

**Town of Bayfield
Regular Town Board Meeting
October 7, 2014
1199 Bayfield Parkway, Bayfield CO 81122**

Town Board Members Present: Trustee Davenport, Trustee Morlan, Trustee Nelson, Trustee Nyberg, Trustee Salka, Trustee Sanders, Mayor Smith

Town Board Members Absent:

Staff Present: Chris La May (Town Manager), Kathleen Cathcart (Town Clerk), Erin Dunavant (Finance Director), Jeff Robbins (Town Attorney) Deputy Gary Cassens (Marshal's Office)

Media Present: Carol McWilliams with the Pine River Times

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

Roll Call: 7 present

Pledge of Allegiance:

Approval of Minutes: Trustee Nyberg made a motion to approve the minutes from September 16th, 2014, as presented. Trustee Davenport seconded.

All were in favor.

Motion passed unanimously.

Approval of Bills: Trustee Davenport made a motion to approve the bills from September 17th through October 2nd, 2014, as presented. Trustee Nelson seconded.

Roll call: 7 – 0 (Mayor Smith abstained from voting on the bill from Data Safe Services)

Motion passed unanimously.

General Public Input: Carol McWilliams stated that Heritage Days went very well and the help from the Town was appreciated.

Town Updates: No comments.

Action Agenda Item #1: Liquor License Renewal – AJ's Pizza

Town Manager La May stated that AJ's Pizza is asking for approval of their annual liquor license renewal. Staff has had no complaints regarding this business and recommends approval of the renewal.

Trustee Morlan made a motion to approve the renewal of AJ's Pizza's liquor license. Trustee Nyberg seconded.

Roll call 7 – 0

Motion passed unanimously.

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Action Agenda Item #2: Consideration Of Request To Consider Sewer Rate Based On Square Footage, Number Of Residents, And Water Usage – Larry Coey

Town Manager La May stated that at this time Town of Bayfield sewer rates are based on ERT's (equivalent residential tap). Single family residential units are assessed 1 ERT per unit. Business units are assigned ERT's based on their prospective water consumption equivalent to what a single family residence would use. The current monthly sewer charge is \$49.74 per ERT. Town Manager La May also stated that Mr. Larry Coey is attending tonight's meeting to ask the Board of Trustees to reconsider basing the sewer rate on number of residents in a home, total square footage of a home or by water consumption.

Mayor Smith stated that the Town of Bayfield completed a rate study in 2013. At that time, a rate based on water consumption was considered. An equitable plan that would benefit all residents was not found. The Board of Trustees decided to remain with the original way of assessing sewer rates, based on ERT's.

Mr. Larry Coey, 43 County Road 507, stated that he was here tonight to ask the Board of Trustees to reconsider the way sewer rates are charged. He stated that he does not think that it is fair that the same rate is charged for a 624 sq. ft. home as is charged for a much larger three bedroom two bath home. He does not feel that a household of one person should pay the same as a household of six.

Mayor Smith stated that the rate study took a year to complete and the Board did not make the decision to increase sewer rates hastily. A rate based on water consumption was considered. To have a rate based on consumption the Town would also need to be the water provider. The Town of Bayfield does not provide water services in Gem Village.

Mr. Coey stated that he believes there is a better way that is fair to everyone, to charge sewer rates. He also stated that he understands that all utilities have increased over the years, but he feels that the rates for sewer service have increased the most. Mr. Coey asked if sewer rates would increase again because of new homes being built in the area.

Mayor Smith stated that sewer rates did not increase because of new construction. Sewer rates increased to pay for maintenance on the Sewer Plant and for the additional costs incurred by more regulations.

Trustee Morlan asked if the Town had a policy for giving discounts to Senior's on their utility bills.

Town Manager La May stated that the Town does offer a reduced rate to Senior's that fall within a certain income qualification.

Mr. Coey asked if most communities based sewer rates on the number of bedrooms in the home.

Mayor Smith stated that most rates are a flat rate. The only other option is the rate based on water consumption, if the community provides both water and sewer.

Mr. Coey thanked the Board for their time.

Action Agenda Item #3: Evening Porch Assisted Living Facility – Erin Youngblood

Town Manager La May introduced Erin Youngblood with Evening Porch Assisted Living Facility.

Ms. Youngblood, Administrator for Evenings Porch Assisted Living Facility, stated that the new facility will be welcoming its first resident on Monday October 13, 2014. This new facility will offer 24/7 care for up to 16 residents. Ms. Youngblood gave a short presentation on the facilities programs, staff and activities.

