

**TOWN OF CRESTONE
BOARD OF TRUSTEES
REGULAR MEETING
MONDAY, JUNE 12, 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 1:31 pm.
2. **Roll Call-** Present were Trustees Diane Bairstow, Benjamin Byer, Terry Goergen (arrived late 1:34), John Grotenhuis, Adam Kinney (left early 6:45) and Kizzen Laki. 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 Kinney moved and Trustee Grotenhuis seconded to approve the agenda as amended by including item 13A with item 6C while Burt Wadman was present to report on both items. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*
4. **Approval of Minutes-Regular Meeting of May 8, 2017 –** *Trustee Byer moved and Trustee Goergen seconded to approve the Minutes of the Regular Meeting on May 8, 2017 as amended by altering the words about Trustee Kinney representing the Town in item 13 (page 5) to, “he would act as a representative of the town.” The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*
5. **Citizens’ Comments**

Fred Bauder commented on inadequately sized culverts installed during the recent drainage project, gas tanks in the right of way and having a policy to allow other structures in town right of ways to remain as well, and he mentioned his email correspondence to the board about placing a ‘tree catcher’ in the creek.
6. **Attorney’s Report - Gene Farish**
 - A. **Northern Saguache County Library District-** Sarah Koehn, speaking for the Northern Saguache County Library District, presented the District’s proposal of \$13,000 to purchase one and one half acres of land within Tract 1. Discussion followed about completing the Master Plan for Tract 1 and the need for a community building as well. Koehn stated that the NSCLD would look forward to becoming part of a larger plan or group project. Attorney Farish advised having an appraisal completed for the property and creating a Memorandum of Understanding initially to show the Board’s support and interest in having a library on the property.
Trustee Laki moved and Trustee Grotenhuis seconded to direct the town attorney to create a memorandum of understanding with the Northern Saguache County Library District regarding the potential purchase of land in Tract 1 for construction of a library. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.
 - B. **Approve preliminary grant application-** Element Engineering sent completed applications for a grant which would help pay for a study to determine the feasibility of water and sewer line extensions through town. The board discussed changes to the applications and agreed to include

it for discussion at their July meeting with the corrected information that Trustee Laki presented regarding incongruent and incorrect drainage and flood area information, as well as, conflicting statements on requiring property owners to hook up to new lines. The board requested that engineer, Nick Marcotte, be present at the July meeting and that Clerk Ransom email him the corrections to update the applications.

- C. **Approve FEMA project completion-Resolution #006-2017-** Burt Wadman presented a final budget and updated the trustees on his conversation with Michael Schaub of FEMA who stated that the Town did have extra funds (\$13,000.00) remaining to work on various flood control or drainage- related projects. The board will bring their requests for specific small projects to fund to the July meeting.

Trustee Kinney moved and Trustee Goergen seconded to approve Resolution #006-2017 to accept the Certificate of Final Completion of the Crestone FEMA Small Project PW#110, Category C-Roads and Bridges. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

[The mayor called a recess at 3:40 pm, and the meeting reconvened at 3:50 pm.]

- D. **Approve data security policy-Resolution #007-2017-**
Trustee Kinney moved and Trustee Goergen seconded to approve Resolution # 007-2017 adopting a data security policy for the Town of Crestone as per Cirsa requirements. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

- E. **Engineering quotes-** The board of trustees viewed proposals from three engineering firms and had a brief discussion.
Trustee Kinney moved and Trustee Goergen seconded to accept the bid from Davis Engineering, Inc. of Alamosa, CO for engineering services on an as- needed basis. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

- F. **Adli Building-** Attorney Farish submitted a fire hazard report for the board to review before the meeting and confirmed that the town had sufficient documentation proving the building was a nuisance, fire hazard and a detriment to public health and safety. Farish discussed Sec. 19-83 in the Code regarding the taking of property and verified that Cirsa may pay some of the legal costs, which could add up to many thousands of dollars that the town does not have in the budget. The trustees debated whether to take legal action, and Clerk Ransom reported that the realtors were writing up a new offer for the purchase that would be submitted to the owners soon. The trustees decided to table further discussion until the July meeting.

- G. **Municode- schedule work session-** The board scheduled a third Municode work session for Friday, June 30, 2017 from 1:30-4:00 pm.

- H. **E. Iron - request to straighten road** – Steven Hume shared maps he had prepared, and a discussion followed regarding straightening and widening the road. Hume stated that the surveyor, Scott Johnson and Crestone’s building inspector agreed that the end of E. iron Ave was cutting off the corner of Diego’s property as it curved around a knoll. An email message and map from Roy Gould, Mr. Hume’s neighbor, approving the plan to straighten the road was discussed. The board agreed to pay a surveyor to stake the southeast corner of Diego’s land, but Hume

would pay to have the excavation work done by a licensed and bonded company approved to work in town. Discussion of this item will be completed at the July meeting.

