

**Town of Saguache
Board of Trustees
Regular Session
January 18, 2011**

The Town of Saguache Board of Trustees met for a Regular Session on January 18, 2011, with Trustees being present as follow:

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

Town of Saguache employees present as follow:

Therese Garcia, Town Clerk	Present
Caroline W. Irwin, Deputy Clerk	Present
Dan Pacheco, Public Works	Present

Town of Saguache Attorney present as follow:

Eugene Farish	Present
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Citizens in Attendance: Eugene Busch, John Baxter, John Sladek, Colleen Williams, Colorado Rural Water Association [CRWA], and Sheriff Mike Norris

Call to Order: The meeting was called to order at 7:00 p.m. by Mayor Jones.

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

Additions and Deletions to the Agenda:

Delete Downtown Revitalization Project from agenda. A report will be coming to Trustees in February, 2011.

Review/Approval of Minutes: The minutes for the Regular Session held on December 20, 2010 were reviewed by the Trustees.

MOTION by Trustee Quintana; Second by Trustee Serna

Trustee Quintana moved to approve the Regular Session minutes for December 20, 2010 as presented.

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

VOTE: 4 – Aye; 0 – No; 1 – Abstain

Review/Approval of Bills: The January 2011 List of Bills were reviewed by Trustees.

MOTION by Trustee Serna; Second by Trustee Quintana

Trustee Serna moved to approve January List the Bills as presented.

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

VOTE: 5 – Aye; 0 – No; 0 – Abstain

Let the minutes reflect the Vote was unanimous.

Participation of Citizens:

Gene Busch – Placement of Trailer at 735 San Juan Avenue: Gene Busch is the owner of the west half of Lot 3 and all of Lot 4. There is currently a home on Lot 4. He has purchased a trailer and wishes to place it on the west half of Lot 3. He would need to purchase water and sewer taps for the new trailer. Mayor Jones reviewed Ordinance 2008-8 and 2008-9 with Busch. Questions from the Trustees were about alternative placement of the trailer at his Denver lots and plans for his double wide vacant trailer that he has at the Denver lot. Concern was expressed about another vacant trailer being in Town. Another concern was whether or not the neighbors to the east of his San Juan Avenue property were aware of the trailer placement plans.

Mr. Busch shared that the double wide trailer at Denver requires quite a bit of work. His plan is to place the trailer on San Juan Avenue property to increase revenue for future upgrading of his other trailers. He knows about the permanent structure needed under the trailer and the requirement of separate taps for this structure. He also knows about orientation of the door via steps or deck towards San Juan Avenue. He plans to also place a fence between his two structures for privacy and to delineate tenant space.

MOTION by Trustee Serna; Second by Trustee Miles

Trustee Serna moved that Eugene Busch may place his trailer at 735 San Juan Avenue with the foundation structure and separated taps as discussed.

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

VOTE: 3 – Aye; 1 – No; 1 – Abstain

Colorado Rural Water Association – Colleen Williams – Source Water Protection Plan – presentation: Ms. Williams gave a presentation on Well Head Protection and Source Water protection. Ms. Williams oversees this CRWA protection program and is available at no charge to communities for water source protection. There is a 50-50 match with the Town’s match being in-kind services via meeting and hands-on activities. Once the in-kind value of \$5,000 is met by the Town, then the State releases \$5,000 which can be used for signage, mapping, security fencing, etc. Ms. Williams can assist with the health department grant process on-line. Towns are looking at a June 2012 deadline to complete a water protection program. The next step for the Town government is to provide Ms. Williams with a letter of release of Town information from the state and for her to meet with the Town’s Public Works. She has a meeting on 1/19/2011 with Public Works.

Trustees also requested that Ms. Williams be available to meet in a workshop so that more details could be discussed regarding this program. The potential date of Monday, February 28, 2011 was given to her. Ms. Williams will confirm whether that date is clear on her calendar.

MOTION by Trustee Miles; Second by Trustee Vasha

Trustee Miles moved that the Town of Saguache proceed with the Colorado Rural Water Association’s and to create a Source Water Assessment Protection plan.

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

VOTE: 5 – Aye; 0 – No; 0 – Abstain *Let the minutes reflect the Vote was unanimous.*

Note: These following items, #8 and #9, were discussed at this time rather than wait for the Legal Council section. The Trustees wished to hear these citizens.

Review/Discuss/Approve Land Lease Agreement – John Baxter: Mr. Baxter was present and spoke with the Trustees. The 2010 balance was paid in full. The current 2011 land lease amount is \$1,000. Mr. Baxter discussed with Trustees about a reduction in the lease rate.

MOTION by Trustee Quintana; Second by Trustee Serna

Trustee Quintana moved to approve the annual lease with a reduction of the 2011 Baxter land lease to \$500.

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

VOTE: 5 – Aye; 0 – No; 0 – Abstain

Let the minutes reflect the Vote was unanimous.

