

TOWN OF SAGUACHE
Board of Trustees
Regular Session
March 21, 2016

The Town of Saguache Board of Trustees met for a Regular Session on March 21, 2016, with Trustees being present as follows:

Greg Terrell, Mayor	Present
Luana Lovato, Mayor Pro Tem	Present
May Engquist, Trustee	Present
June Savage, Trustee	Present
Tony Sandoval, Trustee	Absent (Excused)
Kate Vasha, Trustee	Present
Andrew Virdin, Trustee	Present

Town of Saguache employees present as follows:

Therese Garcia, Town Clerk	Present
Lacy Reed, Deputy Clerk	Present
Dan Pacheco, Public Works	Present

Town of Saguache Attorney present as follows:

Eugene Farish, Attorney	Present
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Citizens in Attendance: Caroline W. Irwin, Byron Williams, Wyoma Hansen, Carita Ginn, Loren Aldrich, Barbara Donahue, Kathy Geddes, Don Geddes, Elke Wells, Heidi Pacheco, Wayne Clark, Cindy Archuleta, and Akia Tanara.

Call to Order: Mayor Terrell called the meeting to order at 6:32 p.m.

Moment of Silence and Pledge of Allegiance: was led by Mayor Terrell

Additions/Deletions to the Agenda:

Add Under New Business: Reminder for Liquor License Public Hearing March 28th, 2016 at 6:30pm for Scott and Pearl Alexander.

Add Under Attorney Report: SGM agreement for professional services.

Add Under Old Business: extend greenhouse moratorium.

Consent agenda: Mayor Terrell asked to pull out the “Clerks Report” as well as the “Maintenance Report” out of the consent agenda. Mayor Pro-Tem Lovato would like to reflect back to the February 16th, 2016 meeting minutes that have her marked as absent yet show her voting in each motion, and have that fixed. Town Clerk Garcia on page 11 it was put in 25% and should have been 50% match.

MOTION by Trustee Vasha; Second by Mayor Pro-Tem Lovato

Trustee Vasha moved to accept consent agenda with changes as discussed.

Vote as follows: Trustee Engquist – aye; Trustee Savage – Aye; Trustee Vasha – Aye; Trustee Virdin – Aye; Mayor Pro-Tem Lovato – aye; Mayor Terrell - Aye

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

Assignment and Commitment Review: These items will be tabled.

Sheriff Report: Deputy Wayne Clark stated that Sheriff Warwick was caught up in a case late last night and was unable to make it today; and he sends his regrets. He stated that Deputy Elke Wells was here this evening to answer any questions the Board may have. Trustee Savage asked if things were looking as good as they were last month. Deputy Clark responded that for crimes, I believe it was down to... Deputy Wells interjected zero, there has been zero crimes in Town. Deputy Clark added they had vandalism that was a broken windshield, and the other a slashed tire it wasn't necessarily crime, crime, but more of a personal thing. He also added with Deputy Wells being in Town crime has really gone down. Trustee Vasha stated that Deputy Wells had mentioned to her that the alleys weren't clear enough due to overgrown brush. Deputy Wells stated if the guys could just clean up in there when they have time because when we drive down those alleys we scrape up our cars. Public Works Director Pacheco then asked if it was just the alleys. Deputy Wells responded that it is just the alleys. Mr. Pacheco stated that alleys would be addressed, as well as private residences that have overgrowth into the alleys. Mayor Terrell thanked Deputy Wells, and Deputy Clark for their service to Saguache, and Saguache County; and what a difference their presence is making.

Citizens Comments: Heidi Pacheco wanted to take a moment to say she's really glad Trustees have decided to go with a Town Administrator. She feels that with all the work that's going to be involved with the systems, people don't understand how many meetings they'll be having, and changing scope of works, change orders, and macro budgets, it's just huge. She added that after doing a lot of research a lot of towns similar to the size of Saguache have gone about hiring town administrators because the regulations are becoming so cumbersome on municipalities with water system and those things.

Discuss/Approve Request for Saguache Works- Use of Dave Martinez Park and closure to of Street for August & October: Caroline Irwin began by saying that the use of the park was for August 20, 2016 for annual Saguache Chambers of Commerce "Art Walk". She added what they need is the use of three parking spaces in front of the park. She went over the street closure for October saying that it's for the Alfred Packer Festival; she added that the festival is one of the biggest fundraisers for Mountain Valley School, as well as the Saguache County volunteer Fire Department. After a short discussion about the events a motion was made.

MOTION by Mayor Pro-Tem Lovato; Second by Trustee Vasha

Mayor Pro-Tem Lovato moved to allow Saguache Works to close off three parking spots in front of Dave Martinez Park on August 20, 2016 for Fiber Arts in the Park.

Vote as follows: Trustee Engquist – aye; Trustee Savage – aye; Trustee Vasha – aye; Trustee Virdin – Aye; Mayor Pro-Tem Lovato – aye; Mayor Terrell - Aye

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

MOTION by Trustee Vasha; Second by Trustee Engquist

Trustee Vasha moved to allow the use of Dave Martinez Park and the closure of the street on October 8, 2016 for the Alfred Packer Festival.

