

**TOWN OF CRESTONE
BOARD OF TRUSTEES
REGULAR MEETING
MONDAY, MAY 8, 2017 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 1:30 pm.
2. **Roll Call- vision statement-** Present were Trustees Benjamin Byer, Terry Goergen, John Grotenhuis, Adam Kinney, and Kizzen Laki. Trustee Diane Bairstow was absent with notice. Mayor Kairina Danforth, present and presiding, declared a quorum present. Also present were Attorney Gene Farish and Clerk Allyson Ransom. The vision statement was read by Trustee Grotenhuis.
3. **Approval of Agenda-** *Trustee Laki moved and Trustee Goergen seconded to approve the agenda as amended by including an announcement from Trustee Kinney about a community meeting on June 10, 2017, an update on the moratorium on tiny homes, an update on the downtown tree project and to delete the executive session. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*
4. **Approval of Minutes-Regular Meeting of April 10, 2017-** *Trustee Kinney moved and Trustee Grotenhuis seconded to approve the Minutes from the Regular Board Meeting on April 10, 2017. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*
5. **Approval of Minutes- Notes from Municode Work Session of April 24, 2017-** *Trustee Byer moved and Trustee Goergen seconded to approve the notes from the Work Session on April 24, 2017. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*
6. **Citizens' Comments-** There were none.
7. **Attorney's Report - Gene Farish**
 - A. **Liquor License renewal- Crestone Spirits** – Attorney Farish reviewed the documents and with information from the clerk announced that all requirements had been met and asked for comments on the renewal application. Resident Fred Bauder commented on not being able to shop in the liquor store because of cigarette smoke but included the fact that it had been a year since he had been in the store. The store owner, Melanie Snider, stated that she did not smoke and that her employees did not smoke inside the building. Attorney Farish reiterated that the law that prohibits smoking in businesses. *Trustee Byer moved and Trustee Goergen seconded to approve the renewal of the retail liquor store license # 06361790000 for The Crestone Spirits Center. The vote of the trustees present was unanimously in favor with the exception of Trustee Grotenhuis who recused himself due to conflicts of interest, and Mayor Danforth declared the motion carried.*
 - B. **Utility Extension Grants-** Nicolaus Marcotte from Element Engineering presented his background and the basic process involved to apply for a state funded planning grant for \$10,000 that would include a town match of \$2500. The grant would pay for a project assessment for water and sewer extension lines through the town, and the price would include separate studies for water and sewer. Trustee questions and discussion followed, and Marcotte affirmed to Trustee Kinney that Element

Engineering would do all of the grant work and not the town clerk or staff. Several trustees stressed the importance of not mandating property owners to hook on to new lines if installed by the Town.

Trustee Byer moved and Trustee Kinney seconded to approve moving forward with the pre-qualification process and set a date for a pre-qualification meeting with Element Engineering for the purpose of applying for a water and sewer planning and design grant. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

- C. Philleo property extension update-** Charles Sommers spoke about providing basic road building requirements and culvert information to Stephen Philleo. Ann Bunting had questions she wanted answered for creating a multi-step process for developments. The trustees confirmed that the owner/developer would pay costs including hiring an engineer to design and determine details of culvert sizes beyond basic information provided by Charles Sommers. Attorney Farish cited the Crestone subdivision regulations sections 4.1, 6.1 and 6.7 that stated that all improvements for design and development of private property were the responsibility of the owner.

Trustee Grotenhuis moved that any road, water, or sewer extension required engineered plans submitted to the Town. Discussion followed without a second. Trustee Grotenhuis rescinded his motion and the motion was not carried.

Trustee Grotenhuis moved and Trustee Kinney seconded to require engineered plans for the development of the Philleo tracts due to the type of natural topography with multiple arroyos and that road and utility extensions would be paid at the owners' expense.

After further discussion of varying situations and increasing building and developing fees, **Trustee Grotenhuis rescinded his motion, and the motion was not carried.**

Trustee Kinney moved and Trustee Byer seconded the statement that consistent with previous adopted policies, all extensions of roads and utilities will be paid for by the property owner. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

Trustee Kinney moved and Trustee Laki seconded that all platted road extensions must be approved by the town board and if deemed necessary will be required to be engineered at the expense of the property owner. After further discussion regarding flexibility and having standard specifications, Trustee Kinney rescinded his motion, and the motion was not carried.

