield on a day-to-day basis.

Chris answered that there will be a direct beneficial service to the Town. However, the officer will report exclusively to Lt. Downs and won't be on patrol on a daily basis within the Town limits. But it will still have substantial benefits for the Town.

Rick stated that he feels that it is a great asset for the Town to have this position on the task force because it will give the Town the ability to combat a big problem that it doesn't have the resources to do right now. He feels that it will really step the Town of Bayfield up onto another level of safety for the residents.

Chris explained that the reason he is coming to the Board is to find out if the Board feels this is a good opportunity and if they are willing to commit the position & the \$6,000.00 so that the task force can move forward with their 2012 budgeting. If the Town decides not to accept the offer, the task force will need to go to another agency and try to recruit them into the program.

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Chris La May explained that the Town will need to make a commitment regarding the position and indicate that the Town plans to move forward with assigning a position onto the Southwest Drug Task Force & will contribute the money needed (\$6,000.00) in the 2012 budget.

Tom made a motion to send a letter of commitment to the Southwest Drug Task Force stating that the Town will assign a position to the force & budget \$6,000.00 in the 2012 budget. Debbi seconded.

Chris La May mentioned that the Public Safety budget is about 45% expended for the year and more than 50% of the year has elapsed so he feels that their budget does have the room to absorb these costs.

Justin asked if the agreement will have to be resigned every year.

Lt. Pat Downs answered that the Memo Of Understanding is signed every year by all of the participating agencies. The initial MOU will outline all the commitment items & funding. The following MOU's will just be renewals.

All were in favor, motion passed unanimously.

Action Agenda Item #9: New/Unfinished Business

Chris La May stated that he received a letter from the Southwest Council of Governments (COG) that is going to be sent to Senator Bennett regarding the service first/dual delegation that has been done by Bureau of Land Management (BLM) & the Forest Service. The reason for this was done initially so that there is one point of contact for both entities. They have decided that they are going to do away with that service and split off into two entities again. San Juan County is very concerned about this change and they have sent letters outlining their opposition. The COG has asked for the local municipalities to do that same because it does have implications. Chris asked if the Board wants to take any sort of formal position.

Gabe asked if the one point of contact is for the public or government relations.

Ed answered that the BLM & Forest Service has had one office for many years and now they plan to separate it into two. It's really going to have impact on the public because it's been really user-friendly to be able to get all questions answered in one place rather than going to two. However, the federal government wants to change that.

Dan asked if this change is going to affect the office in Bayfield.

Chris La May answered that there has been talk about closing that office because they want to re-locate it (possibly) to Dolores. That has advantages & disadvantages because the property is tax-exempt but it does provide several jobs for local residents. He said that not everyone has taken a position of opposition because the impacts aren't really known yet on how this is going to affect the local governments.

Rick explained that Mike Johnson in Bayfield is the single contact for both entities. Mike expressed that it's really going to depend on how the two agencies get along that determines how things are going to work for the residents. If they work well together (as they have in the past) it shouldn't be too difficult for the residents to get the answers that they need despite the fact that they have to go to two separate locations but if they don't get along it could cause some problems. Plus it's eliminates the efficiency that was there before when the two entities were combined.

Gabe stated that he doesn't feel he has enough knowledge to make a decision one way or the other.

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Ed expressed that the reason San Juan County is up in arms over this change is because they have a lot of mining claims that are handled by BLM.

Dan stated that he would be in favor of writing a letter based on the information that has been compiled by the COG. He feels that they have a reason that they are doing this and have more information than the Town does on the matter. However, he does feel there needs to be a justifiable reason that the federal government has decided to make this change.

Justin asked if the Town writes a letter of support there is a possibility that the forest station in Bayfield could close down and the jobs could be moved to Dolores.

Chris La May answered that it is unclear what will happen with the Bayfield office at this time. Chris suggested that it might be a good idea to send a neutral letter that says that the Town would like to be included in the discussion and informed of any implications this decision will have on the Town so that the Board can take a position.

Justin stated that he doesn't want to take a position that could potentially hurt the jobs of residents in Bayfield.

The Board directed Chris La May to write the neutral letter to keep the Town informed of the happenings.

Chris La May mentioned that he received a revised traffic generator spreadsheet from Ann Bowers with Drexel Barrell for the Westside Traffic Study project. She has requested that the Board review it and give input on whether or not they are comfortable with the numbers before she moves forward with her analysis. She has been extremely conservative with those numbers and is presenting a worst case scenario. He asked the Board to look it over and give their thoughts before it is sent to CDOT.

Gabe asked if the Town has numbers on the traffic count at Elmore's Corner in order to do a comparison.

Debbi suggested that it might be a better idea to compare it to the eastside study.

Dan stated that he thinks it would be in the best interest of the Town to do a very thorough & diligent analysis of the bridges on Highway 160B. The reports that were received when the Town took over the road stated that the bridges were safe & sound but were outdated by today's standards. He feels that any decision on replacement of the bridges is going to be a very important decision made by the Board and the staff is going to need to provide a lot of comparative analysis & detailed information on the matter because it is going to affect the Town for a long time. He also suggested soliciting other opinions on the matter rather than the engineer & inspectors that have already done reports.

He also mentioned the reception for the new Town Manager.

Marianne stated that the reception will happen at one of the meetings in August.

Gabe concurred with Dan regarding the bridges that it is a big decision. He feels that it's imperative that the paving get done immediately but that the Town has the flexibility to wait on the bridges & the intersections on both ends of Town. He thinks that the Town needs to come up with a really good game plan outlining the very best way to spend the money and not just jump into doing something right away. He also mentioned that it would be a good idea to look at the CDOT maintenance studies regarding that road.

Tom asked about the Dove Ranch drainage easement.

Dirk answered that he met with the bank today and got a relatively favorable response that the bank might be willing to grant an easement. The ball is now in the Town's court to submit a proposal. He said that he

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will get together with Debbi & some other people involved in the project to figure out what needs to be put together so that it can be submitted to the bank.

Tom asked if Regional Housing Alliance is still looking at partnering with 4CORE.

Debbi answered that she doesn't think there is a lot of interest among the RHA Board Members to join with RHA.

Ed asked Chris Choate about the detail in his Marshals Report stating the officers had 17 extra patrols during the month.

Chris Choate answered that if suspicious activity is reported in a certain place the area is put onto an extra patrol watch. The Marshals Office also gets requests from residents that go out of Town to watch their homes & they are put on an extra patrol as well. They also do extra patrols of the school properties.

Ed asked about the home that was flooded due to a sewer back-up on Oak Street.

Marianne answered that the claim was denied by CIRSA (the Town's insurance company) and CIRSA discussed the reason of denial at length with the homeowner and the homeowner has not contacted the Town since that discussion occurred. She also never came to get the \$1,000.00 good neighbor policy check that was granted by the Town Board for the back-up.

Gabe asked if that check could be mailed to her.

Marianne answered that she can't release the check until the homeowner signs the waiver agreement associated with the Good Neighbor policy.

Rick said that he received a letter from JJ Sanders requesting to be considered for the vacancy on the Planning Commission.

It was decided that appointment would be placed on the next Board agenda for ratification.

Rick welcomed Chris La May as the new Town Manager.

The meeting was adjourned at 8:52 p.m.

Minutes were approved as amended on August 2nd, 2011.

Approved:

Rick K. Smith
Mayor

Marianne Jones
Town Clerk