

TOWN OF SAGUACHE
Board of Trustees
Regular Session
March 19, 2012

The Town of Saguache Board of Trustees met for a Regular Session on March 19, 2012, with Trustees being present as follows:

Mayor Milton Jones	Present
Mayor Pro-Tem Dario Archuleta	Absent
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	Present

Town of Saguache Attorney present as follows:

Eugene Farish, Attorney	Present -left at 8:25 p.m.
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Citizens in Attendance: Christine Gydesen, Ute Theatre; Greg Terrell; Pat Miller; Henry Jacobsen, Viaero Wireless; Destiny Gates (Sky Wright); Don Geddes; Kathy Geddes; Carol Refior, Tri-County Senior Citizens; Kim Smoyer, ScSEED; Mike Cassidy; and Mike Norris, Saguache County Sheriff

Note: The Regular Session began directly after the Public Hearing adjourned. Regular Session began at 7:09 p.m.

Additions and Deletions to the Agenda:

Delete James A. Walker from the Participation of Citizens
Add Saguache Recreation Board Update after the Historic Preservation Commission update.

Review/Approval of Minutes: The minutes from the Regular Session held on February 21, 2012 were reviewed by the Trustees. Trustee Quintana there was a correction on page 3 - the vote was not correct - she said that the vote to accept the application of Christine Gydesen showed her as voting yes, but she actually voted no.

MOTION by Trustee Quintana; Second by Trustee Horn

Trustee Quintana moved to approve the minutes for the Regular Session held on February 21, 2012 with the correction.

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

VOTE: 4 – Aye; 0 – No; 2 – Abstain

Review/Approval of Bills:

The Trustees reviewed the March List of Bills as presented.

MOTION by Trustee Serna; Second by Trustee Miles

Trustee Serna moved to approve the March List of Bills for payment as presented.

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

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

Clerk Garcia mentioned that on the last Voucher # 12-196, the check was cut for the entire amount owed for the banners for 4th Street, but one of the four sets of banners was lost in transit. The company is trying to track them down, and if they are unable to do so they will replace them. The Board agreed by consensus that Clerk Garcia should cut a new check, paying only for the banners that have actually been received.

Participation of Citizens:

Carol Refior – Tri-County Senior Citizens - Inform Town of their services: Ms. Refior came to inform the Board of a transportation option available to senior citizens (age 60 and up) in Rio Grande, Mineral and Saguache Counties. One day a month they offer transportation to Salida for appointments and shopping, and one day a month they offer transportation to Alamosa for the same. There is a suggested donation for the trips. Seniors must make a reservation three days in advance.

Henry Jacobsen – Viaero Wireless - Request for tower for cellular telephone by Water tank: Mr. Jacobsen explained that Viaero Wireless has arranged to buy a plot of land that lies just past the water tank, to establish a tower. Their technology is compatible with that of AT&T and T-Mobile, so having the tower will improve reception for owners of those phones in Saguache and along the highways entering town. Viaero Wireless is requesting an access easement, allowing them to extend the Town's road past the water tower to their parcel. He stated that Viaero would maintain the road past the tank, and would be willing to negotiate to share maintenance for the road up to the tank.

MOTION by Trustee Vasha; Second by Trustee Horn

Trustee Vasha moved to ask Mr. Jacobsen to submit a draft agreement to Attorney Farish, and for Mr. Farish to check the agreement for the Board.

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

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

Mike Cassidy – Sidewalk on 4th Street: Mr. Cassidy was not on the agenda but wished to speak to the board about the work being done on 4th Street this week. The electrical boxes were installed improperly—some were not on the correct level, and many were crooked. Mr. Cassidy felt that the box near his property was not bad enough that it needed correction. Mayor Jones explained that the decision as to which boxes to fix was made last fall by the engineer, Mr. Bob Williams, and SLV Quality Concrete was pre-paid for the work as part of the closing with SLV Earth Movers last fall. The Board thanked him for presenting his concerns.