Trustee Laki moved and Trustee Kinney seconded that Town of Crestone road extensions must be built according to Town specifications and reviewed by the Public Works Inspector and may require an engineering review. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

Trustee Kinney moved and Trustee Grotenhuis seconded to adopt the following amended road requirements created by Public Works Inspector Charles Sommers:

“Town of Crestone: Regulations and requirements for the installation of gravel roads on 60 ft. wide Town Easement or Town property.

- 1. Road shall be nominally 30 Ft. wide with 15 ft. setback to property lines, but allowances may be made for the trees or natural features.***
- 2. Grade, level and fill roadway down middle of easement.***
- 3. Roll and compact fill.***
- 4. Install 2-4 inches of Class 1 ¾” minus road base across width.***
- 5. Install Class 6 gravel, 6 inches deep at the center of road way, tapered to the edges.***

6. *Cut barrow ditches to allow drainage.*

7. *Culverts maybe required.*

Grading and Paving Permit: \$50.00

4 site inspections @ \$40.00 each= \$160.00”

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

- D. **Utility/ Land use supervisor-** Attorney Farish recommended hiring an engineer on retainer and as needed for developments, plan review or possible engineering questions that will arise. Farish read the job description for the Public Works Coordinator and determined that the clerk had been performing the duties of the Public works supervisor while directing building inspector, Charles Sommers, and water system manager Ann Bunting to handle development questions, such as the recent ones from Mr. Stephen Philleo. It was noted that Gretchen Nelson primarily worked in the parks and took care of events in the Community Building. The trustees agreed that new job descriptions were needed for both Nelson and Sommers. Charles Sommers was asked if he would be willing to accept the formal title of Acting Public Works Inspector and continue as the lead person dealing with developments and responding to property owner requests. Charles Sommers agreed, and Clerk Ransom was directed to inform Mr. Philleo of this and update the job descriptions and organizational chart for the June meeting.

[Mayor Danforth called for a recess at 3:50 pm, and the meeting resumed at 4:00 pm]

- E. **IGA -Baca Grande Water and Sanitation District (BGWSD) and Town of Crestone-** After discussion, the trustees decided to table signing the maintenance IGA agreement with BGWSD until the August meeting when Charles Sommers will have taken his collections operator test and is a certified sewer operator. Sommers stated that he would still coordinate with Justin from BGWSD to check cost of checking and jetting out a few of the manholes sooner. The clerk was asked to contact Joanne at BGWSD and convey their decision.
- F. **Master Plan Tract 1-Stakeholder Representatives-** Mayor Danforth asked for board approval to establish a task force with seven representatives for the Tract 1 Master Plan. Trustee Laki who was on the list of seven representatives stated she might not have enough time to do so, and Trustee Kinney asked to be a participant and suggested other stakeholders such as a library district representative be invited. The trustees agreed to have Trustee Kinney as a representative.
Trustee Grotenhuis moved and Trustee Byer seconded to approve establishing a task force for initial planning and strategizing for the Town of Crestone’s property known as Tract 1 and that Trustee Kinney would be a primary representative from town with Trustee Laki serving as an alternate. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.
- G. **Adli Building Update-** Clerk Ransom reported that the realtor said that no offer had been made on the derelict building at 253 W. Golden Ave.; although, someone was still interested. Attorney Farish reviewed the process of condemnation and possible extensive legal expenses that could be involved. During the board’s discussion, some suggestions were made, including fining the Adli trust for each day the nuisance continued or coming up with a solution to benefit all and avoid expensive litigation. The mayor will contact a possible interested party and discussions will include Attorney Farish.
- H. **Gas Station update- 200 Cottonwood, LLC-** Benjamin Byer spoke as a resident and business owner about his project to remove the old gas tank and pumps. He stated that they would be replacing a 4000

gallon underground tank with two vertical above ground tanks holding a total of 10,000 gallons of fuel. He is working with Burt Wadman and Alcon on the project.

I. **Notice of Objection letters-** Attorney Farish and Clerk Ransom informed the trustees that the questions and concerns in the Notice of Objection letter sent by Nancy Hood had been answered via email, documents requested would be provided, and Hood was sent Peter Nichols' information since he, and not Attorney Farish, was the town's water attorney.

