

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

October 20, 2009 7 P.M.

Board Members Present:

Mayor Rick Smith, Council Members Justin Talbot, Debbi Renfro, Tom Au, and Dan Ford.

Town Staff Present:

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

Media:

Carole McWilliams, Pine River Times

The Mayor called the meeting to order at 7 p.m.

Approval of Minutes: October 6, 2009:

Dan Ford asked about his 'comment' on page three. He said he was not at that meeting. Rick made clarification, saying it should read 'Rick said that Dan Ford said'.

Debbi Renfro asked that her comment on page 6, under Item #8 be changed to read 'Debbi questioned', striking 'Debbi explained'.

Tom Au moved to approve the minutes of the Bayfield Town Board meeting held October 6, 2009 as corrected. Debbi Renfro seconded. The vote was four in favor, with Dan Ford abstaining from the vote. Motion carried.

General Public Input:

Janice Zwart, representing AREM in the Fox Farm development, asked if it would be possible for the Town to plow the private (handicap) parking lot for them.

The response was that this segment of road was private. It had been set up that way intentionally by the developers. The Town is not responsible for plowing there.

Action Agenda:

Item # 1: Approval of Bills:

Justin Talbot moved to approve payment of the bills spanning October 8 through October 16, 2009 as submitted with the Board packets. Tom Au seconded.

The vote was five in favor. Motion carried.

Item #2: Town Board Vacancy:

Mayor Rick Smith nominated Gabe Candelaria to fill the vacancy on the Board created by the demise of Bob Piccoli. Dan Ford made a motion to accept this nomination.

Debbi Renfro seconded. The vote was five in favor, motion carried.
Rick asked Gabe to take his place on the dais. At this point, the Mayor swore Gabe Candelaria in as the new trustee for the Town of Bayfield. His remaining term is two and one half years.

Item # 3: Town Updates:

Capital Projects: Gabe asked Justin Clifton to explain his comment that the capital projects are over budget. Justin C. explained that the Gem Village lift station project and the metal storage building are not over budget. Justin C. pointed out, the Capital Fund is over budget, not the two projects under contract.

Water Tank Line Leaks: Justin T. asked if Ron Saba could look at these leaks and get an estimate of what it would cost the Town to do the work.

Justin C. responded that it is more a matter of time availability. Ron has been dedicating a lot of time to the Upper Pine Fire District (related to their qualification tests for fire insurance ratings).

County Commissioners Breakfast: Mayor Smith reminded the trustees that there will be a Breakfast hosted by the La Plata County Commissioners on Thursday, October 22 at 7:30 a.m.

Dan asked if the trustees need a heads up on any issues.

Rick responded that the County's participation in the recycling center and the fiber optic project will be particularly vital to the Towns financial well being.

Rick added, the County has asked for an RSVP. Justin C. said he would post the appropriate notices.

Item # 4: Fox Farm Amended Plat:

All pertinent data is in the Board packets. The Town engineer has reviewed it. Dirk has reviewed it. Reid Ross was present to answer any questions the Board may have. Justin C. commented that this was basically just a housekeeping procedure.

The Mayor asked the Board if they had any comments. None were voiced.

The Mayor turned the floor over to Reid Ross. His comments mirrored Justin's, 'this is merely a matter of housekeeping, there is nothing significant about any of them'.

Dan asked if the area allotted for handicapped parking was sufficient.

Justin C. responded, handicap parking is not part of the PUD created by the Town.

Gabe asked if the handicap parking area was the town's responsibility. Dirk replied that it was not. It would be CDC's responsibility.

Concerning the request for plowing, only 1/3 of the street is the Town's responsibility. The other two thirds are Fox Farms responsibility.

Tom Au made a motion to approve the second Fox Farm Plat as amended and as presented to the Board. Debbi Renfro seconded. The vote was six in favor. Motion carried.

Item # 5: CHI/CDBG Agreement:

Several months ago, Jenn Lopez (Regional Housing Alliance) asked the Town to serve as a sponsor for a Community Development Block Grant on behalf of Colorado Housing Inc. At that time, the Town said it would be amenable to this proposal if it did not involve any risk for the Town and, added Justin C., we would participate if it doesn't require a lot of work on the part of Town, (administratively).

The Town would be the sponsoring entity.

Gabe asked what dollar amount would be involved in this agreement with Colorado Housing.

Justin C. responded, the grant is around seventy to eighty thousand (dollars).

Rick added, 'this agreement is only to help them gain the grant monies, we are the conduit only'.