Review/Discuss/Approve Land Lease Agreement – John Sladek: Mr. Sladek was present and spoke with the Trustees. Mr. Sladek wishes to continue with the land lease and apologized if he had offended any board members. Future plans are for a Tree farm to be cultivated on the leased land in containers and eventually in the ground. Trees would then be dug up when sold. Trustees reminded Mr. Sladek that medical marijuana cannot be cultivated on Town land or within the Town of Saguache. His 2011 lease will be amended to include that statement. Discussion with the Trustees regarding reduction in land lease rate for 2011 did not change his rate. Mr. Sladek asked for a 5 year lease. Trustees pointed out that the lease is renewed annually and that annual review should be sufficient for his needs. Mr. Sladek requested that more than a 5 minute notice be given prior to a site visit for official Town business. His request is noted.

MOTION by Trustee Quintana; Second by Trustee Vasha

Trustee Quintana moved to approve the 2011 amended land lease with John Sladek.

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

VOTE: 5 – Aye; 0 – No; 0 – Abstain

Let the minutes reflect the Vote was unanimous.

Request/Discuss Water and Sewer Request by Ernie Martinez for proposed division of 940 Gunnison: Mayor Jones asked that this portion of the Maintenance Report be discussed at this time. The Martinez family plans to divide the property with another family member. Ernie Martinez asked for Town services to the proposed property. There needs to be further discussion about cost to provide these services and concern about potential future septic contamination. There are other homes north of the Hwy which have septic [8th Street]. They have septic now due to the boring cost factors to the Town at the time when these homes were to be connected to the Town sewer line. This historic information was per Public Works.

By consensus, The Trustees decided to table this item until the February 2011 board meeting to allow Public Works time to obtain costs for septic versus boring under Hwy 285 for sewer services to this proposed property.

Saguache Recreation Board Update:

The Saguache Recreation Board Secretary, Caroline W. Irwin was present to answer questions or concerns from the Trustees. There were 3 requests asked by Saguache Recreation Board. One of Saguache Recreation Board 's requests regarding a building's PA system may be met via a website titled Musicians' Friends. To purchase of round tables for the Community Building, and also painting of the Community Building in preparation for the September Philanthropy and Festivals. Perhaps a painting-BBQ event could be planned.

All three requests will be tabled till February's meeting.

Mayor Jones shared that UTE Theatre owner, Ms. Chris Gydesen, had spoken to him many times about the monthly Third Friday Family Film event. She wanted to know if there was a way to show the movies at her theatre for an adjusted lease price. Her concern was that this event competed unfairly with her enterprise. Mayor Jones asked that Saguache Recreation Board address a letter to her explaining the licensing terms which keeps the movie event at the school cafeteria and attendee demographics. A brief explanation of the licensing terms was shared with the Trustees. It was further suggested that the letter contain all movie partner signatures. Irwin will write the letter and obtain the signatures.

Sheriff's Report:

The Sheriff reviewed his written report with the Trustees. His department is down one deputy and in the process of hiring another. There was a brief discussion about the structure fire in Town caused by underground wiring to a wooden shed, which is still being looked into. The report was reviewed. The closed Saguache Hotel was patrolled due to possible trespassing.

Legal Council Report:

Review/Discuss/Approve Resolution 2011-A Designation of Official Status for the Calendar Year 2011 for the Town of Saguache: The Resolution was reviewed with the Trustees.

MOTION by Trustee Serna; Second by Trustee Miles

Trustee Serna moved to approve Resolution 2011-A Designation of Official Status for the Calendar Year 2011 for the Town of Saguache as presented.

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

VOTE: 5 – Aye; 0 – No; 0 – Abstain *Let the minutes reflect the Vote was unanimous.*

Review/Discuss/Approve Independent Contract Agreement Renewal- Fred Hand- Southern Colorado Water Operations: Trustees reviewed the contract.

MOTION by Trustee Vasha; Second by Trustee Serna

Trustee Vasha moved to approve the contract with Fred Hand – Southern Colorado Water Operations as presented.

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

VOTE: 5 – Aye; 0 – No; 0 – Abstain *Let the minutes reflect the Vote was unanimous.*

Review/Discuss/Approve Intergovernmental Agreement Renewal- Mountain Valley School Community Garden: Trustees reviewed the contract.

MOTION by Trustee Serna; Second by Trustee Quintana

Trustee Serna moved to approve the Intergovernmental Agreement Renewal with Mountain Valley School Community Garden as presented.

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

VOTE: 5 – Aye; 0 – No; 0 – Abstain *Let the minutes reflect the Vote was unanimous.*

Review/Discuss/Approve Independent Contract Agreement Renewal– SPUR Engineering: Trustees reviewed the contract.

MOTION by Trustee Miles; Second by Trustee Vasha

Trustee Miles moved to approve the SPUR Engineering contract agreement as presented.

