

**TOWN OF CRESTONE  
BOARD OF TRUSTEES  
NOTICE OF REGULAR MEETING  
MONDAY, AUGUST 8, 2016 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 1:32 pm.
2. **Roll Call** – Present were Trustees Diane Bairstow, Benjamin Byer, Terry Goergen, John Grotenhuis, and Trustees Adam Kinney and Kizzen Laki were absent with notice. Mayor Kairina Danforth, present and presiding, declared a quorum present. Also present were Attorney Gene Farish, Treasurer Gwynn Busby and Town Clerk Allyson Ransom.
3. **Approval of Agenda** – *Trustee Goergen moved and Trustee Grotenhuis seconded to approve the agenda as presented. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*
4. **Approval of Minutes- Regular Meeting of July 11, 2016-** *Trustee Goergen moved and Trustee Grotenhuis seconded to approve the Minutes of the Regular Meeting of July 11, 2016 as amended with the following: stating that Benjamin Byer is an alternate planning commissioner for the ex-officio commission members under item 7E; to correct spelling of the word ‘award’ in item 5I; to add the title ‘San Luis Valley Conservation Connect Initiative’ in the motion under item 5I; to add ‘to be paid’ pertaining to the bills mentioned under item #9. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*
5. **Attorney’s Report – Gene Farish**
  - A. **Public Hearing** –Comments and review on the Downtown Redevelopment Project were heard as per requirements of the CDBG grant, and Attorney Farish acted as the hearing officer. The following comments were made: Patricia Faust, Crestone resident, stated that the project looked great and the workers were fabulous, and she couldn’t wait to see all of the plants and landscaping completed.  
Fred Bauder, Crestone resident, stated that the contractor crew on the project was courteous, accommodating, hardworking and that they all did a good job, but as far as the project, Bauder stated that the Town was made worse by these improvements. He said \$ 250,000 was wasted on something not needed, and the Town is broke from spending money on matching grant funds.  
Patricia Faust responded to Fred Bauder’s comments by disagreeing and stated that this improvement project would also have a positive ripple effect on deterring unsavory people and helping business.  
Mayor Danforth stated that the project was well done and has already had a unifying and salutary effect on the whole community. The hearing was adjourned at 1:51 pm.

- B. Trustee Resignation-** Trustee John Grotenhuis announced that he would remain on the Board and rescind his resignation. Those present were very pleased with his decision and commended him on his hard work as a trustee.
- C. Town Building Inspector Appointment –** Mayor Danforth announced that she had contacted Charles Sommers about working for the Town again, and he was willing to resume building inspection work. *Trustee Goergen moved and Trustee Bairstow seconded to appoint Charles Sommers as the Crestone Building Inspector as a contract employee. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.* Mr. Sommers arrived at the meeting after the motion and gave a summary of his background and stated that he had never been removed as the Town’s official building inspector, only that he had not been called upon by the Town Manager during the past couple of years.
- D. Adli Building Update-**Shirley Motz Reported on the building and that the owner was researching prices for completing the exterior with the concrete substance as per the original plans. Board discussion included review of the timeframe for completing the work, options and penalty procedures if the work is not completed. Attorney Farish explained the eminent domain process. The Board directed Attorney Farish to draft a letter for the owner that defines the penalties for failure to complete the exterior within the allotted timeframe.
- E. Retail Marijuana Documents Final Review –** Clerk Ransom updated the Board on corrections made to the Rules and Regulations and verified that Attorney Farish had reviewed all of the documents including the application forms. The Board discussed signage for retail stores including neon signs and the importance of not differentiating between the types of signs allowed depending on the business. Attorney Farish discussed the new sign laws and stressed the need to legislate to avoid arbitrary and capricious actions. Medical marijuana sales were discussed and that taxes may not be collected for their sales. *Trustee Bairstow moved and Trustee Grotenhuis seconded to direct Attorney Farish to prepare an Ordinance to rescind the medical marijuana sales ordinance. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*
- F. Amend Fee Schedule-** Marijuana licensing fees and a liquor license modification fee were presented by Clerk Ransom and the request to adopt changes to the Crestone Fee schedule as soon as possible due to retail marijuana sales applications being accepted in September.
- Trustee Grotenhuis moved and Trustee Goergen seconded to authorize Attorney Farish to draft a resolution to amend the fee schedule and present it at the September meeting. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*
- G. Liquor License Modification Request-** Crestone Brewing Co. requested permission to close the park adjacent to their business to hold an Oktoberfest Event on October 1, 2016.

