

**Town of Bayfield
Regular Town Board Meeting
January 8, 2013
1199 Bayfield Parkway, Bayfield CO 81122**

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

Town Board Members Absent:

Staff Present: Chris La May (Town Manager), Kathleen Cathcart (Town Clerk), Ron Saba (Public Works Director), Dirk Nelson (Town Attorney), Joe McIntyre (Marshal), Dan Abdella (Deputy), Holly Cashwell (Deputy), Derick Campbell (Deputy), Maureen Cleveland (Marshal Secretary), Dan Cyr (Deputy)

Media Present:

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

Roll Call: 7 present

Pledge of Allegiance:

Approval of Minutes: Trustee Davenport made a motion to approve the minutes of December 18, 2012 as presented, Trustee Renfro seconded. Motion passed unanimously.

Approval of Bills: Trustee Au made a motion to approve the bills dated December 19th through January 4th as presented. Town Manager La May stated there were two bills that went out today that need to be included. One if for Dirk Nelson, Attorney At Law and the other is for Bobby Jean Elliott, Watch Your Step instructor. Trustee Renfro asked about the late fee charge that is on the Conoco billing. Town Manager La May stated that he believed the late fee was incurred because of timing between the Board approving bills and the due date on the bill. He will check into it further. Trustee Au amended his motion to include the two extra bills, Trustee Nyberg seconded. Motion passed unanimously.

Public Input: None was offered so it was closed.

Town Updates: Trustee Renfro stated that she did concur with Town Manager La May regarding the sale of the vehicle that was mentioned in the updates that were included in the Board Packet. The rest of the Board agreed.

Corporal Abdella presented Deputy Cashwell with a "Certificate of Completion" for the FTO program.

Action Agenda Item #1: Oath Of Office Deputy Derick Campbell

Marshal McIntyre introduced Deputy Derick Campbell to the Town Board.

Town Clerk Cathcart swore Deputy Derick Campbell into office of Deputy Marshal for the Town of Bayfield.

Deputy Derick Campbell's wife pinned his badge.

Action Agenda Item #2: Presentation By Town Marshal Joe McIntyre Regarding Safe2Tell Program

Marshal McIntyre thanked his staff for their time and hard work during the week that had to be spent on the school campuses.

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Marshal McIntyre gave a power point presentation on the Safe2Tell program.

Action Agenda Item #3: Consideration Of Resolution No. 294, A Resolution Of The Town Of Bayfield Setting The Official Posting Place For Town Board Meeting Agendas

Town Manager La May stated that we are required by statue to pass a resolution every year, setting the official posting place for our Town Board meeting agendas.

Trustee Morlan made motion to approve Resolution #294, Trustee Renfro seconded.

Roll call 7 – 0

Motion passed unanimously.

Action Agenda Item #4: Consideration Of Approval Of Agreement With The Schroeder Ditch Company

Town Manager La May stated that as we are all aware, we are in the process of upgrading the Water Treatment Plant. One of things that needs to be addressed is the over flow from the reservoir. It needs to have a place to go and conveniently that would be the Schroeder Ditch. The Public Works Director, Ron Saba, and the Ditch President, Gerald Ludwig have come to an agreement that the Town would make sure that the overflow is provided a drainage swell that is rip rapped in rock to prevent sediment from getting into the water or pipe the overflow directly into the ditch. This will not be used very often it is really just a safety measure.

Trustee Au made a motion to approve the agreement with the Schroeder Ditch Company, Trustee Nelson seconded.

Roll call 7 – 0

Motion passed unanimously.

Action Agenda Item #5: Consideration Of Approval Of Ordinance 376, An Ordinance Imposes A Temporary Six Month 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 the wording in the ordinance does not say six month moratorium it say temporary moratorium. Since Amendment 64 passed, the State Legislature is in the process of trying to put some rule making together regarding retail Marijuana Outlets. The Amendment itself probably has enough language in it to protect us, but by putting the moratorium in place we will have time to see what will be coming from the State Legislature.

Mayor Smith asked if we had already passed an ordinance prohibiting Medical Marijuana and at some time can we pass an ordinance prohibiting the retail outlets as well.

Attorney Nelson responded that yes the Town can take the measures to prohibit the retail outlets, but that will take some time. So this moratorium is a step we should take now.

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Mayor Smith states that he believes the Board and Staff should review the process that we took when we prohibited Medical Marijuana, so that we give the community a chance to voice their opinions.

Attorney Nelson stated that we probably want to be in a position to make some decisions by late June.

Trustee Renfro made a motion to approve Ordinance #376, Trustee Davenport seconded.

Roll call 7 – 0

Motion passed unanimously.

Action Agenda Item #6: New/Unfinished Business

Town Manager La May stated that there was a fire on S. West Street. The mobile home was a loss and is being removed. The property is zoned single family residential and it had what we would classify as a non-conforming legal use. The way the code is written, that when a non-conforming legal use goes away the property will need to be brought into compliance with the current requirements. The zoning requires that this be a stick built residence. This may be something that is brought to the Board in the near future.

Town Manager La May stated that Trustee Davenport and himself discovered that there is a grant available through the Colorado Historical Society. The grant would provide ten to fifteen thousand dollars to do an assessment on the Fox Farm Tower property. We contacted Reid Ross from the La Plata Community Development Corp. and Dean Brookie an architect in Durango that works with Habitat for Humanity. They are interested and willing to write the grant application for that assessment. Staff would like to have Board approval to have a conversation with Mr. Ross and Mr. Brookie and let them know we support their efforts in moving forward with this application.

Mayor stated that at this point as long as it does not cost the Town anything then yes, tell them to go ahead.

The Board agreed.

Town Manager La May wanted to commend Marshal McIntyre on his handling of the situation at the school.

Trustee Nelson stated that the web site still needs updated.

Trustee Renfro stated that this Saturday is the "Second Saturday". Everyone is invited.

Trustee Davenport stated that she had heard one complaint about the closing of the Recycle Center. She also wanted to let Marshal McIntyre know that the staff at the Elementary School appreciated him and his staff's efforts during the situation at the school. The students all made a connection with Deputy Cashwell. She also had a request from a Town citizen that we look into the possibility of having a school Resource Officer.

Trustee Morlan stated that tomorrow is lunch and Senior Board Meeting at the Senior Center and he will be in attendance.

Mayor Smith thanks Marshal McIntyre and his staff.

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**Executive Session In Accordance With C.R.S. 24-6-402(4)(f) for Town Manager Annual Performance
Evaluation**

Trustee Au made a motion to go into Executive Session, Trustee Davenport seconded.

Roll Call 7 -0

Motion passed unanimously.

Meeting was adjourned to Executive Session at 7:45 pm

Board came out of Executive Session and meeting was adjourned at approximately 8:30 pm