Trustee Grotenhuis moved and Trustee Laki seconded to approve spending up to \$200.00 to have Surveyor, Scott Johnson, locate the southeast corner of Diego's property on E. Iron Ave. and N. Pinon St. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

- I. Law/code enforcement update-** Benjamin Byer stressed the need for the Saguache County Sheriff as a backup and cited examples, and Byer stated that Sheriff Warwick said he would be willing to help the Town. The Board agreed to have trustee Byer provide information to Attorney Farish so the attorney could draw up an agreement with the SC Sheriff's Department for on-call coverage as needed to assist the code enforcement officer and coverage for specific coverage hours to uphold the Town's Model Traffic Code (MTC), which will be presented at the July meeting.
- J. Swear in Benjamin Byer-** Attorney Farish officially swore in Benjamin Byer as the code enforcement officer for the Town of Crestone, in which Byer agreed to uphold the laws of the State of Colorado and the town ordinances.
- K. Gas Station update- 200 Cottonwood, LLC** –Benjamin Byer reported on his company's plan to install new above ground tanks as was previously described. Due to excessively high costs, they will no longer be able to do that specific project and he asked the board for a 99- year lease to replace old pumps and tanks with new equipment which would still make the area safer and maintain a gas station in town. After board discussion, the consensus was that it was in the Town's best interest to provide a lease so that new tanks and equipment could be put in place as soon as possible. An updated lease agreement document will be presented at the July meeting.

Trustee Grotenhuis moved and Terry Goergen seconded to have the town attorney draft an agreement to extend the lease to ninety-nine years for Cottonwood, LLC. pertaining to the property where the gas pumps are located on the corner of E. Silver Ave. and S. Cottonwood street with the conditions that Cottonwood, LLC. shall follow all environmental protection laws, that the Town of Crestone shall not be liable for leaks and if the property is not used as a gas station that the property shall revert back to the Town. The vote of the trustees present was unanimously in favor, with the exception of Trustee Byer who recused himself due to conflicts of interest. Mayor Danforth declared the motion carried.

- L. Water Augmentation update-** Emails from the water attorney, Kate Ryan were provided to the board that stated the town could wait and decide whether or not to hire Clear Water for phase 2 engineering studies until after the State water court hearing was held later in June. The attorneys felt the Town had provided enough information and would be included with the other towns and districts from the San Luis Valley whom their firm was representing.
- M. Utility line extension policy-** This item will be tabled until July to collect more information by Water Manager Ann Bunting, and while Attorney Farish updates the ordinance using Trustee Laki's notes that she made on her copy of the draft ordinance.

N. Executive session-personnel matters- CRS 24-6-402(4)(b)

Mayor Danforth moved and Trustee Grotenhuis seconded to go into an executive session at 6:50 pm for the purpose of discussing personnel matters. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried. Present were Trustees Diane Bairstow, Benjamin Byer, Terry Goergen, John Grotenhuis, Kizzen Laki, Mayor Kairina Danforth, Attorney Gene Farish, Treasurer Gwynn Busby and Town Clerk Allyson Ransom.

Trustee Goergen moved and Trustee Grotenhuis seconded to close the executive session at 8:38 pm. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

Trustee Laki moved and Trustee Byer seconded to have Clerk Ransom direct Andrew Martinez and Gretchen Nelson to work as a team on public work and park projects that the clerk will review what need to be done each week. The trustees will reassess the situation in three months. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

- 7. Financial Report/ Presentation of Bills-** Gwynn Busby presented her report and discussed a form she had prepared regarding a policy to require employees to payback training expenses if they were to quit before an allotted period of time had passed. After board discussion, this item was tabled until the July meeting when an updated form will be presented with input from the trustees.

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

Trustee Laki moved and Trustee Bairstow seconded to approve spending up to \$400.00 on training for Treasurer Busby. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

Trustee Laki moved and Trustee Grotenhuis seconded to approve the purchase of three new phones for the office as the old ones being used are inoperable at times. 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 a donation of \$500.00 to Crestone Performances, Inc. for the music festival which in turn helps fund a music education program for school children. 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 funds from the General Fund to purchase the necessary irrigation supplies still needed (\$562.00) in order to complete the downtown beautification project and maintain the plantings. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

Trustee Laki 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.