The owner was not present to answer questions and define the exact hours of the event but had provided all of the documentation required and proof of payment to the State Liquor Enforcement Division.

*Trustee Grotenhuis moved and Trustee Goergen seconded to approve the modification of premises permit and the closure of Little Pearl Park to the general public and that the owner will follow the same security procedures as during their previous grand opening event and define the exact hours for the event. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*

- H. Smart Meter- Moratorium-** The Board did not approve a moratorium but will wait until Lonny Nichols reports back on the San Luis Valley Electric Cooperative's decision regarding opt-out options that will be discussed at the next SLVREC Board meeting in late August.
- I. Lonny Roth- Letter to Town for extension-** After discussion, the Board directed Clerk Ransom to contact Mr. Roth and thank him for his letter but confirm the Town's decision that Mr. Roth has until August 24, 2016 to move his shed building to conform to the eight-foot setback required in a commercial district as per the current Town of Crestone zoning regulations. The Board and Attorney Farish discussed that safety and health are important reasons for upholding the zoning regulations and nuisance codes, and the Building Inspector will be working on safety and compliance issues around town.
- J. Financial Report/ Presentation of Bills –** Gwynn Busby reported on the monthly sales tax distribution that totaled over \$19,000.00, grant updates, and a Firewise report that will be turned in by TC Tree Service. The Board discussed holding a budget work session before the end of August and to discuss options for hiring a 'peace officer.'

*Trustee Grotenhuis moved and Trustee Bairstow seconded to approve the Treasurer's Financial Report as presented. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*

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

- 6. Mayor's Report-** Kairina Danforth reported on: the Crestone Creative District's application for the Space to Create Grant and an anonymous donor pledging \$35,000.00 and Phase II of the Downtown Redevelopment Project. Board discussion included the request to remove "Meet the Board Mondays" announcements from the Town website, the Facebook page and any future Eagle articles. There was a request to place a fourth stop sign at the corner of W. Silver Ave. and S. Cottonwood St. due to safety concerns.

*Trustee Bairstow moved and Trustee Goergen seconded to have the continued support of existing Downtown Redevelopment Project Architect, Burt Wadman, during Phase II and to apply for a County Sales Tax Grant, and approve a \$9000.00 match for the*

*Energy Mining Impact Grant (\$19,000). The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*

*Trustee Byer moved and Trustee Goergen seconded to approve the installation of a fourth stop sign, thus, creating a four-way stop at the corner of W. Silver and S. Cottonwood Streets. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*

7. **Clerk's/ Public Works Report** – Allyson Ransom reported on several items including:
- CMCA Clerk Institute and meeting procedures
  - Office efficiency and hiring a bookkeeper trained in QuickBooks to help the treasurer
  - Trustee Bairstow to take over website duties
  - Cottonwood Street Bridge supports and contacting BLM office
  - Mover who dented the Town truck door and whether to file a claim or file a police report
  - Marijuana security measures including coordinating with Sheriff Warwick to have an officer present once a month at tax collection time at the rate of \$50.00/hour and to help transport any cash taxes collected to the bank in Alamosa.

After Board discussion about Cirsa claims and deductibles regarding the dented truck caused by Steve Miller who would not come to the office, the Board consensus was to not pursue any claim with CIRSA, but advised having a disclaimer form for those working on Town property or removing property in the future.

*Trustee Grotenhuis moved and Trustee Bairstow seconded to approve spending up to \$200.00 per month to pay for a law enforcement officer when/if the Town begins collecting taxes in cash from any retail marijuana stores. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*

The Board also discussed the ongoing issue regarding the limited time available for Board binders to be picked up and requested that Clerk Ransom issue copies of the front door key and closet key to all Trustees who requested them. Binders will be left in the closet after closing up the office on the Fridays before a Board meeting.

