

**TOWN OF CRESTONE
BOARD OF TRUSTEES
REGULAR MEETING
MONDAY, JULY 11, 2016 AT 1:30 PM
TOWN HALL, 108 W. GALENA AVE., CRESTONE, CO**

MINUTES

1. **Call to Order** – The meeting was called to order at 1:33 pm.
2. **Roll Call** - Trustees Mark Talbot, Diane Bairstow, Terry Goergen, Adam Kinney, and Kizzen Laki (left at 6:15 pm) were present. Trustee John Grotenhuis was absent with notice. Also present were Attorney Eugene Farish, Treasurer Gwynn Busby, and Town Clerk Allyson Ransom. Mayor Kairina Danforth, present and presiding, declared a quorum present.
3. **Approval of Agenda** - *Trustee Laki moved and Trustee Talbot seconded to approve the agenda as amended with the inclusion of discussing resident Matthew Clark's request for a street sign. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*
4. **Approval of Minutes- Regular Meeting of June 13, 2016.** *Trustee Laki moved and Trustee Goergen seconded to approve the Minutes of the Regular Meeting on June 13, 2016. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*
5. **Approval of Minutes- Special Meeting of June 20, 2016.** *Trustee Laki moved and Trustee Bairstow seconded to approve the Minutes of the Special Meeting on June 20, 2016. The vote of the Trustees present was unanimously in favor, with the exception of Trustee Talbot, who abstained because he was not present. Mayor Danforth declared the motion carried.*
6. **Approval of Minutes – Special Meeting of July 6, 2016.** *Trustee Talbot moved and Trustee Bairstow seconded to approve the Minutes of the Special Meeting on July 6, 2016. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*
7. **Attorney's Report – Gene Farish**
 - A. **Motion to Appoint Trustee Goergen to Baca –Crestone Planning Board.** *Trustee Kinney moved and Trustee Laki seconded to appoint Trustee Goergen to the Baca- Crestone Planning Board. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.* The Board requested Clerk Ransom to send documentation of this motion to Wendy Maez of the Saguache County Commission.
 - B. **Adli Building Update-** Attorney Farish reviewed the proofs of certified letters previously sent to Fereidoon Adli and asked for a summary from Clerk Ransom, who reported on all communications she had with the property manager and owner regarding the unfinished building at 253 W. Golden Ave. Realtor Shirley Motz was present and updated the Board on everything she knew about the building, its history and the recent price reduction. After much discussion, the Board consensus was to extend the time frame for exterior completion and that shotcrete would be required for its structural integrity. Also it was stressed that any sale would have to include the sale of two lots across the alley to be used for parking places that the Adli Family also owned. *Trustee Bairstow moved and Trustee Laki seconded the following: that the Town of Crestone gives the owner of 253 W. Golden Avenue sixty (60) days to sign a purchase contract and to have the property deal close within forty-five (45) days following; and to finish the exterior of the building as per the original design plan using shotcrete as the exterior material and that the exterior shall be completed by*

June 1, 2017; and to sell the two lots across the alley, which shall be used specifically for parking for the building at 254 W. Golden Ave.; Or, the Adli's, as current owners, shall complete the exterior of the building as per the original design within one hundred five (105) days. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

- C. **Retail Marijuana Ordinance** – The Board and Attorney discussed various errors and typos in the Ordinance and Rules and Regulations were noted for correction, and Clerk Ransom will work with Attorney Farish and his office to correct.
- D. **MJ Business Application Form**- Clerk Ransom presented the form she created, and the Board discussion included establishing tax collection days and hours of operation. The specific date to collect taxes was changed to the fifth working day of each month. *Trustee Goergen moved and Trustee Kinney seconded to approve the application form with corrections. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*
- E. **Trustee Resignation**- Trustee Mark Talbot presented his formal resignation. Primarily due to lack of housing in the Town limits, Trustee Talbot has to find housing out of town and will be moving out of town on July 15, 2016. *Trustee Bairstow moved and Trustee Goergen seconded to accept Trustee Talbot's resignation. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*
- F. **Trustee Appointment** – The Board discussed appointing Benjamin Byer as Trustee to fill Trustee Talbot's position whose term ends in April 2018. Benjamin Byer accepted. Attorney Farish stated that Byer does not have to resign from the Planning Commission but can become an alternate to either of the 2 ex officio comm. as per the Town's amended Ordinance # 2010-004 (previously 1977-0105) that the five member Planning Commission includes the Mayor and one Trustee, so the appointed alternates may be any citizen. *Trustee Bairstow moved and Trustee Kinney seconded to appoint Benjamin Byer as Trustee to replace Trustee Talbot. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*

