

**Town of Bayfield  
Regular Town Board Meeting  
March 19, 2024  
1199 Bayfield Parkway Bayfield, CO 81122**

**Mayor Tarkington called the meeting to order at: 6:30 pm.**

**Town Board Members Attendance:**

Trustee Zazzaro – Present  
Trustee Hartz – Present  
Trustee Morlan – Present  
Trustee Thomas - Absent  
Trustee Wolff – Present  
Trustee Au – Present  
Mayor Tarkington – Present

**Staff Present:** Katie Sickles (Town Manager), Nicol Killian (Community Development Director), Corey Griffis (Assistant Public Works Director), Chief Michael Hogue (Chief of Police), Michael Goldman (Town Attorney), Mark Robinson (Parks and Trails Director), Dustin Hayden (Town Clerk), Kathy Cathcart (Finance Director), Kristin Dallison (Administrative Services).

**Agenda Item #1 D: Conflict of Interest**

Trustee Morlan recuses herself from 5G.

**Agenda Item #1 E: General Public Input**

Mayor Tarkington opens up public comment. **Brian Blanchard 627 Louisiana Dr. wants the Board to find ways to get the Park Master plan going. David Black 606 Buck Highway. Sees his friend Jackie on Zoom. Wants to reiterate some of the points in her letter. Wants to do a recreation district to help the master plan. Kat Katsos 525 Dove Ranch Road echoes Mr. Black and Mr. Blanchard's thoughts to revisit how to get the plan going. Maybe a committee. Maybe through the Comprehensive Plan. Maybe a tax or may not be a tax. Agrees with Mayor Tarkington that there wasn't enough education when 2A failed. Felt that there was a large support from the community. Wants to strike while the iron is hot.**

**Agenda Item #1 F: General Public Input on Agenda Items**

Mayor Tarkington opens up public comment. None given.

**Agenda Item #1 G: Approve Agenda**

Motion to Approve Agenda: Trustee Zazzaro

Second: Trustee Morlan

Vote:

Trustee Zazzaro\_Yes  
Trustee Hartz –Yes  
Trustee Morlan – Yes  
Trustee Thomas -  
Trustee Wolff – Yes  
Trustee Au – Yes  
Mayor Tarkington – Yes

**Agenda Item #2: Community Grant Request & Information of Interest**

**Agenda Item #2 A: Please speak up and speak into the microphone. Complaints persist regarding poor sound on YouTube.**

Mayor Tarkington states whether you are on the panel or you are at the podium to please speak loudly in to the microphone.

**Agenda Item #2 B: Pine River Valley Youth Sports \$1500 request**

Billy Bond 713 Currant Dr. Just recently started Pine River Valley Sports. As far as football goes we were under the umbrella of Farmington. Some felt it was time to do their own league. Equipment from Farmington was not good. Started the non-profit to benefit local youth. Wants to protect kids and provide equipment. 2<sup>nd</sup> to 6<sup>th</sup> grade. Mayor Tarkington asks about where the games will be? Mr. Bond answers he would like 3 or 4 games in Bayfield of the 8. Trustee Zazzaro asks how many kids are there? Mr. Bonds says 80-100. Trustee Morlan asks how many are from Bayfield? Mr. Bond answers 85 percent from Bayfield and some from Ignacio as well. Trustee Wolff asks if they plan to do other sports? Mr. Bond states that they named their organization this because it leaves the door open for other sports. Ms. Sickles adds that one thing that came to mind is when

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we were working with La Plata Youth Services they suspended services to the Town of Bayfield last quarter of 2023 and they still not have acknowledged the Judge and Chiefs concerns. The \$1950 from that will go unused. Trustee Morlan states if we are not using the money on that than why wouldn't we use the money for this. Mayor Tarkington states that is a lot of kids and uniforms are expensive. Mr. Bond states they have acquired shoulder pads and helmets. Mayor Tarkington asks if they have any other sponsors yet? Mr. Bond states no but we just got started and are advertising for more sponsors.

