

**Town of Bayfield
Regular Town Board Meeting
January 21, 2014
1199 Bayfield Parkway, Bayfield CO 81122**

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

Town Board Members Absent:

Staff Present: Chris La May (Town Manager), Kathleen Cathcart (Town Clerk), Joe McIntyre (Marshal) Dan Abdella (Corporal) Dirk Nelson (Attorney)

Media Present: Carol McWilliams with the Pine River Times

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

Roll Call: 7 present 0 absent

Pledge of Allegiance:

Approval of Minutes: Trustee Au made a motion to approve the minutes from January 7, 2014 as presented, Trustee Renfro seconded.

Motion passed unanimously.

Approval of Bills: Trustee Renfro made a motion to approve the bills dated January 8 through January 17, 2014, Trustee Nelson seconded.

Roll call: 7 – 0 (Trustee Au abstained from voting on the bill to Pinnacle Surveying)

Motion passed unanimously.

General Public Input: No comments were offered.

Town Updates: Trustee Renfro stated that she appreciates the Parks and Recreation Department for their community involvement. Trustee Au asked if the Marshal's report was correct in stating there were 76 traffic stops in one week. Marshal McIntyre stated that his department worked overtime on DUI enforcement and that would account for the number of traffic stops. Trustee Davenport asked if staff knew the date of the next Community Potluck. Town Manager La May stated that he did not know that date.

Action Agenda Item #1: Set Public Hearing for Bottom Shelf Brewery LLC – Brew Pub License

Town Manager La May stated that a date needed to be set for a Public Hearing regarding the application from Bottom Shelf Brewery, LLC for a Brew Pub License. Staff is recommending the hearing be set for February 18, 2014.

Trustee Morlan made a motion to set the Public Hearing for Bottom Shelf Brewery, LLC on February 18, 2014, Trustee Nyberg seconded.

Roll call: 7 – 0

Motion passed unanimously.

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Action Agenda Item #2: Liquor License Renewal – Bayfield Grocery Store

Town Manager La May stated that this is a typical renewal. The renewal application and all appropriate fees were received in the Town Clerk's office well in advance of the due date. Staff is recommending approval of the liquor license renewal for South-Western Foods Inc. (The Grocery Store).

Trustee Nelson made a motion to approve the liquor license renewal application for South-Western Foods Inc., Trustee Au seconded.

Roll call: 7 – 0

Motion passed unanimously.

Action Agenda Item #3: Discussion – Ordinance and Ballot Language Creating an Additional One Percent Town Sales Tax and Pledging such Additional Sales Tax to the Street Fund

Town Manager La May stated that what he is trying to accomplish tonight is to provide the Board of Trustees an advanced opportunity to review the ordinance that will take the sales tax increase to the voters.

Trustee Davenport asked if a new fund would need to be created or would the new sales tax dollars be deposited into the existing Transportation Fund.

Attorney Nelson stated that the income from the sales tax increase will presumably go on longer than the funds that were received from C.D.O.T. and will have different restrictions. He believes using separate funds would be beneficial.

Town Manager La May stated that C.D.O.T. was very specific that the money we received was to be put into a separate fund and accounted for separately.

Attorney Nelson stated that this ordinance gives the flexibility of moving funds from other sources into this new fund, if needed.

Trustee Davenport asked if the new fund would be operational once the ordinance was adopted.

Attorney Nelson stated that the fund would become operational once there was money deposited into it.

Town Manager La May stated that the availability of funds is subject to voter approval.

Attorney Nelson stated that State Statute says we can make the tax effective in July or January after the vote. The old State Statute requires we give the Department of Revenue 45 days of notice before imposing the tax. The new State Statute requires we give the Department of Revenue 100 days of notice before imposing the tax. At this time we are not sure which date will apply to us. Our intent is to make it effective July 1, 2014. We should have an answer about the date before the meeting in February when the Board is asked to adopt the ordinance.

Mayor Smith asked if the Board had any questions regarding the language in the ordinance.

Attorney Nelson stated that most of the language used is structured from TABOR so the beginning and end of the ordinance cannot be changed. There is some flexibility in the middle of the ordinance. The ordinance has been sent to the Department of Revenue, so they may have some comments as well.

Mayor Smith stated that the Board was satisfied with the draft ordinance as presented.

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Trustee Morlan asked if the Board was going to discuss educating the public on this proposed tax increase.

Mayor Smith stated that he thought the Board should address public education of the tax at the next meeting.

Attorney Nelson stated that the Board can be informative regarding the proposed tax. The details of what the Board can and cannot do regarding public education can be discussed at the next meeting.

Action Agenda Item #4: Consideration of Approval of Souder Miller & Associates Task Order No. 9, Engineering Services – 2014 Street Maintenance Project

Town Manager La May stated that at the last Board Meeting we discussed the potential of expanding the 2014 Street Project. Staff has consulted with Souder Miller and they have provided a list of what they believe could be included in the Street Project at a cost of 1.3 million dollars. Task Order No. 9 authorizes the Town Engineer to move forward with preparing the necessary design and bid packets for the two projects.

Mayor Smith asked if this Task Order was based on the existing list of repairs that need to be completed.

Town Manager La May stated that this Task Order is based on repairing the priority streets first.

Trustee Morlan made a motion to approve Souder Miller Associates Task Order No. 9, Trustee Nyberg seconded.

Trustee Nelson asked if the fee for Task Order No. 9 in the amount of \$24,247.00 should be included in the motion.

