

**Town of Bayfield
Regular Town Board Meeting
February 3, 2015
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), Joe McIntyre (Marshal), Erin Dunavant (Finance Director), Ron Saba (Public Works Director)

Media Present: Carol McWilliams with the Pine River Times

The meeting was called to order @ approximately 7:12 p.m.

Approval of Minutes: Trustee Nyberg made a motion to approve the minutes from January 20, 2015, as presented. Trustee Salka seconded.

All were in favor.

Motion passed unanimously.

Approval of Bills: Trustee Salka made a motion to approve the bills dated January 21 through January 29, 2015, as presented. Trustee Nyberg seconded.

Roll call: 7 – 0

Motion passed unanimously.

General Public Input: Mr. David Black, 606 S. Buck Hwy., stated that he would not be in favor of any property tax increase, but he does believe that the Town should put the Sales Tax Increase on the November ballot. Mr. Teddy Jack, 542 W. North Street, stated that he does not understand why the Town of Bayfield is charging residents for Quit Claim Deeds to the right of way on North Street, when the Town received the right of way from the County for free. Mayor Smith stated that Mr. Jack was welcome to discuss this matter with Town Manager La May during business hours at the Town Hall.

Town Updates: No comments were offered.

Action Agenda Item #1: Discussion and Possible Action – Street Funding Alternatives

Town Manager La May asked if the Board, after hearing comments from the community, had a different perspective on where the staff should spend time researching potential revenue sources.

Mayor Smith asked the Board of Trustees if they wanted to put the Sales Tax increase on the November ballot.

The Board agreed that they would present the Sales Tax increase to the voters on the November ballot.

Mayor Smith stated that if the Sales Tax increase does not pass in November, staff will need to have a secondary budget prepared in order to meet required deadlines. Mayor Smith asked the Trustees which items they would like staff to research for possible revenue increases if the Sales Tax measure fails.

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The Board agreed that staff should research increasing Facility Rental Fees, Parks and Recreation Program Fees and the Gas Franchise Fee. The Trustees would like to see a Storm Water Impact Fee researched. The vote was split 5 against and 2 for, a Street Impact Fee. It was agreed that Recreational Marijuana, Overweight Permit Fees and increased Right of Way Fees should not be considered at this time. There were 6 votes for and 1 vote against an LPEA Franchise Fee.

Mayor Smith stated that the items that the Board has directed staff to research will not be enough to cover the entire cost of street maintenance. The budget in its entirety, including expenses, will have to be reviewed. He also stated that it would be best to begin designing a committee to take the message regarding the Sales Tax measure forward.

Trustee Nelson suggested that a smaller committee, including the Town Manager and a couple Trustees, be formed to organize a larger committee of citizens to promote the Sales Tax increase.

Trustees Morlan and Nelson volunteered to meet with Town Manager La May to help organize a committee.

Action Agenda Item #2: Discussion of Water Right Conveyance for Annexation

Town Manager La May stated that the Town Code is fairly specific in the event of annexation or subdivision, all or some of the water rights will be conveyed to the Town of Bayfield. The issue staff is encountering is with small properties that have been surrounded by development but have not annexed. These smaller properties still have irrigation rights and do not want to lose the ability to irrigate with annexation into the Town.

Trustee Nelson asked how some subdivisions, such as Clover Meadows, still have irrigation rights after development. Did the property owners not have to convey all of their water rights at the time of subdivision?

Town Manager La May stated admittedly things have changed over time. In general staff takes the minimum household water consumption with the number of units being brought into town to come up with the amount of water rights that need to be conveyed for annexation or subdivision. Staff is also in the process of working on a "Cash in Lieu" Fee because there are properties out there that are dry

Mayor Smith stated that water is the key to our future. If properties do not come with water rights then we have to buy those rights from PRID.

Town Manager La May stated that staff is working on developing a model that calculates what that figure would be based on a single family residence equivalent.

Trustee Nelson stated that it sounds like the properties in question are older properties.

Town Manager La May stated that it is older properties that he is dealing with. Most of these properties have sanitary sewer service because the Sanitation District provided that service whether the property was in or out of town limits. Some of the properties have water service as well, but there is no record that we received any water rights from them. These properties are the beneficiaries of our town services, such as snow plowing and law enforcement, but the Town is not receiving any property taxes from those particular property owners.

