

00:34:51 Alison McClure:

Here are my questions for the evening.

00:35:57 Alison McClure: 1. What about the impact to the town of Crestone?

Question: 2. What is the Mill Levy going to be?

Answer: 2. The mill levy is one of many things that would be voted upon after the formation of the municipality and the election of the board of Trustees

Question: 3. Do you have an annual budget prepared?

Answer: 3. The town budget would be created after the formation of the town and the election of the board of Trustees. Please note the volunteers are only facilitating the conversation about the petition to incorporate as a town and sharing information about the legal process. Decisions about how the town will operate will happen after the incorporation and will be something the community will be involved in and vote on.

00:37:57 Michael McCall: There's no mill levy, TABOR restricts governments from raising taxes without a vote, so there can't be taxes or a budget for an entity that doesn't exist

00:38:31 Chris Whybrow:

Question: Last week there was an interesting comment made regarding paying for road repairs. Someone mentioned municipal bonds. This means this new township would be incurring massive debt right out of the gate.

Municipalities pay debt with taxes.

Answer: There has been no discussion at the informational meetings about using municipal bonds to cover the cost of road repairs. We have discussed the highway users fund tax (HUTF) which is the tax we pay when we renew our license plates.

00:38:50 Michael McCall: the budget won't exist until there is a town, because it would be a completely nonsensical exercise to build a

fake budget for a town that never exists

00:39:05 Alison McClure:

Question: 4. In regard to the transfer of assets, I hope the volunteer commission will read the tenth article of incorporation of the Baca Grande POA

00:40:03 Cindy Reinhardt: Thank you Michael. Chris, issuing bonds requires approval of the voters. Nothing can happen 'right out of the gate'.

Answer: Cindy is correct.

00:40:39 Alison McClure:

Question: 5. What about the vote of POA Membership? Who will pay for that? Read POA Bylaws, 14.2

Answer: 14.2 of the by-laws states " in the event a municipality is formed which includes the development, the members in good standing shall (legal translation : will) have the authority to vote at any membership meeting to transfer any and all common facilities, property and equipment to the municipality.

Historically when development like ours are built it is with the anticipation of the area eventually becoming a town, typically through annexation. But given our that our current population is the size of Del Norte it makes more sense for us to petition to incorporate as our own town.

Darrell Burgan:

Question: It is hard to make a decision whether to support this without knowing that vision.

Answer: That is the conundrum. Many questions about the structure of the town can't be voted on until we become a town. But we can have constructive and positive discussion around the vision now and find some common interests and goals.

01:00:16 Josefina Gordh:

Question: Desiree, why do you describe the Baca as an area "Urban in character" in your petition, item (7)? Please clarify.

Answer: The definition of urban in character refers to an area that has a human settlement or community and built environment meaning buildings and roads. We fit that definition. In addition, we have a golf course, fire station, ems service, office building with chiropractor, dermatologist and other business, a church, spiritual centers and stupa, library etc. It also refers to population density and in terms of population we are the size of Del Norte.

01:01:29 Vivia Lawson:

Question: Why would we want to create when we don't have a clear reason and funding plan...

Answer: Again many of these comments like budget and funding plans are things that can only be addressed after we become a town. But what we can do now is discuss the ways in which municipalities fund themselves and start to envision the community we can create through a municipality. There is a lit of possibilities.

01:02:54 Michael McCall:

Because a town would have better access to funds to actually do something, be governed by laws you can read online and can't raise funds without your permission b/c TABOR

Answer: Michael is correct

01:05:13 Alison McClure: I don't agree Michael, the potential loss of sales tax could be devastating

Answer: The towns potential business area would take awhile to form and residents of the town would continue to shop in Crestone and patronize restaurants. And when the town of Baca does have some shops the residents of Crestone will patronize them too. It will be a win win for both

communities bringing in more tourist revenue and the opportunities to work together on infrastructure projects etc.

01:05:21 Vivia Lawson:

Comment/Question: Crestone would lose the sales tax from our purchases.

