

**TOWN OF SAGUACHE**  
**Board of Trustees**  
**Regular Session**  
**January 17, 2012**

The Town of Saguache Board of Trustees met for a Regular Session on January 17, 2012, with Trustees being present as follows:

Mayor Milton Jones	Present
Mayor Pro-Tem Dario Archuleta	Present
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
Johann McKee, Deputy Clerk	Absent
Dan Pacheco, Public Works	Present

Town of Saguache Attorney present as follows:

Eugene Farish, Attorney	Present
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Citizens in Attendance: Jeannie Norris, Director of Saguache County Social Services; Chuck Tidd, Solar Garden; Joy Hughes, Solar Garden; Floyd Jaramillo; Adam Green, Solar Reserve; Lindy McDaniel; Marge Hoglin; Kim Smoyer, ScSEED; John Baxter; and Greg Terrell.

**Call to Order:** Mayor Jones called the meeting to order at 7:03 p.m.

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

**Additions and Deletions to the Agenda:**

Add Under Participation of Citizens - Jeannie Norris in regard to water and sewer payment.

Add under Clerk's Report - Benefit dinner

**Review/Approval of Minutes:**

The minutes from the Regular Session held on December 19, 2011 were reviewed by the Trustees. There were no additions or corrections.

**MOTION** by Mayor Pro-Tem Archuleta; Second by Trustee Horn

Mayor Pro-Tem Archuleta moved to approve the minutes for the Regular Session held on December 19, 2011 as presented.

Vote as follows: Trustee Quintana – aye; Trustee Serna – aye; Trustee Miles – aye; Trustee Horn – aye; Trustee Vasha – aye; Mayor Pro-Tem Archuleta – aye; Mayor Jones – aye

VOTE: 7 – Aye; 0 – No; 0 – Abstain      *Let the Minutes reflect that the Vote was unanimous.*

**Review/Approval of Bills:**

Mayor Pro-Tem Archuleta asked about Voucher # 12-125 for Rick Barandes. He had understood that the Town was not going to pay building repairs on Main Street. Mayor Jones explained that the Town agreed to pay for repairs for Mr. Barandes, for the Masons, and for Sue Renner's

building. Clerk Garcia added that the owners have or will sign agreements that acknowledge receiving the payment and that they will not come back for additional reimbursement.

**MOTION** by Trustee Serna; Second by Mayor Pro-Tem Archuleta

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

Vote as follows: Trustee Quintana – aye; Trustee Serna – aye; Trustee Miles – aye; Trustee Horn – aye; Trustee Vasha – aye; Mayor Pro-Tem Archuleta – aye; Mayor Jones – aye

VOTE: 7 – Aye; 0 – No; 0 – Abstain *Let the Minutes reflect that the Vote was unanimous.*

**Participation of Citizens:**

**Chuck Tidd – Solar Garden Update:** Chuck Tidd and Joy Hughes were present. Mr. Tidd summarized the information on his handouts. There were questions and discussion. The Board requested that Mr. Tidd and Ms. Hughes clarify how the Town of Saguache can legally enter into any commitment for the solar garden without violating the TABOR law. They also asked that Mr. Tidd and Ms. Hughes prepare sample contracts for various options that could be checked by Attorney Farish.

**Adam Green – Solar Reserve:** Mr. Green is the Project Manager for the proposed Saguache Solar Energy Project by Solar Reserve. The project will be located in Saguache County, on 4,000 acres outside of Center, CO, and will be utility-scale. Mr. Green described the project. He asked the Board for a letter of support, which would need to be submitted by January 26.

**MOTION** by Trustee Vasha; Second by Trustee Horn

Trustee Vasha moved that the Town Board not send a letter of support for the Solar Reserve project.

VOTE: 2 – Aye; 5 – No; 0 – Abstain *Motion not approved.*

**MOTION** by Mayor Pro-Tem Archuleta; Second by Trustee Serna

Mayor Pro-Tem Archuleta moved that the Town Board send a letter of support for the Solar Reserve Project.

VOTE: 5 – Aye; 2 – No; 0 – Abstain *Motion approved.*

**Floyd Jaramillo – Discuss sewer lines:** Mr. Jaramillo stated that he had come to represent the Catholic Church, and also wished to discuss a personal issue. He began by describing problems between the Church and the neighboring residence. The two sewer lines were connected. The two parties cooperated in separating the sewer lines. Mr. Jaramillo expressed displeasure that the Town of Saguache connected the Widhalm’s sewer line even though the two parties have not yet reached an agreement for necessary access. Since the Widhalm’s sewer line is on Church property, he stated that he would block it off. Mayor Jones informed him that the differences between the neighbors have nothing to do with the Town, and the Town Board cannot solve their problems for them. Mr. Pacheco informed the board that the Church’s water line runs under neighboring property, so if the Church needs to do maintenance on their water line they’d need permission from the property owner. Mr. Pacheco also pointed out that the Town could not refuse to put in the sewer tap for the Widhalm residence once it was paid for.

