

**TOWN OF CRESTONE BOARD OF TRUSTEES
REGULAR MEETING
MONDAY, FEBRUARY 9, 2015 AT 1:30 PM
AT THE TOWN HALL, 108 W. GALENA AVE., CRESTONE, CO**

MINUTES

1. **Call to Order** – The meeting was called to order at 1:31 pm.
2. **Roll Call** – Present were Trustees Adam Kinney, Kizzen Laki (left at 4:57 pm), John Grotenhuis, Mark Talbot and Diane Bairstow. Kairina Danforth was absent with notice. Mayor Pro-tem Lonny Roth, present and presiding, declared a quorum present. Also present were Town Administrator Akia Tanara, Attorney Gene Farish, Clerk Gretchen Nelson, Treasurer Gwynn Busby and guests Rose Burke, Sheriff Dan Warwick and Under Sheriff Jim McClosky.
3. **Approval of Agenda** – **Trustee Bairstow moved and Trustee Grotenhuis seconded to approve the Agenda as presented. The vote of the Trustees present was unanimously in favor and Mayor Pro-tem Roth declared the motion carried.**
4. **Approval of Minutes of Regular Meeting of January 12, 2015** – **Trustee Grotenhuis moved and Trustee Talbot seconded to approve the Minutes of Regular Meeting of January 12, 2015 as presented. The vote of the Trustees present was unanimously in favor and mayor Pro-tem Roth declared the motion carried.**
5. **Attorney’s Report – Gene Farish**
 - A. **Art Gallery Permit – Liquor License** – Attorney Farish reviewed the Art Gallery Permit application and reported that the application was complete. **Trustee Kinney moved and Trustee Talbot seconded to approve the Crestone Artisans Gallery Art Gallery Permit application as presented. The vote of the Trustees present was unanimously in favor and Mayor Pro-tem Roth declared the motion carried.**
 - B. **Ordinance 2015-002 – Extension Of Moratorium For Retail Marijuana** – Trustees will conduct a work session on Monday, February 16, 2015 at 2 pm at the Town Hall. **Trustee Bairstow moved and Trustee Talbot seconded to adopt Ordinance 2015-002 “An Ordinance Extending The Moratorium Imposed By Ordinance No. 2014-002 (An Ordinance Extending The Moratorium Of The Operation Of Marijuana Cultivation Facilities, Marijuana Product Manufacturing Facilities, Marijuana Testing Facilities Or Retail Marijuana Stores Within The Town Of Crestone, Colorado.)” The vote of the Trustees present was unanimously in favor and Mayor Pro-tem Roth declared the motion carried.**
 - C. **Resolution 003-2015 – Appointing Officers And Designating The Official Posting Places** – **Trustee Grotenhuis moved and Trustee Kinney seconded to approve Resolution 003-2015 “A Resolution Appointing Officers And Designating The Official Posting Places For The Town Of Crestone For The Calendar Year 2015” as presented. The vote of the Trustees present was unanimously in favor and Mayor Pro-tem Roth declared the motion carried.**
 - D. **Municode Contract** – Trustees discussed the Municode contract with Attorney Farish. **Trustee Trustee Kinney moved and Trustee Grotenhuis seconded that should Municode’s fee structure fit into our financial capacity then the Town can move**

forward on this contract. The vote of the Trustees present was unanimously in favor and Mayor Pro-tem declared the motion carried.

E. Code of Conduct – Trustees discussed the amended Code of Conduct. **Trustee Bairstow moved and Trustee Kinney seconded to dump the code of conduct.** Trustees discussed that the Colorado Revised Statutes has a section on the Code of Conduct which Attorney Farish said is designed to prevent financial conflicts of interest. Trustee Bairstow rescinded her motion and the Board agreed they would like to consider this matter at the March meeting.

F. Draft iPad Policy – After discussion on the draft iPad policy, Trustees chose to distribute the iPad's among themselves to become familiar with the technology, and to not adopt this iPad policy at this time.

- Mayor Pro-tem Roth declared a break at 3:13 pm and reconvened the meeting at 3:25 pm.

G. Executive Session – C.R.S.24-6-402(4)(b), Conference with Town Attorney; C.R.S. 24-6-402(2)(f), Personnel Matter – At 3:35 pm **Trustee Kinney moved and Trustee Bairstow seconded to move into Executive Session for a conference with the Town Attorney per C.R.S. 24-6-402(4)(b) and discussion of a personnel matter per C.R.S. 24-6-402(4)(f). The vote of the Trustees present was unanimously in favor and mayor Pro-tem Roth declared the motion carried.** Attorney Farish stated that the content of this discussion was privileged per C.R.S. 24-6-402(4)(b), and the tape recorder was turned off. **At 5:35 pm Trustee Grotenhuis moved and Trustee Talbot seconded to move out of Executive Session. The vote of Trustees present was unanimously in favor and Mayor Pro-tem Roth declared the motion carried.**

6. Financial Report – Akia Tanara reported on the following:

- Sales Tax for December, 2014 was \$16,194.75
- All budget related documentation, including the adopted 2015 budgets and amended budgets, resolutions, mill levy documents and certifications were submitted on January 16th to the State Division of Local Governments.
- The Town's Audit Exemption Report for 2014 is due to the State by the end of March. The report should be ready for the Board to review at the March meeting so that a special meeting doesn't have to be called for this purpose.
- It was reported to the Board that Lonny Roth is past due for 1.5 years of trash service for his portion of the free box dumpster. Trustee Roth stated he would pay \$100 by next week and he will get this account paid current as quickly as possible.