Town was very poor until that revenue stream appeared

Crestone is very good at grant writing and is a town with a very distinct personality popular with tourists. They will continue to thrive while we too in the Baca can thrive and have our own distinct personality as a town. Crestone offers services to all of us

Answer: We will have services they will use too. And realistically we need to address how much money is spent in Alamosa and Salida that could be kept in the community for both the town of Bca and the town of Crestone

01:06:19 Jennifer Lynn:

Question: I know many people came to Crestone for what it is and stands for, and I am curious as to how many resident's want change? I am sensing that many feel this is being sprung on them.. I am deeply appreciative for the election committee hosting this and putting this together, and what may diffuse some hostility is pumping the brakes and getting everyone informed before any final decisions are made.

Answer: There has been talk of annexation or incorporation in the past but no one followed through on the actual paperwork which is extensive. No that process has been completed and so we have the real opportunity for change. And so now is the time to have positive and constructive conversation about both the process and the vision

01:07:50 Alison McClure:

Question: What about the County of Saguache states that the roads are not built to spec, therefore the county does not maintain those roads

Answer: I'm not sure that is a true statement Allison, do you have some documentation that that is the county's position?

01:07:51 Darrell Burgan:

Question: If Baca grows, Crestone will benefit. This isn't a zero-sum game. My primary concern will be how the increased revenue will be spent.

Answer: Good point Darrell

01:07:52 Chris Whybrow: because the county won't maintain them since they were not built to required spec.

Answer: I think a statement like that should be backed up with documentation. However, the goal of the town is to improve our roads which may mean some need to be re-engineered and that is possible with federal and states grants. Not all roads would be improved immediately but over time

01:09:49 Alison McClure:

Question: does the town of baca grande, want to pave all the roads in the Baca?

Answer: At this point that seems impractical and maybe not ever necessary. What we need to address are the roads that wash out in storms and the need for a second route to the highway to safely evacuate a community this large plus visitors on any given day

01:10:41 glenn mosher: Why dont the county do that now

01:11:32 Josefina Gordh: Our roads are fine, we do not want paved roads.

Answer: we have many roads that wash out every year and that is a safety hazard on different levels.

01:11:39 Alison McClure:

Question: to fund roads, you will need municipal bonds? automatic debt

Answer: No, we have already discussed funding from HUTF and money from state and federal grants. Starting somewhere as we can if we are a town is better than the \$0 spent by the POA this year. The POA has been budgeting less money every year for the upkeep of the roads

01:11:58 matt lit:

Comment/Question: paved roads and making history is not a good set of reasons.

Answer: roads and our general infrastructure problems are good reasons to become a town, but there are many others

01:12:00 Michael McCall: TABOR doesn't allow automatic debt and you know that

Answer: Michael is correct

01:12:03 glenn mosher:

Comment/Question: It would cost us Millions

Answer: False statements block the space for true conversation

01:12:41 Chris Whybrow:

Comment/Question: Glenn, because they weren't built correctly when they were built. Incorrect crown, inadequate width.

Answer: The original plan from what I understand was a vacation community and so roads may not have been created for the large population we have now or maybe they did not understand the the climate or geography.

However it started we can begin to fix it

01:14:10 Michael McCall:

Comment/Question: The criteria is a traffic study. CDOT will conduct a traffic study, you get funding if the road is being used

01:14:45 Alison McClure: cdot does not deal with residential roads

Answer: The BGPOA made the roads public. We will post the document that pertains to this on the website

01:14:47 glenn mosher:

Question: Why do we need a town to do this why cant the county do this

01:15:13 Michael McCall: CDOT does deal with residential roads, they don't service private roads, the roads in the POA are public roads

Answer: Michael is correct

01:15:39 Michael McCall: The county won't do it because the commissioners are not requesting it from CDOT

01:15:50 Glenn Mosher: Why can't the County handle the roads

01:16:06 Darrell Burgan: The county probably cannot afford to.

01:16:07 Michael McCall: the county commissioners set the business, and they aren't going to bat for the residents of the Baca Grande

Answer: unfortunately, over time the relationship between the county and the POA has eroded. Another benefit of becoming a town is a fresh start in the relationship between our community and the county

01:18:47 Darrell Burgan:

Question: Can someone definitively answer whether we might end up paying POA dues and new taxes? That would be less than ideal.

01:19:34 Vivia Lawson: We will pay both until the town becomes functional

Answer: Vivia is correct and also a transitional period is put in place for other aspects see crs 32-2-108

01:19:35 Michael McCall:

Comments/Question: You can't raise taxes, because of TABOR, without a vote. The town cannot raise your taxes because it is legally bound by TABOR

01:20:04 Vivia Lawson: and until POA no longer has to deliver the services that create expense

01:20:56 Chris Whybrow: so far the "town" isn't committing to anything. Tired of hearing this is only an election committee. These folks are the ones that started and pushed the petition drive with false claims.