Trustee Nelson stated that maybe these should be looked at on a case by case basis.

Trustee Morlan asked if there was a minimum amount of rights required to annex.

Town Manager La May stated that there is a minimum. A certain amount of rights are required per unit to be annexed.

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Trustee Morlan asked if the property owner could do cash in lieu of water rights.

Town Manager La May stated that the Town could do cash in lieu. With cash in lieu there is a good chance we would be purchasing storage water and not ditch shares. There is a different value to storage water as opposed to ditch shares.

Trustee Nelson stated that irrigation is a huge value to a homeowner.

Public Works Director Saba stated that shares do not come up for sale very often. It is important to obtain the water rights from property owners wanting annexation.

Town Manager La May stated that when the Town receives a water share it is conveyed as an irrigation share. The Town then has to convert those shares to municipal and industrial shares and there is a cost to go through that process.

Mayor Smith stated that the Town does need the conveyance of the water rights if the property owner has them. If there are no rights to convey we do need to have a fee that will cover the cost of purchasing those rights.

The Board agreed staff should move forward with securing the water rights needed to support Town growth. They also agreed that staff should build options to offer property owners who do not have rights to convey or for those who do not want to relinquish all of their rights.

Action Agenda Item #3: Consideration of Approval of Pictometry Participation Agreement Between La Plata County and the Town of Bayfield

Town Manager La May stated that La Plata County is preparing to complete a mapping project called Pictometry. Their partners in this project include the Southern Ute Indian Tribe, La Plata Electric Association and the City of Durango. They have asked for participation from the Town of Bayfield. This project will give a 3D view of properties that the County will use in assessing property taxes. It would provide the town with a record of what transpired on the property, in terms of building. It will also allow us to do measurements of the structures on the property so that we are more accurate in dimensions and such. The fee is charged by tiles. The Town of Bayfield is approximately 10 tiles out of 3000. Our fee would be approximately \$650.00.

Trustee Davenport asked if the Town would have unlimited access to the information accumulated from this project.

Town Manager La May stated that the Town would have access to the data collected for the Town of Bayfield.

Trustee Morlan asked what this project would do for the Town of Bayfield.

Town Manager La May stated that it would create a record of properties within the town limits. This is higher resolution than previous aerial photos that we have. This is similar to Google Earth. If we move forward with a Storm Water Enterprise Fee, we will be able to measure roof tops and driveways to calculate the imperviousness of a property.

Trustee Sanders asked if this project would be something that the public could utilize or will it be just for the Town's use.

Town Manager La May stated that the finished project will be similar to the La Plata County GIS website.

Trustee Salka made a motion approve the Pictometry Participation Agreement between La Plata County and the Town of Bayfield. Trustee Sanders seconded.

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Roll call: 7 – 0

Motion passed unanimously.

Action Agenda Item #4: Board Reports (SWCCOG, LPCEA, RHA, SWTPR, Region 9, Other)

Trustee Nelson stated that SWCCOG will meet this Friday.

Mayor Smith stated that LPCEA will meet next week.

Trustee Davenport stated that RHA will meet tomorrow.

Trustee Salka stated that SWTPR will meet this Friday.

Trustee Sanders stated that he attended the Region 9 Loan Committee Meeting. Mary Shepard is the new SBDC Office Manager. He also stated that Region 9 clients reported 77.5 new jobs and 36 new business starts in 2014.

Trustee Nyberg stated that Planning Commission will meet next week.

Carol McWilliams stated that some seniors have expressed an interest in adding an additional pool table at the Senior Center.

Action Agenda Item #5: New/Unfinished Business

Town Manager La May stated that the “Love Your Library” event was this coming Sunday at the Pine River Library. Also, the new Executive Director for CDOT will be in Durango on February 13th.

Trustee Morlan stated that he believed the information provided in the Public Forum regarding the opening of Steam Works, several years ago, was inaccurate.

Mayor Smith agreed with Trustee Morlan.

Trustee Nelson asked when the next breakfast meeting with the County Commissioners would be.

Town Manager stated that he would contact the County Commissioners.

Trustee Salka stated that he has submitted his application to CML to attend the annual conference.

Mayor Smith stated that he would be attending the CML Legislative Session in Denver, next Thursday.

Meeting was adjourned at 8:09 pm.