

TOWN OF SAGUACHE
Board of Trustees
Regular Session
June 18, 2012

The Town of Saguache Board of Trustees met for a Regular Session on June 18, 2012, with Trustees being present as follows:

Mayor Milton Jones	Present
Mayor Pro-Tem Dario Archuleta	Absent (excused)
Lyn Miles, Trustee	Absent (excused)
Carla Quintana, Trustee	Present
Tina Serna, Trustee	Present
Greg Terrell, 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 8:40 p.m.
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Citizens in Attendance: Jesus Ortiz; Lindy McDaniel, Marge Hoglin, and Shari Bunnell, Blue Earth Business Opportunities (BEBOP); Kelsey Hauck, owner of Hauck/Pedersen Fine Art; Lorraine Lopez, Kathy Geddes, Planning Commission Chair; Sergeant Tristan VanZalinge, Don Geddes; Byron Williams; and Alexandra Harrison.

Call to Order: Mayor Jones called the meeting to order at 7:00 p.m.

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

Additions/deletions to agenda:

Add Under Maintenance Report: Bid for PER for the water system
Add Under Legal Council Report: Job descriptions for clerk and public works
Add Under Participation of Citizens: Two requests for waivers on water restrictions, from Randal and Kristi Arredondo and the Sheriff Department
Add Under Clerk's Report: Damage to street lamp on 4th Street
Add Under New Business: Trustee Vasha added discussion of Town permits

Review/Approval of Minutes: The minutes for the Regular Session held on May 21, 2012 were reviewed by the Trustees. There were no changes to the minutes.

MOTION by Trustee Quintana; Second by Trustee Terrell
Trustee Quintana moved to approve the minutes for the Regular Session held on May 21, 2012 as presented.

Vote as follows: Trustee Quintana – aye; Trustee Serna –aye; Trustee Terrell – aye;
Trustee Vasha – aye; Mayor Jones – aye
VOTE: 5 – Aye; 0 – No; 0 – Abstain *Let the minutes reflect the Vote was unanimous.*

Review/Approval of Bills: Trustee Quintana asked about Voucher #12-271. Maintenance Director Pacheco said that it was for the Community Building. Clerk/Treasurer Garcia added Voucher # 12-296 paid to Wagner Equipment, Co. for repairs to the turbo-charger for the backhoe, which is \$1979.05 for parts and labor, which will come from the water/sewer fund. Mayor Jones asked about Voucher # 12-275, for SLV Quality Concrete—will they be paid at this point? Clerk/Treasurer Garcia said that the check will be held until July 16, 2012.

MOTION by Trustee Serna; Second by Trustee Vasha

Trustee Serna moved to approve payment of the June List of Bills.

Vote as follows: Trustee Quintana – aye; Trustee Serna –aye; Trustee Terrell – 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:

Jesus Ortiz—Liquor License Renewal—Oasis Restaurant: Clerk Garcia reported that the paperwork for the application is in order.

MOTION by Trustee Terrell; Second by Trustee Quintana

Trustee Terrell moved to approve renewal of the liquor license for the Oasis Restaurant.

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

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

Lorraine Lopez—Family Reunion: Letter—Requests for Street Closure and Park Permit Approval: The Board had questions about the reunion to be held on July 28th. Ms. Lopez told them that the reunion will run from 9:00 am to late at night, after the evening dance and clean-up. She agreed that visitors could stop in the park without disrupting the reunion.

MOTION by Trustee Serna; Second by Trustee Quintana

Trustee Serna moved to approve the park use permit for the Garcia reunion.

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

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

There was discussion of the request for street closure. Ms. Lopez explained that they fear the building will not be large enough to hold everyone during the dance. They will speak with neighbors prior to the event, and will provide porta-potties. Ms. Lopez agreed to allow reunion and local housing traffic on the road. Emergency vehicles will also have access. Clerk Garcia offered her cell phone number for emergency contact during the reunion.

MOTION by Trustee Quintana; Second by Trustee Serna

Trustee Quintana moved to approve the street closure to through traffic for the dance on July 28th for the Garcia Reunion.

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

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

BEBOP—Decision from Board on Visitor Center: Lindy McDaniel and Marge Hoglin presented estimated expenses for creating the Visitor’s Center, and explained that once their non-profit (Saguache Works) receives its 501-C (3) designation, the title to the building will be transferred to Saguache Works, and they will not benefit financially from it. The Board asked about the expenses. Ms. McDaniel and Ms. Hoglin agreed that some items may be acquired at a lower cost, but emphasized that they want the Visitor Center to be attractive. They expect that the Visitor Center will be self-sufficient (through grants) within three years, so they don’t expect it to need support from the Town indefinitely. The Board expressed the wish to support the endeavor, but explained that they hadn’t budgeted very much for donations this year. However, they will consider donations to the Visitor Center when creating the 2013 budget. There was discussion of the benefits of Visitor Centers to municipalities and of ways to fund one for Saguache.

