

**TOWN OF CRESTONE  
BOARD OF TRUSTEES  
NOTICE OF REGULAR MEETING  
MONDAY, SEPTEMBER 12, 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, Adam Kinney, and Kizzen Laki. Mayor Kairina Danforth was absent with notice, and Mayor Pro-tem Bairstow, 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 Kinney moved and Trustee Goergen seconded to approve the agenda as amended with the addition of item H, an executive session as per CRS 24-6-402 (4)(b) and 24-6-402 (4)(e) and the addition of item I regarding law enforcement. The vote of the trustees present was unanimously in favor, and Mayor Pro-tem Bairstow declared the motion carried.*
4. **Approval of Minutes - Regular Meeting of August 8, 2016.** *Trustee Laki moved and Trustee Kinney seconded to approve the Minutes of the Regular Meeting of August 8, 2016. The vote of the trustees present was unanimously in favor, and Mayor Pro-tem Bairstow declared the motion carried.*
5. **Attorney's Report - Gene Farish**
  - A. **Ord. # 2016-003 to rescind medical MJ sales.** *Trustee Grotenhuis moved and Trustee Goergen seconded to adopt Ordinance # 2016-003 to rescind medical marijuana sales in the Town of Crestone. The vote of the trustees present was unanimously in favor, and Mayor Pro-tem Bairstow declared the motion carried.*
  - B. **Ord. # 2016-004 to amend Nuisance code.** Attorney Farish presented a complete nuisance code as a template for the Board members to work from in order to update the several versions of nuisance ordinances presently on the books. After discussion, this item was tabled until the October meeting, and the Board requested a work session to be scheduled for Monday September 19, 2016 at 5:30 at the Crestone Eagle office. Future work sessions were planned for every third Monday evening of the month as needed.
  - C. **Res. # 016-2016 to amend fee schedule.** *Trustee Kinney moved and Trustee Goergen seconded to approve Resolution # 016-2016 to amend the fee schedule as presented but delete the word 'half' pertaining to the parks usage fee, so that the \$100.00 park event fee covers one full day instead of one half of a day. The vote of the trustees present was unanimously in favor, and Mayor Pro-tem Bairstow declared the motion carried.*
  - D. **Res. # 017-2016 to accept final downtown redevelopment project.** *Trustee Laki moved and Trustee Goergen seconded to approve the Resolution # 017-2016 to accept ownership of the*

*Downtown Redevelopment Project as required by the CDBG grant. The vote of the trustees present was unanimously in favor, and Mayor Pro-tem Bairstow declared the motion carried.*

*Trustee Goergen moved and Trustee Byer seconded to approve the Certification and Application of Final payment to Alcon Construction as required by the CDBG grant. The vote of the trustees present was unanimously in favor, and Mayor Pro-tem Bairstow declared the motion carried.*

**E. Adli Building W. Golden Ave. - letter to Fereidoon Adli .** After review and discussion, the Board approved the letter Attorney Farish drafted as amended to change the phrase from “completing the extension of the building” to “completing the exterior of building,” to correct the date on the letter and include information from the previous letters sent.

*Trustee Kinney moved and Trustee Goergen seconded to have the Clerk Ransom send the letter to Fereidoon Adli regarding completion of the building exterior at 253 W. Golden Ave. by certified mail. The vote of the trustees was unanimously in favor, and Mayor Pro-tem Bairstow declared the motion carried.*

**F. Municode Update-** Attorney Farish updated the Board on the recent 2-hour conference call with Clerk Ransom and Bill Sweeney of Municode and the need for the Board to review the questions Mr. Sweeney has asked throughout the first draft of the new code. Farish stressed the need to update and approve the Town’s nuisance ordinance before sending it to Municode, which will be included in the final code, and that the process of revisions may take a least a year to complete. Once the Code is approved it will repeal and replace all past ordinances. The Board requested the clerk to email them the various original versions of nuisance ordinances to compare with the attorney’s new template and use both during a work session previously arranged. The trustees requested that the next phone conference between the attorney and clerk with Municode be postponed until November.

[Mayor Pro-tem Bairstow called a brief recess at 3:20, and the meeting resumed at 3:30 pm.]

**G. Organizational Chart** – Attorney Farish asked for verification if Amanda Pearson was still working as municipal Judge for the Town of Crestone. Clerk Ransom stated she had been trying to reach her but would have an answer before the next meeting. Farish stated the organizational chart would need more review and further discussion on this item was tabled until the next meeting.

**H. Executive Session – Mayor Pro-tem Bairstow moved and Trustee Grotenhuis seconded to go into executive session at 4:28 pm as per CRS 24-6-402 (4)(b) and 24-6-402 (4)(e) for the purposes of discussing negotiations and contracts and for legal advice from the Town Attorney. Present were all individuals previously cited under the Roll Call, and the attorney requested the digital recorder to be turned off as per attorney-client privilege at 4:29 pm. The vote of the trustees present was unanimously in favor, and Mayor Pro-tem Bairstow declared the motion carried.**

*Trustee Goergen moved and Trustee Grotenhuis seconded to close the executive session and turn back on the recorder at 5:30 pm. The vote of the trustees present was unanimously in favor, and Mayor Pro-tem Bairstow declared the motion carried.*

[Mayor Pro-tem Bairstow called a brief recess at 5:30, and the meeting resumed at 5:36 pm.]

