

**Town of Bayfield
Regular Town Board Meeting
August 2, 2016
1199 Bayfield Parkway, Bayfield CO 81122**

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

Town Board Members Absent: Mayor Salka

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

Media Present: Carol McWilliams with the Pine River Times

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

Approval of Minutes: Trustee Nyberg made a motion to approve the minutes from July 19, 2016 as presented. Trustee Sanders seconded.

All were in favor.

Motion passed unanimously.

Approval of Bills: Trustee Polites made a motion to approve the bills dated July 20 through July 29, 2016, including the bills sent by email from Finance Director Erin Dunavant today. Trustee Davenport seconded.

Roll call: 6 – 0

Motion passed unanimously.

General Public Input: There were no comments.

Town Updates: There were no comments.

Action Agenda Item #1: Presentation – La Plata County Road And Bridge Property Tax Measure

La Plata County Commissioners Brad Blake, Julie Westendorff and Gwen Lachelt gave a Power Point Presentation on the La Plata County Road & Bridge Funding. This item will be a ballot question in the November election.

Action Agenda Item #2: Discussion And Possible Action – Oil And Gas Land Use Requirements

Town Manager La May stated that the Town of Bayfield has limited land use requirements as it relates to oil and gas. We do have a Use by Review process, but we do not really establish a criteria. Oil and gas is unique in that it is the State that has the authority to permit the wells and the well sites. The State does provide the local governments some latitude to look at things as it relates to the surface impacts. Staff has been discussing this subject with Attorney Robbins. Attorney Robbins is well versed in this subject since he sat on the Oil and Gas Conservation Commission. Some of the things that staff has looked at is access to and from well sites, screening of well sites, visual impacts, tracking of mud from the sites and noise. The Town has recently annexed properties with natural gas facilities; additionally, there are properties currently outside of the Town with potential for being annexed into Town that have natural gas facilities. Setback requirements are also something that staff feels should be looked at. Staff is seeking direction from the Board on the level of regulations desired.

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Attorney Robbins stated that he has a lot of background in this area. As the Town contemplates becoming involved in the Oil and Gas, he would recommend researching La Plata Counties regulations. Those regulations have been time tested, approximately 25 years, they have been legally challenged and defended, they do a good job of balancing oil and gas development with protecting the residents interest and they are the ones right outside of the incorporated Town limits.

Trustee Polites stated that she would like to see a presentation on Oil and Gas Policy.

Trustee Davenport asked how many sites or potential sites does the Town have? And have there been any issues with them?

Town Manager La May stated that there is approximately 5 to 7 sites within the Town. All sites are currently developed and there have been no issues.

Mayor Pro Tem Nelson stated that she believes having some land use regulations is a good idea. She stated that she doesn't feel the Town of Bayfield should be on either end of the spectrum. We should be somewhere in the middle. Maybe a little lenient because of our environment. It would be a good idea to look at what La Plata County does, because the property that we annex into Town is already under those Land Use Codes. It would be nice to have a flow that works.

Attorney Robbins stated that while we look into establishing these regulations, it is important that we honor the most recent cases.

The Board agreed that Town Manager La May and Attorney Robbins should use La Plata Counties regulations for reference and begin working on regulations for the Town of Bayfield with a middle of the road approach.

Action Agenda Item #3: Consideration Of Approval Of Change Order No. 1 & 2, 2016 Bayfield Waterline Improvement Project

Town Manager La May stated that Phase I of the 2016 waterline improvement project is complete and as such at the end of the phase, there was \$4,998.76 in project savings. There were overages on some of the work and savings in other areas for a total of \$4,998.76 to the Town's favor. Change Order No. 1 amends the contract to account for the savings. Change Order No. 2 involves extending the waterline the full length of Mesa Avenue or an additional 850 linear feet. The Change Order includes service tie-ins and assumes they are not currently copper and will need replacement. It also includes two 6 inch gate valves and two 8 inch gate valves, which was not included in the discussion with the Board at the July 19, 2016 regular meeting. That accounts for an additional ~\$15,000 in expense, which is the majority of difference in initial quote and final change order amount. I misspoke at the last meeting regarding the overhead costs. Those were included in the initial quote. Change orders also extends the date of substantial completion to August 21, 2016 with final completion September 4, 2016.

Trustee Nyberg made a motion to approve Change Order No. 1 and 2 for the 2016 Bayfield Waterline Improvement Project. Trustee Dallison seconded.

Roll call: 6 – 0

Motion passed unanimously.

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

Mayor Pro Tem Nelson stated that SWCCOG will meet on Friday.

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Town Manager La May stated that LPCEA will meet next Tuesday.

Trustee Davenport stated that RHA will meet tomorrow.

Town Manager La May stated that SWTPR will meet on Friday.

Trustee Sanders stated that Region 9 met in Silverton. There were presentations by Mark Walker from Brownsfield, Jeff Kraft the Director of Business Funding and Incentives at Colorado Office of Economic Development and International Trade and Rebecca Thomas the Superfund Project Manager of Region 8.

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

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

Carol McWilliams stated that the Senior Board baked and delivered pies to the Marshal's Office for each officer and the Administrative Assistant.

Action Agenda Item #5: Unfinished Business

Town Manager La May asked if the Board would like for him to prepare a resolution, for their consideration, supporting the Counties Property Tax measure on the November ballot?

The Board, with the exception of Trustee Davenport, agreed that Town Manager La May should prepare a resolution in support the County Property Tax measure.

Trustee Sanders thanked the Parks and Recreation Department for cleaning the trail behind the Senior Center.

Trustee Davenport asked if the old Chamber of Commerce building was still in Roadside Park.

Town Manager La May stated that the building was still there. The person that was interested in the building, backed out. The Chamber of Commerce now has a new party interested in removing the building, but they will need some additional time. The agreement between the Town and the Chamber of Commerce for removal of the building may need to be extended.

Trustee Dallison asked about an article she had read concerning a proposed Taxi service for Bayfield that was denied by a board in Durango.

Town Manager La May stated that Taxi services are governed by the PUC, Public Utilities Commission. The PUC has stated that Durango Taxi Cab provides service to Bayfield and has denied this new application.

Mayor Pro Tem Nelson stated that Governor Hickenlooper proclaimed July 28, 2016 as Ed Morlan Day.

Meeting was adjourned at 8:11 pm.