

**TOWN OF CRESTONE BOARD OF TRUSTEES
REGULAR MEETING
MONDAY, DECEMBER 14, 2015 AT 1:30 PM
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 Diane Bairstow, John Grotenhuis (arrived at 1:32 pm), Adam Kinney, Kizzen Laki (arrived at 1:34 pm), Lonny Roth and Mark Talbot. Mayor Kairina Danforth, present and presiding, declared a quorum present. Also present were Attorney Gene Farish, Treasurer Gwynn Busby and Acting Town Clerk Allyson Ransom.
3. **Approval of Agenda** - *Trustee Kinney moved and Mayor Danforth seconded to approve the agenda as amended with the addition of reading a Labor Department letter under item 9, reporting on the Peacekeepers organization under item 18 and an update regarding staff. The vote of the Trustees was unanimously in favor, and Mayor Danforth declared the motion carried.*
4. **Approval of Minutes of Regular Meeting of November 9, 2015** - *Trustee Roth moved and Trustee Talbot seconded to approve the Minutes of the Regular Meeting of November 9, 2015 as presented. The vote of the Trustees was unanimously in favor, and Mayor Danforth declared the motion carried.*
5. **Approval of Minutes of Special Meeting of November 17, 2015** – *Trustee Grotenhuis moved and Trustee Kinney seconded to approve the Minutes of the Special Meeting of November 17, 2015 as presented. The vote of the Trustees was unanimously in favor, and Mayor Danforth declared the motion carried.*
6. **Approval of Minutes of Special Meeting of November 30, 2015** – *Trustee Bairstow moved and Trustee Grotenhuis seconded to approve the Minutes of the Special Meeting of November 30, 2015 as presented. The vote of the Trustees was unanimously in favor, and Mayor Danforth declared the motion carried.*
7. **Approval of Minutes of Special Meeting of December 7, 2015** – *Trustee Bairstow moved and Trustee Roth seconded to approve the Minutes of Special Meeting of December 7, 2015 as presented. The vote of the Trustees was unanimously in favor, and Mayor Danforth declared the motion carried.*
8. **Amend Minutes of Special Meeting of October 14, 2015** – *Trustee Laki moved and Trustee Kinney seconded to approve an amendment to the Special Meeting Minutes of October 14, 2015 by including the previous missing statement, “Akia Tanara verbally resigned as Interim Town Clerk.” The vote of the Trustees was unanimously in favor, and Mayor Danforth declared the motion carried.*

9. Attorney's Report – Gene Farish

- A. Labor Department Letter-** Mayor Danforth read a letter sent to the Town by the State Department of Labor regarding the denial of Akia Tanara's claim for unemployment benefits.
- B. Easement Agreement- 200 Cottonwood –** Attorney Farish discussed and explained the agreement that would permit 200 Cottonwood, LLC/ Golden Grove to remove the old gasoline tanks that may infringe upon the Town right-of-way. *Trustee Kinney moved and Trustee Laki seconded to approve signing the agreement letter. The vote of the Trustees was unanimously in favor, and Mayor Danforth declared the motion carried.*
- C. Ballot question for April 2016 Election –** Attorney Farish and the Board discussed bringing a referendum to the citizens by placing the question of retail marijuana on the ballot with the percentage of taxation included in the question; thus, if marijuana sales were approved, the Town would receive revenue. A request was made to further discuss this issue at the January meeting after gathering more information on taxation rate details, Tabor procedures and election calendar deadlines regarding this issue. *Trustee Laki moved and Trustee Grotenhuis seconded to place the question to approve retail marijuana sales on the April 5, 2016 ballot, which would include both retail marijuana sales and a specified tax rate percentage as one ballot question with the provision that if both issues could not be legally included as one question that the Board reconsider and place only a marijuana retail sales tax rate question on the ballot. The vote of the Trustees was unanimously in favor, and Mayor Danforth declared the motion carried.*
- D. Revisit Ordinance for nuisance/abandoned buildings 2015-005 –** The Attorney and Board discussed amending the wording of this ordinance and whether it was even passed. The Minutes from 2014 were checked and ordinance #2014-007 (amending ordinance # 2003-005) was found and specifically deals with abandoned, unfinished or nuisance structures. The Board consensus was to send a warning to the current owner and give them until the end of May 2016 to have the building's exterior completed (stuccoed); however, further discussion on this issue will be included during the January 2016 regular meeting.

[Mayor Danforth declared a brief recess at 1:50, and the meeting reconvened at 2:58]

- E. Executive session- CRS 24-6-402 (4) (b) -** *Mayor Danforth moved and Trustee Kinney seconded to move into executive session at 3:01 pm for the purpose of discussing personnel matters. The vote of the Trustees was unanimously in favor, and Mayor Danforth declared the motion carried.*
- Trustee Laki moved and Trustee Grotenhuis seconded to close the executive session at 4:03 pm. The vote of the Trustees was unanimously in favor, and Mayor Danforth declared the motion carried.*
- Following the executive session, a brief Board discussion included agreeing to allow D'Lane Kilgore to continue to be paid for plantcare at her home until the end of 2015. Also discussed, was the need to communicate clearly to Jim Vanderpool what his exact job duties entail, requirements and expectations. The general consensus was that he needed additional training with code enforcement procedures, bookkeeping and organization. The Board will revisit these concerns and see what progress has been made in one month.
- Trustee Laki moved and Trustee Kinney seconded to suspend the Crestone Botanical Garden Project due to the unfinished construction of the greenhouse and due to the grant funds having been spent in their entirety; furthermore, D'Lane Kilgore will continue to be paid for part-time plant care until December 31, 2015.*

Trustee Grotenhuis moved and Trustee Laki seconded to approve \$200.00 being spent on code enforcement training for Jim Vanderpool. The vote of the Trustees was unanimously in favor, and Mayor Danforth declared the motion carried.