Vote as follows: Trustee Engquist – aye; Trustee Savage – aye; Trustee Vasha – aye; Trustee Virdin – Aye; Mayor Pro-Tem Lovato – aye; Mayor Terrell - Aye

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

Discuss/Approve Saguache Community Grant Application – Saguache Work for Alfred Packer Festival:

Mayor Terrell began by thanking Caroline Irwin for taking the time to do such a nice grant application, and for attaching all appropriate attachments. Caroline Irwin said the grant will go towards advertising for music for the festival. She stated last year it cost \$1,000.00 and this year it's going to be around \$1,300.00, so she's seeking more funding through grants. This money however will be used to pay Cozy Cinema for advertising on their movie screen. A short discussion continued on advertising methods.

MOTION by Trustee Vasha; Second by Trustee Engquist

Trustee Vasha moved to approve the Saguache Community Grant for \$250.00 to Saguache Work's for the 2016 Alfred Packer Festival.

Vote as follows: Trustee Engquist – Aye; Trustee Savage – Aye; Trustee Vasha – Aye; Trustee Virdin – Aye; Mayor Pro-Tem Lovato – aye; Mayor Terrell - Aye

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

Discuss/Approve Saguache Community Grant Application- Saguache Sagebrush Quilters:

Caroline Irwin began by saying one of the big projects that Saguache Sagebrush Quilters does during the year is creating comfort quilts to give away to citizens not only of the Town but of the County as well. The batting and the backing of these quilts is where cost rises from; she gave an example of a quilt and to finish it with the backing, and the matting would cost about \$65.00 out of pocket. She also stated that when the quilters put in for the Saguache Community Grants it is to purchase supplies. Mayor Terrell asked what happens to the quilts again: Mrs. Irwin explained they go to citizens of the town and the county. Trustee Savage interjected; based on? Mrs. Irwin stated for example when Babe Garcia was lost in the forest and wasn't found for two days, the quilters knew he was a veteran and immediately got to work on a red, white, and blue comfort quilt that was given to him at the Garcia family reunion. Deputy Clark stated that in his patrol vehicle he actually carries some of the things Mrs. Irwin has put together and they are given to people who are lost, traveling, or had something bad happen in her life. Deputy Wells stated the gals that put those together also add little dolls, and they are given at accident scenes. Mrs. Irwin also stated if anyone ever knows of someone in need to contact Town Clerk Garcia.

MOTION by Trustee Engquist; Second by Trustee Vasha

Trustee Engquist moved to approve the Saguache Community Grant for \$250.00 to Saguache Sagebrush Quilters.

Vote as follows: Trustee Engquist – aye; Trustee Savage – Aye; Trustee Vasha – Aye; Trustee Virdin – Aye; Mayor Pro-Tem Lovato – Aye; Mayor Terrell - Aye

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

Discuss/Approve Park Permit for Easter Egg Hunt: Town Clerk Garcia began by stating the reason there is a Park Permit in the application is because last year the Town allowed the use of the Community Building Restrooms. Last year they had been winterized during this event, and that this is the case this year as well, so they are asking for the building again this year. Mayor Pro-Tem Lovato asked if the park restrooms could be opened early. Public Works Director Pacheco responded because of the hot water heater, and how cold it still is. He would rather the park restrooms not be opened up yet as the pipes will then need to be drained and other maintenance would have to take place as well. Carla Quintana stated she has a few things after walking the park. She mentioned there is a branch that's broke if that could be picked up, the aluminum swing is broke and she doesn't want the Town to blame them. Deputy Clerk Reed asked if the aluminum swing she is speaking about is the double swing glider, Ms. Quintana responded that it is and if could be looked at and fixed because it's broke. She added they will also need water, to fill water balloons for the water balloon fight. Public Works Director Pacheco stated they could the spigot in the park. Ms. Quintana stated she wants the basketball court looked at because there are some bottle and beer cans, because of the different ages of children that will be there. She doesn't expect everything to be clean, but if it could be cleaned because she doesn't want people to step in dog poop either. She added she just needs the Community Building for restrooms, and the park cleaned. Public Works Director Pacheco stated the park has not been addressed at this time but will be prior to the event. Mayor Terrell asked if there was any other discussion.

MOTION by Trustee Vasha; Second by Trustee Engquist

Trustee Vasha moved to approve the park permit for the Easter Egg Hunt; with the understanding that they will be able to use the Community Building restrooms, and the spigot in the park for water.

Vote as follows: Trustee Engquist – aye; Trustee Savage – aye; Trustee Vasha – aye; Trustee Virdin – Aye; Mayor Pro-Tem Lovato – aye; Mayor Terrell - Aye

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

Discuss/Approve Saguache Community Grant Application- Cindy Archuleta- Easter Egg Hunt: Cindy Archuleta began by saying during the Easter Egg Hunt they do a drawing for bicycles in different age groups, and the funds if awarded would go to the purchase of those bikes; nearly covering every cent for four bikes. She added they are also getting more donations this year, and is hoping to get the approval of the Saguache Community Grant. She also added she has heard from many parents that this is one of the better hunts in the Valley. A short discussion continued about the Easter Egg Hunt when the motion was made.