Answer: The petition to incorporate asks the courts permission for the community to vote yes or no on becoming our own town. After the vote to

become a town passes the community will vote on electing the board of Trustees and mayor. Then we vote how things such as the Mill Levy. This is a process with many steps that have to be taken. We, the volunteers have done all the footwork to create the opportunity, 18 months of work and have paid for the cost of nearly \$4000 out of our own pi kits and with the help of donors. We have not made any false claims or put out any misinformation.

01:23:21 Darrell Burgan:

Question: What will the process be to choose leadership? What will the leadership structure be?

Answer: The process is covered under Colorado Title 31 specifically 31-2-101-108. Links are on the website www.townofbacagrande.info

01:25:23 Jared Hettinger: Darrell, Colorado Title 31 governs the organization of a new city or town

Answer: Correct

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01:28:06 Jennifer Lynn: Less government and the rural aspect of the territory, as opposed to a municipal landscape, is what drew me and many others to choose this place to call home. This seems to change a lot of what this territory is about.

01:28:55 Michael McCall:

Comment/Question: POA is spending \$200k on legal and \$394k on collections, that's big government

Answer: Correct, in the ballpark of 1 million dollars over the past couple years. That's a lot of money that could have gone to road repairs

01:29:03 Jennifer Lynn:

Question: I would like to hear the committee out, though. I am always open to the possibilities, and I hope you guys get to finish your prepared presentations.

Answer: Thanks Jennifer. Information is key and that is what the volunteers are trying to present. And it takes a lot of time and effort to put this information together for the community

01:29:23 Tiph Hettinger - Lost Cave: Agreed, Jennifer :)

01:29:51 Chris Whybrow:

Comment/Question: No Michael, that's not big government. That's what happens when people refuse to follow rules and refuse to pay their dues.

Answer: Chris, I hope you go back and listen to and read the minutes from these meetings and see that most of the negatively is coming from you a POA employee and Allison a POA board member and that you can both do some quiet contemplation on how your attitudes impact the membership and how that may get reflected back to you. Also, as you have noted many times in meetings, many of the members who don't pay dues, do pay property taxes. So it seems you could see how a town may be a better option.

01:29:53 Cindy Reinhardt: Please stop arguing and continue to present the information you've gathered.

01:29:58 DANIEL GRAY: Poa spends \$343,000 a year for collections and receives \$180,000 back...

01:29:58 Alison McClure: Michael's number of \$52,000 that the POA spends on roads is just the gravel inventory. YO, Michael, go look at labor, maintenance on equipment, you report on one thing not the whole picture

01:30:56 Michael McCall: Half a million on collections and legal out of a budget of less than \$2 million

01:31:02 Eden Elderberry: I would like to hear the entire presentation, as well.

01:32:02 Cindy Reinhardt: Presentation please!

01:32:14 Darrell Burgan:

Comment/Question: I think change is inevitable and so is growth. This city will not stop either. But it might help us manage both.

Answer: Good point Darrell and it makes better sense to plan ahead rather than play catch up.

01:32:23 DANIEL GRAY: EE, this better than usual for a POA meeting...

01:32:37 Eden Elderberry: not really

01:33:09 Alison McClure:

Question: How can we vote for a town, that has no master plan? Last week I was simply told to vote no by

Answer: The petition to incorporate has to be voted on before a master plan can be created.

01:34:22 Vivia Lawson:

Question: Town would have to assess their own lodging tax

01:34:27 Chris Whybrow: no, it's not funneled to the county because they aren't collecting it.

Answer: The short-term rentals that do their bookings through Airbnb do pay a lodging tax that goes to the county since there is not a municipality

01:34:40 Vivia Lawson:

Comment/Question: current lodging tax would still go to the county

01:35:01 Chris Whybrow: and all taxes would require a vote due to TABOR. A lot of assumptions.

Answer: That is not a correct assumption

01:35:52 Michael McCall:

Question: Chris, what regulation stipulates short term rental taxes must go to the county?

01:36:07 Michael McCall: If you are certain of that, please

share your knowledge with the rest of us

Answer: Exactly Chris. Please back up your statements with documentation.

