

**TOWN OF CRESTONE
BOARD OF TRUSTEES
REGULAR MEETING
MONDAY, APRIL 10, 2017 AT 1:30 PM
TOWN HALL, 108 W. GALENA AVE., CRESTONE, CO**

MINUTES

1. **Call to Order-** The meeting was called to order at 1:30 pm.
2. **Roll Call- vision statement-** Trustees Diane Bairstow, Benjamin Byer, Terry Goergen, John Grotenhuis, Adam Kinney and Kizzen Laki were present. Mayor Kairina Danforth, present and presiding, declared a quorum present. Also present were Attorney Gene Farish, Treasurer Gwynn Busby and Clerk Allyson Ransom. Trustee Goergen read the vision statement.
3. **Approval of Agenda-** *Trustee Grotenhuis moved and Trustee Goergen seconded to approve the agenda as amended by including a ‘meet and greet’ invitation letter to the Baca Grande POA board. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*
4. **Approval of Minutes-Regular Meeting of March 13, 2017-** *Trustee Kinney moved and Trustee Byer seconded to approve the Minutes of the Regular Meeting on March 13, 2017 as amended by correcting the following: Item #2, Trustee Laki left the meeting at 6:10 pm and not at 5:10 pm; Item #14A the statement regarding the plant list should have read, “Burt Wadman had compiled a list of hardy plants...” The vote of the trustees was unanimously in favor, and Mayor Danforth declared the motion carried.*

An extended discussion included Item #15, regarding the motion that was rescinded to approve a training session, and that it could have been voted on, even though, Trustee Kinney had recused himself. Attorney Farish clarified that the majority of the board instead of a quorum is required for motions such as passing ordinances.
5. **Approval of Minutes- Special Meeting-Work Session of March 21, 2017-** *Trustee Bairstow moved and Trustee Goergen seconded to approve the Minutes of the Special Meeting-Work Session on March 21, 2017 as presented. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*
6. **Citizens’ Comments-** The following people spoke and the trustees thanked them for their comments:
 - Resident Lonny Roth brought a gallon jar of dead mosquitos and other insects to show the trustees how well his Dyna Trap worked last summer and advised that the town buy some while offering advice on how to use them.
 - Resident Fred Bauder explained “rent seeking’ to the trustees and how it could affect changing land values.
7. **Attorney’s Report - Gene Farish**

- A. Zoning and homes on wheels-** Brent Vandever asked questions regarding tiny homes and what specific town documents stated that tiny homes were prohibited. He also requested procedures dealing with complaints and wanted to know who complained about his self-contained tiny house on Roy Gould's property. The trustees confirmed that they had sent the temporary code enforcement officer, Charles Sommers, to investigate and that any complaints presented in a meeting were public knowledge, but an anonymous person complaining in private to a trustee did not have to be disclosed in the meeting. It was also noted that Charles Sommers had stated in the recent Planning Commission meeting that he had found no town documents prohibiting tiny houses, and Planning Commission Chair Cabeza-Kinney wrote an email to the Board stating this fact.

In response, Attorney Farish verified that Ordinance #2003- 007 defined the minimum square footage as 300 sq. ft., but it was inadvertently rescinded when the ordinance was replaced by another in 2009. Farish presented the board with a new draft ordinance to impose a moratorium on building tiny houses for the next six months while research and decisions could be made by the board with the advisement of the planning commission. The majority of the board agreed that tiny homes would be a useful option to help the housing shortage, but that they would still have to meet state plumbing code requirements with water hook ups and approved sanitation. After further discussion, Vandever requested permission to live in his tiny home in town for the next six months while the board was researching the matter. The board confirmed that they would not permit any tiny homes in town at this time. Brent Vandever left abruptly.

Trustee Bairstow moved and Trustee Laki seconded to adopt Ordinance #2017-003 to impose a moratorium on the building and installation of residences within the town of Crestone with a living space of less than three hundred square feet. The vote of the trustees present was unanimously in favor with the exception of Trustee Kinney who was opposed the motion. Mayor Danforth declared the motion carried.