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Trustee Nelson stated the new facility was beautiful and a welcomed addition to the Town of Bayfield.

Mayor Smith thanked Ms. Youngblood for her presentation.

Action Agenda Item #4: Discussion And Possible Action – Intergovernmental Funding Agreement For The Regional Housing Alliance Of La Plata County

Town Manager La May stated that Karen Iverson, Executive Director of the Regional Housing Alliance, is attending tonight's meeting to give an update on the RHA.

Ms. Iverson gave an update on the local housing market and the Homebuyers Assistance Program offered by the RHA. Two thousand families have received services through this educational and counseling program. Two hundred and eighty five of those families have gone on to purchase a home. This year, twenty one families from Bayfield have received educational and counseling services. Seventeen percent of RHA's loan portfolios reside in Bayfield, including the Homestead. Ms. Iverson updated the Board on the new loan programs that RHA is implementing. She also stated that RHA is working with Colorado Housing Inc. to transfer the rights to enforce Deed Restrictions on the CHI lots in the Fox Farm Subdivision, to RHA. The Intergovernmental Agreement between the RHA and the Town of Bayfield has remained the same since 2011. This is a result of the fund raising done by the RHA's non-profit sister company. The IGA is based on population distribution. The Town of Bayfield pays approximately five percent.

Mayor Smith suggested that the RHA consider offering a class at the High School. Education and counseling on ways to purchase a home could result in more young people staying in the area.

Ms. Iverson stated that she liked that idea and would look into offering a class for high school students.

Trustee Salka stated that he had taken a class with the RHA a year ago. He has found their assistance very helpful.

Trustee Davenport asked if there was a quantity of inventory on the market to fill the demand for entry level homes.

Ms. Iverson stated that most of RHA's home buyers are purchasing for \$215,000.00 or less. There is a definite gap between the supply of entry level homes and the demand.

Mayor Smith thanked Ms. Iverson for her presentation.

Action Agenda Item #5: Discussion And Possible Action – Memorandum Of Understanding Regarding Southwest Colorado Mental Health Center, Inc., DBA Axis Health System – Detoxification Facility

Town Manager La May stated that the Memorandum of Understanding with Axis Health System will expire at the end of December 2014. The Detox organization has been working on crafting a new MOU that will carry us through the next three years. The largest change to the MOU is the funding distribution. The City of Durango has been asked to pick up more of the cost. The Town of Bayfield will be asked to contribute the same percentage in the new MOU as in the previous years.

Trustee Morlan asked if there was any kind of an effort to collect from people being taken to Detox.

Town Manager La May stated that part of the penalty for being taken to Detox is a fee that is incurred. Contributions that are made by the communities do not fund the organization 100%.

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Trustee Morlan asked if the Detox program was successful.

Town Manager La May stated that he did not know the success rate of the Detox program.

The Board agreed to include the Detox MOU in the 2015 Budget for discussion.

Trustee Davenport asked if there was an alternative to the Detox facility ran by Axis Health.

Town Manager La May stated that there are not a lot of other options. After discussions with all of the entities involved, it was decided that collectively everyone is better off to participate in the program.

Action Agenda Item #6: Non-Profit Funding Decisions – 2015 Preliminary Budget

Town Manager La May stated that staff implemented a new application process for Non-Profit Funding, this year. A number of applications were received and all of the requests have been included in the preliminary budget at the dollar amount requested.

Trustee Morlan asked if organizations that failed to apply for funding by the deadline, but made a request later, would be funded.

Town Manager La May stated that the idea of the application process is to avoid having to make these decisions after the budget is approved. If an organization failed to apply in a timely manner they will have to wait until the next budget season.

Town Manager La May stated that requests for funding came from; Community Connections, Inc. for \$1,000.00, Axis Health for \$1,500.00, Road Runner Transit for \$15,000.00, La Plata Youth Services for \$7,800.00, Bayfield Family Center for \$5,000.00 and the Four Corners Film Office for \$500.00. Membership dues were requested by La Plata County Economic Development Alliance in the amount of \$4,000.00, Region 9 Economic Development at \$900.00, Southwest Regional Transportation Planning Commission at \$341.00 and the Southwest Colorado Council of Governments at \$4,852.00.