Motion to approve \$1950 Grant: Trustee Morlan

Second motion: Trustee Wolff

Vote:

Trustee Zazzaro - Yes

Trustee Hartz - Yes

Trustee Morlan - Yes

Trustee Thomas -

Trustee Wolff - Yes

Trustee Au - Yes

Mayor Tarkington - Yes

**Agenda Item #2 C: LPEA Information in Reference to Electric Vehicle Chargers – TBD Survey Results**

Katie Sickles (Town Manager) gives report. Came before you a couple meetings ago about LPEA taking over the chargers. Public that was surveyed mostly made clear that they do not want the Town to take this over. We do not have the resources yet to manage these. Would like better data about how it makes money and how much. Mayor Tarkington adds she feels LPEA can keep it. We can advertise it though.

**Agenda Item #2 D: Jackie Morlan Letter – Status Update**

Katie Sickles (Town Manager) gives report. Received letter right before the last meeting. Nicol Killian (Community Development Director). Has an update on the memorial. Was on work plan for 2024. Applied for a grant and did not get it. Need to find another grant for memorial on the west end of the park. Has a couple options for grants to look at. Mayor Tarkington asks Jackie Morlan if she has anything to add. **Jackie Morlan wants to make sure it is still on the agenda and knows it will happen at some point in time.** Mayor Tarkington would like to see it happen. **Ms. Morlan states that in 2014 Ed Morlan was supportive of a dispensary to fund things in the community. Wants either a Rec District or Sales Tax increase. Or lift the ban on marijuana dispensaries. All small towns in the area have done it and it will not ruin Bayfield's small town atmosphere.** Trustee Morlan states we were very open minded to it and the voters said no and she supports the citizens. Trustee Zazzaro states that she would like to see the pros and cons stated in the TABOR book. **Ms. Morlan states that the vote was close and feels it would go through this time.** Mayor Tarkington adds that she has talked to a lot of Mayors and they are no longer getting money from it.

**Agenda Item #2 E: SWORD – Recovery Residence Project**

Ms. Sickles gives report. The letter came from Heather at Region 9. Would not give the new Board much time to review it. Would like direction to keep seeking land opportunities. Mayor Tarkington adds she is on Region 9 and would like staff to if it is easy but it seems Durango is better suited for this. Trustee Au states Three Springs is the obvious choice.

**Agenda Item #3: Public Hearing**

**Agenda Item #3 A: Municipal Code Article 9 Noxious Weeds**

Nicol Killian (Community Development Director) gives report. State and County has reached out saying that our noxious weed ordinance does not meet the State's requirements for the Noxious Weed Act of 1990. Talked to the State and County what is required is a commission to make a decision from time to time on the noxious weed management plan. Need to adopt a noxious weed management plan. Need to make sure our plan addresses list A and B, the weeds change from time to time. Ordinance #219 was adopted in 1992 but it is not enough. Move noxious weeds under Chapter 9 under nuisances. Weeds will be abated by the nuisance code. We want it to start as a warning and then a citation to go before the judge. Judge rules and then the Town can do some things. Wants this as a last case scenario. Chief Hoguet will be looking at the offenses piece of Article 2 Chapter 9. Article 3 is fire and open burning which has had some changes recently. Article 4 would be a new

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section to deal with noxious weeds. Planning Commission would need to update it from time to time. Last part is education and enforcement. We want to work with the community with how to get rid of the weeds. There is an Ordinance to look at later tonight. Looking for feedback from the Board and the public to take to the Planning Commission. Trustee Morlan asks why it would not be the Chief of Police as opposed to the Town Manager. Town Attorney Goldman states that it is an administrative kind of search. Covered under the Fourth Amendment, not being a criminal offense covered by law enforcement. You would still need a significant amount of evidence for an administrative search. Trustee Morlan states there are a lot of species on here but it does not list thistles as one. Ms. Killian states she will research that. Trustee Zazzaro states that we could outreach and work with some of the HOA's. **Kat Katsos 525 Dove Ranch Road wants to know what the Town's responsibility is for this? Does not know the current system but does include the Town to be in compliance.** Ms. Killian states it is in the Ordinance. **David Black 606 Buck Highway we have a bunch of disturbed dirt here and remembers it when he was on the Planning Commission. Canadian thistle needs to be controlled it comes in bunches. Looks at the disturbed soil attracts weeds with Clearenetworx holes in the ground. Just watch and be knowledgeable a lot of weeds can be controlled with mowing. Be realistic about it and we need a plan. Education goes a long way.** Laura MacLaurin states she echoes what David is saying. Canadian Thistle is very hard to get rid of and they had a lot at the new farm for Pine River Shares. Mayor Tarkington asks if we will start a goat business.

