

Town of Bayfield
Regular Town Board Meeting
March 18, 2010
1199 US Highway 160B Bayfield, CO 81122

Town Board Members Present: Rick Smith (Mayor), Tom Au (Mayor Pro-Tem), Gabe Candelaria, Brandon Luter, Justin Talbot, Dan Ford, Debbi Renfro

Staff Present: Justin Clifton (Town Manager), Dirk Nelson (Town Attorney), Ron Saba (Director of Public Works), Marianne Jones (Town Clerk)

Media Present: Carole McWilliams (Pine River Times), Patrick Young (Durango Herald)

The meeting was called to order @ 7:01 p.m.

Public Comment: Phyllis Ludwig (9205 CR 521) invited the candidates running for the 4 open Board seats to attend the luncheon at the Senior Center on Friday April 19th, 2010. She explained that this would give the seniors a chance to put a face with a name.

Action Agenda Item #1: Approval of the Bills

Tom made a motion to approve the bills dated March 12th, 2010. Gabe seconded the motion. All were in favor, motion passed unanimously.

Action Agenda Item #2: Town Updates

Gabe mentioned an error on Change Orders #8 & 9 for the Gem Village Lift Station. He stated that 14.5 hours is double billed and needs to be corrected.

Justin Clifton said that he will make sure that this gets resolved. Justin explained that most of the amounts in the change orders are because of the bore under the road for the project.

Tom asked about the meeting that was held on Monday March 15th, 2010.

Justin answered that the meeting was good. There was about half of the attendees from the previous meeting. There were a lot of examples given on how other communities are handling this sort of request. Currently, about 15 communities have denied the requests for dispensaries but the majority of the communities that have taken action have decided to allow the dispensaries but they are regulating them. The other communities faced with this decision are in a holding pattern and have temporary moratoriums in place right now. Justin said that he hopes to discuss at the next meeting what conditions & restrictions need to be put into place if the Board decides to allow dispensaries in Bayfield. Justin gave some suggestions to the Board regarding other means to solicit resident input on the issue and asked for the Board to think about it and come back with some additional direction for staff. Justin stated that it would be a good idea to heavily advertise the meeting where a decision on the matter is going to be voted on to allow the residents to give as much input as possible.

Tom asked about the traffic study. He was curious about the two numbers in the study with a slash in between them.

Justin explained that the top number is the AM Peak Hour number and the bottom number is the PM Peak Hour number.

Town of Bayfield
Regular Town Board Meeting
March 18, 2010
1199 US Highway 160B Bayfield, CO 81122

Rick stated that the SWCOG decided to take the NTIA fiber issue to a sub-committee because the COG was split down the middle on the issue. They chose Rick, one person from the opposing viewpoint and one person from the supporting viewpoint. The three of them met with the applicant for the NTIA grant and Brainstorm Communications. The message delivered to the applicants was to work out a deal with local vendors so that there wouldn't be as much competition. The committee does not want to see overbuilding of fiber infrastructure just to be competitive. So far, a contact has not been negotiated. Therefore, the sub-committee is going to recommend to the COG to remain neutral; not give any support for the project but not vote against it either.

Debbi commented on the update received from Upper Pine Fire Protection District.

Justin Clifton explained that he received that today. He will request to receive them electronically from now on.

Dan applauded the decision the Board made to hire a Finance Director and is pleased that Dot is already finding and correcting financial items. He also mentioned that he had a discussion with County Commissioner Wally White and found out that the County is also going to have to make a decision regarding medical marijuana and they are very interested in finding out what Bayfield decides to do

Action Agenda Item #3: Inspection Fee Schedule

Justin Clifton gave his staff report. He explained that Ron Saba, the Director of Public Works had mentioned at a previous meeting that the staff had a tentative plan to create an inspection fee schedule for development and construction oversight. The staff & the Board reviewed development fees as part of the 2010 budget process and revealed that the fees paid do not come close to covering staff costs for development administration. This is even truer now that the Town has adopted the Construction and Design Standards. The higher level standards, while important will not have the desired effect without considerable administrative efforts.

Justin Clifton explained that Ron has outlined a proposed inspection fee schedule. Ron looked at other communities to establish the proposed fee schedule and if the schedule is adopted the staff will present a formal ordinance to the Board for adoption.

The floor was given to Ron Saba.

Ron explained that there is not a lot of communities Bayfield's size that do this sort of inspection schedule because most of them incorporate these fees into their development fees or building permit fees. However, he looked into the schedules from Boulder, Aurora, Colorado Springs, and some other communities and all of them had a very comparable price mark for fees. They all charge approximately 2.3% of the total project price. However, it was decided that percentage would be too high for Bayfield and could potentially scare away new developments. Therefore, he came up with a fee schedule that breaks the fees down by linear feet and documents how much will be charged for each infrastructure item of a new subdivision. The proposal equates to approximately 1.6% of a total project price.