MOTION by Trustee Vasha; Second by Trustee Mayor Pro Tem Lovato

Trustee Vasha moved to approve the Saguache Community Grant for \$250.00 to the Town Easter Egg Hunt.

Vote as follows: Trustee Engquist – Aye; Trustee Savage – Aye; Trustee Vasha – Aye; Trustee Virdin – Aye; Mayor Pro-Tem Lovato – Aye; Mayor Terrell - Aye

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

Discuss/Approve Saguache Community Grant Application –Garcia Post 110-American Legion: Mayor Terrell stated the grant application submitted by the American

Legion be sent back for them to fill out following the directions; as it really doesn't say what the money is going to be used for; he also added they already filled out the reporting form which is to be handed after the grant has been awarded. Trustee Vasha suggested the Town Clerk Garcia get with Terry Gillette of the American Legion and show him a couple of other applications; as she feels maybe he just didn't understand the process. She added it's not that Trustees are not in support of Memorial Day, and if they are in a hurry to know it could be added to the March 28, 2016 special session meeting agenda.

Discuss/Approve Saguache Community Grant Application- Andrew Virdin-

Mountain Valley School: Mayor Terrell began by stating that Andrew Virdin wasn't here this evening, he asked if Trustees all had a chance to read application; Trustees gave a nod of heads that they had. Trustee Vasha stated she was fine with it; and added that she had spoken to Mr. Virdin about the grant and made sure that he had the understanding that the school cannot put in for multiple grants this year, adding that she hopes that Mountain Valley School prioritized, and that this is there priority.

MOTION by Trustee Vasha; Second by Trustee Savage

Trustee Vasha moved to approve the Saguache Community Grant for \$250.00 to the knowledge bowl outfits/hoodies.

Vote as follows: Trustee Engquist – Aye; Trustee Savage – Aye; Trustee Vasha – Aye; Trustee Virdin – Aye; Mayor Pro-Tem Lovato – aye; Mayor Terrell - Aye

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

Board/Committees Reports:

Vista Grande Update: Trustee Engquist updated the Trustees that she and Public Works Director Pacheco have been working on the brownfields assessment. Mr. Pacheco said it seems like it's a simple application that they'll have to do, they have a copy of Monte Vista's application to use as a guide. Mayor Pro-Tem Lovato asked what the brownfields assessment is. Mr. Pacheco responded that it's a clean-up for Vista Grande; Mayor Terrell interjected like an EPA clean-up. Town Clerk Garcia stated she believes what brownfields has to do is dig up dirt that's not safe and remove it. Trustee Engquist added once the brownfields is able to do a clean-up we will have more freedom to use the property.

Discuss/Approve Revised Master Plan: Town Clerk Garcia stated that Kathy Geddes was not here for the meeting, but on the cover page she listed all the changes that had been made. Mayor Pro-Tem Lovato stated after reviewing the master plan she feels it's good. Town Clerk Garcia stated that master plan is approved yearly so if there are any changes or anything thing they'd like to have in it, they would have that annual opportunity to do so. Trustee Vasha also stated that she's fine with it.

MOTION by Mayor Pro-Tem Lovato; Second by Trustee Savage.

Mayor Pro-Tem Lovato moved to approve the Master Plan as presented.

Vote as follows: Trustee Engquist – aye; Trustee Savage – Aye; Trustee Vasha – Aye; Trustee Virdin – Aye; Mayor Pro-Tem Lovato – Aye; Mayor Terrell - Aye

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

Ordinances/Resolutions/Public Hearings:

Attorney Report:

Discuss/Approve Revised Town Lease: Attorney Farish reported after looking over the leases and seeing how vague they were, he's been working on a master lease, that will have provisions in there, regardless of what you would come against in your lease, some of the provision would be applicable to building on the property, it's sort of one of those leases where you fill in the blank and cross out what you don't need; it's like a check list of things you could come against in different leases. He added he's submitting it for Trustees consideration; as they have a number of leases. The lease could be extended with subsequent extensions, like if you're going to go year to year, or every five years; you want to change provisions. Mayor Terrell stated he would like to add something under number two rules and regulations number four that will read something like; comply fully with the rules governing the municipal well permit; or something similar. Attorney Farish responded he could do that, adding a lot of that would be covered with your town rules; he could add under provision all regulations of the town all rules and regulations of the town will be abided by. Mayor Terrell stated I know the Town is already covered; but I want it to be crystal clear in the lease, and to me it's one of the biggest problems we could have with leases; and it's just a suggestion. Trustee Vasha agrees and feels it needs to be spelled out, as it could continue to be a problem. The Trustees were in agreement that they all like this lease so much better than the former lease. Attorney Farish stated he will add that wording into the lease and submit a clean copy to Trustees.

MOTION by Mayor Pro Tem Lovato; Second by Trustee Vasha

Mayor Pro Tem Lovato moved to approve the new form for the Town of Saguache lease of town property agreement with the changes discussed.

