

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

Town Board Members Present: Trustee Au, Trustee Morlan, Trustee Nelson, Trustee Nyberg, Trustee Renfro, Mayor Smith

Town Board Members Absent: Trustee Davenport

Staff Present: Chris La May (Town Manager), Kathleen Cathcart (Town Clerk), Joe McIntyre (Marshal), Dirk Nelson (Attorney)

Media Present: Carol McWilliams with the Pine River Times

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

Roll Call: 6 present 1 absent

Pledge of Allegiance:

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

Motion passed unanimously.

Approval of Bills: Trustee Renfro made a motion to approve the bills dated January 22, 2014 through January 31, 2014, Trustee Au seconded.

Roll call: 6 – 0 (Mayor Smith abstained from voting on the bill to Data Safe Services)

Motion passed unanimously.

General Public Input: None was offered.

Town Updates: Trustee Renfro stated that she appreciated Town Manager La May including information regarding the Community Potluck in the updates. She would like to see information regarding the Second Saturday program included as well.

Public Hearing: Employee Handbook

Town Manager La May stated that staff is in the process of updating the Employee Handbook. The revised handbook has been presented to all staff members. Tonight's Public Hearing is an opportunity for employees and the general public to voice their concerns regarding the new handbook.

No comments were offered.

Action Agenda Item #1: Presentation Pine River Library District

Ms. Amy Dodson introduced herself as the Director of the Pine River Library. Ms. Dodson announced that the Pine River Library was named the Best Small Library in America for 2014 by Library Journal and the Bill and Melinda Gates Foundation. The library will be celebrating its 80th anniversary this year. Ms. Dodson would like to thank everyone that has helped make the library what it is today.

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Action Agenda Item #2: Discussion – Fair Campaigns Practice Act

Town Manager La May stated that he had included information regarding the Fair Campaign Practice Act in the Board Packets. This information provides guidelines as to what staff and board members can and cannot do relating to elections. There are prohibitions from using public funds to promote a candidate or issue. We cannot use funds to pay for flyers or visual aids unless it includes information regarding both sides of the issue. Board members are allowed to publicly voice their personal opinions. Staff members can voice their opinion publicly on personal time not during work hours. The FCPA does allow employees and officials to respond to questions about a ballot issue or referred measure but not to solicit a position. The FCPA authorizes the governing body to take a formal position with respect to an election question by passing a resolution.

Mayor Smith asked if a board member, on their own time and with their own funds, could write a letter of support to the editor.

Attorney Nelson stated that a board member could write a letter of support to the editor as long as they were clear that this was their personal opinion.

Action Agenda Item #3: Consideration Of Approval Of Ordinance #384, An Ordinance Of The Town Of Bayfield, Colorado Amending Article II Of Chapter 14, Which Amendments Would Create An Additional One Percent Town Sales Tax, Pledging Such Additional Sales Tax To The Town Of Bayfield Street Fund Subject To The Approval Of The Amendments Contained Herein By The Registered Electors Of The Town

Town Manager La May gave a Power Point presentation demonstrating the need for a one percent sales tax increase for the Town of Bayfield Street Fund.

Trustee Nelson asked if Public Transit would be included in Ordinance #384.

Attorney Nelson stated that since the ordinance had not been approved, the wording could be changed to include Public Transit.

Trustee Renfro made a motion to approve Ordinance #384, an ordinance of the Town of Bayfield, Colorado amending Article II of Chapter 14, which amendments would create an additional one percent Town sales tax, pledging such additional sales tax to the Town of Bayfield Street Fund subject to the approval of the amendments contained herein by the registered electors of the town, to include Public Transit, Trustee Morlan seconded.

Roll call: 5 – 1 (Trustee Au voted against)

Motion passed.

Action Agenda Item #4: Consideration Of Approval Of Resolution #313, A Resolution Of The Town Of Bayfield, Colorado Approving The Ballot Question To Be Submitted To The Registered Electors Of The Town Of Bayfield At The Regular Town Election On April 1, 2014 On The Issue Of The Approval Of An Additional One Percent Sales Tax, With Such Amounts To Be Pledged To The Town Of Bayfield Street Fund As Provided In Ordinance #384

Town Manager La May stated that Resolution #313 is the language that will appear on the election ballot as it relates to the Sales Tax request.

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Trustee Renfro made a motion to approve Resolution #313, a resolution of the Town of Bayfield, Colorado approving the ballot question to be submitted to the registered electors of the Town of Bayfield at the regular town election on April 1, 2014 on the issue of the approval of an additional one percent sales tax, with such amounts to be pledged to the Town of Bayfield Street Fund as provided in Ordinance #384, Trustee Morlan seconded.

Roll call: 5 – 1 (Trustee Au voted against)

Motion passed.

Action Agenda Item #5: Consideration Of Approval Of Quitclaim Deed For A Tract Of Land In Front Of 550 W. North Street

Town Manager La May stated that staff has negotiated an agreement to quitclaim deed a section of land that has been contested in front of 550 W. North Street. This will relinquish any rights the Town of Bayfield has to the Old Bayfield Road easement.

Trustee Morlan made a motion to authorize Mayor Smith to sign the quitclaim deed for a tract of land in front of 550 W. North Street, Trustee Nelson seconded.

Roll call: 6 – 0

Motion passed unanimously.

