

**Town of Bayfield  
Regular Town Board Meeting  
November 4, 2014  
1199 Bayfield Parkway, Bayfield CO 81122**

**Town Board Members Present:** Trustee Davenport, Trustee Morlan, Trustee Nelson, Trustee Nyberg, Trustee Salka, Trustee Sanders, Mayor Smith

**Town Board Members Absent:**

**Staff Present:** Chris La May (Town Manager), Kathleen Cathcart (Town Clerk), Erin Dunavant (Finance Director), Jeff Robbins (Town Attorney) Joe McIntyre (Marshal)

**Media Present:** No media present

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

**Roll Call:** 7 present

**Pledge of Allegiance:**

**Approval of Minutes:** Trustee Nelson made a motion to approve the minutes from October 21, 2014, as presented. Trustee Salka seconded.

All were in favor.

Motion passed unanimously.

**Approval of Bills:** Trustee Davenport made a motion to approve the bills dated October 22, 2014 through October 30, 2014, including the bill sent by email from Finance Director Dunavant in the amount of \$2,690.01. Trustee Nelson seconded.

Roll call: 7 – 0 (Mayor Smith abstained from voting on the payment to Data Safe Services)

Motion passed unanimously.

**General Public Input:** No comments were offered.

**Town Updates:** Trustee Morlan asked if Town Manager La May had visited the new business, Tailwinds Nutrition, in the Steamworks building. Town Manager La May stated that Tailwinds Nutrition is going through the Planning Commission process and have not opened for business. Trustee Nelson asked if there were any issues with the detention pond, in Cinnamon Heights, that the Board should address at this time. Town Manager La May stated that the way the plat is written, the maintenance and upkeep of the detention pond is the responsibility of the Homeowners Association.

**Action Agenda Item #1: Discussion and Possible Action – Sanitary Sewer Readiness to Serve Fee**

Town Manager La May stated that through the Sanitary Sewer Replacement Project, staff has discovered a couple of sewer taps that go to vacant lots. These taps were not on the Town books and were not being charged the readiness to serve fee. Staff has also become aware of a situation in which a person has inherited a vacant lot and claims to have a sanitary sewer tap. Staff has been unable to find proof, of this tap, in the Bayfield Sanitation Districts records. The way the Town Code is written, once a Plant Investment Fee or Tap Fee is paid the customer is charged a monthly service fee, at full rate. This process was designed to prevent tap purchases based on speculation of future rate increases. Staff is asking the Boards opinion on these situations moving forward.

**Town of Bayfield  
Regular Town Board Meeting  
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Mayor Smith asked Trustee Morlan if the Bayfield Sanitation District billed monthly service fees, once taps were purchased.

Trustee Morlan stated that he believed the Bayfield Sanitation District billed the readiness to serve fee, once a tap was purchased.

Trustee Nelson asked if staff has paperwork from the Bayfield Sanitation District that would reflect their billing procedures.

Town Manager La May stated that he has found the 2001 Bayfield Sanitation District Standard Specifications that read: Any person connected to the District System shall pay a monthly service fee regardless of whether the building sewer in question is being utilized.

Trustee Nelson asked, in regards to the taps that have recently been discovered, if staff knows when they were supposedly purchased.

Town Manager La May stated that the sewer taps in question were supposedly purchased in the 1970's.

Trustee Davenport asked if there are a significant amount of taps that are not being utilized.

Town Manager La May stated that he does not believe there is a large number of unutilized taps, but there are probably some that staff is unaware of.

Trustee Nelson stated that she believes when the Sanitation District was formed, residents in the Gem Village area were encouraged to purchase sewer taps to use at later dates.

Town Manager La May stated that he doesn't doubt that taps were sold for future use. The question is whether or not the Town should start billing monthly readiness to serve fees.

Trustee Davenport suggested that staff look at the possibility of charging a reduced monthly rate for taps that are not being utilized.

Town Manager La May stated that Attorney Robbins has suggested notifying the public, that if they have proof of a tap purchase they need to claim those taps and become grandfathered in the system. Moving forward, if the taps were not grandfathered in the system they will not be recognized by the Town of Bayfield.

Trustee Nelson asked who has the old records from the Sanitation District.

Town Manager La May stated that the Town has several boxes of records from the Sanitation District.

Mayor Smith stated that he liked giving residents the window of opportunity to provide proof of purchase to be grandfathered into the system.

Trustee Morlan agreed with Mayor Smith.

Trustee Sanders asked if there should be a time limit on the proposed window of opportunity.

Town Manager La May suggested posting a Public Notice in the newspaper.

Trustee Salka suggested posting the Public Notice on the Town's website and Facebook.

The Board agreed to give residents 90 days to provide proof of purchase to be grandfathered into the system.

**Town of Bayfield  
Regular Town Board Meeting  
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**Action Agenda Item #2: Discussion and Possible Action – Liquor License Fees**

Town Manager La May stated that this subject was touched briefly, when reviewing an ordinance for Liquor License requirements. One issue, that was discussed, is the fees that are charged for licenses and renewals. Staff has included a spreadsheet in the Board Packet, comparing different communities' fee schedules. On the bottom of the spreadsheet is what staff believes is the actual cost to the Town for these licenses. Staff is recommending approval of the proposed fee schedule to be included in an ordinance to be adopted at the next Board Meeting.

Trustee Nelson stated that the information provided was fantastic and she liked the way staff was moving forward, with this matter

Mayor Smith stated that he liked how Town Manager La May attached a dollar figure to staff time, when estimating the cost of processing the different liquor licenses.

Trustee Morlan stated that in comparison to the other communities, the Town of Bayfield is below the market in fees.

Trustee Salka stated that he would not be opposed to increasing the costs a little more.

The Board directed Town Manager La May to prepare an ordinance establishing liquor licensing authority and include the staff recommended fee schedule.

**Action Agenda Item #3: Board Reports (SWCCOG, LPCEA, RHA, SWTPR, Region 9, Other)**

Trustee Nyberg stated that the Planning Commission will meet next week.

Trustee Morlan stated that the Senior Board will meet next week. He also stated that the Annual Craft Bazaar will be held this coming Saturday.

Trustee Sanders stated that he will be attending a Loan Committee meeting for Region 9 on November 19, 2014.

Trustee Salka stated that SWTPR will meet on December 5, 2014.

Trustee Davenport stated that RHA will meet tomorrow.

Trustee Nelson stated that SWCCOG will meet on Friday.

Mayor Smith stated that LPCEA will meet next week.

**Action Agenda Item #4: New/Unfinished Business**

There was no new or unfinished business discussed.

Trustee Nelson made a motion to move to Executive Session in accordance with C.R.S. 24-6-402(4)(f) for the Town Manager's Performance Evaluation to include the Board of Trustees and Town Attorney Jeff Robbins. Trustee Davenport seconded.

Roll call: 7 – 0

**Town of Bayfield  
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Motion passed unanimously.

Board went into Executive Session at approximately 7:40 pm.

Board came out of Executive Session and adjourned at approximately 8:30 pm.