

**Town of Bayfield  
Regular Town Board Meeting  
August 5<sup>th</sup>, 2014  
1199 Bayfield Parkway, Bayfield CO 81122**

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

**Town Board Members Absent:** Trustee Nyberg

**Staff Present:** Chris La May (Town Manager), Amy Witte (Administrative Assistant), Jeff Robbins (Town Attorney), Ron Saba (Public Works Director), Joe McIntyre (Marshal)

**Media Present:** Carol McWilliams with the Pine River Times.

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

**Roll Call:** 6 present

**Pledge of Allegiance:**

**Approval of Minutes:** Trustee Nelson made a motion to approve the minutes from July 15, 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 dated July 16, 2014 through July 31, 2014 as presented. Trustee Morlan seconded.

Roll call: 6 – 0 (Trustee Morlan abstained from voting on the check made payable to himself. Mayor Smith abstained from voting on the check payable to Data Safe Services)

Motion passed unanimously.

**General Public Input:** No comments were offered.

**Town Updates:** No comments were offered.

**Action Agenda Item #1: Consideration Of Approval Of Resolution 321, A Resolution Of The Board Of Trustees Of The Town Of Bayfield, Colorado, Approving An Intergovernmental Agreement Between La Plata County Clerk And Recorder And The Town Of Bayfield For The General Election To Be Held November 4, 2014**

Town Manager La May stated that, at the last Board Meeting, the Board of Trustees took formal action to participate in the November 4<sup>th</sup>, 2014 General Election. That action requires that we enter into an Intergovernmental Agreement with the La Plata County Clerk and Recorder for those services. Resolution 321 will approve that I.G.A. pending legal review.

Trustee Morlan stated that in the first part of the agreement Bayfield is referred to as the Town. In Exhibit A, Bayfield is referred to as the District.

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Attorney Robbins stated that the I.G.A. is a form document from La Plata County, their attorney has approved. This form is used with I.G.A.s with towns, municipalities and special districts. They refer to everyone as a district.

Trustee Morlan made a motion to adopt Resolution 321, a resolution of the Board of Trustees of the Town of Bayfield, Colorado, approving an Intergovernmental Agreement between La Plata County Clerk and Recorder and the Town of Bayfield for the General Election to be held November 4, 2014. Trustee Salka seconded.

Roll call: 6 – 0

Motion passed unanimously.

**Action Agenda Item #2: Consideration Of Approval Of Resolution 322, A Resolution Adopting The Uniform Election Code of 1992 In Lieu Of The Colorado Municipal Election Code Of 1965 For The Purpose Of Participating In A Coordinated Election**

Town Manager La May stated that if the Town of Bayfield was conducting its own election we would follow the Municipal Election Code of 1965. Since the Town is participating in a Coordinated Election with La Plata County we are required by statute and the I.G.A. to follow the Uniform Election Code of 1992. The Town is required to adopt this change by resolution and provide that resolution to the La Plata County Clerk and Recorder.

Trustee Davenport asked if the Board adopts the Uniform Election Code of 1992 is the 1965 version no longer valid.

Town Manager La May stated that this resolution only pertains to the November 4, 2014 election.

Trustee Nelson made a motion to approve Resolution 322, a resolution adopting the Uniform Election Code of 1992 in lieu of the Colorado Municipal Election Code of 1965 for the purpose of participating in a coordinated election in November 2014. Trustee Salka seconded.

Roll call: 6 – 0

Motion passed unanimously.

**Action Agenda Item #3: Consideration Of Approval Of Resolution 323, A Resolution Of The Town Of Bayfield Supporting The Grant Application For A Local Government Parks And Recreation Grant From The State Board Of The Great Outdoors Colorado Trust Fund For Acquisition Of Park Land**

Town Manager La May stated that Resolution 323 is an application requirement demonstrating that the Board of Trustees supports this effort. This is the third application that the Town of Bayfield has submitted to G.O.C.O. to acquire the 23 acres, from the School District, that is located next to the Wastewater Treatment Plant and south of the Primary School.

Trustee Nelson made a motion to approve Resolution 323, a resolution of the Town of Bayfield supporting the grant application for a Local Government Parks and Recreation Grant from the State Board of the Great Outdoors Colorado Trust Fund for acquisition of park land. Trustee Salka seconded.

Roll call: 6 – 0

Motion passed unanimously.