**I. Law Enforcement-** Attorney Farish and the Board members discussed options for hiring a law enforcement officer and possible funding sources. The Trustees’ consensus was that they would prefer to hire Deputy Wayne Clark. An immediate and interim solution that was suggested was hiring a part-time officer, initially for ten hours per week, for the purpose of enforcing the Town’s Model Traffic

Code, vagrants and drug enforcement in parks. Attorney Farish stressed that the Town would need a detailed contract with Sheriff Warwick of Saguache County that mandated that his deputy would enforce the Town Code along with the State Code. The Board agreed to create a task force to negotiate with Saguache County and the Baca Grande POA. Benjamin Byer and Mary Lowers <sup>were asked</sup> wanted to be part of the Task Force and ~~believed that Elaine Johnson would want to as well.~~ <sup>recommended them.</sup> They will report back at the next regular Board meeting.

6. **Financial Report/ Presentation of Bills** – Gwynn Busby presented her report, information on approving the 2017 Budget, requested approval to pay Alcon Construction their final payment, and presented the Saguache County Assessor’s Certification of Valuation information for the Town of Crestone (public property), The Board agreed that the amount of \$1,918,298.00 appeared to be an accurate assessment.  
*Trustee Laki moved and Trustee Grotenhuis seconded to approve the final payment to Alcon Construction, Inc. for the amount of \$26,502.76 for the completion of the Downtown Redevelopment Project. The vote of the trustees present was unanimously in favor, and Mayor Pro-tem Bairstow declared the motion carried.*  
*Trustee Grotenhuis moved and Trustee Goergen seconded to approve financial report as presented. The vote of the trustees present was unanimously in favor, and Mayor Pro-tem Bairstow declared the motion carried.*  
*Trustee Grotenhuis moved and Trustee Goergen seconded to approve paying the bills as presented. The vote of the trustees present was unanimously in favor, and Mayor Pro-tem Bairstow declared the motion carried.*
7. **Mayor’s Report**- Kairina Danforth was absent with notice.
8. **Clerk’s Report** - Allyson Ransom reported on the employee evaluations she had completed; the Cottonwood Street Bridge repairs and asked approval of the Board to contact Mark Potter to begin work on protecting the pillars underneath, which the Board approved; the importance of complying with Cirsra ADA requirements in the Town Par by June 2017; three retail marijuana applicants who came in on September 1; tree planting from donations will take place in the spring.
9. **Public Works** - Gretchen Nelson was not present but submitted a report.
10. **Water Dept.** - Ann Bunting was not present but submitted a report.
11. **New Business**
  - A. **Community Safety/Mental Health**- Mary Lowers presented a concise report on the drug situation in town and the desperate need for a Police officer and mental health clinic for the area.
  - B. **Living Wisdom- Market Study Progress Report**- Ammi Kohn reported on the group’s progress for a senior co-housing center in town or closely adjacent to town, presented a *Housing Market Study* and *Project Report*, and stated that the Living Wisdom group was seeking land for this senior village. Their next meeting will be held at the Cloud Station on September 18.
  - C. **Permanent Easement Request- Communication Pole** -Viaero Wireless sent information to the Board for a request to place a permanent pole in the Town to hold microwave discs and antennae for a project to offer new cellular and internet services to residents in the area. The Board consensus was not to permit installing a pole in the town limits, but to have Clerk Ransom to direct them to the Baca Grande Water and Sanitation Department’s tower location and also to Scott Johnson who owned land out of town that formerly was approved for a utility tower.
  - D. **SLV COG Master Trail Plan proposal** - Burt Wadman was not present, and the Board tabled this item until the Mayor Danforth could answer questions about funding for the proposed project.
12. **Old Business**
  - A. **Architect Report Submitted** - Burt Wadman was not present.

**B. Smart Meters** - Lonnie Nichols requested a moratorium, and the Board discussed options. The Board directed Clerk Ransom to compose and send a letter from the Board to SLVREC stating the town currently refused installation of Smart Meters until the Board could gather more information especially in regards to <sup>health</sup>heath and fire dangers and economic difficulty for residents imposed for signing the SLVREC op-out document. Further discussion followed including the Town to opt out for electric meters on its public buildings and wells.

*Trustee Kinney moved and Trustee Goergen seconded to place a moratorium on all public meters owned by the town, possibly 6 meters total which included the water plant and water pumping meters, and to have the town attorney prepare a moratorium ordinance document. Clerk Ransom requested a roll call vote. Trustees Byer, Kinney and Laki voted in favor of a moratorium on public meters owned by the Town of Crestone, and Trustees Grotenhuis, Goergen and Mayor Pro-tem Bairstow voted nay. Due to the tied vote, Mayor Pro-tem Bairstow declared that the motion did not carry.*

**C. TC Tree Service Report** – The report, presented by Tad Crawford showed the status of the Firewise grant project and included a draft fire risk assessment on the Town of Crestone.

**13. Planning Commission - Meeting Minutes September 5, 2016**

- **Commissioner Resignation**- Renee Hill submitted a resignation letter for the Board and Planning Commission.
- **Building Inspector's Report**- Charles Sommers was not present, and his report was tabled until the next meeting.

**14. Correspondence** - Kimberlee Best of Casa del Soul was not present, and her letter regarding electric car charging stations in town was tabled until the next meeting.

**15. Citizens' Comments** – Fred Bauder commented that it was fortunate that the Board motion did not pass regarding an opt-out for Smart Meters for the Town's public meters.

**16. Adjourn**- *Trustee Kinney moved and Trustee Goergen seconded to adjourn the meeting at 7:40 pm. The vote of the trustees present was unanimously in favor, and Mayor Pro-tem Bairstow declared the motion carried.*

  
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Allyson Ransom, Clerk

  
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Kairina Danforth, Mayor