Trustee Morlan amended his motion for approval of Task Order No. 9 to not exceed the cost of \$24,247.00, Trustee Nyberg seconded.

Roll call: 7 – 0

Motion passed unanimously.

Action Agenda Item #5: Consideration of Approval of Contract to Purchase Lot 5, La Plata Electric, Bayfield Property #2, (AKA 580 S. West Street)

Town Manager La May stated that staff has negotiated a contract for the purchase of property located at 580 S. West Street for a Parks Maintenance Facility. The contract outlines the purchase price of \$273,930.00, the required inspections and the appraisal. This purchase will be partially funded by a grant in the amount of \$125,000.00 from the Department of Local Affairs. The contract will need to be approved by D.O.L.A.

Trustee Au made a motion to proceed with the contract for the purchase of Lot 5, La Plata Electric, Bayfield Property #2, Trustee Renfro seconded.

Roll call: 7 – 0

Motion passed unanimously.

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Action Agenda Item #6: Consideration of Award of Contract to M & M Drop Services, LLC for the Bayfield Parkway Fiber Optic Conduit Directional Drilling Project

Town Manager La May stated that after proper advertising for this project in the Durango Herald, bids were opened at 11:00 am on January 16, 2014 at the Bayfield Town Hall. Four bids were received. One was disqualified because of incompleteness. The low bid was from M & M Drop Services LLC at \$30,019.50. This project will complete a directional drill from Community Lane to County Road 526 for the extension of the Telecommunications Fiber. The bid from M & M Drop Services LLC did not include a cost for mobilization or traffic control. A representative of the company stated that they are based in Pagosa Springs and work in this area regularly so they did not feel it necessary to charge for mobilization. The representative also stated that since the company owned its traffic control signs, there would be no charge for the rental of this equipment. This is being funded by the SCAN Project, so the Town of Bayfield will be responsible for 25% of the total cost. Staff is recommending that the contract be awarded to M & M Drop Services LLC.

Trustee Morlan stated that this D.O.L.A. grant needed to be closed by March 31, 2014.

Town Manager La May stated that the contract is for 30 days. Notice of award would be published tomorrow and the contractor would have 15 days to have their documents in place. The project would begin by February 5, 2014 and be complete within 30 days.

Mayor Smith stated that the goal was to be complete by February 28, 2014.

Trustee Morlan made a motion to approve the award of contract for the Bayfield Parkway Fiber Optic Conduit Directional Drilling Project to M & M Drop Services LLC, Trustee Au seconded.

Roll call: 7 – 0

Motion passed unanimously.

Action Agenda Item #7: Selection of Engineering and Project Management Services for the Twin Bridge Replacement Project

Town Manager La May stated that staff had advertised for Request for Qualifications for engineering and project management services for the replacement of the Twin Bridges. Five statements of qualifications were received. Three firms were interviewed including Bohannon Huston, Stantec and Bechtolt Engineering. The interviews were conducted by Public Works Director Ron Saba, Trustee Debbi Renfro, Planning Commissioner Joe Mozgai, Structural Engineer Richard Vick and himself. All firms were asked to give a 30 minute presentation and answer questions afterward. Staff felt that Bechtolt Engineering did more research into the actual job and in their presentation they appeared to make a greater effort in understanding the project. Staff is recommending that the Town of Bayfield contract with Bechtolt Engineering for the Twin Bridge Replacement Project.

Trustee Nelson made a motion to direct staff to negotiate a contract with Bechtolt Engineering for engineering and project management services for the Twin Bridge Replacement Project, Trustee Davenport seconded.

Roll call: 7 – 0

Motion passed unanimously.

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Action Agenda Item #8: Consideration of Approval to Apply for a JAG Grant for Continuation of Funding for the SRO position

Marshal McIntyre stated he was notified that the JAG Grant for 2014 has opened for applications. The Marshal's office would like to apply for continuation of SRO funding. The School Board unanimously agreed that we should apply for funding for the SRO program.

Trustee Nelson made a motion to approve staff to apply for a JAG Grant for continuation of funding for the SRO program, Trustee Renfro seconded.

Roll call: 7 – 0

Motion passed unanimously.

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

Trustee Nelson stated that the SWCCOG is planning a full day work session in February. The Board approved the Executive Director to apply for a Recycling Grant. The SWCCOG is also wrapping up the Fiber Optic Project.

Mayor Smith stated that he did not attend the Alliance meeting. The Alliance has a retreat scheduled for February.

Trustee Davenport stated that the RHA meeting was canceled for January.

Trustee Renfro stated that SWTPR meets this Friday.

Trustee Morlan stated that Region 9 meets this Thursday.

Trustee Nyberg stated that the Planning Commission meeting was canceled.

Town Manager La May stated that the Senior Board met in January. They discussed some Christmas ornaments that are missing and they are concerned about the facility being secure.

Carol McWilliams stated that the missing ornaments were donated by the family of a deceased senior. A report was filed with the Bayfield Marshal's Office.

Action Agenda Item #10: New/Unfinished Business

Town Manager La May stated that it was time to schedule a quarterly meeting with the Board of County Commissioners.

The Board of Trustees agreed to schedule a meeting with the County Commissioners for February 27, 2014 at 7:30 am at the Tuning Fork.

Trustee Davenport asked if there were any new developments concerning the Fox Farm Tower.

Town Manager La May stated that La Plata Community Development Corp. submitted an application for a Historical Structural Assessment Grant. The application was returned with some suggestions to strengthen the application. The application has not been resubmitted.

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Meeting was adjourned at 7:42 pm.