Trustee Kinney moved and Trustee Bairstow seconded to approve the Financial Report. The vote of the Trustees present was unanimously in favor and Mayor Pro-tem Roth declared the motion carried.

7. Presentation of Bills – **Trustee Kinney moved and Trustee Grotenhuis seconded to pay the bills. The vote of the Trustees present was unanimously in favor and mayor Pro-tem Roth declared the motion carried.**

8. Clerk's Report

- Trustees discussed potential candidates for the Board of Adjustment Chair position and will make an appointment at the March meeting.
- The Census Housing Report is now complete for 2014.
- The Town Hall printer had an unanticipated expense of \$292.89 to replace the Imaging Drum Units.

9. Administrator's Report

- The CDBG contract was reviewed and approved by Attorney Farish and CIRSA, and was signed by Mayor Danforth on January 22nd. **Trustee Kinney moved and Trustee Grotenhuis seconded to approve sole source approval to contract with GOV-PLUS and Russell Surveyors for the Pedestrian Pathway Network Project. The vote of the Trustees present was unanimously in favor and Mayor Pro-tem Roth declared the motion carried.**
- An Independent Contractor Agreement, approved by Attorney Farish, has been submitted to SGM, Inc., for the drainage study which needs to be completed prior to the onset of the downtown revitalization project.
- Administrator Tanara reported that the DOLA application for exterior renovations to the Crestone Town Center made it through the first round of review but does not have a chance of being fully funded unless the Town can provide a 25% cash match for the project. **Trustee Grotenhuis moved and Trustee Kinney seconded to defer the projects of tractor purchase and codification, freeing up \$10,300, and committing \$1,100 of contingency funds to attain the 25% cash match needed for this project, and to defer insulation of the building to a future time. The vote of the Trustees present was unanimously in favor and Mayor Pro-tem Roth declared the motion carried.**
- An application was submitted for 2015 Conservation Trust Funds in the amount of \$6,500 for bear-proof trash cans, trees/landscaping for Little Pearl Park and funds to help pay park maintenance costs.
- Administrator Tanara has not charged overtime hours on her timesheets in 2015 in order to not affect the budget. **Trustee Kinney moved and Trustee Bairstow seconded for Akia Tanara to utilize comp time at the rate of time and a half for the hours exceeding the 40 hour per week she is working. The vote of the Trustees present was unanimously in favor and Mayor Pro-tem Roth declared the motion carried.**
- CIRSA made a determination and will pay the claim for Lisa Bodey's stolen chainsaw.
- The Orient Land Trust has donated an Ice Cream Wagon to the Crestone Creative Council.

10. Mayor's Report –

- A. **Listening Tour** – This agenda item will be discussed at the March meeting.

11. New Business – There was no new business to discuss.

12. Old Business – There was no old business to discuss.


13. Other Reports

A. Planning Commission – Lonny Roth reported that the Commissioners have finished working on Zoning Regulation amendments and that Administrator Tanara anticipates that all of the proposed amendments will be ready for Commissioners review at the April meeting.


14. **Correspondence** – Trustees reviewed a letter submitted by Peter Anderson requesting a waiver on the one year limitation for the Northern Saguache County Library District (NSCLD) Conditional Use Permit. **Trustee Grotenhuis moved and Trustee Bairstow seconded to waive the one year limitation requirement for the NSCLD Conditional Use Permit application. The vote of the Trustees present was unanimously in favor and Mayor Pro-tem Roth declared the motion carried.** Trustees read a thank you card from the Crestone Creative Council. Trustees reviewed a letter submitted by Jodie Tucker requesting a rental fee waiver for the Community Building, and requested an additional letter with more content from Ms. Tucker, and her attendance at the Board meeting for discussion of her request.

15. **Citizens' Comments** – There were no citizens' comments.

16. **Adjourn** – **Trustee Kinney moved and Trustee Talbot seconded to adjourn the meeting. The vote of the Trustees present was unanimously in favor and Mayor Pro-tem Roth declared the meeting adjourned at 6:22 pm.**



Gretchen Nelson, Clerk



Lonny Roth, Mayor Pro-tem
KAIRINA DANFORTH, MAYOR