The Board agreed to include all requests in the 2015 Budget, at the amounts requested, with the exception of Road Runner Transit. For budgetary purposes \$8,000.00 will be included for Road Runner Transit. The Board would like to see statistics, on ridership from Bayfield that would justify an increase in funding.

Action Agenda Item #7: Consideration Of Letter Of Engagement With Hinton Burdick For Audit Services

Town Manager La May stated that Hinton Burdick has done the Town of Bayfield's audits for the past three years. A letter of engagement, from Chad Atkinson with Hinton Burdick, has been received detailing services for the next three years. Costs will not exceed \$11,000.00 for 2014, \$11,500.00 for 2015 and \$12,000.00 for 2016.

Trustee Morlan made a motion to approve the letter of engagement for a three year contract with Hinton Burdick, subject to annual appropriations. Trustee Sanders seconded.

Roll call 7 – 0

Motion passed unanimously.

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Action Agenda Item #8: Discussion And Possible Action – Code Updates For Liquor Licensing Procedures And Tasting Permits

Town Manager La May stated that while staff was drafting an ordinance to allow for Liquor Tastings, it was discovered that there is not much language in the Town Code specific to liquor regulations. There is authority that is granted through State Statutes for the Town to continue operating as it has in the past. Staff feels that this is an opportune time to include language in the Town Code establishing our own Liquor Code. State Statute allows for the Board of Trustees to delegate some authority to the Town Clerk. Items such as license renewals, special event requests, transfers of ownership, tastings, change of corporate structure, modifications of premises, changes of trade name and changes of location could all be done through the Town Clerk's office. Staff also looked at the current fee structure. State Statute outlines a threshold that we can charge up to a certain amount but does not outline what we are required to charge. Currently the Town of Bayfield's Liquor Fees are below the threshold set by the State.

Mayor Smith stated that he would like to streamline these items through the Town Clerk's office. In any instance that the Clerk or Marshal had reservations regarding the application the Board of Trustees should be consulted.

Trustee Nelson stated that she agreed with Mayor Smith. She also stated that she would like to see the information regarding the applications included in the Town Updates.

The Board agreed to delegate authority to the Town Clerk for the above mentioned items, with the understanding that if there were any reservations the item would be brought before the Board of Trustees. The Board instructed Town Manager La May to present an ordinance outlining these changes. They also asked for a list of fees that will be updated.

Town Manager La May stated that State Statute allows for the Town to determine the number of Tastings that will be allowed. Staff believes that we should limit the number of Tastings to 52 per year.

Trustee Nelson asked if the fee was \$25.00 per Tasting or per year.

Town Manager La May stated that the fee of \$25.00 is per Tasting.

Action Agenda Item #9: Discussion And Possible Action – Downtown Colorado Inc. Technical Training Grant Application

Town Manager La May stated that he was notified by Miriam Gillow-Wiles with SWCCOG about a grant opportunity through Down Town Colorado Inc. This grant would provide for technical assistance. A team of experts that could include an architect, a planner and a community organizer will meet with the community, staff, Board of Trustees and the Planning Commission to create a "To Do List" of things to accomplish to move our Down Town in the direction we want it to go. Staff believes that this would be a good exercise to get people involved.

Trustee Davenport asked if this would fit into the Town's "Visioning".

Town Manager La May stated the he believes this program would provide a more focused effort. It would also make more resources available to us.

Trustee Morlan stated that he started his Economic Development Career working for the Main Street Program in Durango. He believes this is a good program, that will require dedicated staff and volunteers, and he would like to see the Town of Bayfield see this project through the planning phase to completion.

Mayor Smith stated that he believes this would help promote business in the down town area.

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Trustee Davenport asked if the Town of Bayfield had to become a member of Down Town Colorado Inc. in order to apply for the grant.

Town Manager La May stated that the Town would become a member if the grant was awarded.

The Board agreed to have staff apply for the Technical Training Grant through Down Town Colorado Inc.

Action Agenda Item #10: Discussion Town Manager Performance Evaluation

Town Manager La May stated that it is the time of year to conduct his performance evaluation. What information does the Board of Trustees need to begin this process?

Mayor Smith stated that this evaluation needs to be completed by November 18, 2014.

Trustee Nelson stated that she liked the way the evaluation was handled last year. Each Trustee completed an evaluation form and the results were compiled together. She also stated that she liked receiving evaluations from Department Heads on the Town Manager's performance.

