

TOWN OF SAGUACHE
Board of Trustees
Regular Session
October 17, 2011

The Town of Saguache Board of Trustees met for a Regular Session on October 17, 2011, with Trustees being present as follows:

Mayor Milton Jones	Present
Mayor Pro-Tem Dario Archuleta	Absent (Excused)
Ruth Horn, Trustee	Present
Lyn Miles, Trustee	Present
Tina Serna, Trustee	Present
Carla Quintana, Trustee	Present
Kate Vasha, Trustee	Present

Town of Saguache employees present as follows:

Therese Garcia, Town Clerk	Present
Johnann McKee, Deputy Clerk	Present
Dan Pacheco, Public Works	Absent

Town of Saguache Attorney present as follows:

Eugene Farish, Attorney	Present—left at 8:20 p.m.
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Citizens in Attendance: Sheriff Mike Norris, Dale Hazard, Mountain Liquor, Amy Dolezal, Dr. Mestas, Bob Vigil, Pat Miller, Greg Terrell, Joy Hughes, Chuck Tidd, and Christine Gydesen

Call to Order: Mayor Jones called the meeting to order at 6:58 p.m.

Moment of Silence and Pledge of Allegiance: was led by Mayor Jones.

Additions and Deletions to the Agenda:

Add Under Clerk's Report: Letter of Interest – Saguache Recreation Board
Add Under Clerk's Report: Trustee Serna added a budget question

Review/Approval of Minutes: The minutes for the Regular Session held on September 19, 2011 were reviewed by the Trustees. There were no additions or corrections.

MOTION by Trustee Serna; Second by Trustee Quintana

Trustee Serna moved to approve the minutes for the Regular Session held on September 19, 2011 as presented.

Vote as follows: Trustee Quintana – aye; Trustee Serna – aye; Trustee Miles – aye Mayor Jones – aye; Trustee Horn – abstain

VOTE: 5 – Aye; 0 – No; 1 – Abstain

Review/Approval of Bills:

Mayor Jones explained that Voucher # 11-405 to Mountain Peaks Controls will be reimbursed by the Town's insurance. There are two additional Vouchers: # 11-438 is to Dave Martinez for use of his paint sprayer, and # 11-439 is to the 4th Street Diner for lunch for the Vista Grande clean-up.

MOTION by Trustee Quintana; Second by Trustee Miles

Trustee Quintana moved to approve the October list of Bills as presented.

Vote as follows: Trustee Quintana – aye; Trustee Serna – aye; Trustee Miles – aye; Trustee Horn – aye; Mayor Jones – aye

VOTE: 6 – Aye; 0 – No; 0 – Abstain *Let the minutes reflect the Vote was unanimous.*

Participation of Citizens:

Dale Hazard approval of Liquor License Renewal: Dale Hazard appeared for renewal of the liquor license for Mountain Liquor. The board reviewed the application.

MOTION by Trustee Horn; Second by Trustee Serna

Trustee Horn moved to approve the renewal the liquor license for Mountain Liquor.

Vote as follows: Trustee Quintana – aye; Trustee Serna – aye; Trustee Miles – aye; Trustee Horn – aye; Mayor Jones – aye

VOTE: 6 – Aye; 0 – No; 0 – Abstain *Let the minutes reflect the Vote was unanimous*

Joy Hughes- Letter of Intent – Solar Garden: Joy Hughes presented a status report on the Solar Garden project. She also wanted to get the letter of interest re-signed due to a change of personnel at her company, Solar Panel Hosting. The original signer is no longer associated with the company, and does not wish his signature to be used. The points made in the discussion include: the letter of intent does not have a specified duration, and does not oblige the Town of Saguache in any way. When the plan is presented to the Board, including costs and details, the Board can decide whether to participate or not. Because it would be expensive to connect to the grid at the Old Dump location, a new location may need to be chosen.