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**Action Agenda Item #4: Discussion And Possible Action Regarding 2014 Financial Audit Services**

Town Manager La May stated that the Financial Audit presented at the last Town Board Meeting was the fourth audit completed by Hinton Burdick. Hinton Burdick began providing service to the Town of Bayfield in 2011, doing the audit for 2010 Fiscal Year. At that time the Town of Bayfield retained Hinton Burdick for an additional three years of service. They have now completed audits for 2011, 2012 and 2013. Staff is seeking direction from the Board, in either retaining Hinton Burdick for future services or looking for a new auditing firm. The Town of Bayfield was one of the first Colorado clients for Hinton Burdick so the cost was very favorable. When speaking with Chad Atkinson with Hinton Burdick he indicated that the rate for services would increase but that the company would keep in mind that the Town of Bayfield was one of its first clients in Colorado.

Mayor Smith asked what the best standard practice was for retaining an audit company.

Town Manager La May stated that information he has found from the Government Financers Association suggests using multi-year agreements of at least a five year period. At the end of the five year period a full scale competitive process should be used for the selection of the next auditing firm. The lack of competition among auditing firms for some localities can cause a challenge.

Trustee Sanders asked how Finance Director Dunavant gets along with the auditors from Hinton Burdick.

Town Manager La May stated that Finance Director Dunavant gets along very well with the auditors from Hinton Burdick. He also stated that he believes Finance Director Dunavant would prefer that we remain with Hinton Burdick for auditing services.

Public Works Director Saba stated that he would concur with Town Manager La May.

Trustee Morlan made a motion to retain services with Hinton Burdick for one more year. Trustee Davenport seconded.

Trustee Nelson asked if a contract with the dollar amount be presented to the Board of Trustees for approval.

Town Manager La May stated that he would bring back a proposed contract with amounts for 1, 3 and 5 year terms.

Trustee Morlan amended his motion to request the Town Manager present a contract with options for 1, 3 and 5 year terms.

Roll call: 6 – 0

Motion passed unanimously.

**Action Agenda Item #5: Consideration Of Approval Of Memorandum Of Understanding Between The Town Of Bayfield And Southwest Colorado Council Of Governments For Internet Access And Other Telecommunication Services**

Town Manager La May stated that switching the Town of Bayfield's internet services over to the SWCCOG has been discussed for quite some time. This was contemplated as part of the SCAN Project. The SWCCOG approved the form for the Memorandum of Understanding last Friday. Staff would like to move forward with acquiring those services. The M.O.U. is included in the Board Packet. The Town Attorney has some minor changes. Staff is asking that the Board of Trustees approve the M.O.U. contingent upon legal review.

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Mayor Smith stated that each of the Town properties have their own separate internet connections at a higher rate. This agreement would allow these properties to be tied together and the Town would only have to pay for one internet connection.

Trustee Morlan asked how much the Town would be saving and how much more band width would we be receiving.

Mayor Smith stated that including phone lines the cost would go from approximately \$1,000.00 to \$300.00. He also stated that the Town would go from 1.5 MB to 30 MB of band width.

Town Manager La May stated that the internet services would be switched immediately. The phone services and VOIP will follow at a later date.

Trustee Salka asked if the Town had the equipment to support these changes.

Mayor Smith stated that the Town has the equipment needed and are prepared for these changes.

Trustee Davenport made a motion to approve the Memorandum of Understanding between the Town of Bayfield and Southwest Colorado Council of Governments for internet access and other telecommunication services, pending attorney review. Trustee Salka seconded.

Roll call: 6 – 0

Motion passed unanimously.

**Action Agenda Item #6: Consideration Of Approval Of Sidewalk Repairs 607 Magnolia Court**

Town Manager La May stated that the resident at 607 Magnolia Court has requested that the Town repair the sidewalk in front of her property. The Town, currently, does not have an ordinance that states who is responsible for the costs of these types of repairs. Staff is recommending that we take each request on its merits. Sidewalks are in the Town's right of way. Technically they would be considered the Town's responsibility. Sidewalk repairs have not been budgeted. Staff does feel that there is justifiable cause to make the requested repair, at a cost of less than a \$1,000.00. Staff is asking for direction from the Board.

Trustee Davenport asked if it would be possible, in the future, to require developers to make timely repairs of damaged sidewalks.