[Mayor Danforth called a brief recess from the meeting at 3:00 pm, and the meeting resumed at 3:12 pm]

- B. Code Enforcement Update-** Benjamin Byer reported on his code enforcement work to date. He ordered a shirt and badge as a uniform and advised buying a radio for the office. Byer discussed restorative justice, dogs at large and the Meisman property. Merry Meisman was present and spoke to the trustees and announced that the bus, illegally used for living accommodations, had just been removed from the property. Further discussion included sanitation allegations and past issues with her well. It was confirmed that the sewer was repaired thirteen years previously. The board reiterated that past problems at her property had led to the ongoing negative perceptions and that she needed to work things out with her neighbors. Mayor Danforth reported that Saguache County had hired Deputy Wayne Clark as their part-time code enforcement officer and their job description was presented to the trustees.
- C. Law Enforcement update-** Clerk Ransom reported on receiving one application for the part-time police position but found the applicant had been terminated by his past employer. After a discussion of code enforcement and law enforcement duties, the board decided to have the clerk run the advertisement for another month; meanwhile, Benjamin Byer will continue his duties, and planned to stay in communication with other emergency service organizations, such as Dan Wheeler with Search/Rescue.

- D. Personnel Handbook/Organizational Chart update-** Attorney Farish presented a resolution to amend the personnel handbook and attached chart, which was presented and previously emailed to the board in advance for review.

Trustee Kinney moved and Trustee Goergen seconded to adopt Resolution #005-2017 amending the personnel handbook and organizational chart from 2009. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

- E. Adli Building Update-** Clerk Ransom reported that Shirley Motz told her that there were people interested in the Adli building but no offer had been made. Don Jensen told the clerk to tell the trustees that if the Town ended up condemning the Adli Building that he (Don Jensen) definitely wanted to tear it down at no charge if he could keep all of the materials. The board's consensus was to wait one more month in hopes of an offer being made. Attorney Farish reminded the board that they would have to pass an ordinance to commence any condemnation procedures.

- F. Master Plan for Trail- approval-** The trustees briefly discussed the trail plan that Burt Wadman created for the perimeter of the town and would eventually connect to the Eastern San Luis Valley Trail (ESLVT). Mayor Danforth reported on the ESLVT project's first segment northwest of town, which is open for public comment.

Trustee Grotenhuis moved and Trustee Goergen seconded to approve the town's Master Plan for a trail. Further discussion and questions followed about existing areas impacted and the privacy in neighborhoods. Trustees requested that Burt Wadman amend the plan to avoid closed roads and keep the trail along the most eastern perimeter of town. Wadman stated that revisions to the route were possible. *The motion was rescinded.*

Trustee Laki moved and Trustee Grotenhuis seconded to adopt the Master Trail and open space Plan within the Town of Crestone as amended regarding the following locations: proposed Pine St. trail to be moved to Pinon St, proposed Granite Ave. trail to be moved to Mica Ave., and the exact location of the trail segment passing through the Town's Tract 1 property to be determined as per the completion of the Tract 1 Master Plan. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

- G. SLVCOG mini grant contract approval** –Mayor Danforth explained the grant and how funds will be used for the Master Planning of Tract 1 development and confirmed that at the time of the meeting, the Town did not yet have the matching \$5000.00.

Trustee Goergen moved and Trustee Byer seconded to authorize the mayor to sign the SLV Council of Governments mini-grant for the Master Plan for Tract 1 property belonging to the Town of Crestone. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

- H. Code of Ethics- approval to sign-** Attorney Farish explained the Code that was created as a collective valley-wide policy for towns and counties and that most of the local town mayors and county administrators had signed it.

Trustee Bairstow moved and Trustee Kinney seconded to authorize Mayor Danforth to sign the Code of Ethics between towns and counties in the San Luis Valley. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

- 8. Financial Report/ Presentation of Bills-** Gwynn Busby presented her report including concerns regarding the high utility bills at the community building and the Old Town Hall. The board's consensus was to direct the clerk to announce that the community building will be closed from November 1

through April 30 each year in an effort to save on the expensive electric cost to heat pipes with space heaters and other caretaking and maintenance costs. The board directed the clerk to lower the heat to 45 degrees in the Old Town Hall to save on excessive propane bills and contact Museum director, Jim McCalpin about the change. The board directed the clerk to have locks installed on all of the file cabinets in OTH due to confidential information stored there.

Trustee Grotenhuis moved and Trustee Byer seconded to approve the financial report as presented. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

Trustee Laki moved and Trustee Goergen seconded to approve paying the bills as presented. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

9. **Mayor's Report-** Kairina Danforth reported on several upcoming local events including Saguache County's 150 year celebration on May 28, the need for an electric meter at the Little Pearl Park Plaza for lighting and irrigation and starting on the Master Plan for Tract 1. The trustees discussed hiring Burt Wadman to create the Tract 1 Master Plan and the public engagement process. Trustee Laki added comments to the mayor's report regarding the beautification funds, the mercantile providing supplies at cost and allowing Patrick Moore to start purchasing plants. The trustees discussed holding a meet and greet with the Baca Grande POA board and reviewed an invitation letter that trustee Laki had written. The clerk will contact the POA and send the updated invitation letter for meeting in May or June.