**Agenda Item #4: Approval of Minutes and Department Reports**

**Agenda Item #4 A: March 5, 2024 Minutes**

Motion to Approve Minutes: Trustee Zazzaro

Second: Trustee Morlan

Vote:

Trustee Zazzaro \_Yes

Trustee Hartz –Yes

Trustee Morlan – Yes

Trustee Thomas -

Trustee Wolff – Yes

Trustee Au – Yes

Mayor Tarkington – Yes

**Agenda Item #4 B: Public Works Director**

Corey Griffis (Assistant Public Works Director) gives report. Two water leaks to report. Sewer nothing to report. Potholes getting bad and showing now. We got a pallet of coal patch. Mr. Schulz (Public Works Director) passed his level 3 exam.

**Agenda Item #4 C: Chief of Police**

Chief Michael Hoguet (Chief of Police) gives report. La Plata Youth Services works in the court system. There was a difference in procedure. Did not feel what they wanted us to do was correct in due process. Following Constitution and what the courts require. Judge Davlin supports as well. Still working with them to get the youth what they need in Bayfield. Key card system in full effect except one Senior Center Door and east Town Hall door. Last two weeks we have been doing training and have shown deficiencies in our internet. No fiber all cable in Police Department. Under contract with FastTrack for 100mbs. Spillman requires 100mbs. Will expand more when we go over phones. Utility cameras going we are compliant with SB 217. Sending all officers for leadership training and one new hire in the academy.

**Agenda Item #4 D: Community Development Director**

Nicol Killian (Community Development Director) gives report. Tractor Supply in site plan review. #370 Bayfield Center Drive. Porky's Smokehouse got a building permit at 581 Colorado Drive. Dark skies we got our kit and looking at some dates and do an event with us and the Library's telescope. Will be at The Spring Festival to spread information and education. Bayfield east 1.7 million in congressionally directed spending. Will not hear from The Federal Government until fall or early winter. Wants to use some as a match to find some grants. Every four years the Town does an ISO survey which is done. With FEMA this may help to lower insurance rates. Trustee Zazzaro asks about RFQ's come back from developers for Cinnamon Heights? Ms. Killian answers no but it is not due until April 1<sup>st</sup>. Chief Hoguet Thanks Trustee Au for his observation of Mud Shavers being demolished. And there has been an arrest made.

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**Agenda Item #4 E: Leadership Development & Initial Strategic Plan**

Ms. Sickles gives report. These are words put together by the leadership team at the last leadership meeting. Wonders how it will work when we bring an actual strategic plan back to the Board. Does not mean the Finance Director is going to retire just means we need a succession plan.

**Agenda Item #5 Financial Agenda**

**Agenda Item #5 A: 3/5/2024 Tabled Item Telephone Quotes**

Ms. Sickles states we had to go through Clearnetworkx and not FastTrack. Goes over the spreadsheet made by Kristin Dallison(Administrative Services). Not sure how we are going to get internet to the Public Works or the Water Plant. Phones will cost \$614.99 that does not include fire alarm or the fax because it may have to be analogue. Actual Capital Improvement part is \$3877.50. Monthly service charge is about the same. Next part is the internet. When we start to operate with Spillman we will not have enough bandwidth. Our system has to go to Cortez and back. \$2466 a month fee is not correct it did go down to \$2100 a month. One gig to Town Hall and an EPL to Police Department. Than Parks Shop phone is \$178.00. Ms. Sickles had a zoom call and did not have audio due to bandwidth. 100 MB slows down everything in Town Hall. With Spillman we have to go back to E-Force because we can't run enough bandwidth. We spent all this money on Spillman and cameras and cannot run our technology. Trustee Morlan asks if the \$3877.50 is just for the phones. Ms. Sickles answers yes. Trustee Morlan asks what is the cost for just the internet? Ms. Sickles answers the increase will go from \$1265 to about \$2100. Trustee Hartz asks why is the capital cost of \$3877.50 is split? Ms. Sickles states they are split up in to funds so each fund pays for their part. They should be paying their cost of operation. The cost used to just come out of the General Fund. \$483 is the cost of the capital improvement for the other funds. That is a capital to purchase the actual phone itself. Part of this is that the enterprise funds will be paying for some of the operation cost as well which has never been done before. Trustee Wolff asks for clarification on the spreadsheet. The current charge is \$664 and internet is \$1265 now and the new internet cost is \$2400. Ms. Sickles states it is \$2100 now. Ms. Sickles breaks down the phone cost and internet cost. Trustee Zazzaro asks if the phones are a wash how did we go talking about phones to internet now. Trustee Morlan states because we got Spillman going and zonked the internet. Ms. Dallison states or Data Safe quote would have needed internet too and it would have been needed to be upgraded as well. Chief Hoguet states we were able to get 1 gig for the same price as 500MB. Trustee Morlan asks how are we going to pay for it? Ms. Sickles states enterprise funds should be paying for their share. And to the government fund which is the Street Fund. In the operations we believe we have the \$7200.00 out of Town Hall and the Senior Center. Got with Clearnetworkx and got clear answers this time. Mayor Tarkington states she knows we need it and would like to move on this issue.

