

Town of Bayfield
Regular Town Board Meeting
July 2, 2013
1199 Bayfield Parkway, Bayfield CO 81122

Town Board Members Present: Mayor Smith, Trustee Au, Trustee Nelson, Trustee Renfro, Trustee Davenport, Trustee Morlan

Town Board Members Absent: Trustee Nyberg

Staff Present: Chris La May (Town Manager), Kathleen Cathcart (Town Clerk), Dirk Nelson (Town Attorney), Joe McIntyre (Marshal), Erin Dunavant (Finance Director), Scott Key (Parks and Recreation Director), Ron Saba (Public Works Director)

Media Present: Carol McWilliams (Pine River Times)

The meeting was called to order @ 7:00 p.m.

Roll Call: 6 present 1 absent

Pledge of Allegiance:

Approval of Minutes: Trustee Au made a motion to approve the minutes from June 18, 2013 as presented, Trustee Morlan seconded.

All were in favor.

Motion carried.

Approval of Bills: Trustee Nelson made a motion to approve the bills dated June 19, 2013 through June 27, 2013 including the bills that were sent in an email from Finance Director, Erin Dunavant, Trustee Au seconded.

Roll call: 6 – 0

Motion passed unanimously.

General Public Input: Mr. Teddy Jack, 542 W. North Street, asked the Board of Trustees about repairing the road at the end of Mill Street next to Town Hall. Mayor Smith stated that he would ask staff to look into this project.

Town Updates: Trustee Au asked if staff would be organizing public meetings to discuss the Flood Plain Ordinance. Town Manager La May stated that he would be scheduling some meetings to discuss the ordinance. Trustee Au stated that bids came in much higher than expected on the Parks and Recreation Shop. Town Manager La May stated that staff has a couple of options, to possibly rebid the project in the fall or contract each phase individually.

Action Agenda Item #1: Presentation Of 2012 Year End Financial Statements – Hinton Burdick PLLC

Mr. Chad Atkinson, CPA with Hinton Burdick, presented the 2012 Year End Financial Statements to the Board of Trustees. Mr. Atkinson discussed each fund and answered questions from the Board.

Mayor Smith thanked Mr. Atkinson for his presentation.

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Action Agenda Item #2: Consideration Of Directing Staff To Apply For A Great Outdoors Colorado Local Government Park, Outdoor Recreation And Environmental Education Grant For Park Land Acquisition

Town Manager La May stated that staff is asking the Board for direction regarding the application for a C.O.G.O. Grant for the acquisition of the school property across from Joe Stephenson Park. This grant would be a 70/30 split with the Town of Bayfield providing a 30% match. The applications are due mid-august.

Mayor Smith stated that this item was on the agenda at the last meeting, but it was decided to wait and discuss it tonight.

Town Manager La May stated that there is a total of \$177,000.00 available for Park Land acquisition.

Trustee Renfro made a motion to direct staff to move forward with the C.O.G.O. application for land acquisition, Trustee Morlan seconded.

Roll call: 6 – 0

Motion passed unanimously.

Action Agenda Item #3: Consideration Of Approval Of Notice Of Award For CR 501 Multi Use Path

Town Manager La May stated that there were two bids presented for the CR 501 Multi Use Path construction. Both bids were opened on Friday at Town Hall. One bid was considered non responsive and rejected because not all required forms were included with the bid. The only responsive bid which was also the low bid came from Crossfire at \$138,736.00. Staff is prepared to move forward and give notice of award to Crossfire. This is a C.D.O.T. project so we will need their concurrence and approval to move forward.

Trustee Nelson made motion to recommend the award of the La Plata County Road 501 Multi Use Path Phase 2 Project to Crossfire LLC contingent upon C.D.O.T. concurrence not to exceed \$138,736.00, Trustee Morlan seconded.

Roll call: 4 – 1 (Trustee Renfro abstained, Trustee Au voted no)

Motion carried.

Action Agenda Item #4: Staff Recommends Approval Of Ordinance 379, An Ordinance Extending A Temporary Moratorium On The Acceptance Of Any Application Of Any Kind To Operate Any Marijuana Establishment As Authorized By Amendment 64 To The Colorado Constitution And/Or To The Operation Of Any Kind Of Marijuana Establishment Within The Town Of Bayfield, Colorado, Effective Immediately

Town Manager La May stated that this ordinance will prevent anyone from submitting an application before our Public Forums and before the Board has made its final decision regarding any kind of Marijuana establishments within the Town of Bayfield.

Mayor Smith stated that he wants the public to be aware that the first time this was discussed it was referring to Medical Marijuana Establishments. The new vote taken will be regarding Retail Marijuana Establishments.

Trustee Nelson asked how the Board can deal with this by October if we don't know if the tax will pass until November.

Attorney Nelson stated that the regulation of the establishments is a separate question from the tax.

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Trustee Davenport made a motion to approve Ordinance #379, Trustee Renfro seconded.

Roll call: 6 – 0

Motion passed unanimously.

Action Agenda Item #5: Board Reports (SWCCOG, LPCEA, RHA, SWTPR, Region 9)

Trustee Nelson stated that SWCCOG has not met since the Town of Bayfield's last meeting.

Mayor Smith stated that the Alliance meeting is next week.

Trustee Davenport stated that the RHA meeting is next week.

Trustee Renfro stated that the next SWTPR meeting is July 15, 2013. Renfro

Trustee Morlan stated that Region 9 will meet on July 26, 2013 in Cortez.

Trustee Morlan stated that the Senior Citizen Board will meet next Wednesday.

Action Agenda Item #6: New And Unfinished Business

Mayor Smith asked Trustee Nelson and Trustee Davenport to make a presentation regarding the CML Conference they attended in Vail last week.

Trustee Nelson stated that she would like the Board to discuss recycling through Transit Waste, at some point.

Trustee Davenport asked if staff has heard anything new regarding the Fox Farm Tower.

Town Manager La May stated that he has received a draft of the application to be submitted for a grant through the State Historical Society.

Trustee Morlan stated that he would like to see a report regarding possible solutions for the problems that Mr. Teddy Jack talked about this evening.

Mayor Smith wanted to remind everyone about the ground breaking ceremonies for the School District on July 22, 2013.

Trustee Au made a motion to move to Executive Session in accordance with C.R.S. 24-6-402(4)(e) to include Town Manager La May, Town Attorney Nelson and Public Works Director Saba to determine positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators for adjudication and acquisition of water; Trustee Nelson seconded.

Roll call: 6 – 0

Motion passed unanimously.

Meeting adjourned to Executive Session at 8:00 pm.

The Board came out of Executive Session and meeting was adjourned at approximately 8:35 pm.

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Minutes Were Approved As Presented On July 16th, 2013.

Approved:

**Rick K. Smith
Mayor**

**Kathleen Cathcart
Town Clerk**