Trustee Goergen moved and Trustee Kinney seconded to authorize the town clerk to order and have installed a smart meter from SLVREC at the plaza in Little Pearl Park. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

Trustee Grotenhuis moved and Trustee Kinney seconded to authorize Mayor Danforth to sign a contract to hire Burt Wadman for \$10,000.00 to create a Master Plan for Tract 1. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

Trustee Byer moved and Trustee Bairstow seconded to authorize Patrick Moore to start purchasing plants from the flower fund. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

Trustee Grotenhuis moved and Trustee Kinney seconded to approve spending up to \$120.00 on food for a meet and greet with the POA Board and to send an invitation letter. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

10. **Clerk's Report -** Allyson Ransom reported on the following: code enforcement training, park and CIRSA updates, meeting with Mark Potter and Jim Hollmer about cost estimates for options to access the Hume property, letter from resident Roy Gould against cutting out the trees and moving rocks on the knoll at E. iron Ave., meeting date reminders, lease agreements, and revenue derived from notarizations. Ransom requested inviting Nicholas Marcotte of RG and Associates in Del Norte to present a plan to the Board for grant funding for a preliminary engineering study and cost analysis on utility line extensions. The trustees directed Clerk Ransom to invite Marcotte to the May meeting. Ransom also

asked if Gretchen Nelson could return to working her regular summer hours of thirty hours per week and that her helper, Jackie, would most likely not be coming back this summer.

Trustee Kinney moved and Trustee Byer seconded to approve hiring Mark Potter to create an access road for the Hume property by opening up 150 feet of N. Pinon St. off of E. Galena Ave. and spend up to

\$ 900.00. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

Trustee Kinney moved and Trustee Goergen seconded to increase the Public Works Coordinator, Gretchen Nelson's hours up to thirty hours per week. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

11. Public Works - Gretchen Nelson-No report submitted, see Clerk's report on Public Works

12. Water Dept. - Ann Bunting was not present but submitted a report.

13. New Business

A. Saturday Market- insect repellent-Diane Bairstow requested the Town to start spraying for mosquitoes in preparation for the Saturday market that will begin by the end of April. Clerk Ransom will have the PW dept. start a Friday evening fogging schedule using the natural repellent that worked well for the 2016 Fourth of July celebration. Garlic control and mosquito dunks will also be ordered. Further discussion included weed management and informing the public about mosquito control.

B. Land for community center-Lars Skogen presented a copied parcel map to the board of the Tract 1 area and discussed the need for land for a community center. Trustee input included historical information and timeline to complete the Master Plan for Tract 1, which would have to be completed before any decisions were made on what facilities to include on the property. Also discussed, was having all groups work together including, the Crestone Charter School, POA, Library district and the importance of a connecting road Camino Baca Grande.

C. "Critical Thinkers"- Brandon Bussard was not present.

[Mayor Danforth called a brief recess from the meeting at 7:15 pm and the meeting resumed at 7:20 pm]

14. Old Business

A. Conflict training –choose date: May 16, 18, 23 or 25-

Trustee Grotenhuis moved and Trustee Laki seconded to pay Cristina Cabeza-Kinney \$175.00 to conduct a three- hour conflict resolution training class for town officials and employees on May 23, 2017 from 4:00-7:00 pm. The vote of the trustees present was unanimously in favor with the exception of Trustee Kinney who abstained due to conflicts of interest. Mayor Danforth declared the motion carried.


15. Planning Commission

- **Draft Meeting Minutes of April 3, 2017**- Trustee Goergen announced a work session for an urban homesteading discussion on April 18 at the Cloud Station.

16. Correspondence- The trustees reviewed the following correspondence, and the clerk said she would respond to the following:

- **Mary Lowers-code enforcement issue-** see attorney report
- **Patrick-Moore- greenhouse request**
- **Lonny Roth- Tree trimming request-** The board requested the clerk to have the public works department prioritize the trees to be trimmed in the commercial zone with emphasis on trimming lower branches that would also help with mosquito control and report back in May.
- **Lonny Roth- Mosquito control suggestion**
- **Nancy Hood- Concerns about mailings, Planning Commission and Nature Conservancy**

17. Adjourn- *Trustee Kinney moved and Trustee Grotenhuis seconded to adjourn the meeting at 8:15 pm. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*



Allyson Ransom, Clerk



Kairina Danforth, Mayor