

**Town of Bayfield  
Regular Town Board Meeting  
September 15, 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), Erin Dunavant (Finance Director), Jeff Robbins (Attorney)

**Media Present:** No media present.

The meeting was called to order @ approximately 6:57 p.m.

**Approval of Minutes:** Trustee Salka made a motion to approve the minutes from September 1, 2015 as presented. Trustee Nelson seconded.

All were in favor.

Motion passed unanimously.

**Approval of Bills:** Trustee Davenport made a motion to approve the bills dated September 2 through September 11, 2015, as presented. Trustee Salka seconded.

Roll call: 7 - 0

Motion passed unanimously.

**General Public Input:** Mr. Teddy Jack, 542 W. North Street, asked why the roof was being replaced on the Town Hall and who was paying for the repairs. Mayor Smith stated that the roof was being replaced because of damage that was done from a hail storm. The repairs are being paid for by the Town's insurance company.

**Town Updates:** No comments.

**Public Hearing:**

**1. Second Amendment, Sunrise Villas Subdivision Final Plat**

Town Manager La May stated that John Ralph is attending tonight's meeting representing Sunrise Villas LLC, owners of Lots 37-1 & 37-2 of the Sunrise Villas Subdivision. These lots are within the multi-family complex off of Star Crossing. The applicant is requesting a lot line adjustment for both lots. They would like to relocate the lot approximately 15' to the South and 15' to the West. The applicant prefers a different location for the foundation. Because the relocation involves encroachment on commonly held property the application was presented to the Planning Commission prior to being presented to the Board of Trustees. The application is being processed as a Small Subdivision, Short Procedure, in accordance with Section 3-5 of the Town of Bayfield Land Use Code. The applicant filed the application and paid the appropriate fees on August 13, 2015. Requests were sent to Referral Agencies and those comments are summarized in tonight's packet. The Los Pinos Ditch Company is requesting that the plat show the location of the ditch easement. In the original plat the ditch easement was in a different location. Subsequently, Sunrise Villas LLC and the Los Pinos Ditch Company entered into an agreement which relocated the easement. Staff has accurately shown that change on the new plat. The Notice of Public Hearing was published in the Pine River Times in the August 21<sup>st</sup> and 28<sup>th</sup> editions. The applicant has submitted Certified Mail Receipts, verifying notification of property owners with 200'. The

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application appears to be in accordance with the Town's Comprehensive Plan. The location of structures comply with the density and dimensional requirements of the Town Land Use Code for the Multi-Family Residential Zoning District. The Final Plat meets the submittal requirements, with the exception of one item. The exception is the requirement that the utility companies sign and certify the plat. Approval of this adjustment will not change the imperviousness of the lots, stormwater drainage will not be impacted. The lots are both currently served by Source Gas, LPEA, Town of Bayfield Water and Sewer services. The Planning Commission heard this request on September 8, 2015 and recommended moving the preliminary plan forward with the conditions that the Final Plat include the Certificates of Approval in accordance with the Land Use Code and that the Final Plat remove the common area designated under the lots. After Public Comment the Board is being asked to consider the application and determine if the plat is in its proper form. The Board's approval would authorize the Mayor to sign the Final Plat. Staff recommends the Board approve the Final Plat for the Second Amendment to the Sunrise Villas Subdivision with the following conditions: The plat include Certificates of participating utility companies in accordance with Section 4-4(2)(f) of the Bayfield Land Use Code to include USA Communications, LPEA, Source Gas, BP America and CenturyLink and that the plat narratively describe the 10' utility easement on the west side of the property.

Mr. John Ralph stated they are requesting this line adjustment to better utilize the lot without getting into the Los Pinos Ditch easement and to evenly separate the new building from the existing duplex and triplex. He also stated that since this is an amendment of the first plat and the easements for the existing utilities will not be affected, the applicant is asking that they not be required to obtain Certificates of Approval from those utility companies in an effort to save time.

There was no public comment.

**Action Agenda Item #1: Consideration Of Approval Of Final Plat For The Second Amendment To Sunrise Villas Subdivision, Lot Line Adjustment Lots 37-1 & 37-2**

Town Attorney Robbins stated that this is a Final Plat and the Town Code has certain Certification Statement requirements, where individuals that have interest in the property would sign the plat to acknowledge consent of the changes. This would include utility companies. The applicant is asking that we waive this requirement in this instance. Attorney Robbins also stated that his legal advice would be to follow the Town Code and require the signatures.