On the subject of his own sewer, Mr. Jaramillo said he’d fixed his end of it. He brought a section of sewer pipe that was found at the end of his sewer line. Mr. Jaramillo said he’d paid several times a year for years to have the sewer line augured. Mayor Jones said that the pipe was originally in the ditch, and the hole was put in it to act as a clean-out. The inner plastic pipe was put in to cover the hole. He emphasized that this was not done by Town staff. Mr. Pacheco said that they’ve repaired the line twice. There is another section that could be replaced, but Mr. Pacheco suggested that they not try to do so until the ground thaws. Mayor Jones said that the Town would run the camera through the sewer line to check for problems, and if there are no problems, no repairs will be done, but if it is found out there is a problem on the Town line then the Town will repair any final problems in the spring.

Lindy McDaniel – Cultural & Arts District: Ms. Hoglin joined in the discussion as a co-founder. Ms. McDaniel explained that a group in Saguache is hoping to start a creative district through the Colorado Creative Industries, under the Office of Economic Development. They could get between \$2000 and \$15,000 dollars. There is an application due next week for the grants, and she needs a resolution from the Town. Attorney Farish asked for an explanation of the term “district”. Ms. McDaniel said it is a designated area of creative industry. It is to help with economic development and to get assistance and an outlet for local artists. It is not a taxing district in any way. The term comes from the State. The district would encompass all of Fourth Street and the Fenton Gallery and Smith Market Gallery. Ms. McDaniel and Ms. Hoglin are creating a non-profit called Saguache Works to apply for grant money, focusing on jobs for women in fiber arts. They have also created an LLC called Blue Earth Business Opportunities. There was discussion of the wording of the resolution, to clarify that “district” does not indicate any form of taxation district.

**MOTION** by Trustee Vasha; Second by Trustee Serna

Trustee Vasha moved that the Board approve Resolution 2012-C with the additional language as described to the Board.

Vote as follows: Trustee Quintana – aye; Trustee Serna – aye; Trustee Miles – aye; Trustee Horn – aye; Trustee Vasha – aye; Mayor Pro-Tem Archuleta – aye; Mayor Jones – aye

VOTE: 7 – Aye; 0 – No; 0 – Abstain      *Let the Minutes reflect that the Vote was unanimous.*

Jeannie Norris—Director of Social Services: Ms. Norris came to explain why the Social Services Department is late with its water/sewer bill. The department is changing from being a part of the County accounting system to a system of its own. They expected to keep a County checking account, but the Administration recommended that they get a separate checking account. Because of complexities in opening the new account, they will not pay January costs until next week at the earliest. The Board thanked her for explaining the situation to them.

### **Downtown Revitalization Project:**

Kim Smoyer was present to discuss the Downtown Revitalization Project.

Next purchases: Ms. Smoyer explained that the contractor has signed the final form and will receive his final check soon, and so that amount is finalized and there is money left in the grant. One item she would like to buy is the banners for the flagpoles (the Town already owns the hardware); the original quote was for \$6,192 for four sets of sixteen seasonal banners. Ms. Smoyer also wants to move forward with the welcome signs for the two ends of Fourth Street, which must follow a process that will take time to complete. The signs will be about \$8,000, and must be placed on Fourth Street. The kiosk for the park could also be purchased with the CDBG grant funds. Items to re-visit are landscaping around storm drains, additional sidewalk on three blocks, additional metal benches, trash cans and bike racks. Mayor Jones reported that citizens north of the Post Office would rather not have a sidewalk. He would like to have the sidewalk on east side of courthouse replaced, which would cost \$5,000 to \$6,000. Clerk Garcia mentioned that the job would need to be put out to bid. Trustee Vasha asked about Ms. Nielsen’s concerns about having a larger drop-off to her parking lot. Mayor Jones reported that the Town put additional material in the right-of-way next to the street to make the slope more gradual, and will put more material. Ms. Smoyer reported that the banners, the signs, the kiosk, the trash cans and bike racks, will total about \$29,000. The total left in the grant is about \$56,000. So even with these purchases there will be at least \$20,000 available. There was discussion of the need to produce materials for the kiosk. Mayor Jones suggested that the Town get a bid packet together for replacing the sidewalks so that work can start in the spring. Ms. Smoyer mentioned that a bid cannot close more than thirty days before the work is scheduled to start. Mayor Jones suggested that starting with bid specs would be fine.