Otherwise, it is construed as misinformation which is useful to no one.

01:36:11 Vivia Lawson:

Comment/Question: state statute governs lodging tax

Answer: That is incorrect. Towns decide on their lodging tax. You can view the budgets from various towns to see their tax rate. I came up with a medium rate for my chart

01:36:23 Michael McCall: which state statute?

01:37:24 Vivia Lawson:

Question: You cannot have a town without commerce.

Where do you want your business center

Answer: I can't speak for everyone but I know there is interest in at least a few more services, art gallery, coffeeshop, space for small businesses

01:37:50 Darrell Burgan: There are all kinds of towns without commerce.

01:38:17 Jared Hettinger: Desiree addressed business centers at the beginning of the meeting

01:38:27 Vivia Lawson:

Question: The Baca currently produces about \$15,000 in lodging tax, which will continue to go to the county

Answer: The town would collect the lodging taxes on all short-term rentals and there can also be a permitting process like other towns

01:39:47 Alison McClure:

Questions: Has the POA Board ever said recently that they plan on raising dues 30% each year, really?

Answer: I believe that was a goal you mentioned at the POA board meeting in August. I'll note if was you who pressed for a 35% increase in dues for

2023

01:39:53 Michael McCall: yes

01:40:04 Leprechaun H: Yes, reported in the Center Post

01:41:21 Chris Whybrow:

Question/Comment: \$12K will get you a shed, not a fitness center.

Answer: Baby steps are better than no steps

01:41:38 Alison McClure:

Question/Comment: Elk park BGWSD has deemed the infrastructure to elk park not viable as of 2018, it might have changed

01:43:50 DANIEL GRAY: Steve McDowell put the infrastructure for sewer and water at Elk Park. And our BGWSD put the sewer line on the south side of T Road, from what I understand...

Answer: thanks Dan, that is interesting information. I believe that cement building was meant to be a gas station so makes sense there may be some infrastructure in place

01:44:08 Darrell Burgan:

Question/Comment: Chris, my point is that commerce is not a prerequisite for incorporating.

01:44:27 Darrell Burgan: Some towns incorporate but growth never happens

Answer: Exactly. And note these are all things the community would vote on

01:45:47 Chris Whybrow:

Question: Why create a new one (POA) when one already exists.

Answer: not everyone thinks the current POA is doing a good job. Some people may not want to live in a covenants-controlled community. Some people might and then a new covenants-controlled community could be formed.

01:46:09 Michael McCall: because the one that is exists is getting sued left and right and spending half a million on legal fees and collections

Answer: Good point

01:49:13 Chris Whybrow:

Question: I am, by a member that refused to abide by the covenants. He has lost every case he's brought against the POA...public records, look it up. He actually named Saguache County for discrimination, not the POA.

Answer: Many lawsuits brought by the POA against the members and vice versa. Many cases could have likely been resolved in mediation and saved a lot of the membership dues. Very little effort goes into communication and mediation with the membership and as a result Moller Graf, the law firm benefits while our community slides into disrepair

01:50:15 Darrell Burgan:

Question: What happens if the POA votes no on asset transfer?

Answer: The BGPOA Board members do not vote on the transfer of assets the property owners in good standing do. That is a complex question we will must research and address at another meeting

01:50:35 Alison McClure:

Comment/Question: You are wrong, the membership in good standing must vote to dissolve

Answer: The dissolution of the association is addressed in articles 14.1 of the by-laws available on the BGPOA website (Subject to legal interpretation)

02:04:07 Issac Trotts:

Comment/Questions: I don't get it. I thought someone said the POA automatically dissolves if Baca becomes a town.

02:04:32 Jandi Namba: the bylaws state a quorum is 20% of the

members in good standing,,,Noah Baen

Answer: The quorum would apply to the vote on the transfer of assets to the municipality

02:09:18 Alison McClure:

Question: hello, does the town want to dissolve the poa

Answer: The town is not created yet. A petition to incorporate was filed with the court asking permission to vote on the matter

02:12:37 Tiph Hettinger - Lost Cave:

Comment/Question: I knew there would be one out there! Excellent research about the greenbelt :)

02:13:02 Cindy Reinhardt: No one is avoiding the issue Chris.

The attorney for the POA has one opinion, counsel for the election committee has a different opinion.

Answer: Correct