Proposed Inspection Fees:

Sidewalks, Trails, and Bike paths	\$37.50 first 50LF, \$.75 each additional LF
Curb walk and Curb & Gutter	\$37.50 first 50LF, \$.75 each additional LF
Pipeline (water, sewer, storm water)	\$62.50 first 50LF, \$ 1.25 each additional LF
(Includes all services, tees/bends, thrust blocks, hydrants, valves and valve boxes, air/lamp/ pressure tests)	
Sewer/storm manholes and boxes	\$10.00 each

Concrete/ Asphalt Paving

Town of Bayfield
Regular Town Board Meeting
March 18, 2010
1199 US Highway 160B Bayfield, CO 81122

New or Overlay	\$50.00 first 300 sy, \$.25 each LF
Patch or Repair	\$50.00 first 300 sy, \$.25 each LF
Water, Sewer, Storm Flushing	\$150.00 per 1000 LF
Main Extension/ Tie in Fee (Water, Sewer, Storm)	\$250.00 each
Re-inspection Fees	\$50.00 per ½ hr, ½ hr min.
Re-inspection Fee after hrs	\$75.00 per ½ hr, ½ hr min

Justin Clifton explained that this area has been lacking in the past and he feels that now that the Town has really good standards in place, it now needs someone to over see the improvements. These new standards will help make this process a more robust program to protect the interests of the Town and could potentially save the Town money in the long run because it won't have to replace streets, water lines, sewer lines, etc. that fail. He feels that charging these fees could help fund a Town Planner/Engineer position which will enhance the level of service that the Town is able to provide for new subdivisions or developments.

Gabe asked if it would be simpler to collect 1.5% from the developers rather than tracking each item separately.

Justin Clifton answered that the Town has a spreadsheet that was created by the engineer that is used for bonding purposes. This spreadsheet assigns unit costs for each item of the development so that the Town is assured to have enough security in the event that they have to finish the project. The inspection fees can be built into this spreadsheet and collected through the security process or the Board could opt to just collect 1.5% on all new developments so that each project is equal and the administration is much easier. However, using the unit inspection schedule would allow for the fees to be collected over time rather than up front. This option might be easier for the developers and would show actual revenue numbers in the budget rather than collecting everything up front and not having the total project completed for a long period of time.

Debbi commented that she likes the simplicity of the 1.5% rather than breaking everything down into unit costs.

Tom stated that even if the Town decides to adopt the 1.5%, there still needs to be a fee schedule for re-inspections.

Rick commented that he also wants to make sure that there are re-inspection fees. He thinks it needs to be spelled out how many inspections are allowed for each item before re-inspection fees are assessed.

Justin Clifton suggested proposing specific language in the Land Use Code revision and bring it back for approval.

Gabe thinks that all inspections still need to be tracked so that the Town knows that the amount of fees collected is covering the number of inspections that are being performed.

Justin Clifton responded that it would not be difficult to do that but the Town would need to articulate what is subject to the fee and what is not. There would need to be a clear directive about standard items that have to be inspected and are subject to the inspection fees and the public improvements or odd items that are not typical for each development that would also need to be subject to inspections. This would allow the Town to collect the surety up front but the developer would still be able to pay over time and not have to pay all of the fees upfront.

Ron mentioned that it might be in the Town's best interest to collect the fees up front so that if the developer defaults on the project the Town has already received those funds. He also commented that he thinks that it might be a good idea to make the re-inspection fees assessed at the direction of the Public Works Director or the Engineer.

Town of Bayfield
Regular Town Board Meeting
March 18, 2010
1199 US Highway 160B Bayfield, CO 81122

Justin Clifton responded that the Town could set it up that the developers are charged on the third inspection if the work is not completed. However, there could be a waiver process to address unique circumstances. This allows the developer to know what to expect and it's not left open-ended.

Justin Talbot commented about Ron's suggestion of collecting the fees up front.

Rick responded that he feels collecting the fees up front would help keep the developer honest because they've already spent the money for those items.

Justin Clifton stated that the Town will collect a Letter Of Credit (LOC) up front for the entire amount of development costs (including the inspection fees). This LOC can be reduced over time as components are completed. If the Town has adequate surety, it is covered in the event of default for all items in the subdivision.

Action Agenda Item #4: New/Unfinished Business

Justin reminded the Board regarding the candidate forum on April 1st, 2010. This forum is being sponsored by the League of Women's Voters and will give the candidates a chance to express their viewpoints to the public.

Dan acknowledged the Ignacio Bobcats and their 2nd place win in Pueblo. He also asked if the Town Marshal's office had any help in the investigation that caught the bank robber.

Justin Clifton answered that the Bayfield Marshal's office deserve a lot of credit for that capture because they were heavily involved in the case and they provided some of the key puzzle pieces to catch the robbers.

Gabe asked if an advertisement regarding the recycling center being open on Saturday could be printed on the utility bills.

Justin Clifton answered that the staff has already done that in the past but will do it again to heighten awareness of the recycling center. He also suggested changing the bills so that it states garbage/recycling rather than just garbage so that the residents know that they are contributing to the recycling service.

Action Agenda Item #5: Executive Session: {C.R.S. Section 24-6-402(2)(f)}
Town Manager Evaluation

Tom made a motion to go into executive session for discussion of a personal matter under C.R.S. 24-6-402(2)(f) and he requested that Justin be included in the session briefly. Gabe seconded the motion. All were in favor, motion passed unanimously.

The Board came out of Executive Session and adjourned.

Minutes were approved as submitted on April 20th, 2010.

**Town of Bayfield
Regular Town Board Meeting
March 18, 2010
1199 US Highway 160B Bayfield, CO 81122**

Approved:

Rick K. Smith
Mayor

Marianne Jones
Town Clerk