MOTION by Trustee Vasha; Second by Trustee Terrell

Trustee Vasha moved to approve a donation of \$200 toward establishing a Visitor Center, provided the funds can be found in the 2012 Saguache budget. The Clerk will inform Ms. McDaniel and Ms. Hoglin if the funds are available by July 1, 2012.

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

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

Request for waiver on water restrictions; Pete Garcia, Saguache County: Mr. Garcia requested a waiver for the sprinklers that are not on timers. Setting the sprinklers is a slow process, so it’s difficult to do it only during allowed hours.

MOTION by Trustee Serna; Second by Trustee Terrell

Trustee Serna moved to approve a waiver for Mr. Garcia, with the stipulation that he avoid watering during the hottest part of the day as much as possible.

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

VOTE: 4 – Aye; 0 – No; 0 – Abstain *Let the minutes reflect the Vote was unanimous.*

Note: Trustee Quintana had received a phone call and was not at the table during this vote.

Request for waiver on water restrictions; Church in the Valley, Randal and Kristi Arredondo: The Church in the Valley youth group wishes to hold a car wash on June 23rd to earn funds for a trip and is asking for a waiver from the water restrictions for that day.

MOTION by Trustee Serna; Second by Trustee Vasha

Trustee Serna moved to approve a waiver for Church in the Valley for June 23rd for their carwash.

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

VOTE: 4 – Aye; 0 – No; 1 – Abstain

Request for waiver on water restrictions; Saguache County Sheriff's Office: Sheriff Norris asked for a waiver on the water restrictions for washing cars.

MOTION by Trustee Serna; Second by Trustee Quintana

Trustee Serna moved to approve a waiver on watering restrictions for washing Sheriff Department vehicles only. Any privately-owned cars may only be washed during the allowed times.

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

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

Planning Commission Update- Chair Kathy Geddes: Kathy Geddes presented a quarterly report on the activities of the Planning Commission. There was discussion of the various natural zones in the Town of Saguache; downtown, highway and residential. Mrs. Geddes asked Attorney Farish if either the Planning Commission or the Board of Trustees can be the Board of Adjustment. He stated that only one Planning Committee member can be on the Board of Adjustment, and advised against having the Board of Trustees serve as it. The Town could pass an ordinance that would replace the State limits on membership. The Board of Adjustment meets only when it has a request for variance to consider. After additional discussion, the Board thanked Mrs. Geddes and Ms. Hoglin for their service on the Planning Commission.

Vista Grande Update:

Park survey: Trustee Vasha reported that two people attended the tour of Vista Grande, and one attended the meeting at the Community Building. However, they have received almost eighty surveys. A report on the survey results will be available later.

Trustee Terrell asked the Board for permission to pursue several options for Vista Grande, including:

- The possibility of acquiring additional land from Greg Coleman;
- The Cochetopa Scenic Byway;
- Eventual establishment of an interpretive center, to include the geology of the San Luis Valley, the history of the Ute Indians, and the history of Spanish and Hispanic residents in the area. Mr. Terrell has contacts with the Southern Ute Tribe, and members of the Board could visit their governing body in Ignacio to discuss the center;
- ❖ Tie-in with the National Park Service's Historic region in the San Luis Valley;
- ❖ Applications to GOCO for funds for the interpretive center;
- ❖ Investigating other suggested uses, including establishment of a reservoir and installation of a tramway over the hill, running between the interpretive center and the reservoir. Mr. Terrell mentioned that 70% of tourists in the San Luis Valley are cultural tourists.

There was additional discussion of the Vista Grande project.

Historic Commission Update: Historic Commission Chair reported that the Saguache Hotel was designated a historic landmark without owner's consent, and Hauck-Pedersen Fine Art will be considered with owner's consent tonight. The building owned by BEBOP will be applying for historic landmark status with owner's consent. Trustee

Vasha mentioned that the Commission will be considering designating a Historic District in the fall.

Review/Discuss/Approve Ordinance 2012-3: Designation of Kelsey Hauck building as a Historic Landmark: this will be considered under the Legal Council Report.

Sheriff's Report: Sheriff Mike Norris was unable to attend. Sergeant Tristan VanZalinge came in his place. Sergeant VanZalinge reported that the Town car was repaired. He detailed the activities on the report. The hours are short this month due to the office being understaffed. Three citations were written into Municipal Court.

Legal Counsel Report:

Review/Discuss/Approve Ordinance 2012-3: Designation of Kelsey Hauck building as a Historic Landmark:

MOTION by Trustee Terrell; Second by Trustee Quintana

Trustee Terrell moved to approve Ordinance 2012-3: An Ordinance Designating the Hauck/Pedersen Fine Art as a Historic Landmark.