Vote as follows: Trustee Engquist – aye; Trustee Savage – Aye; Trustee Vasha – Aye; Trustee Virdin – Aye; Mayor Pro-Tem Lovato – Aye; Mayor Terrell - Aye

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

Discuss Letter to John Sladek: Town Attorney Farish stated he had followed Trustees directions to draft a letter to John Sladek on February 2, 2016 the Trustees directed me to send a letter regarding the status of the property leased from the Town. He added as you recall the lease was terminated December 31, 2015 and the provision that you would remove all personal property and cease using Town water except for at your residence, adding that the water line would be capped etc. Attorney Farish read the letter that was sent to Mr. Sladek. He added he had sent the letter certified and that it had been returned back to his office. Mayor Terrell asked what we need to do since he won't accept the letter. Attorney Farish responded that he still has his property on Town property; he then asked if the water line had been capped. Public Works Director Pacheco responded at this time it has not. Attorney Farish responded that the capping of the line was understood by Mr. Sladek as he attended meetings. The real question is what in enforcement action do you want to be making, as he has ignored the agreements for which he had made to the Town. Town Clerk Garcia asked if the Town needed to make sure he received the letter by having the Sheriff's Office deliver the letter. He responded that normally what you would do in a situation like this, if you want to commence legal action, we would start the process under forcible entry and detainer action which is an all-encompassing action when you want someone moved out like a renter. You would have to go into County Court and to commence that you would then have him served with a notice to quit.

Trustee Vasha stated what we need to do right now is follow the law. Mayor Terrell agreed. Attorney Farish stated we will start the action, he wants to make sure he has a specific property description and what he had on Town property and what we want off, he added that taking pictures would be helpful. Trustee Savage asked once we have a deputy deliver the letter will we need some kind of receipt so that we know he got it. He responded that the deputy will do a return service that he had been served.

MOTION by Trustee Vasha; Second by Trustee Engquist

Trustee Vasha moved to approve directing the Town Attorney (Eugene Farish) to move forward with any necessary court action to remove the personal property of former leasee of this particular property located west on lot 1, 10th Street, Russell's Edition, Block 6 in the Town of Saguache.

Vote as follows: Trustee Engquist – aye; Trustee Savage – Aye; Trustee Vasha – Aye; Trustee Virdin – Aye; Mayor Pro-Tem Lovato – Aye; Mayor Terrell - Aye

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

Discuss/Approve Consulting Agreement- Dave Martinez: Attorney Farish mentioned the agreement he overlooked is in very simplistic terms. As I understand he will be pointing out where water/sewer lines are so that GPS can be done, he added the agreement also states how long he will be working for and what his compensation will be. Mayor Terrell asked if the ending date was satisfactory. Town Clerk Garcia said that after speaking with David Mixon who will be doing the GPS, he felt it would be enough time for that part of it. Mayor Pro-Tem Lovato asked if the Trustees would need two agreements with Mr. Martinez as he was also going to work on an emergency basis. Public Works Director Pacheco responded he doesn't feel like that's going to need to happen; he added it been discussed before hiring David Hammel. Mayor Terrell is happy with the agreement but added that he would suggest changing the ending date on the agreement so that they will have an adequate amount of time. Trustee Vasha suggested doing the agreement until September 1, 2016; and if there's no work it can stop earlier. Mayor Pro -Tem Lovato asked are we covering him under our workers compensation. Town Clerk Garcia responded well he's not a Town employee so I'm not sure how that would technically workout; as the Towns workers compensation only covers Town employees, not independent contractors. Mayor Pro-Tem Lovato stated she just wants to make sure they are really clear on that. Attorney Farish stated its's a pretty thin line, but if you guys are going to cover him you'll need to speak with your insurance provider to see if he could be covered, and if so then add it to your agreement. Is this something we want to do, as it will set precedence with independent contractors? After a short discussion Trustees decided to table the item until the March 28, 2016 special meeting, after the Town Clerk has had a chance to speak with the Town's insurance provider.

Discuss Ballot Question: Attorney Farish began by stating the Town is confined by Tabor on how the ballot questions are phrased. He added the way it is written doesn't mean that it will increase year by year. Mayor Pro-Tem Lovato stated that's how some Town residence are interpreting it; adding the few that she has talked to are very concerned. She suggested the Town put an article in the paper explaining the sales tax increase, maybe put up some posters with the Town explaining so it clearly defines that it will not be going up 1% each subsequent year. Mayor Terrell agreed it would be smart to put something in the paper. Mayor Pro-Tem Lovato added she would write the article for

the paper. Town Attorney Farish stated they need to since there have been some questions from citizens. Mayor Pro-Tem Lovato asked again if it would be okay for her to tackle the article; Trustees were in agreement that she writes the article. Trustee Savage added the 1% increase will put the Town of Saguache with a sales tax higher than most communities. Mayor Terrell stated it was brought up that the increase is no higher than 1%; he feels this is the max that they can support. Trustee Savage asked if they needed to write everything in such a way so that people know that it will not be raised each year by another 1%. Mayor Pro -Tem Lovato explained that in order to raise it another 1% it would have to go to the voters and another ballot process; citizens would have to vote to pass it. Community member Don Geddes stated this sales tax is also on food items, where the state tax is not put on food items; he stressed that we live in area that is poor, and those small taxes will become big items when it comes to spending and surviving, does this apply to food; and what can we do about that 3% tax on food. Don Geddes also stated that it's a burden for people already struggling for resources. Mayor Pro -Tem Lovato stated a lot of the sales tax collected comes from tourists who are traveling through Town. If we are not able to raise this money it could jeopardize our law enforcement in Town. Don Geddes responded that he sees no relevance between what you are saying and how people are going to be affected. A short discussion continued, when Trustee Vasha stated it's too late to change the ballot question, but they could research how they tax and not tax. Don Geddes added he knows when he goes to the local grocery store on the highway that he is paying the full 6.9% on each item he purchases. More discussion continued, when Attorney Farish stated he would take hard look at into this. No motions had been made.