[Mayor Danforth called a ten minute recess at 3:25]

- G. **Trustee workload**- The Board discussed increasing the elected officials' stipend that will begin after the 2018 April Election. *Trustee Laki moved and Trustee Kinney seconded to change the stipend of the Town of Crestone's elected officials beginning with the next Board of Trustees in 2018 to \$75.00 per month. After a brief discussion, Trustee Laki amended her motion to change the amount to \$108.00 per month for Trustees and \$216.00 a month for the mayor. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*
- H. **Nuisance Code 2006-008**- Attorney Farish summarized specific issues that needed to be revised in the ordinance such as weeds and debris piles. The Board discussed how strict it should be and whether storing materials could be defined as 'junk piles.' The Board agreed to hold a work session on Wednesday, July 20, 2016 at 4:30 pm regarding updating the Nuisance code, which is Ordinance #2003-005.
- I. **SLVCCI-Trail Award Authorize signing**. Mayor Danforth reported on the SLV Conservation Initiative its award for \$10,000.00 to start a trail project connecting the San Isabel Trail with the Baca Wildlife Refuge. The Mayor requested that the Board approve the Town as the fiscal agent for the grant. Mayor Danforth stated that no matching funds will be required from the Town, but there would be money available to the town to pay staff for any extra work involved. There was further discussion on who chose the route chosen for the trail and the project summary that did not appear to be match the goal of the grant. *Trustee Kinney moved and Trustee Talbot seconded to authorize*

Mayor Danforth to sign the digital contract that allows the Town of Crestone to be the fiscal agent for the SLV LOR Trail Grant Phase I but to not commit to the project summary. The vote of the Trustees present was made by roll call vote aloud. Trustees Diane Bairstow, Mark Talbot, Terry Goergen, and Mayor Kairina Danforth were in favor; Trustees Adam Kinney and Kizzen Laki were against. The majority voted in the affirmative, and Mayor Danforth declared the motion carried.

- J. **Executive Session – CRS Section 24-6-402(4)(b) Employee resignation.** Mayor Danforth moved and Trustee Goergen seconded to go into Executive Session at 4:58 pm. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

Attorney Farish stated the subject matter pertained to attorney-client privilege and asked for the recorder to be turned off, and all of those present during the roll call at the beginning of the regular meeting were present during the Executive session.

Mayor Danforth moved and Trustee Talbot seconded to close the Executive Session at 5:32 pm and the recorder was turned back on. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried. The Board requested that Clerk Ransom write a letter and send by certified by mail to Jim Vanderpool stating that the Board had been informed that he quit his positions and that they accepted his resignation from employment with the Town of Crestone.

8. **Financial Report** – Gwynn Busby reported on the sales tax disbursement delay, her computer having crashed, the cost to register with QuickBooks online, and specific amounts paid out for the grant projects. *Trustee Laki moved and Trustee Bairstow seconded to accept the financial Report as presented. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*

9. **Presentation of Bills** – Gwynn Busby presented the bills paid. *Trustee Kinney moved and Trustee Bairstow seconded to approve the bills to be paid. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*

10. **Mayor's Report-** Kairina Danforth reported further on CCD grant possibilities and the issue discussed earlier about the SLV Trail Grant and the Town being the fiscal agent. Trustee comments included the Board's gratitude for the Mayor's hard work.

11. **Clerk's Report** – Allyson Ransom reported on various items including the Cottonwood Street Bridge and meeting with Mark Potter; the amount the Town made from the sale of the fence and old shed (\$504.00), and asking to sell the old wagon wheels by sealed bid. The Board decided they did not want to sell the historic wheels and to store them in Old Town Hall. Ransom reminded the Board that she would be out of the office in Denver for the CMCA Clerk's Institute from July 15- July 22 and that she had received a \$1500.00 CRSA Scholarship to cover expenses.