8. **Water Dept. Report-** Ann Bunting discussed unused Town wells, water rights, and the need to add necessary information to the water ordinance. Her suggestions for the additions will be sent to Attorney Farish for review and to be presented at the next regular Board meeting. Ann Bunting asked the Board if the Town needed a sidewalk ordinance to determine who would be responsible for clearing sidewalks in the winter. The Board requested that the Planning Commission research and discuss this issue and report back.
9. **New Business**
- A. **Colorado Central Telecom-Company event request use of Town R-O-W-** Eli Dokson presented a request to rope off the parking area in front of Bistro One2One, which is part of the Town Right-of-Way, for a dancing area during an employee

appreciation party including live music. Mr. Dokson assured the Board that there would be no alcohol served beyond the permitted restaurant area. Ralph Abrams stated he would act as the security personnel.

*Trustee Goergen moved and Trustee Grotenhuis seconded to approve CCT's request to block off the parking area in front of the Bistro One2One building at 121 E. Galena Ave. from 5-9 pm on September 2, 2016 to be used as a dancing area. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*

**B. Space to Create -South Central Dola Region Program-** This item was Included in the Mayor's report

## 10. Old Business


### A. Architect Report


- **FEMA Update-**
- Burt Wadman did not report on the Skogen property; it was tabled until a later meeting, but he reported on the revised scope of work for flood control plans. These will include reshaping the ditch down Galena Ave, cleaning out flood control ditches, using extra culverts down Lime Ave. to mitigate sediment build up and that he will take care of the error of a 300.00 invoice sent to the Town for services that were promised as pro bono. There were comments by Fred Bauder regarding the need for extra culverts at W. Galena and Cottonwood St., and Burt stated he would continue to track that area. The Board and Treasurer Busby noted that Ken Skoglund had never come in to repay the overpayment of approximately \$4000.00, and Treasurer Busby stated she had tried to contact him to get the money repaid to the Town.
- **Downtown Redevelopment Update-** Burt Wadman reported on the project and requested Board approval for two *Application and Certificate of Payment* documents. He discussed the issue of the Sangre de Cristo fence that was reinstalled back onto the Town Right-of-Way and has spoken with someone about having it corrected. The owner of Casa Del Soul stated she does not want her fence reinstalled, and it will save the town \$950.00. The Board requested that the Clerk compose a letter for Kimberlee Best, the owner of Casa del Soul to sign, stating she did not want their fence reinstalled on the south side of the property fronting W. Silver Ave.

*Trustee Grotenhuis moved and Trustee Bairstow seconded to approve the Application and Certification for Payment #3 to Alcon Construction Co. for \$154,262.05. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*

*Trustee Goergen moved and Trustee Grotenhuis seconded to approve the Application and Certification for Payment #4 to Alcon Construction Co. for \$9201.72. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*

- B. Landscaping Projects/ Tree Board** – Burt Wadman reported that the Downtown Redevelopment Project was under budget by \$10,578.00, and the funds could help cover landscaping costs; he will discuss the plans with the landscaping subcontractor who was already approved and hired through the grant. It was noted that the Tree Board would not have to take on this responsibility. Additional funding for landscaping areas may be available to cover up to \$5000.00 more.
- 11. Planning Commission-** The Minutes of the Planning Meeting of August 1, 2016 were presented and brief comments the building Inspector duties including attending the monthly Planning Meetings and assisting the Commissioners.. Benjamin Byer will serve only as an on-call alternate for Kairina Danforth and Terry Goergen, the ex-officio commissioners.
- 12. Correspondence** – Lonny Roth’s letter was included under the Attorney’s Report
- 13. Citizens’ Comments**
- 14. Adjourn -** *Trustee Grotenhuis moved and Mayor Danforth seconded to adjourn the meeting at 6:06 pm. The vote of the Trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*

  
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Allyson Ransom, Clerk

  
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Kairina Danforth, Mayor Pro-tem  
Diane Bairstow