SGM agreement for professional services: Mayor Terrell informed Attorney Farish that he and the Trustees met with the engineer doing the sewer I& I study & condition assessment agreement. He stated they really need to get some kind of agreement or contract going so this work can be completed. He stated the engineer shared a contract/agreement with the Trustees to look at. Attorney Farish asked are you going integrate this attachment to our contract agreement or how are you going to do that. Town Clerk Garcia responded what they can do is make the first RFP attachment A, and the other attachment B. Mayor Terrell asked Attorney Farish if he would take a good look over the agreement they had been given, he also recommends hearing other voices if anyone has anything to add; he stated basically we just need to get this done so that he can get going to work. Public Works Director Pacheco recommended waiting until the March 28, 2016 special session to approve the contract agreement, because they won't be begin any work until after the 1st of April, and this would give all the Trustees time to read over the agreement. Mayor Terrell stated that he Attorney Farish and Town Clerk Garcia will work on the agreement, and then have it ready for the March 28, 2016 meeting. Attorney Farish asked what the compensation is for this agreement. Trustee Vasha responded that was actually laid out in the RFP. Town Clerk Garcia interjected the proposal submitted is \$61,000.00 and some odd dollars, but for the TV work has not been determined. Trustee Vasha responded that it depends on how much work needs to be done. Mayor Terrell interjected it could also end up being subcontracted. Attorney Farish stated that he definitely thinks the amount should be added, he stated that he would start integrating some of this into the agreement, and that he would be working on it with the Town Clerk, and Mayor.

Discuss/Approve Option Agreement for the Dunn Block: Attorney Farish began by stating the purchase option he had put together had been revised. Trustee Engquist responded there had been some terms in the agreement the Masons did not like, or things they wanted added. Trustee Vasha interjected she believes they may be looking at this as a lease; so instead of looking at it as an option to buy, they are acting as though it's a lease. She feels if they agreed in the option agreement before we did the closing we could even do it at the closing. She added after looking through the revised option it is a mixture of terms from the option agreement, and what are lease terms; adding they want occupancy for ten years etc. Attorney Farish stated speaking from a technical stand point there are a few problematic things with the ways they are writing this for instance; "Grantor and Grantee will agree upon an appropriate display of memorabilia belonging to the Masons, the second point being "The term of the lease maybe extended in an agreement upon both parties; adding that hopefully that's in writing. Trustee Engquist responded the whole purpose of the building is to provide space for this kind of organization; so it really doesn't need to be in there. Attorney Farish then stated; and third "Other provisions as mutually agreed upon by Grantor and Grantee" he stated when you put things like that into a lease you really might be asking for some problems, because what terms are we talking about, and what if it's not agreed. Mayor Terrell stated what he does not understand from their perspective; this is an option agreement all the other stuff would be added to the actual purchase contract; he does not understand why we're getting into this. Attorney Farish responded the option deal is we are paying you a \$1,000.00 to have an option to purchase this property for X amount and here are the conditions under which; you get to keep the \$1,000.00 if you don't close it. The Town has until January of 2018 to close, so basically it a deal that you are going to purchase this from them for whatever you're going to develop it for. Trustee Engquist stated she would let the Masons know that if they do not accept this option to purchase agreement, that we will be unable to seek the grant funding for the purchase of the building. Trustee Engquist asked if the old contract would work. Attorney Farish stated it may work out fine, but he has to look at it from the stand point of if things go south. Trustee Vasha stated what if we remove part E on page two and fix part D would you be okay with it. He responded yes he would be okay with that.

MOTION by Trustee Vasha; Second by Trustee Savage

Trustee Vasha moved to approve the option agreement as first rewritten by Trustee Vasha and revised by Attorney Farish, and that the date be changed to Mach 21, 2016.

Vote as follows: Trustee Engquist – aye; Trustee Savage – aye; Trustee Vasha – aye; Trustee Virdin – Aye; Mayor Pro-Tem Lovato – aye; Mayor Terrell - Aye

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

Break: Mayor Terrell called a break as Trustees thanked Trustees who were not running for re-election for their service to the Town at 7:57pm.

Meeting was called back to session at 8:11pm by Mayor Terrell.

Discuss/Approve Town Hall Grant: Trustee Engquist reported that everything is ready to go and added that the Town grant is moving along. Mayor Terrell asked if anything needed approval. Town Clerk Garcia stated that Trustees need to approve the submittal of

the application; she also recommended that it be brought back to the board in April, just to show what was finally submitted. Trustee Vasha stated the Trustees have already approved them, they just need to approve the submittal now.