12. **Water Dept. Report-** Ann Bunting reported on the annual testing completed and all that all of the results were BDL (Below Detectable Levels) which was a very good report. One of the Town wells, which is located in Little Pearl Park near Galena Ave. is not currently used but is registered for use at 2.5 acres feet per year, and Bunting stated this could help with the Town's future growth.

13. **Public Works Report** – Gretchen Nelson was not present but submitted her report for review.

14. **Code Enforcement Report** – Jim Vanderpool had resigned.

[Mayor Danforth called a five minute recess at 6:22 pm]

15. New Business

- A. **Downtown Redevelopment Phase II-** Kim Smoyer grant writing. *Trustee Kinney moved and Trustee Goergen seconded to approve the proposal with Kim Smoyer for \$2000.00 to work on Phase II of the Downtown Redevelopment Project Grant. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*
- B. **Saguache County Mini Grant-Tree Board.** This item was tabled.
- C. **Town Hall- new signs.** The Board was in agreement to have Don Jensen install the new Town Hall signs.
- D. **CYP Request-Repaint CYP signs, attach banners to side of building.** Fedrica Solana discussed plans for a new painted business sign to replace old one in front of their thrift store on Alder Street. The Board reminded her about size regulations. *Trustee Kinney moved and Trustee Goergen seconded to approve the CYP request to change the CYP sign hanging on the Town Hall building. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*

16. Old Business

- A. **FEMA Update-** Burt Wadman stated that he would discuss the Lars Skogen property at the next regular meeting.
- B. **SGM Contract-** Burt Wadman announced that SGM will help the town by doing drainage assessment work at no charge (approximately two days' worth) while revisiting the old drainage study for the FEMA grant work that needs to be completed.
- C. **Downtown Redevelopment Update-** Burt Wadman discussed the approved change orders and that payment application #3 needed to be approved by the Board to pay Alcon Construction. Clerk Ransom stated that she had never received it to include in the meeting binders. Other items for discussion included: cracks in the Post Office concrete floor, the fence that Sangre de Cristo Inn reinstalled incorrectly in the Town's Right-of-Way, whether Casa del Soul's wanted their fencing reinstalled, and that Christy Culp from DOLA mentioned that the Town should be able to close out the contract soon once a Certificate of Substantial Completion is signed by Burt Wadman and Alcon. Mayor Danforth remarked that during DOLA's site visit, Ms. Culp was very pleased with how well the improvements looked and the quality of workmanship. The Board agreed that it would be a good idea to hold a public completion ceremony at the new art plaza in Little Pearl Park.
- D. **Landscaping- Jim McCalpin's plan for Town Hall NE corner.** Jim McCalpin was not present to discuss this item, but the Board discussed landscaping the areas and a COG grant that had just been submitted for landscaping trees and materials.
- E. **Smart Meters-** Lars Skogen was not present, but Lonnie Nichols and Dorje Root presented more information on the unhealthy effects of Smart Meters and brought documentation. They requested that the Board place a moratorium on these meters. The Board asked them to email the Moratorium documentation to Clerk Ransom, so she could forward it to Attorney Farish and the Board for review. This item will be continued at the next regular meeting.

17. Other Reports

Planning Commission- Draft Minutes July 7, 2016 Meeting. The meeting minutes were reviewed and an error was noted and the correction requested for item 6C. The word "not" before the word absent needed to be deleted.


The Board discussed livestock in low density residential zones, policies for non-conforming use and Nathan Good's proposed plans to have two homes on a lot split in half by N. Crestone Creek. The Board members agreed that building permit applications should include an ILC (Improvement Location Certificate) to determine lot corners. *Trustee Bairstow moved to have Attorney Farish draft a resolution to require an ILC.* After further Board discussion, *Trustee Bairstow retracted her motion.*

Attorney Farish had left earlier during the meeting, and the Board asked Clerk Ransom to discuss it with the Attorney and collect more information.

18. Correspondence – There was none.

19. Citizens' Comments – Fred Bauder was present throughout the majority of the meeting and asked several questions and made a few comments.

20. Adjourn - *Trustee Talbot moved and Trustee Kinney seconded to adjourn the meeting at 8:05 pm. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*



Allyson Ransom, Town Clerk



Kairina Danforth, Mayor