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

VOTE: 5 – Aye; 0 – No; 0 – Abstain *Let the minutes reflect the Vote was unanimous.*

Review/Discuss/Approve Independent Contract Agreement Renewal – Clear Water Solutions: Trustees reviewed the contract.

MOTION by Trustee Serna; Second by Trustee Quintana

Trustee Serna moved to approve renewal of the Clear Water Solutions contract agreement.

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

VOTE: 5 – Aye; 0 – No; 0 – Abstain *Let the minutes reflect the Vote was unanimous.*

Review/Discuss Warranty Deed for Library: An email from Attorney Farish to the Town Clerk outlining process of the current library land being awarded to the newly established Northern Saguache County Library District was discussed. The original deed was from the Town to the County for use of the property at 7th & Pitkin Avenue as a library. To award the property to the new district, the county would need to transfer the land back to the Town and then the Town would deed the land to the library district. Farish Law Offices will assist with the deed paperwork for the Town. Clerk Garcia will contact co-administrator, Wendi Maez, about due process.

MOTION by Trustee Quintana; Second by Trustee Vasha

Trustee Quintana moved to request Saguache County transfer the property back to the Town and the Town then will quit claim the property to the new library district.

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

VOTE: 5 – Aye; 0 – No; 0 – Abstain

Let the minutes reflect the Vote was unanimous.

General Discussion: Due to the proposed February meeting date of the 22nd being so close to the end of the month, for bill-paying purposes, an alternative date was considered. **By consensus**, the Trustees agreed to meet Tuesday, February 15, 2011.

Clerk's Report:

Payment of McLaughlin Invoice: The request from McLaughlin for payment from the Town for a delayed bill of \$320.00 to Colorado State University (Colorado Natural Heritage Program) involving the USDA engineering report they prepared in 2010 was presented to the Trustees.

MOTION by Trustee Vasha; Second by Trustee Quintana

Trustee Vasha moved to pay the bill submitted by McLaughlin Engineering for data for the environmental assessment.

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

VOTE: 5 – Aye; 0 – No; 0 – Abstain

Let the minutes reflect the Vote was unanimous.

SLV HMO decision: At this time the Town has only one employee on the insurance policy. The question posed was did they wish keep the same plan that the Town had in 2010 with SLV HMO? **By consensus**, the Trustees wish to keep the same plan with SLV HMO. Trustee Vasha will share, at a later date, her insurance coverage contacts as she works on coverage for Northern Saguache County Library District staff.

Courtesy Notice to Mayor Jones of Town staff absence from duty: Mayor Jones asked for discussion on this item. This is a courtesy to inform him of who is on duty so that when citizens or organizations are directed to staff he is aware of who is at work. After discussion on clarity of when and how notice is given, **by consensus** Trustees felt this was a process to implement. Town staff supervisors for Administration and Public Works will comply. For weekend coverage, the first contact would be the Mayor then the Mayor contacts the appropriate staff needed.

Written Report was reviewed with Trustees. There were no changes or questions on the various reports shared.

Maintenance Report: The report was reviewed with Trustees.

Reservoir review: Laura Lee Conley-Coleman has expressed a desire for some wood pieces. **By consensus**, Trustees were okay with her having the wood. She would coordinate with staff. There is still a lot of trash, timber, and a trailer at the Vista Grande site. General discussion was that the trailer had no value, timber could be placed into restricted access areas so that citizens may take it for firewood, perhaps the scrap iron could be sold to the highest bidder, or the shed

could be dismantled or shored up for storage use of tractor equipment. Nothing firm was decided on what to do with what was left on the land.

Four Tables on loan to Friends of the Library: Dan Pacheco suggested that the four tables on loan for the “Twice Told Tales” book sales be donated to the library organization, Friends of the Library. They are the old, heavy, brown tables.

MOTION by Trustee Miles; Second by Trustee Vasha

Trustee Miles moved to donate the four tables already in possession of the Friends of the Library to their organization.

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

VOTE: 5 – Aye; 0 – No; 0 – Abstain

Let the minutes reflect the Vote was unanimous.

Replacement of Hotsy Equipment: The hotsy is broken. It needs to be replaced. Dan Pacheco shared the cost factors for lease vs. purchase. The cost is \$3800 for the new equipment. Interest rates and terms for leasing were also shared.

MOTION by Trustee Miles; Second by Trustee Serna

Trustee Miles moved to purchase a new Hotsy.

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

VOTE: 5 – Aye; 0 – No; 0 – Abstain

Let the minutes reflect the Vote was unanimous.

Written Report: The informational items were reviewed with Trustees. There were no further questions or concerns from them.

Old /Unfinished Business: There was none.

New Business: There was none.

Executive Session: There was none needed.

Adjourn: There being no further business; the meeting was adjourned at 9:05 p.m.

TOWN OF SAGUACHE BOARD OF TRSUTEES
SAGUACHE, COLORADO

Milton Jones, Mayor

ATTEST:

Therese Garcia. Town Clerk