MOTION by Trustee Vasha; Second by Trustee Savage

Trustee Vasha moved to approve the submittal with land acquisition grant for the Dunn Block on 4th street, and a development grant for the first phase restoration and rehabilitation for the town hall.

Vote as follows: Trustee Engquist – aye; Trustee Savage – aye; Trustee Vasha – aye; Trustee Virdin – Aye; Mayor Pro-Tem Lovato – aye; Mayor Terrell - Aye

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

Changing Columbus Day to Indigenous Peoples Day: Mayor Pro-Tem Lovato stated a lot of the country is moving in the direction or already has in changing Columbus Day to Indigenous Peoples' Day; since Columbus didn't really discover the United States. Especially in Saguache with the heritage, this was all native land at one point and there have been several cities in Colorado that have moved in that direction. Therefore, she suggested that it be changed. Trustee Vasha mentioned the Town has posted in the paper to get feedback; hearing from only one resident about not changing it. She added that she would like to support this, and feels the Town should do it. Town Clerk Garcia then asked how the Town should do this. Is it done by resolution, or proclamation? Mayor Terrell stated it could be done either way but a resolution is more legally binding. Trustee Vasha asked that a resolution be written up and that it is added to the March 28, 2016 agenda.

Update on Flood Map: Public Works Director Pacheco informed the Board of Trustees that he has not heard anything back at this point, and he's not sure when they're going to begin; at this point we are at their mercy. Town Clerk Garcia asked if an email could be sent. He responded yes he can send one out.

Discuss/Approve General Engineer Service: Town Clerk Garcia reported there had been four RFP's returned, from SGM Engineering, Bohannon and Houston, Wells Engineering, and Quality Engineering. Mayor Terrell said at March 5, 2016 meeting Public Works Director Pacheco had made it clear as his recommendation to pick SGM Engineering. Mayor Pro-Tem Lovato stated she agrees. Trustee Vasha said it makes sense for Water Engineer, and the General Engineer to be from the same company because there are issues that are going to impact the Sewer, that aren't really Sewer issue. Town Clerk Garcia asked whose name should be the main contact. Mayor Terrell responded Dan Pacheco. Trustee Vasha mentioned these guys are great but we'll really need to keep the contacts to a minimum. Mr. Pacheco stated he likes the idea that Trustee Vasha had on keeping a running log on all conversations. Trustee Savage asked if the board could be updated monthly on progress being made. Mr. Pacheco responded that he could do that.

MOTION by Trustee Vasha; Second by Mayor Pro-Tem Lovato

Trustee Vasha moved to approve SGM engineering as the general engineering service until December 31, 2016.

Vote as follows: Trustee Engquist – aye; Trustee Savage – aye; Trustee Vasha – aye; Trustee Virdin – Aye; Mayor Pro-Tem Lovato – aye; Mayor Terrell - Aye

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

Discuss Security and Town Keys: Tabled for April, 2016 Meeting.

Discuss/Approve Adding Trailer to Lease/Purchase Agreement for Mini Excavator:
Tabled for March 28, 2016.

Discuss/Approve Extending Moratorium on Greenhouses: The Trustee discussed extending the moratorium till June 30th.

MOTION by Trustee Vasha; Second by Trustee Savage

Trustee Vasha moved to approve extending the moratorium set in place on October 19, 2015 and extend it till June 30, 2016; giving a chance for the new board of Trustees to get settled before discussing it again.

Vote as follows: Trustee Engquist – aye; Trustee Savage – Aye; Trustee Vasha – Aye; Trustee Virdin – Aye; Mayor Pro-Tem Lovato – aye; Mayor Terrell - Aye

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

New Business:

Discuss/Approve Hiring of Season Employee: Public Works Director Pacheco reported that two applications had been turned back in; Dakota Lovato, and Arturo Romero. He added back in December Dakota had been interviewed for the full time position. He added he also has some experience with water, and waste water, he also has knowledge of running small tractors etc. He mentioned the other gentleman has no experience with all respect to him; there may also be a language barrier. His recommendation is Dakota Lovato who had given a wonderful interview, and who understands this is a seasonal position, and not full time. He also wants to stay in the community; adding he's well liked in the community. He has also worked for a lot of people, and is also a Volunteer for the Volunteer Fire Department. Trustee Vasha stated if Dan is happy I'm happy with his decision.

MOTION by Trustee Vasha; Second by Trustee Engquist

Trustee Vasha moved to approve offering the seasonal employee position to Dakota Lovato at the amount budgeted; effective April 1, 2016- October 15, 2016.

Vote as follows: Trustee Engquist – aye; Trustee Savage – Aye; Trustee Vasha – Aye; Trustee Virdin – Aye; Mayor Pro-Tem Lovato – Aye; Mayor Terrell - Aye

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

Discuss Possible Grants for Equipment: Public Works Director Pacheco began by suggesting to the Trustees after speaking with David Hammel, Akia Tanara, and a representative from Caterpillar. They are looking keeping the maintainer going another three years. He stated Jim Barron would be up next week to get the injectors. When the Trustees mentioned getting a plow, he talked to Kenny Lovato at CDOT who then spoke to his supervisor and said there are two sanders, and two plows that will fit our current dump truck. He's going to see if he can get those as a donation to the Town. He stated that he had spoken again with him today and he's just waiting to hear back from Ross. If they donate he suggests the Trustees postpone this agenda item for three years. Trustee Vasha asked how old is the dump truck? He responded that it's a 1985 model.