- 8. Mayor's Report-** Kairina Danforth reported briefly on the cooperative trail building project starting south and east of the town on national forest land.

9. Clerk's Report - Allyson Ransom presented the following:

- An advertisement for the trustees to approve pertaining to selling the skate ramp and playset via a sealed bid process; the trustees approved of the posting.
- A lock- out-tag out policy required by Cirsa for employees who work with machinery such as the water and public works departments.
- Mosquito control updates
- Town beautification update by Trustee Laki was included
- Email request from Leslie Bischoff, owner of the 2005 annexed parcel in the northeast corner of town, to confirm that her agreement allowed driving access to her property all along Pinon between E. Iron Ave. and E. Mica Ave. The trustees stated that the annexation agreement mentioned access at both those junctions but no distances between the two junctions were included in the agreement.
- Information on people coming to town hall to request procedures for setting up mobile and seasonal businesses in tiny buildings on commercially zoned land at the corner of Golden and Alder streets belonging to a private property owner; they were informed by Building Inspector Sommers that they must provide a bathroom facility for employees as per state requirements.
- A request was made by Jodi Tucker for a \$500.00 reimbursement for plant hangers she gave the greenhouse manager to use in 2015, and which have not been located since the new greenhouse was installed in 2016; The board concluded that the Town did not owe her money for the missing hangers as the board had never known about them or approved of their loan or purchase and that Tucker's agreement was between the manager and herself.
- A reminder for upcoming the Meet and Greet with the Baca Grande POA Board of Trustees on June 28 and the recommendation to have the clerk prepare an agenda with relevant topics for shared discussion and to send the topics with an invitation to BGPOA.

Trustee Laki moved and Trustee Grotenhuis seconded to approve a lock-out tag-out policy presented by the clerk as required by the Colorado Intergovernmental Risk Sharing Agency (Cirsa), who insures the Town and its assets. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

10. Public Works- This was included with the Clerk's Report.

11. Water Dept.- Ann Bunting was not present at this time, but her report was presented for review.

12. New Business

- A. **Park usage September 8-9 energy fair-Donovan Spitzman-** After a brief discussion with background information provided by Donovan Spitzman,
Trustee Goergen moved and Trustee Grotenhuis seconded to allow Donovan Spitzman to host the 28th Annual Crestone Energy Fair in Little Pearl Park and adjoining park land on September 8-10 and to waive the park fee, chair and table rental fees with the stipulation that two port-a-potties will be rented, that the park be completely cleaned by the day afterward and that refundable deposits be paid on the chairs and tables used. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.

Further discussion included a request from Spitzman to use the Town as a fiscal agent for the grant that pays for the energy fair instead of going through the SCseed non-profit group. Following input from the treasurer and board members, the board told Spitzman that it would not be feasible for the town to act as the fiscal agent at this time.

[The Mayor called a recess at 6:40 pm, and the meeting was reconvened at 6:47 pm].

- B. Community Bldg. use- Pet Partners' spay clinic.** The board agreed not to allow use of the Crestone Community Building for this purpose as it was designated by the state as an historic building and the floors already had some damage.
- C. Colorado Central Telecom-**Trustee Bairstow requested that the Town consider changing communication services from Fairpoint to Colorado Central Telecom, which is a local Crestone company. The trustees directed the clerk to get a quote to present at the next meeting.
- D. Project collaboration-**Cristina Cabeza-Kinney was not present to explain this project.
- E. Lime Avenue complaints-** Adam Kinney was not present to report to the board on this item.
- F. 'Town Hall' Meeting update-** Adam Kinney was not present to report on the community-wide meeting.

13. Old Business

- A. Master Plan Tract 1-** Burt Wadman reported that the Master Plan would likely come in under budget, and he submitted an overview in which he used the Town's mission statement as a guide and starting point for the Master Plan. He stressed the importance of looking ahead and seeing a 'bigger picture' for town planning. He announced that their core group meeting would be held on June 22, 2017.


14. Planning Commission

- **Meeting Minutes June 5, 2017.** The Planning Meeting Minutes were presented to the trustees for review, but no comments were made.


15. Correspondence

- **Unightly property complaint-**Nancy Hood's letter was presented, and the clerk stated that the code enforcement officer was already taking care of this matter and that Nancy Hood had been contacted by phone regarding progress on the unsightly property at 160 E. Iron Ave.

- 16. Adjourn -** *Trustee Grotenhuis moved and Trustee Byer seconded to adjourn the meeting at 9:56 pm. The vote of the trustees present was unanimously in favor, and Mayor Danforth declared the motion carried.*



Allyson Ransom, Clerk



Kairina Danforth, Mayor