

**The Town of Bayfield  
Regular Town Board Meeting  
1199 W. Hwy. 160 B  
Bayfield, Colorado 81122**

**September 1, 2009 7 P.M.**

**Town Board Present:**

Mayor Rick Smith, Council Members Brett Clough, Justin Talbot, Debbi Renfro, and Dan Ford.

**Staff Present:**

Justin Clifton, Town Manager, Pat Anselmo, Town Clerk, Dirk Nelson, Town Attorney.

**Media:**

Carole McWilliams, Pine River Times

**Call To Order:**

Mayor Rick Smith called the meeting to order at 7 P.M.  
Mayor Smith mentioned the recent passing of Councilman Bob Piccoli due to cancer. Rick said 'he fought a valiant fight'. The Mayor called for a moment of silence to honor Bob and the memories he left while serving the Town.

**Approval Of Minutes:**

Dan Ford moved to approve, as written, the minutes of August 18, 2009. Justin Talbot seconded. During discussion, Debbi Renfro asked that wording on page 6 be changed from 'construction standards' to 'design standards'. The vote was four in favor, with Brett Clough abstaining from the vote, citing his absence that particular evening. Motion carried.

**General Public Input:**

Gerald Ludwig addressed the Board. He asked why the Schroder Ditch Company was never notified about the recycling facility going in right next to the ditch. Justin C. replied, the property already had the use by right, i. e., once the zoning of a property is passed, any use described in that Zone Classification Approval is also approved with the same vote. Since the approval process had already taken place, it was not a requirement of staff to notify adjacent land owners. 'We did not mean to appear negligent; the use is within the parameters of the assigned zoning in the Land Use Code. Gerald then questioned the fifteen foot easement along the ditch bank. He remarked, he had always used twenty feet in the past.

His third question was ‘Why would you require homeowners to pipe a ditch, but not require the Town to pipe the ditch along the recycling center?’  
Public Comment closed.

Justin Clifton asked that discussion of the metal storage building be inserted on the agenda. He had several things he wanted to discuss with the Board about the building. He continued, when the costs were re-calculated, it was apparent that the recycling center was going to run \$10,000 over the original estimate.

The recycling center driveway was initially planned to be an all weather surface. The more thought he and Ron gave to it, with special consideration given the big trucks coming in to pick up the containers, they now think the surface should be paved. He got an estimate from Alpine Construction for asphalt on the drive areas. ‘This will be a very limited area, if we go ahead with asphalt and concrete, it adds about \$32,800 to the cost. We had asked for \$50,000 from La Plata County to help with this. This request was denied’.

He referred to the original budget. ‘The Capital Fund reflects anticipated expenditures of roughly \$159,000. It will be a substantial increase.

The amount budgeted for the equipment shed was \$60,000. It is situated immediately below the Recycling line item which was budgeted for \$85,000 (refer to 2009 Budget). The metal storage building costs of \$60,000 were arrived at by using a conceptual estimate. It is going to be closer to \$91,000. The slope (elevation trim and fill) made it necessary to import backfill. This cost (elevation fill) was not included in the original plans. The Building Reserve Fund was going to be closed out completely. We anticipated transferring that money to the new fleet fund.’

He adjusted the ending Capital Fund, saying ‘we can end 2009 with roughly one million in this fund.’

He said additional money would enable the Town to do a *correct job* on these two projects.

The County set aside funds in 2008 for recycling. However, things have shifted since then. Justin C. said ‘we need to go back to the County, let them know what the recycling is going to cost, and ask them to help out with these costs.’

Rick asked what hours of operation were anticipated for the recycling center. Justin C. replied ‘it depends on how much manpower we have to dedicate. This decision has not been made. The Town should plan on keeping it open at least eight hours a week.

Justin Talbot asked if Alpine had changed their bid. Justin C. responded, ‘not significantly’.

Justin Talbot asked if the Board needed to address Mr. Ludwig’s comments at this time. Justin C. responded, the Board needs to be cognizant; the issues are different when a parcel is zoned versus when a parcel is built out. The Town has not required that developers pipe ditches, the precedent was never in full force.

That parcel was zoned without the stipulation of piping the ditch.

Dan Ford asked Dirk ‘doesn’t this issue need to be more formalized?’