Review/Discuss/Approve Letter of Interest – Historic Preservation Commission:

Town Clerk Garcia reported that Sara Fernandez had brought a letter to the Town Hall in February. Trustee Engquist stated that she highly recommends that Sara Fernandez be approved to serve the Historic Preservation Commission.

MOTION by Trustee Vasha; Second by Trustee Mayor Pro-Tem Lovato

Trustee Vasha moved to approve Sara Fernandez as a member of the Saguache Historic Preservation Commission.

Vote as follows: Trustee Engquist – aye; Trustee Savage – aye; Trustee Vasha – Aye; Trustee Virdin – Aye; Mayor Pro-Tem Lovato – Aye; Mayor Terrell - Aye

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

Discuss/Approve Interim Town Administrator Scope of Work: Trustee Vasha stated the draft has been sent to all the Trustees; adding she hopes everyone had a chance to read it. Town Clerk Garcia mentioned the Town Hall had not received a copy. Mayor Pro-Tem Lovato commented that she and Akia have been working on the employee handbook and stated they have pretty good draft going. What she would like to do is, for them to continue to work and include it in the scope of work. She stated Trustee Vasha, and Trustee Engquist explained to her they would like Akia to move on to current and other projects and finalize them. Mayor Pro-Tem Lovato the Town has paid out about \$3,500.00 so far working on this document. She said her question to the board and maybe a challenge for the future is how much money we are spending on something we don't ever bring to completion. Trustee Vasha stated she just wanted till April, because there will be a substantially new board who can be a part of making that decision. Trustee Vasha asked how much work needed to be done on it. Akia Tanara stated it will be a matter of working with the new board to go through policies to make sure they understand first of all what the board is trying to accomplish. She stated right now her work is done. She has received extensive feedback from Trustee Vasha, Mayor Terrell, and Mayor Pro-Tem Lovato, it's a much tighter and clearer document, but is a document for the new board to review. Mayor Pro-Tem Lovato stated she would like a working document ready to go. Trustee Vasha stated one of her concerns is that Interim Town Administrator contract is finish on April 29, 2016, and there's not a lot of time, but if you want to add this in to the scope of work as bottom priority, she's okay with that. Town Clerk Garcia stated it's unfair for a majority of a new board to come on to only have ten days. Mayor Pro-Tem Lovato responded I'm not expecting them to have new document to approve when they come on. I'm expecting them to have a document to look at, and can go through, and make changes, then approve if they choose to. Mayor Terrell stated it's a pretty simple thing we have this scope of work we just need to prioritize Trustee Vasha responded the employee handbook is not in the scope of work. Mayor Terrell stated for him right now the priority is going through the planning grant for the I&I, and assessment. Trustee Vasha stated one thing that she feels need to be nailed down is the language on the I&I but it's called something and we need to put a deadline. Akia Tanara responded she had send an email out and maybe she hasn't read it, but her recommendation reads as to complete and submit a grant to the department of local affairs for a project that will address solving the infiltration problems with the Town's sewer system. Ms. Tanara will submit a planning grant application to the Department of Local Affairs for a condition assessment and video inspection of the sewer system.

Trustee Vasha stated she's getting antsy because the year is moving along, how fast we can get that done. Akia Tanara responded she will need some information, here's the problem she needs information from SGM and they are not under contract with the Town; however she feels they may give her that information without being under contract. Trustee Vasha as of the 28th they will be under contract. Akia Tanara stated if this is the first priority she could have it done in about two weeks. Trustee Vasha stated because to me that is number one. Trustee Vasha asked if anyone had any other changes they like to make. Akia Tanara stated she had one item under the next bulleted section where it says complete and time line and budget; just delete the word and; and it makes sense to me, it's aggressive but doable.

MOTION by Trustee Vasha; Second by Trustee Savage

Trustee Vasha moved to accept the scope of work as amended by Akia Tanara.

Vote as follows: Trustee Engquist – aye; Trustee Savage – aye; Trustee Vasha – aye; Trustee Virdin – Aye; Mayor Pro-Tem Lovato – aye; Mayor Terrell - Aye

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

Review/Discuss/Approve Xcel Energy LED Street Lighting Program: Town Clerk Garcia mentioned the Trustees need to pick an option. She said if the Trustees looked at the paperwork that was sent to them from Xcel on the last page. Option 1 they will put in new LED lights and replace the old lights for free. She stated it's just a program that they are doing to get lights changed to LED's because they are more energy efficient. Akia Tanara stated that in Crestone they had changed one of the street lights to the LED and this it is so bright it's glaring. Trustee Vasha stated injected that's her concern as well. Town Clerk Garcia stated you can choose option C to not participate in the program. Trustee Savage stated they are wonderfully efficient, but unattractive. Mayor Pro-Tem Lovato stated they are very inexpensive to run. Mayor Terrell stated a decision does not need to be made on this until December. Town Clerk Garcia interjected they do want to try and get this area done before the Front Range because if they do that first they will take a while to do this area. Mayor Terrell responded that he's thinking that if the decision wasn't made until July it would give the board a chance to look at everything. Trustee Vasha stated she feels this is something that residence will need to weigh in on. No motion was made.