Pocket park update: ScSEED is under contract to purchase. Since the Town got a GOCO grant to purchase the park, and since the Town will end up owning the park, it will simplify the purchase to transfer the contract from ScSEED to the Town. ScSEED will get \$48,000 for development, and will oversee that process and pay for those expenses. A VISTA volunteer with the BLM has a degree in urban planning, and he is working with Ms. Smoyer, Trustee Vasha and Clerk Garcia to develop a plan for the park. Mr. Pacheco mentioned that there are two water lines that run through the lot of the park that might raise questions of easements. Mayor Jones pointed out that the park will need water to the bathrooms, so perhaps the Town could just re-route the lines around the park while laying the water lines for the park. Ms. Smoyer suggested that Mr. Pacheco attend the next park planning meeting to give them information on the location of water lines and sewer lines and other items of concern. There was discussion of the fact that several people habitually park on the lot, and that the Town should post it for No Parking and block the access. Ms. Vasha will double-check with the Realtor who represents the current owner.

**MOTION** by Trustee Horn; Second by Trustee Serna

Trustee Horn moved that the Town accept the transfer of the contract to buy the land for the Pocket Park.

Vote as follows: Trustee Quintana – aye; Trustee Serna – aye; Trustee Miles – aye; Trustee Horn – aye; Trustee Vasha – aye; Mayor Pro-Tem Archuleta – aye; Mayor Jones – aye

VOTE: 7 – Aye; 0 – No; 0 – Abstain *Let the Minutes reflect that the Vote was unanimous.*

**Historic Commission Update:** Trustee Vasha presented the update.

Review/Discuss/Approve Resolution 2012-B: A Resolution as a Reviewing Entity for the State Income Tax Credit Program for Qualifying Rehabilitation Projects under Colorado House Bill 90-1033 (C.R.S. §39-22-514, as Amended). This resolution is a requirement since Saguache is a Certified Local Government. She explained that the Preservation Fund refers to funds generated when privately-owned buildings request historic designation. The funds can be used to pay for activities of the Historic Preservation Commission. It does not refer to a financial obligation on the part of the Town.

**MOTION** by Mayor Pro-Tem Archuleta; Second by Trustee Horn

Mayor Pro-Tem Archuleta moved to approve Resolution 2012-B – A Resolution as a Reviewing Entity for the State Income Tax Credit Program for Qualifying Rehabilitation Projects under Colorado House Bill 90-1033 (C.R.S. §39-22-514, as Amended)

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

VOTE: 5 – Aye; 0 – No; 2 – Abstain *Motion approved.*

Review/Discuss/Approve Letter of Interest to sit on Historic Commission:

Marge Hoglin wrote asking to be appointed to the Historic Preservation Commission. Trustee Vasha reported that the Commissioners are happy with the prospect of having Ms. Hoglin on the Commission. She also mentioned that former member Jane Martin did not write a letter asking to be re-appointed.

**MOTION** by Trustee Miles; Second by Trustee Horn

Trustee Miles moved to accept Ms. Hoglin as a member of the Historic Preservation Commission.

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

VOTE: 5 – Aye; 0 – No; 2 – Abstain *Motion approved.*

**Sheriff's Report:**

Sheriff Mike Norris was not present. The Trustees received copies of his report and had no questions.

**Legal Council Report:**

**Review/Discuss/Approve Resolution 2012-A Designation of Official Status for the Calendar Year 2012 for the Town of Saguache:** The items included in this resolution include posting places for meetings; Saguache Crescent and Valley Courier as official legal newspapers; Town Board meetings will be held at Town Hall the third Monday of the month at 7:00 p.m. unless it's a holiday, when the meeting will be the following day; First Southwest Bank, Sunflower Bank and Colorado Trust designated as depositories; Lindy McDaniel appointed as municipal judge; Blair and Associates appointed as municipal auditors; Therese Garcia appointed Town Clerk; and Farish Law appointed Town Attorney. Clerk Garcia mentioned that Attorney Farish suggested adding where at the Town Hall meeting postings will occur, which can be added.