Dirk replied that this does need to be an agenda item in order to give the public due notice.

Dan continued, 'what did we approve?' Justin C. said the Town, in the past, approved the project without stipulation of piping the ditch. Because this is the Town's project, it was treated differently than it would be if this were being handled by a new developer.

Debbi asked if detention had been considered. Justin C. advised, the area is very small, drainage would not require a detention pond.

Dirk counseled, 'in reality, it should be put on the agenda ahead of time'. Justin C. replied 'it can wait two weeks. I will put it on the agenda for the next meeting'.

Rick felt it would be prudent to wait two weeks and place it on the agenda for September 15, 2009. The Board nodded their agreement.

Dan said he was concerned about the increase in costs being proposed by Justin C. 'Can we afford the extra money?'

Justin Talbot concurred with Dan's comments. Justin T. added, he would also like to see the engineers cost estimates on piping the ditch.

Justin C. said he will get the conceptual cost to pipe the ditch. Justin Talbot felt it is important to keep a good working relationship with the ditch company. They are a vital part of the community.

This item will be discussed during the second meeting in September.

### **Action Agenda:**

#### **Item # 1: Approval of Bills:**

Justin Talbot had a question about supplies for the Senior Center. Justin C. replied that the capital budget for the senior center has been closed, for the most part.

Debbi asked concerning the GIS grant. Justin C. answered, 'The Town is the fiscal agent for this. Animas Geographic was contracted to do the work. It is money that is first received from different entities, then paid out. They have been collecting CAD files and doing some base mapping.'

Justin Talbot moved to approve payment of bills as presented for August 28, 2009. Debbi seconded. The vote was five in favor. Motion carried.

#### **Item # 2: Town Updates:**

Justin C. reviewed some of the items. The Town has not been awarded the Gem Village monies yet. Total costs will be lower than engineer's estimates. 'We will save the taxpayers some money, but will forego part of the grant money'.

The costs for the ball park will also be lower than originally anticipated. This project looks good.

The new sewer plant is up and running. September 21<sup>st</sup> should be the ribbon cutting ceremony. The crew has been running it, and has met permit limits. We should finish the Gem Village lift station this year.

The School District has been extremely helpful with the WWTF project, and willing to chip in.

Justin Talbot said Tom Au voiced concern about the engineering plans for the Gem Village project and the ball field. Tom cautioned 'they did not include grade requirements, how much dirt needs moved, they did not provide for steel in the concrete'.

Justin C. will get together with Tom to be sure there is no oversight on this. Debbi said it was a due to a 'classic computer glitch. The information never got put on the plans. There probably should have been some sort of plans included with the plans so who ever was bidding would have the necessary information'.

Debbi spoke of her concern about local entities having to drive to Cortez to get the engineer's plans for a Bayfield project.

Justin C. explained, 'we need to track who gets the plans and who is involved in the bidding. The contractors can have the plans sent overnight from Cortez to Bayfield by any express company.'

Justin Talbot cautioned, 'the Gem Village project and the ball field are major issues. The elevation and grading are an integral part of the projects' Justin C. replied 'the contractor is the responsible party for covering the bases for leveling, grading, elevations. Justin C. continued, concerning the Gem Village project, 'none of the contractors had questions. There were addendums furnished with the plans. We take the lowest qualified bidder.' He said he will be sure to ask the correct questions before awarding this project.

### **Item # 3: Annual Liquor License Renewals:**

Brett Clough moved to approve the annual renewal of a liquor license for Mini-Merc Convenience Store, 487 E. Colorado Drive, Bayfield Colorado. Dan Ford seconded. The vote was five in favor. Motion carried.

Brett moved to approve the annual renewal of a liquor license for Babo's Bar and Grill, 457 Wolverine Drive, Bayfield, Colorado. Dan Ford seconded. The vote was five in favor. Motion carried.

Brett Clough moved to approve the annual renewal for a liquor license for Steamworks, Peak Brewing Co. LLC, 442 Wolverine Drive, Bayfield, Colorado. Dan Ford seconded. The vote was five in favor. Motion carried.

### **Item # 4: Discussion Regarding Fire Code & Fire Code Appendices:**

Rick Smith thanked Fire Chief Rich Graeber for supplying the documentation necessary for an adequate review by the Board.