Motion to Approve the \$3877.50 with each appropriated fund and to include the internet not to exceed \$8000  
: Trustee Morlan

Second: Trustee Zazzaro

Vote:

Trustee Zazzaro\_ Yes

Trustee Hartz -Yes

Trustee Morlan - Yes

Trustee Thomas -

Trustee Wolff - Yes

Trustee Au - Yes

Mayor Tarkington - Yes

**Agenda Item #5 B: February 2024 Financial Statement**

Kathy Cathcart (Financial Director) gives report. Have received almost all the funds due to us from 2023 with the exception of the payment from the County on the Senior Center IGA. Spent some capital from last year \$39,740 for new patrol Car and water heater for Senior Center. Made final payment on Clearnetworkx for CNL building of \$222,061.52. Grant reimbursement will be processed for that money. Mayor Tarkington asks how long does that usually take? Ms. Cathcart answers usually within the month. No expenses in the Garbage Fund. Will catch up in March due to billing issues at Republic Services.

Motion to Approve: Trustee Morlan

Second: Trustee Wolff



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Vote:

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Trustee Hartz –Yes  
Trustee Morlan – Yes  
Trustee Thomas -  
Trustee Wolff – Yes  
Trustee Au – Yes  
Mayor Tarkington – Yes

**Agenda Item #5 C: Sales Tax Report**

Mayor Tarkington states that it is in the packet.

**Agenda Item #5 D: Mesa Park Sunshade \$73,915 (\$50,000 Budgeted in 2024)**

Mark Robinson (Parks and Trails Director). Had issue due to power line heights. LPEA says we have to be 7.5 and 11.5 vertical. Rocky Mountain Playground provided a quote to deal with this however it costs more money. Wants to reiterate the liability with equipment getting hot keeping kids safe and protects the equipment. They did give a few other options. They are lower in cost but not engineered for the setbacks. They will go in to the setback but not have a pole. Trustee Wolff asks if we called LPEA to see if we can go underground? States that last time he looked it was a primary line and cost \$39 per linear foot. Mr. Robinson states he has not. Trustee Zazzaro asks if this is the only playground we need shade structures. Mr. Robinson states that no he would like to do Gosney Park next year. This vendor actually came out and measured with all her gear. Trustee Morlan states that she understands that this is something we need but maybe not a pressing need right now. Maybe we should do \$50,000 now and \$50,000 next year and save. Trustee Hartz states she went on a trip to Alamosa and no parks had shade structures. Mayor Tarkington states that the Library takes theirs down for the winter. Trustee Hartz states she thinks other parks might be more of a need. Mayor Tarkington states she has got complaints about the heat of the slide. Trustee Wolff states it is a well-used park. Trustee Wolff asks about the dimensions. Trustee Au asks if we can move the equipment to get away from the power lines. Mr. Robinson states that it is one piece and will cost more to move it. Trustee Wolff states concerns that the engineering seems that it almost covers everything and wonders if the company is giving a plan that will never see the light of day. He wonders if it can be scaled different for less coverage and cover areas more needed. Trustee Morlan asks which is north on the aerial. Trustee Morlan is concerned on the price and it is not an emergency.