Justin C. explained, 'the RHA will take on the role of policing it. The Town will spend almost nothing (timewise). The money will be channeled through the Town, we will forward it to them'. Dan Ford moved to approve entering into the Agreement Between the Town of Bayfield and Colorado Housing Inc. as presented, in order for the Town to act as a sponsor for the CDBG Grant for and in behalf of Colorado Housing Inc. Tom Au seconded. The vote was six in favor. Motion carried.

Item # 6: Use Tax:

This matter came up during previous discussions regarding local preference. A Use Tax would only apply to building materials. This would only, therefore, include one local business.

Justin C. made the comment that trying to tailor this to a small community, and actually administering it, would be cumbersome. He does not think it would be worthwhile to pursue this issue

Dirk said the Board could request that the issue be put on the ballot in either April of 2010 or November 2010.

Rick commented it may cost the Town more to administer than any benefit realized.

Dirk concurred, commenting 'it would require an enormous amount of time'.

Another drawback would be the cost to the local contractors. A use tax would work to the contrary of supporting local builders.

Gabe commented, in our community it would be hard to administer. It gets very complicated.

Dan said he was not in favor of it for a lot of reasons. It would require high levels of monitoring.

Also, the costs of going through the election process would be material.

Tom agreed.

Rick summarized, 'we are so small, this may create a lot of headache for the Town for very small gains'.

Justin C. said he was asking for direction from the Board.

Three said they were not in favor of pursuing a Use Tax any further.

Gabe wanted more information, but asked that Justin C. limit his time to 2 to 4 hours on the research. Justin T. said he is also interested in more information.

Justin C. cautioned there would be material costs involved in sending the mailers for the 'Pro-Con Statements'. He also said the word 'tax' is going to have a negative connotation.

Dirk recalled that this issue was defeated in the 2004 election, by a material margin.

Justin C. was directed to come back with a cost benefit analysis.

Item # 7: La Plata County IGA For Grant Funds:

Quite some time ago, the Town joined other entities in a concentrated effort to procure a New Energies Communities grant, which was made available by the governor of Colorado to invest in energy efficiency projects. The group was awarded funding, which included \$30,000 for high efficiency lighting at the Bayfield Sports Park and \$12,500 to install solar panels at the new Senior Center in Bayfield.

The IGA is needed to access these funds through La Plata County.

Justin C. added, 'you have to own the infrastructure to get the grants'.

He then stated he 'doesn't know if we would ever access these monies'.

Gabe moved to approve signing the Intergovernmental Agreement Between The Town of Bayfield, Colorado and La Plata County, Colorado, Regarding A New-Energy Communities-Energy and Mineral Impact Assistance Program Award. Debbi seconded. The vote was six in favor. Motion carried.

Item #8: New/ Unfinished Business:

Justin C. informed the Board that the Town is now under contract for the traffic impact study. The kick off meeting will be Nov 3. The Board could meet with property owners and have consultant Ann Bowers come to the meeting. He suggested meeting early, perhaps at 5 p.m. This would allow appropriate time to hear concerns from residents. The Board could make a decision that evening. The Board said they are ok with this proposal.

There will be a budget meeting, Tuesday, October 27. It will start at 5 p.m. and each department head will be allotted a portion of time to discuss their budget needs and concerns with the Board. Justin C wants to actively involve the Board and the department heads. He asked the Board if they had specific questions for them, in order for the department heads to prepare their answers. Rick said the Board could e mail their questions to Justin C.

A question was raised about meetings during the month of December. Justin C. said he was working on a schedule.

Dan asked 'when will we get to the leaky property?' Justin C. replied, 'as soon as possible'.

Gabe asked 'are we coming along good on the new WWTP?' Justin C. said 'for the most part, yes'.

Tom Au cautioned staff regarding Fox Farm. 'Don't let the words *'to be done'* be included in the language of any agreement. This allows the agreement to be open ended on 'when' it will be done. Justin C. replied, 'the Town still holds a little surety from them. Are the monuments set? The Town did get the park fee from them'.

Debbi asked about getting a camera to run through the lines to find the origin of infiltration into the sewer lines.

Justin T. asked about progress on the development checklist. Justin C., 'It is in process'.

Rick asked which Town Board member would be responsible for attending the next Planning Commission meeting. Gabe said he would like to attend both Town Board and Planning Commission meetings.

When asked about the lights on 160 B, Justin C. said they should be working soon.

The Planning (County) IGA is scraped. They had a falling out. They have had problems with the Durango version.

Rick commented, 'it would be a bad decision to plow the private streets'. Dirk agreed.

Motion to adjourn 8:25 p.m.