MOTION by Trustee Vasha; Second by Trustee Serna

Trustee Vasha moved that the Mayor sign the new letter of intent, as long as it is identical to the old letter except for changes in the date and signature.

Vote as follows: Trustee Serna – aye; Trustee Miles – aye; Trustee Vasha – aye; Mayor Jones – aye; Trustee Quintana – no; Trustee Horn – no

VOTE: 4 – Aye; 2 – No; 0

Amy Dolezal- Certification Center: Amy Dolezal and Dr. Mestas came before the Board to introduce themselves and explain the business. Dr. Mestas is a medical doctor. He primarily works with patients hoping to receive medical marijuana, but would be willing to work with other patients at times. His training was in Ob-Gyn. He would not keep or dispense marijuana in his office, and his patients use caregivers, not dispensaries. He is in compliance with Colorado Law, and helps his patients also remain in compliance. The Board asked for more information about them and the business, and thanked them for coming to give them the information.

Citizen and business owner Chris Gydesen: Chris Gydesen of the Ute Theatre and the Visioning Committee came to ask the Board why there were no handicapped parking places by the alley on 4th Street, in front of the Theatre and Diner. She had understood that the plan was to have designated handicapped parking there. Mayor Jones explained that handicapped spaces by the alley were on the plan, but the company hired to paint the parking stripes strongly recommended against having them there. The Board agreed to check the MUTCD to see if the regulations would allow handicapped parking there, and also check into the cost of adding them to see if it is feasible.

Downtown Revitalization Project Update:

Mayor Jones explained the recent work done on the sidewalks on the South side of the intersection of 4th and Christy.

Christmas Tree on 4th Street: Trustee Vasha mentioned that the Friends of the Library wanted to discuss the possibility of combining the official opening ceremony and tree lighting with the Holiday Festival that they are hoping to hold on December 3rd at the Community Building, but at this time the Festival may not happen because of the requirement that vendors have insurance. The vendor insurance will be discussed later in the meeting.

Historic Commission Update:

Historic Structure Assessment: Trustee Vasha reported that the architect, Belinda Zink, has okayed the Town adding insulation to the attic of the Town Hall. Ms. Zink expects to have her assessment done in time for the Town to submit a grant to the State Historic Fund for the April grant cycle.

Vista Grande Update:

Extension request for sales tax planning grant: Trustee Vasha reported that the Town received a sales tax grant to support planning for the Vista Grande site. The original plan was to have the planning process occur this fall, but because of the 4th Street project and Rural Philanthropy Days that did not happen. She would like to ask for an extension of the grant so that the planning can be done next spring.

MOTION by Trustee Serna; Second by Trustee Horn

Trustee Serna moved that the Town ask the County for an extension of the Vista Grande planning grant deadline.

Vote as follows: Trustee Serna – aye; Trustee Miles – aye; Trustee Horn – Mayor Jones – aye; Trustee Quintana – no; Trustee Vasha – abstain

Saguache Recreation Board update:

No member of the Saguache Recreation Board was present. Mayor Jones reported that at the Pow Wow the Town was given two small woven rugs, which he accepted on behalf of the Town. He will bring them to Town Hall. Clerk Garcia reported that proper procedure was not followed with regard to bringing income to the Town Hall and getting reimbursed for expenses for Fall Festival and Pow Wow. That will need to be handled better in the future.

Trustee Ruth Horn had submitted a letter of interest to the Board, asking to serve on the Saguache Recreation Board.

MOTION by Trustee Miles; Second by Trustee Serna

Trustee Miles moved to appoint Ruth Horn to the Saguache Recreation Board.

Vote as follows: Trustee Quintana – aye; Trustee Serna – aye; Trustee Miles – aye; Trustee Vasha – aye; Mayor Jones – aye; Trustee Horn – abstain

VOTE: 5 – Aye; 0 – No; 1 – Abstain

There was discussion about difficulties with Fall Festival this year, including bad weather, insufficient advertisement and not enough effort to find vendors, this needed to be worked on for next year.