Motion to table until more information and research from Parks and Trails Director: Trustee Morlan

Second: Trustee Zazzaro

Vote:

Trustee Zazzaro\_Yes  
Trustee Hartz –Yes  
Trustee Morlan – Yes  
Trustee Thomas -  
Trustee Wolff – Yes  
Trustee Au – Yes  
Mayor Tarkington – Yes

**Agenda Item #5 E: I & I Sewer Rehabilitation\$35,500 (\$250,000 Budgeted in 2024)**

Corey Griffis (Assistant Public Works Director). GPR started to be used. Would like to install flow monitoring devices at the irrigation ditches to help identify where the I & I is coming from. Ms. Sickie states it is in the budget. Mayor Tarkington states the report was laid out nicely.

Motion to Approve: Trustee Zazzaro

Second: Trustee Morlan

Vote:

Trustee Zazzaro\_Yes  
Trustee Hartz –Yes  
Trustee Morlan – Yes  
Trustee Thomas -  
Trustee Wolff – Yes  
Trustee Au – Yes

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Mayor Tarkington – Yes

**Agenda Item #5 F: Tamarack & Los Pinos Street Reconstruction Tabulated Bids**

Corey Griffis (Assistant Public Works Director) Went out to bid all three estimates came out under the engineer's cost estimate. Would like to award to Elam Construction for \$428,647. Ms. Sickles states that it does not include the concrete flatwork but does come in under the \$500,000 that was budgeted. Trustee Au asks about the flatwork.

Motion to Award to lowest eligible contractor: Trustee Morlan

Second: Trustee Zazzaro

Vote:

Trustee Zazzaro\_Yes

Trustee Hartz –Yes

Trustee Morlan – Yes

Trustee Thomas -

Trustee Wolff – Yes

Trustee Au – Yes

Mayor Tarkington – Yes

**Agenda Item #5 G: \$48,000 CIGNA Health Insurance Credit**

**Suggested Bonuses \$1000 to every Full-time (28) Employee & \$500 to every Part-time (2) Employee with an additional credit, HSA contribution or bonus to any employee that has their child/children on their plan.**

Trustee Morlan recuses herself. Ms. Sickles gives report. Town will receive estimate on credit for health insurance. By May that will be credited to the Town. Actual credits will be in April and in June. Trustee Zazzaro asks if this a bonus and it is taxed can we put this toward insurance cost. Ms. Sickles states that you are incentivizing the lower deductible higher cost insurance. Trustee Zazzaro asks if we can put it in an HSA? Ms. Sickles states it can at no tax to the employee or possibly another wellness credit. Trustee Zazzaro would like it to be a healthy choice since that is why we got the money. Trustee Wolff asks what does the staff want? Ms. Sickles states that we have an employee breakfast and that would be the proper thing to do, is ask the employees. Ms. Cathcart states tracking it as a health insurance reimbursement would be a nightmare.

Motion to Table until employee breakfast: Trustee Zazzaro

Second: Trustee Au

Vote:

Trustee Zazzaro\_Yes

Trustee Hartz –Yes

Trustee Morlan – Recused

Trustee Thomas -

Trustee Wolff – Yes

Trustee Au – Yes

Mayor Tarkington- Yes

**Agenda Item #6 Action Agenda**

**Agenda Item #6 A: Ordinance 499 Amending Municipal Code Article 9 Noxious Weeds**

Ms. Killian states she heard only changes to the management plan not the ordinance.

Motion to approve with spacing fixed: Trustee Morlan

Second: Trustee Hartz

Vote:

Trustee Zazzaro\_Yes

Trustee Hartz –Yes

Trustee Morlan – Yes

Trustee Thomas -

Trustee Wolff – Yes

Trustee Au – Yes

Mayor Tarkington- Yes

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**Agenda Item #6 Board of Trustees Reports and Upcoming Dates of Interest**

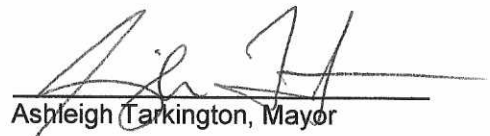
- a. April 1, 6:30pm Board of Trustees Regular Meeting (Monday)
- b. April 2 – Municipal Election In Person 7:00am to 7:00pm
- c. April 8, 5:30pm Board of Trustees Training (Monday)
- d. April 16, 6:30pm Board of Trustees Regular Meeting
- e. April 22, 7:30am BOCC Joint Work Session (Monday)

**9. Adjourned at 8:10**

Approved as presented on 3/19/2024:



Dustin Hayden, Town Clerk



Ashleigh Tarkington, Mayor