Action Agenda Item #6: Discussion And Possible Action – 2014 Street Maintenance Project

Town Manager La May stated that the engineer has been authorized to move forward with any design that is necessary and the bid packets for the crack sealing project and the street resurfacing project. Staff is estimating that \$50,000.00 will be spent on crack sealing and \$200,000.00 will be spent on sand sealing. Five sections of roads are slated for mill and overlays. A drainage issue at the roundabout will also be fixed by installing an inlet on the north side and connecting it to the existing storm drain. The landscape islands will be removed from Center Drive with the exception of the ones located on the east and west ends. A section of sanitary sewer line that crosses Commerce Drive goes under US Hwy 160 and then down Bayfield Parkway will also be replaced. Staff is recommending that it would be cost effective to close the intersections at Commerce Drive and Eight Corners during the time work is performed at those locations.

Trustee Nelson stated that closing the intersections would severely impact the businesses in those locations. She also stated that if we did close the intersections staff should expect complaints from the business owners.

Trustee Renfro asked Town Manager La May if he had a time frame for these closures.

Trustee Nelson stated that she did not believe it would matter how long the closure was, it would still impact the local businesses.

Mayor Smith stated that closing the intersections may be the easiest way to go but may not be the wisest.

Town Manager La May stated that he realizes this will be a huge impact on the local businesses no matter how we deal with intersection closures. Complete closure of the intersections will be more economical but if the Board feels it is worth the extra money to keep the intersections open through construction staff will do so.

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Mayor Smith stated that he believes it would be wise to spend the money and only do partial closures of the intersections to keep the impact as minimal as possible.

Trustee Au asked if the Town could get permission from CDOT for a temporary intersection for use during these projects.

Town Manager La May stated that the cost for a temporary intersection would be more than the extra costs to do only partial closures on the existing intersections.

Trustee Nelson asked if the replacement of the sanitary sewer line would require local businesses to close during the construction.

Town Manager La May stated that the replacement would not impact the businesses ability to be open.

Trustee Nyberg asked how the residents on Mesa Avenue would be notified that the vehicles on the street would need to be removed for construction.

Town Manager La May stated that staff would distribute flyers notifying residents when the paving crew would be in their area and give them a time frame to move vehicles.

Mayor Smith stated that the Board was in agreement regarding partial closure of intersections during construction and asked staff to make a large effort to communicate with the local business owners.

Action Agenda Item #7: Consideration Of Resolution #314, A Resolution Of The Board Of Trustees For The Town Of Bayfield, Colorado Adopting An Employee Handbook

Town Manager La May stated that Attorney Nelson has reviewed the new handbook to assure it is consistent with all employment laws. Staff is recommending approval of the new Employee Handbook.

Trustee Nyberg made a motion to approve Resolution #314, a resolution of the Board of Trustees for the Town of Bayfield, Colorado adopting an employee handbook, Trustee Au seconded.

Roll call: 6 – 0

Motion passed unanimously.

Action Agenda Item #8: Consideration Of Approval Of Resolution #315, A Resolution Of The Town Of Bayfield Supporting The Grant Application For A Local Government Parks And Recreation Grant From The State Board Of The Great Outdoors Colorado Trust Fund For Acquisition Of Park Land

Town Manager La May stated that staff is submitting a grant application to the Great Outdoors Colorado to assist in the acquisition of the school property located south of the Primary School. A requirement of that application is that we adopt a resolution approved by the Board of Trustees.

Trustee Nelson made a motion to approve Resolution #315, a resolution of the Town of Bayfield supporting the grant application for a local government Parks and Recreation Grant from the State Board of the Great Outdoors Colorado Trust Fund for acquisition of park land, Trustee Renfro seconded.

Roll call: 6 – 0

Motion passed unanimously.

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

Trustee Nelson stated that SWCCOG has a retreat this coming Friday.

Mayor Smith stated that LPCEA will meet next Tuesday.

Town Manager La May stated that RHA will meet the third Wednesday of February.

Trustee Renfro stated that at the SWTPR they discussed the surveys regarding TPR priorities. Out of the ten small TPRs in the State of Colorado, our TPR turned in 29% of the responses. She also stated that RAMP applications will be due in late June and awarded in September. At their next meeting representatives will be asked to vote on whether the SWTPR will remain under the management of Region 9 or move under the management of SWCCOG. Trustee Renfro is asking for the Boards opinion on how to vote.

Trustee Nelson stated that she would like to wait to make a recommendation until after the SWCCOG's retreat.

Trustee Morlan stated that Region 9 would be happy to continue managing the SWTPR but it would be logical to move under the SWCCOG's management.

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

Trustee Morlan stated that the Senior Board has not met since the last report.

Action Agenda Item #10: New/Unfinished Business

Town Manager La May stated that breakfast with the County Commissioners will be on February 27th, 2014 at 7:30 am at the Tuning Fork Café.

Town Manager La May stated that there are CML Conference Scholarships available. Applications for the scholarships are due February 14th, 2014.

Mayor Smith asked if Town Manager La May would apply for two scholarships.

Trustee Nyberg gave thanks to staff for installing some new road signs throughout town.

Trustee Nelson congratulated Attorney Nelson on his new position and recommended that discussion regarding the hiring of a new attorney be put on the next agenda.

Trustee Renfro stated that Second Saturday is this Saturday.

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Trustee Au made a motion to move to Executive Session in accordance with C.R.S. 24-6-402(4)(a) related to the purchase, acquisition, lease, transfer, or sale of any real or personal property interest for Los Pinos Ditch Water Shares to include Attorney Nelson and Town Manager La May, Trustee Renfro seconded.

Roll call: 6 – 0

Motion passed unanimously.

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Board adjourned to Executive Session at 8:23 pm.

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

Trustee Nelson made a motion to instruct staff to negotiate the purchase of 1.5 to 3.0 shares of the Los Pinos Water at a rate of \$1,000.00 per share, Trustee Renfro seconded.

Motion passed unanimously.

Meeting was adjourned at approximately 8:35 pm.