Mayor Smith asked if the Board would be setting a precedence by waiving these requirements.

Attorney Robbins stated that by waiving this requirement for one applicant would set a precedence for applicants in the future.

Trustee Nelson made a motion to approve the Final Plat for the second amendment to Sunrise Villas Subdivision, Lot Line Adjustment for Lots 37-1 and 37-2, with the staff recommendation to include the Certificates of participating utility companies in accordance with Section 4-4(2)(f) of Bayfield Land Use Code to include USA Communications, La Plata Electric, Source Gas, BP America and CenturyLink. Also, condition two, that the plat narratively describes the 10' utility easement on the West side of the property. Trustee Salka seconded.

Roll call: 7 – 0

Motion passed unanimously.

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**Action Agenda Item #2: Presentation Of The 2016 Preliminary Budget**

Town Manager La May stated that staff is required by State Statute to present a Preliminary Budget by October 15, 2015. Department Heads have submitted budget requests for funds for their projects within their departments. Staff has made some executive decisions regarding what will be included in the budget and a Preliminary Budget has been prepared. The next step would be to hold Budget Workshops to go through the budget line by line. A Public Hearing will be held in November, prior to the Board of Trustees adopting the budget the first week in December. Town Manager La May also stated that this is a unique year, because of the Sales Tax Initiative that will be on the ballot November 3, 2015. Two versions of the Preliminary Budget has been prepared. The first version is based on the assumption that the Sales Tax Increase passes. The second version is based on the Sales Tax Increase failing.

Town Manager La May presented both versions of the Preliminary Budget.

The Board of Trustees agreed to hold a Budget Workshop on September 22, 2015 at 6:00 pm.

**Action Agenda Item #3: Discussion And Possible Action – Non-Profit Funding**

Town Manager La May stated that it is required that individuals or organizations interested in non-profit funding submit an application to staff for the funds requested. Town Manager La May asked if the Board was comfortable making decisions on the Non-Profit Funding applications now or would they prefer to discuss the applications at the Budget Workshop.

Trustee Nyberg stated that it made more sense to discuss the applications at the Budget Workshop, next Tuesday.

Town Manager La May stated that the applications could be discussed at the Budget Workshop and if the Board had further questions regarding the applications the applicants could be invited to attend a Board Meeting to answer questions.

The Board agreed.

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

Trustee Nelson stated that the SWCCOG is dealing with their budget. They have decided on a formula with a 20% base, which will help the smaller communities. The Board voted to have a second Administrative Assistant position. There is money in the 2016 Budget to purchase two recycling containers to lease to private entities or communities that wish to have recycling in their area.

Trustee Salka stated that the LPCEA Summit is October 28, 2015.

Trustee Davenport stated that RHA will meet next month.

Town Manager La May stated that SWTPR will meet in October.

Trustee Sanders stated that Region 9 will meet next week.

Trustee Morlan stated that the Senior Board met last week and discussed the upcoming Bazaar. They have also purchased a Memorial Plaque for deceased members of the Senior Center.

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Trustee Nyberg stated that the Planning Commission had discussed the Second Amendment to the Sunrise Villas Subdivision, Final Plat.

**Action Agenda Item #5: New/Unfinished Business**

Town Manager La May stated that the CML District Meeting is September 30, 2015.

Town Manager La May stated that La Plata Open Space Conservancy is having a picnic on Sunday from 4 – 7 pm at the Zink Pond Conservation Easement.

Town Manager La May stated that Downtown Colorado Inc. will be holding its Annual Conference in Durango on October 6<sup>th</sup> through the 9<sup>th</sup>.

Town Manager La May stated that the 160 Bridge Project is underway. The contractor for that project will be using Roadside Park for staging their equipment. In exchange for use of the park, they will be giving the Town the asphalt millings that come from the project.

Mayor Smith stated that Chief Justice Hobbs will be presenting at the Water Seminar to be held at the Pine River Library on September 25, 2015.

Trustee Morlan asked what number Bayfield's ballot question will be?

Town Manager La May stated that Bayfield's ballot question is 2D.

Trustee Sanders, on behalf of his neighbor, thanked Marshal McIntyre and his deputy for their service.

Meeting was adjourned at approximately 8:18 pm.