10. Financial Report – Gwynn Busby

Trustee Laki moved and Trustee Grotenhuis seconded to approve the Financial Report as presented. The vote of the Trustees was unanimously in favor, and Mayor Danforth declared the motion carried.

11. Presentation of Bills – Gwynn Busby

Trustee Bairstow moved and Trustee Roth seconded to approve the bills as presented. The vote of the Trustees was unanimously in favor, and Mayor Danforth declared the motion carried.

12. Clerk's Report – Allyson Ransom reported on the following:

- The upcoming reappointment of Mayor Danforth and Trustee Roth to the Crestone/Baca Sub Area Planning Commission is due. Both Danforth and Roth stated that they enjoyed serving and would like to continue. *Trustee Laki moved and Trustee Kinney seconded to approve the appointment of Kairina Danforth and Lonny Roth to The CBSAPC. The vote of the Trustees was unanimously in favor with the exception of Kairina Danforth and Lonny Roth who abstained from voting. Mayor Danforth declared the motion carried.*
- An update on the Russell Survey will be included in the January meeting, but Dan Russell cannot come to speak with the Board until the March meeting.
- Alder Street Bridge update - We are waiting for a repair quote from Mark Potter and then will email all of the required documents to State Farm Insurance.
- Clerk training update - There is one more training session due as per contract with Judy Egbert, and it will be held on December 28, 2015.
- CMA Summer Institute scholarship - We can discuss more details at the January meeting.
- Election 2016- A recommendation was made to have a mail out ballot election and the benefits for doing so were explained. *Trustee Talbot moved and Trustee Bairstow seconded to hold the next election via mail out ballot. The vote of the Trustees was unanimously in favor, and Mayor Danforth declared the motion carried.*
- FEMA funds- An update on funding still due was given, and the name of our new FEMA contact person (Michael Schaub) was shared.
- Water Court protest – This document was signed, notarized and returned by the due date as per the Attorney's and the Board's advisement at the November regular meeting.
- Court update - A summary was presented on the recent trial for a nuisance dog, its expenses and a recommendation to increase fines. This matter will be continued at the January regular meeting.
- Crestone Creative Council Report – Lisa Bodey
This report was included the morning of the meeting day and placed under the Clerk's Report for the Board to read. Mayor Danforth mentioned that funding for this program has almost run out. The discussion may be continued on this matter during the Treasurer's report at the January Meeting.

13. Water Dept. Report- Ann Bunting was not present but included her report for the Board.

14. Public Works Report – Jim Vanderpool was not present but included his report for the Board.

15. **Code Enforcement Report-** A brief discussion included an unlawful logging operation in a residential zone, and the person involved has until December 18, 2015 to have it cleaned up or they will be ticketed. The consensus of the Board was to fine the individual only \$25.00 due to confusion from the code enforcement officer on which ordinances were originally sited.

16. Mayor's Report

A. **Election contract with Judy Egbert-** *Trustee Bairstow moved and Trustee Roth seconded to approve Judy Egbert's (GovPro LLC) contract for her mail out ballot consulting option.*

The vote of the Trustees was unanimously in favor, and Mayor Danforth declared the motion carried.

17. **New Business-** An update on the Crestone Peacekeepers Organization was shared with details regarding the amount that Saguache County, the Town of Crestone and the grant would share to cover the program- approximately \$500.00 each. Benjamin Byer is interested in being the Crestone Peacekeeper's leader. Further discussion will be included at the January meeting.

18. Old Business

A. **Frozen Water Hazard-S. Cottonwood Street-** A discussion and update focused on the ongoing situation with the leaking water. Various people, including Jim Hollmer, will continue to work on this problem in coordination with the Mayor and the site's business owners, and a report will be shared at the January meeting.

B. **Town Center Expansion-** A discussion of the renovation, possible expansion and greenhouse installation will be discussed at the January meeting.

19. Other Reports

A. **Planning Commission-** There was no discussion of the December 7, 2015 Planning Minutes.

20. Correspondence

Letter from Renee Hill- Tree trimming request on private property- *Trustee Roth moved and Trustee Kinney seconded to approve having the pine branches trimmed away from Renee Hill's building on E. Galena Ave. The vote of the Trustees was unanimously in favor, and Mayor Danforth declared the motion carried.* Mayor Danforth mentioned contacting the arborist Tim Wiley to assist.

21. **Citizens' Comments-** There were no comments made.

22. **Adjourn-** *Trustee Roth moved and Trustee Kinney seconded to adjourn the meeting at 5:00 pm. The vote of the Trustees was unanimously in favor, and Mayor Danforth declared the motion carried.*



Allyson Ransom, Acting Town Clerk



Kairina Danforth, Mayor