**MOTION** by Trustee Horn; Second by Trustee Miles

Trustee Horn moved to approve Resolution 2012-A, Designation of Official Status for the Calendar Year 2012 for the Town of Saguache.

Vote as follows: Trustee Quintana – aye; Trustee Serna – aye; Trustee Miles – aye; Trustee Horn – aye; Trustee Vasha – aye; Mayor Pro-Tem Archuleta – aye; Mayor Jones – aye

VOTE: 7 – Aye; 0 – No; 0 – Abstain *Let the Minutes reflect that the Vote was unanimous.*

**Review/Discuss/Approve Land Lease Agreement - John Baxter:** Mr. Baxter asked the Board to continue the reduced rate on his Land Lease Agreement.

**MOTION** by Trustee Horn; Second by Trustee Miles

Trustee Horn moved that the Town renew the Land Lease Agreement for John Baxter at the reduced rate of \$500.00 for 2012.

Vote as follows: Trustee Quintana – aye; Trustee Serna – aye; Trustee Miles – aye; Trustee Horn – aye; Trustee Vasha – aye; Mayor Pro-Tem Archuleta – aye; Mayor Jones – aye

VOTE: 7 – Aye; 0 – No; 0 – Abstain *Let the Minutes reflect that the Vote was unanimous.*

**Review/Discuss/Approve Independent Contract Agreement Renewal – Fred Hand – Southern Colorado Water Operations:**

**MOTION** by Trustee Horn; Second by Trustee Vasha

Trustee Horn moved to approve the contract renewal with Fred Hand of Southern Colorado Water Operations for 2012.

Vote as follows: Trustee Quintana – aye; Trustee Serna – aye; Trustee Miles – aye; Trustee Horn – aye; Trustee Vasha – aye; Mayor Pro-Tem Archuleta – aye; Mayor Jones – aye

VOTE: 7 – Aye; 0 – No; 0 – Abstain *Let the Minutes reflect that the Vote was unanimous.*

**Review/Discuss/Approve Intergovernmental Agreement Renewal – Mountain Valley School Community Garden:**

**MOTION** by Trustee Miles; Second by Trustee Horn

Trustee Serna moved to approve the Intergovernmental Agreement with Mountain Valley School for the Community Garden.

Vote as follows: Trustee Quintana – aye; Trustee Serna – aye; Trustee Miles – aye; Trustee Horn – aye; Trustee Vasha – aye; Mayor Pro-Tem Archuleta – aye; Mayor Jones – aye

VOTE: 7 – Aye; 0 – No; 0 – Abstain *Let the Minutes reflect that the Vote was unanimous.*

**Review/Discuss/Approve Independent Contract Renewal for 2012 – Clear Water Solutions:**

**MOTION** by Trustee Horn; Second by Mayor Pro-Tem Archuleta

Trustee Horn moved to approve the contract renewal with Clear Water Solutions for 2012.

Vote as follows: Trustee Quintana – aye; Trustee Serna – aye; Trustee Miles – aye; Trustee Horn – aye; Trustee Vasha – aye; Mayor Pro-Tem Archuleta – aye; Mayor Jones – aye

VOTE: 7 – Aye; 0 – No; 0 – Abstain *Let the Minutes reflect that the Vote was unanimous.*

Review/Discuss/Approve Independent Contact Renewal for 2012 – Sisneros Tree Service:

**MOTION** by Trustee Serna; Second by Trustee Horn

Trustee Serna moved to approve the contract renewal for Sisneros Tree Service for 2012.

Vote as follows: Trustee Quintana – aye; Trustee Serna – aye; Trustee Miles – aye; Trustee Horn – aye; Trustee Vasha – aye; Mayor Pro-Tem Archuleta – aye; Mayor Jones – aye

VOTE: 7 – Aye; 0 – No; 0 – Abstain *Let the Minutes reflect that the Vote was unanimous.*

The Board thanked Mr. Farish for his assistance, and the attorney left at this time.

**Clerk's Report:**

Written Report:

Three-Mile Plan: Clerk Garcia asked the board if there are no changes.

**MOTION** by Trustee Horn; Second by Trustee Vasha

Trustee Horn moved to approve the Three-Mile Plan as is with no changes.