Reminder March 28, 2016 Hearing: Mayor Terrell gave a reminder for that March 28, 2016 hearing for a new liquor license for Scott and Pearl Alexander at 6:30pm at Town Hall. Trustee Vasha stated they did get everything back in as quickly as the state requires, so we will hold a special session.

Clerks Report: Mayor Terrell stated one of thing he wanted to ask about is maintenance at Town Hall, and do we have that all worked out. Mayor Terrell asked if the board needed to intervene in anyway. Mayor Terrell asked if there were any issues. Town Clerk Garcia asked Deputy Clerk Reed if there were any issues, as far as she knew there wasn't. Mayor Terrell asked if all election judge spots had been filled. Town Clerk Garcia stated yes they had been and named them as follows; Alice Wardlow, Caroline Irwin, and Bill Hazard. She said the alternate will only fill in if one of the three judges is unable to perform their duties. Mayor Terrell asked if there would need to be any additional training needed from Renee Hazard for the election. Town Clerk Garcia responded she spoke to Renee who told her that she was not totally familiar with Title 31 but that she

can help where need; as of now things are going fine. Trustee Engquist asked if the ballots were mailed out. Town Clerk Garcia responded that we are a polling place; she also added that people can sign up to get an absentee ballot. Trustee Vasha then reminded everyone that the Trustees had talked about the clerks being trained. Trustee Vasha stated clerk training for Lacy this year didn't we decide to do that. Town Clerk Garcia stated they did but she wanted it to be noted that she didn't go to clerks training unit she had been with Town for three to four years and was familiar with the Town and all the in and outs. Trustee Engquist asked Deputy Clerk Reed if she was ready to go, she responded that it can wait the three to four years if that's the way it's always been done. Mayor Pro-Tem Lovato stated that she feels up front training the better off you are always.

Maintenance Report: Public Works Director Pacheco stated he wanted to begin with talking about ditches. He stated a couple of weeks ago they had been working on ditches and accidentally hit a gas line that was buried shallow. After speaking with Xcel if the Town attends meetings and training, this will offset any potential fines. His concern is there could be more lines in the ditches that are buried shallow. After speaking to Xcel they added they don't have a lot of money to come and rebury all of those gas lines. So what we need to do upon finding them is make a formal request and they will do as many as their budget will allow. If the expense is too high the Town may have to wait a year before they can begin that work due to Xcel budgeting. Mr. Pacheco stated they are going to find more of those. The problem by Chris Lovato's is that if we dug anymore it could leave them exposed. He stated because the Town passed a policy 1998 the ditches have to be 18 inch culverts. In the past they'd get high places and valleys, and they are trying to get all that level. He added they will have problems. They will go and let us know where gas lines are, but cannot let us know how deep for they are.

He mentioned the ditch on Perry Hazards land is first priority. Getting the area cleaned up, and change the head gate.

Mayor Pro -Tem Lovato stated she had a concern because locates were not done prior to digging those ditches. Is that correct? Because before you did you're always supposed to do locates. Mr. Pacheco responded that in the past it had never been done; it was and understating with Xcel Energy that because we were maintaining ditches we wouldn't have to do that, for the simple reason they would have to come in and do an individual locate for each house. He also stated that during Dave Martinez's employment when ditches would be done by him you would see little mounds because actually dug around them. Mr. Pacheco said on everything else a locate is called in. Due to the understanding that we had with Xcel Energy when maintaining the ditches we were not required. He stated to answer your question not anymore that has changed because Xcel does not do locates anymore they contract out, and now under new rules we are required to do that. Mayor Pro -Tem Lovato stated luckily it was a Polly line, and didn't spark like metal on metal; as the exposure is huge there. Mayor Pro -Tem Lovato asked currently when Public Works needs a locate done, do they have the staff do it, and often has to go back to you for more information. Mr. Pacheco responded that he tries to be as thorough as possible giving address, 10 feet on each line, scope of work. Mayor Pro -Tem Lovato asked would it make more sense for your department to do that as the information is readily available. Deputy Clerk Reed stated she does the locates, and has had maybe one or two time where she had to go back and ask additional questions. Town Clerk Garcia

stated she believes what she's trying to say is that maybe easier for Public Works to do it since he knows the information right then and there. Mayor Pro -Tem Lovato asked if they had the capacity to do that. Public Works Director Pacheco responded that he did. Mayor Terrell stated he did have one thing he would like to say, is when people come up to an individual board member and talk about work our standard answer has to be did you go and fill out a work request form; otherwise things get impossible. Town Clerk Garcia stated then everything will have a paper trail. A short discussion continued no decisions had been made.

Adjournment: There being no further business, the meeting was adjourned by Mayor Terrell at 9:06p.m.

TOWN OF SAGUACHE BOARD OF TRUSTEES
SAGUACHE, COLORADO

Greg Terrell, Mayor

ATTEST:

Therese Garcia, Town Clerk