Sheriff's Report:

Sheriff Mike Norris presented his report to the Board. He mentioned that the deputies worked only about half of the hours contracted for by Saguache, because he is currently understaffed. He recommended that the Town consider getting a full-time officer. At this time the duties are part-time and are divided among the deputies, and a full-time officer would be more invested in the community. It is possible that the COPS grant will be offered again next year, and if it is then the Town would get three years of policing paid for by the grant and agree to pay the fourth year.

Legal Council Report:

Discussion with Board: Jake Brake and existing Ordinance # 2006-6: At this time the Nuisance Code prohibits use of Jake Brakes within the Town limits. Mayor Jones said that he had originally wanted to allow use of Jake Brakes with mufflers. However, they are primarily used for slowing to enter the Town, and that is not within the Town limits. So he now feels that having the prohibition is fine, but it should be posted. Clerk Garcia will speak with CDOT to find out how to get the signs put on the highway.

Joy Hughes mentioned that there are hidden driveways when one enters from the East, and perhaps there should be signs about them as well. Mayor Jones pointed out that, while the Town can tell CDOT to post the signs about the ordinance, they can only request a sign about hidden driveways—the decision would be up to CDOT.

Planning Commission Land Use Code –Update: Attorney Farish offered to participate in the process of formulating the Land Use code, including attending Planning Commission meetings when he doesn't have a conflict. The Mayor asked the Clerk to contact Kathy Geddes, the chair of the Planning Commission, to send Mr. Farish the current draft of the Land Use code.

Clerk's Report:

Written Report: Release form for 4th Street property owners: There was discussion of whether to ask property owners to sign a release that they will not hold the Town responsible for damage caused by the Downtown Revitalization Project. Mayor Jones mentioned that the Town has access to photos and video of the buildings, taken at various stages of the project. Attorney Farish suggested the Clerk contact the Town's insurance company, CIRSA, before deciding whether to proceed with the waivers, since there would be no way to force a property owner to sign it.

New Sidewalks on Fourth Street: SLV Quality Concrete sent a letter explaining how to care for the newly-laid concrete. The Board agreed that the Clerk should send copies of the letter to the property owners on 4th Street, and also publish the information in the News from Town Hall.

Municipal Court – time change: The Municipal Court Judge wishes to change the time for court from 7:00 p.m. to 6:00 p.m. The Trustees agreed that scheduling of court is the responsibility of the Judge, not the Board. They have no objection to the time change.

Copier Machine for Town Hall: The Town’s copy machine has died. The Town currently has a temporary loaner from the company who the Town has a service agreement with. There is \$10,000 budgeted for capital outlays, so the Town could afford to get another machine this year. The Clerk presented a bid from the company that we were using for servicing the machine. The Board asked to get bids from one or two more vendors before they make a decision.

Source Water Protection Meeting: The October Source Water Protection meeting was cancelled. Colleen Williams asked for either November 15th or November 16th to replace the cancelled meeting. The Trustees agreed that November 15th would work better for them.

Vendor Insurance Requirements: Clerk Garcia explained that for the last two years, vendors at Fall Festival have been required to get insurance. CIRSA recommends this policy. The Holiday Festival was to be put on by the Friends of the Library as a community service, but they fear that the insurance requirement would be too expensive for the vendors, and they won’t participate. There was additional discussion.

MOTION by Trustee Horn; Second by Trustee Serna

Trustee Horn moved that when vendors are present at a function at the Community Building or a Town owned facilities they will be given the option of paying for the additional insurance coverage or signing a waiver.

Vote as follows: Trustee Quintana – aye; Trustee Serna – aye; Trustee Miles – aye; Trustee Horn – aye; Mayor Jones – aye

VOTE: 6 – Aye; 0 – No; 0 – Abstain *Let the minutes reflect the Vote was unanimous*

Trustee Quintana asked that Lindy McDaniel be notified of the decision. Trustee Vasha said that she would send email addresses to Clerk Garcia for the Friends members who should be notified.