Vote as follows: Trustee Quintana – aye; Trustee Serna – aye; Trustee Miles – aye; Trustee Horn – aye; Trustee Vasha – aye; Mayor Pro-Tem Archuleta – aye; Mayor Jones – aye

VOTE: 7 – Aye; 0 – No; 0 – Abstain *Let the Minutes reflect that the Vote was unanimous.*

Workshop dates: Clerk Garcia reminded the Board that they had discussed having two workshops in January. There was discussion on evaluation of staff. They agreed to hold a workshop on February 6<sup>th</sup> at 6:30 to discuss evaluations. They agreed to bring examples to the meeting. Trustee Quintana won't be at the meeting, and the Board asked her to give them input ahead of time as to what she thinks should be included. The workshop to discuss w/s rate for businesses will be done in May.

Plaque for Kim Smoyer: Clerk Garcia asked what date should be on the plaque for Kim Smoyer, and when the Board wishes to present it to her. The Board made a couple of changes to the wording, and agreed to present the plaque to her at the February board meeting.

General Information: Mayor Jones expressed concern that the Clerk was able to raise the limit of a Town credit card with a telephone call, and on one occasion make a large charge on the card. He suggested that the Town have two people required to change the limit as a safeguard for the Town. Clerk Garcia said that they can designate two people with the credit card company.

Mayor Jones reported that the Christmas tree broke in a high wind. It was clear that the trunk had been weakened when the branches were welded on. Clerk Garcia contacted the company, which said the tree was under warranty. Either the tree can be returned to the company, or it can be fixed locally and the company will pay for repairs.

Trustee Serna asked if any customers face water shut-off. Clerk Garcia reported that one customer does. He paid most of the outstanding balance, but needed to pay \$8.00 more. The Board decided that the customer would not be shut off if the balance due is paid by 10:00 am in the morning.

Benefit dinner: Mayor Jones explained that Audrey Mondragon's house burned down on Christmas Eve. He and others are putting together a benefit dinner and dance. Church of the Valley will sponsor the benefit, and he asks the Town as an individual to waive the fees for use of the Community Building since it is a benefit. Trustee Serna mentioned that she is in charge of the dinner and as an individual also asks the Town to waive the fees.

**MOTION** by Trustee Miles; Second by Mayor Pro-Tem Archuleta

Trustee Miles moved that the Town waive all fees for the use of the Community Building for the benefit for Audrey Mondragon.

Vote as follows:

Trustee Quintana – aye; Trustee Miles – aye; Trustee Horn – aye; Trustee Vasha – aye; Mayor Pro-Tem Archuleta – aye; Trustee Serna – abstain; Mayor Jones – abstain

VOTE: 5 – Aye; 0 – No; 2 – Abstain *Motion approved.*

Mayor Jones and Mayor Pro-Tem Archuleta volunteered to help clean the lot with the town backhoe and dump truck, taking time from work to do so if needed. There was also additional discussion of ways to help Ms. Mondragon.

**Maintenance Report:**

**Written Report:** Mr. Pacheco reminded the Board that when they did the distribution plan and monitoring plan, they agreed to do a preliminary engineering report on the water system. Mark Thompson is working a full-time job, and won't be able to do it as he'd originally agreed. Either the Town could put it out to bid, or Mr. Pacheco could solicit bids from some engineers. It will probably cost over \$1,000, so the Board decided that in fairness it should be put out for bid. The Town can notify engineers they are interested in about the bid process. Mr. Pacheco and Fred Hand will come up with specs for the bid.

**General Information:** Mayor Pro-Tem Archuleta thanked Mr. Pacheco for doing the controlled burn at Vista Grande, and said there is more to burn. Mr. Pacheco reported that two people are coming for wood on Friday, and after that the rest will be scrap to burn. A man who works for Center Tire Store will pick up the tires.

Mayor Jones asked about the building at the lagoon. He will develop specs and bring them to the Board in February, and then can get firm bids on it.

Trustee Quintana asked about the ice on the handicap ramp. The water comes from the gutter when it ices up. Mayor Jones reported that part of the original description of the project included leaving gaps between the boards so that moisture could drain through, which wasn't done. Mayor Pro-Tem Archuleta suggested posting a warning sign about the ice. Mayor Jones suggested rubber mats that would be brought into the shop every night. There was additional discussion of methods to deal with the ice, and replacement of the door knob.

Mr. Pacheco apologized to the Board Members to whom Mr. Jaramillo spoke. He explained that he only asked Mr. Jaramillo to leave while they were installing the Widhalm tap because Mr. Jaramillo started swearing at him. Mayor Jones mentioned that he has been treated the same way by Mr. Jaramillo.

**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 9:14 p.m.

TOWN OF SAGUACHE BOARD OF TRUSTEES  
SAGUACHE, COLORADO

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Milton Jones, Mayor

ATTEST:

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Therese Garcia, Town Clerk