Town Manager La May stated in this instance, the developer passed away and the property went into foreclosure. He also stated that he believes this is a more global problem, not just relating to subdivisions. There are sidewalks around town that will eventually crack and the Town will be asked to repair them. The City of Durango and Cortez both have a 50/50 share program. Where does the Board feel the Town should stand regarding sidewalk repairs?

Mayor Smith stated that in New Mexico sidewalk repair and maintenance is the responsibility of the homeowner. He also stated that he does not feel the Town should pay for 100% of these types of repairs. In this case he believes the Town should take care of the repair. In the future we should consider a policy regarding cost sharing for these repairs.

Trustee Sanders stated that he would agree. The Town should make the repairs in this case, but we should develop a policy for the future.

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Trustee Davenport stated that she feels it is reasonable for the Town to make the repairs in this case. In the future, sidewalk repairs should be put in the budget and a cost share policy should be adopted. Trustee Nelson stated that even with a Cost Share Policy, these requests should be dealt with on a case by case basis.

Mayor Smith stated that a policy with guidelines is a good idea.

Trustee Davenport made a motion to instruct staff to proceed with the sidewalk repair at 607 Magnolia Court. Trustee Nelson seconded.

Roll call: 6 – 0

Motion passed unanimously.

Mayor Smith asked Town Manager La May to start working on a policy regarding sidewalk repairs within the Town of Bayfield.

**Action Agenda Item #7: Board Reports (SWCCOG, LPCEA, RHA, SWTPR, Region 9, Other)**

Trustee Nelson stated that the SWCCOG is finalizing the SCAN / Telecom Grant. The M.O.U. for the fiber was presented at the last meeting. Trustee Nelson also stated that the SWCCOG has received a grant to do a Recycling Study.

Mayor Smith stated that LPCEA did not have a meeting this month.

Trustee Davenport stated that RHA will meet tomorrow.

Trustee Salka stated that SWTPR will meet on Friday.

Trustee Sanders stated that he attended the Region 9 Business Loan Meeting on July 23<sup>rd</sup>. Region 9 received an initial \$500,000.00 from an amendment to the Community Development Block Grant Contract. To date, Region 9 has helped fund 31 loans. On July 31<sup>st</sup>, at the regular Region 9 meeting, Trustee Sanders became a member of Region 9. Discussion at that meeting was regarding filming in the Four Corners.

Trustee Morlan stated on August 15, 2014 the Senior Center will celebrate their volunteers.

Town Manager La May stated that the Pine River Seniors have sold their bus.

**Action Agenda Item #8: New/Unfinished Business**

Public Works Director Saba stated that the sand and crack sealing is done. The roundabout is being paved and Center Drive will be paved next week. We originally budgeted 1.3 million this year for road projects. There should be approximately \$50,000.00 to \$100,000.00 left out of the original budget. Public Works Director Saba would like to use those funds to get more of the paving done.

Town Manager La May stated that since this year's projects came in under budget staff would like to extend Four Corners contract to complete some additional paving. This would lighten the load for next year.

Trustee Nelson stated that she thought staff should complete as much of the work as possible with the budgeted funds.

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Mayor Smith stated that he agreed with Trustee Nelson.

Public Works Director Saba stated that the footers for the Park Shop have been poured. The floor should be poured next week. The building is supposed to be delivered on August 28<sup>th</sup> and should be completed by the end of September.

Public Works Director Saba stated that the Sewer Project would be crossing Hwy 160 and Commerce Drive, next week.

Town Manager La May stated that the Sunrise Drainage Project should be ready to advertise for bids in the next few days. He also stated that staff is working on the second phase of the Sanitary Sewer Rehabilitation Project, which is the slip-lining and chemical grouting of the taps.

Town Manager La May stated that he and Public Works Director Saba met with staff from C.D.O.T. today. C.D.O.T. is conducting their preliminary engineering for the bridge replacement. Staff is optimistic about having this project out to bid and construction started by January 2015.

Town Manager La May stated that expansion of the Water Treatment Plant has been held up, due to an issue with an adjacent property.

Trustee Sanders asked Town Manager La May if he could arrange a tour of Town facilities, for him.

Trustee Davenport asked if Roadrunner Transit had cut a route from Bayfield.

Town Manager La May stated that Roadrunner Transit had decreased its routes from 4 to 3.

Meeting was adjourned at approximately 7:50 pm.