Downtown Revitalization Project:

Pocket Park update: Ms. Smoyer updated the Board on the status of the park. ScSEED will not spend their grant money until the purchase is complete, because if the purchase were to fall through they'd need to return the money. However, they are preparing an RFP asking for proposals by landscape architects. The proposals can be in-hand soon after the closing, which is scheduled for April 21st, so the architect can be hired shortly after that. Ms. Smoyer is going to see if any extra CDBG funds could be applied toward the bathrooms in the park.

CDBG: The final bid packet, for the sidewalk work, is being prepared. The work will include sign post holders for the signs to be placed at the ends of 4th Street. It appears the sign on the north side will be outside of the CDOT right-of-way, so the Town should not have to get CDOT permission to put it up. Mr. Pacheco will get final word from CDOT later in the week.

Mayor Jones presented a plaque to Kim Smoyer from the Board in appreciation of Ms. Smoyer's hard work on behalf of the Downtown Revitalization Project.

Historic Commission Update:

Discuss Landmark Designation applications: The hearing on the designation of the Saguache Hotel is scheduled for April 10th. The letter notifying the owners was re-written to include an invitation to them to concur with the designation. The Town has not yet received a reply from the owners. In addition, Kelsey Hauck has applied for historic status for her building. The Historic Preservation Commission will begin work on her application right after the hearing on the hotel.

Recreation Board Update:

Trustee Ruth Horn asked the Board of Trustees to approve September 1st for the Pow Wow for 2012. The Board approved the date by consensus.

Sheriff's Report:

Sheriff Mike Norris went over his report with the Trustees, there were no questions.

Legal Counsel Report:

Review/Discuss Bidding & Purchasing Policy compiled by Town Attorney: Attorney Farish gave the Trustees an example of a Bidding and Purchasing Policy. In discussion the Trustees agreed that they wanted to keep a limit of \$1000 maximum for discretionary spending by the Town Clerk and Public Works Director. The Trustees agreed to have a workshop to discuss it further, which will be held on April 10th, immediately after the public hearing for the historic designation of Saguache Hotel.

Review/Discuss/Approve Memorandum of Understanding: BLM, Fire Department, and Town: Attorney Farish pointed out that the IGA states that the Town of Saguache will accept all liability for the controlled burns, and suggested that, since the Fire Department will be actually conducting the burns, it doesn't make sense for the Town to have all liability. The Trustees agreed that at most they would share liability with the Fire Department. The **consensus**, was that the IGA (MOU) must be re-written to change liability. Clerk Garcia was asked to get input from CIRSA regarding the IGA.

Ordinance 2012-1: An Ordinance Amending Ordinance 2010-4 Establishing the Historic Preservation Commission: Attorney Farish explained that the ordinance as passed had some cumbersome language and unclear passages, and this ordinance will correct those problems.

MOTION by Trustee Horn; Second by Trustee Vasha

Trustee Horn moved to approve Ordinance 2012-1; An Ordinance Amending Ordinance 2010-4 Establishing the Historic Preservation Commission.

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

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

Clerk's Report:

Written Report:

Clerk Garcia gave a book form Xcel Energy to review. Clerk Garcia asked Attorney Farish about paper for posting the notice for the Historic Preservation Hearing. Mr. Farish recommended that the sign be made large enough to be easily read.

Publishing of Salaries in paper: Clerk Garcia told the Board that she had checked with other clerks and there are various ways that they fulfill the legal requirement to publish salaries. Towns can publish gross or net salaries, by name or by position, by department or individually. Attorney Farish affirmed that state law allows any of those forms. Trustee Quintana suggested it should be up to the staff. The Board decided to make no change in the current publishing practice.

Job Descriptions for Town Clerk and Court Clerk: Clerk Garcia gave the Trustees revised job descriptions for the Town Clerk/ Treasurer and the Court Clerk.

MOTION by Trustee Vasha; Second by Trustee Serna

Trustee Vasha moved to accept the job descriptions for both the Town Clerk/Treasurer and Court Clerk.