Trustee Morlan stated that he likes the 360 evaluation. He also asked what Town Manager La May thought of that process.

Town Manager La May stated that the 360 evaluation definitely brought some things to his attention.

The Board agreed to use the same process as last year. Town Manager La May was asked to complete a self-evaluation and include goals for the coming year.

The Board instructed Town Clerk Cathcart to distribute evaluation forms to Department Heads next week. They are to be returned to the Clerk's office in a sealed envelope no later than October 21, 2014. They also instructed Town Manager La May to have his self-evaluation and goals prepared for the Board on October 21, 2014. The Board of Trustees will receive their evaluation forms on October 21, 2014. Those forms need to be turned into Trustee Nelson by October 27, 2014 so that she can compile the ratings and comments. An Executive Session will be held after the first meeting in November to discuss the evaluation among the Trustees and the Town Attorney. The evaluation results will be delivered to Town Manager La May on November 18, 2014.

Action Agenda Item #11: Board Reports (SWCCOG, LPCEA, RHA, SWTPR, Region 9, Other)

Trustee Sanders stated that he and Finance Director Dunavant met Norm Jones, Executive Dean with Southwest Colorado Community College, at the 2nd Quarter Region 9 meeting. Mr. Jones is looking into offering a Government Accounting class that would be available in this area. He also stated that he wanted to congratulate Trustee Morlan on his 25 years with Region 9.

Trustee Morlan stated that the Flu Shots for Senior's will be available at the Senior Center on Friday October 10, 2014. He also stated that the Senior Board will meet tomorrow to plan for the Annual Arts and Crafts Bazaar.

Trustee Nyberg stated that the Planning Commission will meet next week.

Trustee Salka stated that discussion at the SWTPR was about Senate Bill 228 and the possibility of extra funds to complete projects, such as the "Bridge to Nowhere".

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Trustee Davenport stated that the October meeting for RHA was canceled. She also stated that the RHA is celebrating its ten year anniversary tomorrow at Sorrel Sky.

Mayor Smith stated that LPCEA will meet next week.

Trustee Nelson stated that SWCCOG is working on its draft budget. The study for the Recycle Grant started this week. The SWCCOG also discussed the Transportation Bill and it was decided not to send letters of support. Different entities within the region are vying for monies, so as a Regional Board it was decided not to send any letters.

Action Agenda Item #12: New/Unfinished Business

Town Manager La May stated that there has been sightings of a bear in the down town area. Staff has sent a press release to the paper, asking residents to be cautious.

Town Manager La May stated that an insurance adjuster has looked at the Town Hall and Senior Center roofs, assessing damage from a hail storm late last year. The estimated cost of repairs for both roofs is \$75,000.00. This was not included in the 2014 budget, but it should be discussed for the 2015 budget.

Town Manager La May stated that the closure of Mill Street, for the BFRANK event will take place on November 1, 2014.

Town Manager La May stated that he had received a referral from La Plata County Planning Department for a 120' cell tower to be constructed on the ridge at 717 Red Hawk Circle.

Town Manager La May stated that he would be meeting with a representative of Colorado Center for Community Development. This organization is working with Upper Pine Fire Protection District, to look into the possibility of relocating Station 1 to the down town area. They would also be investigating the possibility of remodeling the Old Mid School Gym for a Community Facility.

Town Manager La May stated that he will be meeting with the Pastor from the Pine River Valley Church. The church has a contract to purchase the 68 acre parcel of Dove Ranch, and they would like to discuss the possibility of using the property for something other than single family homes.

Town Manager La May stated that breakfast with the County Commissioners will be on Thursday October 9, 2014 at 7:30 am, at the Tuning Fork Café.

Town Manager La May stated that the November 4th meeting is Election Day. Does the Board wish to reschedule?

The Board agreed to keep the November 4th meeting as scheduled.

Trustee Nyberg asked what project was taking place on Mill Street.

Town Manager La May stated that ALTUS Environmental, LLC is trying to remediate the remnants of an old underground leaking storage tank by injecting bacteria in the ground. As part of the right of way permit that was issued, they are required to mill and overlay the road back to its original condition.

Trustee Salka asked if the Marshal's office had a radar trailer. He is concerned about the people speeding on Bayfield Parkway.

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Town Manager La May stated that he would speak to Marshal McIntyre about a radar trailer.

Mayor Smith reminded the Board to be prompt with their evaluation responses.

Meeting was adjourned at 9:30 pm.