J. **Executive session-personnel matters- CRS 24-6-402(4) (b) -** This item was deleted from the agenda.

8. **Financial Report/ Presentation of Bills-** Gwynn Busby was not present, but the board discussed a few of the highlighted comments and questions from her report including: whether Busby had to pay back a \$34.00 late charge assessed on 2016 taxes submitted after the deadline; an agreement for employees to sign if their trainings are paid by the Town; street cleaning needed and buying a sweeper versus hiring Cooley and Sons to do street sweeping once this year. The trustees will discuss the training agreement form at the June meeting with Treasurer Busby and did not want her to pay back the late charge as she had just broken her foot and ankle when the taxes were due. *Trustee Goergen moved and Trustee Byer seconded to approve hiring and paying Cooley and Sons, Excavating and spending up to \$800.00 to clean all paved streets, sidewalks and gutters in early July before the July Fourth event but in the future hire local people in need of temporary work. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*

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

Trustee Laki moved and Trustee Kinney seconded to approve paying the bills. 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 the following: the plaza completion with stonework and ceramic designs, a film crew from Montana asked permission to include Crestone in their documentary, suggestion to appoint Roy Gould as a planning commissioner, Eastern San Luis Valley Trail system update, removal of art flags from the park, a traveling Crestone art exhibit, and a filmography event on May 26 at Colorado College. The Board asked the clerk to write a formal authorization letter for the mayor to sign for allowing Warm Springs Productions to film in town but not to use UAV (drones).

10. **Clerk's Report -** Allyson Ransom reported on the following:

- Cirsa inspection and audit that included corrections the town must make as follows: complete online training for employees, remove or completely rebuild the skate ramp and play set that are out of compliance in the parks, the play ship may stay with minor alterations
- Summer help in the parks still needed to replace last year's seasonal worker and having youth help once weekly to weed eat and mow with Gretchen
- Using mosquito barrier and other biological control beginning in May
- Reminders about the scheduled training at the community building on May 23, 2017 from 4:00-7:00 pm with Cristina Cabeza-Kinney for employee and town officials
- Announcement for the Meet and Greet with the POA board for June 28, 2017 and to host it at the Cloud Station at 4:00 pm.
- Law enforcement update including Benjamin Byer's code enforcement report and working with the Sheriff's office

The clerk will be the only regular employee available to work on the Fourth of July and requested being paid instead of volunteering as in 2016, and the trustees agreed to pay her.

The clerk asked the trustees if they wanted to sell the skate ramp and a play set at the community building by sealed bid as there was not enough money budgeted to rebuild them and still have enough left for the weed abatement and mosquito control already approved for the summer. The trustees agreed to sell them but requested seeing the sealed bid advertisements at the June meeting before items will be posted.

Trustee Laki gave an update on the tree planting project for May 27-28 with the clerk confirming some details.

Trustee Goergen moved and Trustee Kinney seconded to approve spending up to \$120.00 at the Cloud Station on June 28, 2017 from 4:00-6:00 pm when the Crestone board of trustees hosts a Meet and Greet with the Baca Grande POA Board. The vote of the trustees present was unanimously in favor with the exception of Benjamin Byer who recused himself due to conflicts of interest. Mayor Danforth declared the motion carried.

11. Public Works- This was included in the Clerk's Report.

12. Water Dept. - Ann Bunting announced that the CDPHE Corrective Action Plan was lifted as the inline automated chlorination system had been installed at the water plant. Policies for service areas and line extensions were discussed with Bunting presenting a map she created. The trustees directed Bunting to work with Gene on the revised service area plan and reiterated that they did not want to force people to hook on if the town chose to extend lines in the future.

13. New Business- Community Meeting- Adam Kinney reported on a "Town Hall" style community meeting being held on June 10, 2017 in which he would represent ^{act as a representative of} the town, listen to concerns and comments along with POA members and County Commissioners. Trustee Kinney will report back to the board at the June board meeting.

14. Old Business

A. **Living Wisdom-** Ammi Kohn was not present to speak to the board.


15. Planning Commission

- **No Meeting Minutes from May 2, 2017.** Trustee Goergen announced that there was not a quorum present at the May 2, 2017, but a couple of commissioners remained to have an informal discussion for an hour. The trustees discussed having the commissioners complete a policy on regulating ADUs, absentee landlords, tiny houses and their moratorium, HUD houses and investigating having a Section 8 housing development in Crestone.
- Mayor Danforth reported to the Board that she was appointing Roy Gould to fill the planning commission seat vacated by Renee Hill last fall.

16. Correspondence

- **Request for Support- Crestone Performances, Inc.** The trustees tabled a decision on giving a donation for the annual music event until they can speak with Treasurer Busby about what funds are available. The clerk will contact Tom Dessain of Crestone Performance's, Inc. with this information.

17. Adjourn- *Trustee Laki moved and Trustee Byer seconded to adjourn the meeting at 7:33. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried*


Allyson Ransom, Clerk


Kairina Danforth, Mayor