

**Town of Bayfield
Regular Town Board Meeting
August 16, 2016
1199 Bayfield Parkway, Bayfield CO 81122**

Town Board Members Present: Trustee Dallison, Trustee Davenport, Trustee Nelson, Trustee Nyberg, Trustee Polites, Trustee Sanders, Mayor Salka

Town Board Members Absent:

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

Media Present: Melanie Mazur with the Pine River Times

The meeting was called to order @ approximately 7:02 p.m.

Approval of Minutes: Trustee Nelson made a motion to approve the minutes from August 2, 2016 as presented. Trustee Nyberg seconded.

All were in favor.

Motion passed unanimously.

Approval of Bills: Trustee Davenport made a motion to approve the bills dated August 3 through August 11, 2016. Trustee Nelson seconded.

Roll call: 7 – 0

Motion passed unanimously.

General Public Input: Mr. Josh Abreel stated that he and his wife Heather would like the Board of Trustees to reconsider Resolution 311, that was adopted on December 17, 2013. This resolution requested that La Plata County impose a permanent ban on the issuance of licenses for the operation of marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities and retail marijuana stores and all related uses within three miles of the boundaries of the Town of Bayfield. Mayor Salka stated that the Board could discuss this matter under New and Unfinished Business.

Town Updates: There were no comments.

Action Agenda Item #1: Presentation – Regional Housing Alliance (RHA) Local Housing Programs And Policies

Town Manager La May stated that Karen Iverson, Executive Director of the Regional Housing Alliance and the La Plata Homes Fund, is attending tonight's meeting to give the Board an introduction to RHA's policies and programs.

Ms. Iverson gave a Power Point Presentation on housing in the Town of Bayfield in comparison to La Plata County. A copy of the presentation is included in the Board packet.

Action Agenda Item #2: Discussion And Possible Action – Fox Farm Deed Restrictions

Town Manager La May stated that at the June 21, 2016 Board of Trustee meeting an individual property owner, in the Fox Farm Subdivision, requested the Board of Trustees consider removing or amending restrictions on

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her home. More specifically, if the Board was not willing to consider outright lifting of the deed restrictions, then amending the restrictions to lift the income guidelines and adjust the rental guidelines allowing for in home occupancy three of the last five years. The removal of deed restrictions is a significant action. The development was subsidized with low interest loans and grants with explanation to the funding agencies that the project was for affordable housing. The intent of the deed restrictions is to ensure that there is housing available for those making less than 120% of the area median income. They are specific covenants running with the land relative to the property and removing the deed restrictions could jeopardize the Town's relationship with the public entities who provided loans and grants. In staff's opinion the Town should move forward with the Deed Restrictions in place, and that they are not amended or altered.

Attorney Robbins stated that he agreed with staff's opinion.

The Board agreed that the Deed Restrictions should remain in place.

Action Agenda Item #3: Consideration Of Approval Of Resolution 370, A Resolution In Support Of La Plata County Ballot Question 1A Increasing The County Road And Bridge Mill Levy

Town Manager La May stated that the La Plata County Board of County Commissioners presented information to the Board of Trustees at the August 2, 2016 regularly scheduled meeting. The County Commissioners asked the Board of Trustees to consider adopting a resolution supporting the measure. The majority of the board present at the meeting indicated, that they would like to consider a resolution in support of the property tax measure. Staff has prepared a resolution of support for the Board's consideration. The resolution does identify the potential additional revenue for the Town's roads and streets.

Trustee Dallison made a motion to approve Resolution 370, a resolution in support of La Plata County Ballot Question 1A increasing the County Road and Bridge Mill Levy. Trustee Nelson seconded.

Roll call: 4 – 3 (Trustees Davenport, Nyberg and Sanders against)

Motion passed.

Action Agenda Item #4: Consideration Of Approval Of First Amendment To Termination Agreement Between The Town Of Bayfield And Bayfield Area Chamber Of Commerce

Town Manager La May stated that the Board of Trustees approved a Termination Agreement with the Chamber of Commerce at the January 1, 2016 regularly scheduled meeting with deadline of July 30, 2016. The entity interested in removing the facility determined that it was not cost effective and declined the offer to take the facility. The Bayfield Area Chamber of Commerce has found another prospective party interested in removing the structure from Roadside Park. The Chamber is requesting an extension to allow additional time for the removal. Staff has prepared an Amendment to the Termination Agreement, extending the deadline to December 31, 2016, for the Board's consideration. The agreement has been signed by the Chamber.

Trustee Polites made a motion to approve the first amendment to the Termination Agreement between the Town of Bayfield and the Bayfield Area Chamber of Commerce. Trustee Davenport seconded.

Roll call: 7 – 0

Motion passed unanimously.

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Action Agenda Item #5: Board Reports (SWCCOG, LPCEA, RHA, SWTPR, Region 9, Other)

Trustee Nelson stated that the SWCCOG approved next years budget, a MOU was approved for the sharing of revenue from the fiber lease at a 75/25 split and they discussed the possibility of Montezuma County participating in the Scan Planning Grant.

Trustee Davneport stated that the RHA Fall Reception will be held mid October at Sorrel Sky. She also stated that the Homes Fund has purchased a piece of property in the Dove Ranch Subdivision that they are planning to build an affordable housing unit on. Also, Executive Director Karen Iverson is proposing some reorganization for the RHA and the Homes Fund.

Town Manager La May stated that the SWTPR had a presentation by the Planning Department of CDOT, at their last meeting.

Trustee Sanders stated that Region 9 will meet next month.

Trustee Dallison stated that the Senior Board will meet in September.

Trustee Nyberg stated that the Planning Commission approved a Vacation Rental and discussed revamping the Town's Sign Code.

Mayor Salka stated that LPCEA will meet September 5th.

Action Agenda Item #6: Unfinished Business

Town Manager La May stated that the Board had some information presented to them during the General Public Input, regarding the three mile boundary and the prohibition of any form of marijuana operation. If this is a matter that the Board would like to revisit, we should probably go through the public process and put the item on the agenda for a future meeting. Staff is asking for the Board's direction in this matter.

After a lot of discussion the Board agreed, 5 – 2 (Trustees Nelson and Sanders against), to revisit Resolution 311 and instructed staff to prepare a list of pros and cons on this matter.

Trustee Nelson made a motion to move to Executive Session in accordance with C.R.S. 24-6-402(4)(e) determining positions relative to matters that may be subject to negotiations; developing strategy for negotiation; and instructing negotiators as it relates to Bayfield School District 10-JT-R Annexation, to include Town Manager La May and Town Attorney Robbins. Trustee Davenport seconded.

Roll call: 7 – 0

The Board moved to Executive Session at 8:07 pm.

The Board came out of Executive Session at approximately 8:22 pm.

Mayor Salka stated that no decisions were made during the Executive Session.

Meeting was adjourned at approximately 8:23 pm.