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

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

USA Communication request: Clerk Garcia reported that the Town received a letter from USA Communications, asking to connect to the Town's electrical line at the water tower, and in return they would give the municipal offices free internet.

MOTION by Trustee Horn; Second by Trustee Serna

Trustee Horn moved to accept the offer from USA Communications.

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

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

Clerk Garcia will have USA Communications give some type of agreement.

General Discussion: Clerk Garcia gave the Trustees information on some webinars and on the Leaders' Luncheon at Moffat School. The annual CIRSA Director's Luncheon will be May 1st.

There is information about Conour Shelter and El Pomar Foundation.

USA Communications gave information on the cost of their internet, which would be carried on their cable line.

Clerk Garcia reminded the Trustees to let her know if they wish to attend any of the upcoming events, so she can register them. News from Town Hall was okay.

Review/Discuss/Approve Renewal page for Williams Engineering, LLC – CDBG Grant:

The contract with Williams Engineering has expired, and since the Town is doing the sidewalks under CDBG, there needs to be an engineer supervising. The renewal page will renew the contract with Williams Engineering through the sidewalk project. Mayor Jones mentioned that the estimated construction cost is high—the project will almost certainly come in well under the projected amount.

MOTION by Trustee Serna; Second by Trustee Miles

Trustee Serna moved to extend the contract with Williams Engineering, LLC for 2012.

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

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

Trustee Quintana asked about water shut-offs. Deputy Clerk McKee reported that two people had their water shut off earlier that day, the other two having paid enough on their bills to avoid shut-off.

Clerk Garcia mentioned a note about bonding from Engineer Bob Williams, which could be discussed under the Maintenance Report. He suggests the Town not require bonding.

Trustee Miles thanked Deputy Clerk McKee for the report on the luncheon she attended.

Maintenance Report:

Written Report:

Sewer work – Road cut Fee: Mr. Pacheco asked for permission to waive the road cut fee for the Neil Horn property. Sewer repairs need to be done that are partly the Town’s responsibility.

MOTION by Trustee Miles; Second by Trustee Serna

Trustee Miles moved to waive the road cut fee.

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

Paving of Roads: The Board discussed which roads to pave this summer. They agreed to pave some of the dirt roads on 9th, 12th or 14th, with the actual blocks to be selected by Mr. Pacheco and Mayor Jones.

General Discussion: There was discussion of hydrants and their maintenance. Mr. Pacheco agreed to check the hydrant near 5th and Pitkin.

Augmentation: Mr. Pacheco informed the Board that he feels it is important to submit an augmentation plan to the state soon. One possible option is to leave the water in the creek on eight days each summer. Trustee Vasha asked about the possibility of using the ditches as augmentation, since much of the water in the ditches soaks into the ground. Mr. Pacheco wants to attend a public meeting on April 2nd of the water sub-district, and Mayor Jones will attend if he can get off from work.

There was discussion of the Community Building. Trustee Quintana asked for new mop heads. Trustees Serna and Vasha expressed the wish to update the kitchen, preferably making it a commercial kitchen.

Old/Unfinished Business:

New Business:

Review/Discuss/Approve Proclamation for Arbor Day: The Arbor Day proclamation was presented, declaring April 20th Arbor Day.

MOTION by Trustee Horn; Second by Trustee Vasha

Trustee Horn moved to adopt the Arbor Day Proclamation as presented.

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

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

Mr. Pacheco informed the Board that Roy Brown is donating funds to buy 12 trees for the Town.

Mr. Pacheco has quotes for the building at the lagoon. The Board asked him to put it out to bid.

Clerk Garcia mentioned that the Board was unhappy with the close occurrence of Pow-Wow and Fall Festival in 2011. The Board felt that the September 1st for Pow-Wow is far enough from Fall Festival, which is the third Saturday in September.

Executive Session, if needed: None

Adjourn: There being no further business; the meeting was adjourned at 8:51 p.m.

TOWN OF SAGUACHE BOARD OF TRUSTEES
SAGUACHE, COLORADO

Milton Jones, Mayor

ATTEST:

Therese Garcia, Town Clerk