Rick wants to take the time to study the material thoroughly to be sure the Board covers all the bases. They must do due diligence on this matter.

Justin C. said he was not prepared at this time to go ahead with this issue.

Rick asked the Board, 'do you have any questions for the Chief?' Debbi asked about Appendix C, 'what exactly is this?'

Rich replied, it discusses placing of hydrants in commercial and residential areas.

Rich said his comments address future compliance requirements.

He added, 'before anything starts, before dirt is turned, I want to be involved in the input and process of making the determination of what the fire flow needs to be'.

On the infrastructure that currently exists, he asked that the Town try to address some of the inadequate fire flow with looping.

He handed more pertinent reading material to the Board and staff for their perusal.

He supplied a list of communities and towns that have a Fire Code in place.

He encouraged the Board to study Appendix A, thoroughly.

It deals with the establishment of an Appeals Board.

Appendix B addresses fire flow requirements. Commercial buildings require 1500 G.P.M. minimum.

Appendix C. deals with placement of hydrants.

Appendix D speaks to fire apparatus, fire equipment access roads, fire lane issues.

The Mayor asked if the Board is still going to have the fifth Tuesday in September for a work session. Justin C. answered in the affirmative. He wants to be able to do a comprehensive evaluation including some systematic method for implementation before action is recommended. It was decided to discuss this further on the 29<sup>th</sup>.

Rick said he would let the Chief know, after the September 29 work session, when action will be taken, and to what extent.

Justin C. pointed out, the Town does not have any development in process currently, so this should not be an issue.

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

Justin C. advised the Board that Joe Crain will be retiring immediately due to health problems. He is currently on indefinite leave.

Justin is working toward getting a contract for an in-house engineer. He is not going to move forward right away, he wants to refine the Planner/ engineer job description. Justin C. is the Land Use Code Administrator, so Joe's vacancy should not create a problem.

Dan asked 'who do the planning questions go to in the meantime'. Justin responded, Marianne has been keeping track of permitting. Justin C. and Jack will be taking care of code compliance reviews and the technical areas.

Dave Hardy needs to visit with Justin C. on questions he (Dave) has.

Debbi conveyed her thanks to the staff for helping out with things during the current staff shortage. She said 'keep hanging in there'.

Justin C. said the staff has done an excellent job.

Justin Talbot said Tom Au wanted him to convey his thoughts on the walking path on C.R. 501. The County is footing the bill for construction but the Town will have to maintain it, do the snow plowing, etc. Justin C. said he heard they may be using asphalt instead of concrete.

Dan asked about the construction material that was used over by Babos. Debbi replied, 'it doesn't have the strength'. She added, Hunter Swanson said he would supply the equipment to clean the walkways. She is not totally convinced of the quality and durability of the new material.

Justin Talbot spoke to ensuring the Town giving local bidders preference. He asked, 'what are the legal aspects?' Justin C. answered, 'we need to address the parameters, the Town may want to reconsider implementation of a use tax'.

Dirk advised the Board, there is much activity on a community level on how to provide a basis for using local materials and contractors.

Justin C. added, 'we need to find the right balance, i.e., the amount of money the Town spends, and the money that is spent in the Town. We need to find what tools are out there for incorporating the use of locals'.

Justin Talbot asked about the progress of the developers check list. With Justin C. and Joe Crain both being out of the office, it didn't happen.

Rick asked that staff send out e mails for the September 29 work session, reminding the Board to attend. The 2010 Budget will take the lion's share of this meeting.

CML is hosting their annual dinner at Silverton on October 5. Anyone who plans to attend needs to RSVP. Please let Pat know.

Rick said he would like to request a recent photograph of Bob from Clara and take Bobs name plate and picture to get a plaque made for the foyer. Councilman Piccoli passed away while serving on the Bayfield Town Board. It would be nice if the plaque reflected his time of service.

Pat was instructed to make arrangements for flowers for the funeral service this coming Saturday morning. Bob had requested that any donations be made to the American Cancer Society. The Mayor asked that staff wouldn't place any announcement for the vacancy for this Board position until after the services.

He also asked staff to send flowers to the other staff members who have had misfortune befall them the past two weeks.

Motion to adjourn 8:30 p.m.