General Discussion: The information on what constitutes a mature dog was mentioned. It is for the information of the Trustees only, as the definition will be included in the Land Use code.

Deputy Clerk McKee asked for guidance on handling two situations with water/sewer payments. One case involved a couple who frequently bounce checks. After discussion, the Board instructed that their checks should be deposited without verifying with the bank whether there are sufficient funds. The other case involved a couple who were facing shut-off the following morning. They left a check for the full amount due, including the restore/reconnect fee, post-dated to two days later. The Board instructed that the check be held until valid and the water not be turned off. In addition, the Board asked that the Clerk add a paragraph to News from Town Hall, asking that residents be aware of the deadlines for water/sewer payments, and that they don’t post-date checks.

Trustee Serna mentioned that a group from Mountain Valley School is planning a trip to Washington, D.C. next May, and asked that the Board consider making a donation. Clerk Garcia pointed out that the last time a similar situation arose the Board did not make a cash donation, but gave free use of the Community Building for a fund-raiser. The Board asked the Clerk to research the precedents—what has happened in other similar cases in the past?

The Clerk reported that the lunches for the Vista Grande clean-up were originally estimated at \$150 (30 lunches at \$5 each) and ended up costing \$371.25 (55 lunches at \$6.75 each). Trustee Vasha replied that they had originally expected to pay for port-a-potties, but they were donated, so the total cost was not more. Clerk Garcia pointed out that the port-a-potties were going to be paid for out of the Conservation Trust Fund, but the lunches must come from the General Fund.

Schedule 2012 Budget Workshops:

Budget workshops were scheduled for October 20, 2011 at 7:00 p.m. and November 7, 2011 at 6:00 p.m.

Maintenance Report:

Written Report: Balding Dirt roads: Mayor Jones reported that the dirt roads in Town need blading, and the Town's blade is not good enough for that job. Randy Arredondo at Saguache County Road and Bridge offered to do all of the streets in Town for \$75.00 per hour, and he estimates that it will take a total of 10 hours, for a total cost of \$750.00. After discussion, the Board agreed, **by consensus**, to have Road and Bridge blade the streets at the price mentioned.

Camera Use: Public Works asked for clarification on one point. The policy on using the Town's camera to look for sewer problems is that if the problem is on private property the owner pays for the camera use, but if the problem is on Town property the Town does not charge the resident. In a recent case they found that there were problems on both private and Town property. After discussion, the Board agreed that the Town would not charge the resident anything in that case.

Overgrowth of Weeds: A resident asked if they would still be required to keep the weeds in their yard short if they install a privacy fence. Clerk Garcia mentioned that they may want to wait and speak to Public Works Dan Pacheco at the next meeting. The board agreed that in that case they would only be required to maintain the area outside of the fence.

Snow Removal: The residents should be reminded to not park on 4th Street when large snows fall, so the street can be plowed properly. This information will be put in the November – December New from Town Hall.

Insurance Claim: The ambulance insurance sent a form to sign accepting \$1250 as the settlement for the damage to the garage. Clerk Garcia will check with Public Works Director Pacheco, and if that is the right amount the form will be signed and returned.

Electrical Work: There were quotes for getting electrical work done in the park. The Town has been awarded a Sales Tax Grant to help with the project. Clerk Garcia will check with the County as to when the money can be spent. The wires will be run so as to minimize disruption of tree roots. The Saguache Recreation Board will pay the Town's share of the cost.

Old /Unfinished Business: There was none.

New Business: There was none.

Executive Session, if needed: None was needed.

Adjourn: There being no further business, the meeting was adjourned at 9:20 p.m.

TOWN OF SAGUACHE BOARD OF TRUSTEES

Milton Jones, Mayor

ATTEST:

Therese Garcia. Town Clerk