Vote as follows: Trustee Quintana – aye; Trustee Serna –aye; Trustee Terrell – 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 Ordinance 2012-4: An Ordinance Amending Ordinance 2011-3 (An Ordinance Repealing Existing Ordinances Relating to Dogs within the Town of Saguache and Enacting New Regulations): Attorney Farish explained that Ordinance 2011-3 had penalty clauses in some sections but did not have a general penalty clause; this ordinance will supply the general penalty clause. There was discussion of what constitutes an offense, and of several typing errors found in the ordinance.

MOTION by Trustee Vasha; Second by Trustee Terrell

Trustee Vasha moved to enact Ordinance 2012-4: An Ordinance Amending Ordinance 2011-3 (An Ordinance Repealing Existing Ordinances Relating to Dogs within the Town of Saguache and Enacting New Regulations) with correction of all typing errors.

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

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

Review/Discuss Volunteer Background Check Policy—Approval by Resolution or Ordinance: Attorney Farish recommended that all volunteers undergo background checks. There is a program called TLC that provides inexpensive and thorough background checks—Clerk Garcia is getting information on it. There was discussion of the sample policy provided. The Trustees asked Clerk Garcia and Attorney Farish to create a resolution for the July meeting.

Discuss/Approve—Fire Ban—Open Burning—Private Fireworks: Clerk Garcia provided copies of information from CML on a state-wide ban on fires and private fireworks instituted by the Governor. There was discussion of the fire condition. Mayor Jones pointed out that, under Saguache's ordinance, the Mayor can institute or cancel a fire ban on his own.

MOTION by Trustee Serna; Second by Trustee Vasha

Trustee Serna moved to establish a fire ban on all fires but those in established burning pits.

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

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

The Board decided to hold a workshop on the job descriptions, including administrative authority for the Town Clerk and Director of Maintenance, on July 23rd at 7:00 p.m. They will also consider a policy for bidding and purchasing at the same workshop. Clerk Garcia will notify the missing Board members of the workshop.

Clerk’s Report:

Water Shut-off: Clerk Garcia presented a situation involving water shut-off for non-payment from March. The property owner apparently turned the water back on after it was shut off. Mr. Pacheco and Mr. Martinez discovered that the water had been restored, so they turned it off again and locked the curb box. Early in June a tenant in the house came into the Town Hall to find out if she owed money on water. She stated that she had water service all spring, and had been told by the owner that he was paying for utilities. The clerk and deputy clerk were unsure of how to handle the situation, since the owner is responsible for utilities. The tenant paid three months outstanding, but didn’t have money for more than that at that time. Mr. Pacheco was able to determine that when the water was turned back on illegally, the valve was stripped. As a consequence, when the water was turned off again there was still water flow into the house. The Board discussed the situation, and agreed that the tenant would only be responsible for current charges, and the owner would be expected to pay for the unpaid months and the damage to the curb box.

Payments for Curb box invoice: There was discussion of a situation where a resident had requested permission to make monthly payments on an invoice for parts, which was given. She then made one payment, and has not made any more payments for three months. After discussion, the Board directed that she be sent a letter asking her to catch up on the payments and continue to pay monthly until the invoice is paid in full.

The Board directed that Mr. Pacheco lock the curb box whenever water is shut off for non-payment from now on, to avoid having more residents turn their water back on illegally.

General Discussion:

There are no customers facing water shut-off in June.

Mayor Jones reminded Mr. Pacheco to install the plate covering the lock on the front door of the Town Hall.

Deputy Clerk McKee reported that just over half of the dogs are licensed for the new season, which starts July 1, 2012.

News from Town Hall: The Board requested that the fire ban be included.

Clerk Garcia reported that she was contacted by Xcel Energy about the damaged streetlight on 4th Street. The options are to replace the entire light (\$798 plus shipping), to replace the brim only (around \$100 plus shipping and labor), or to leave it as is, since

the damage does not impact its function. If the claim is filed through CIRSA, they will require that damages plus our deductible of \$500 be paid.

MOTION by Trustee Serna; Second by Trustee Quintana

Trustee Serna moved have repairs done to the brim of the streetlamp and to have Clerk Garcia contact the insurance company of the driver directly, to save them the cost of paying the Town's deductible

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

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

Clerk Garcia reported that Donna Wehe has requested a donation for the Small Business Development Center. The Board directed Clerk Garcia to reply that the Town does not have money in the budget for any more donations this year. They may consider more money for donations to be placed in the budget starting next year.

Maintenance Report:

Mr. Pacheco said he and Mr. Martinez will watch more closely when residents divert ditch water, to try to avoid yards flooding. However, he expects that our ditch water will be cut off soon.

CDPHE Inspection: The recent inspection recommended replacing a flap on the water tank, which is not sealing properly. Mr. Pacheco reported that he and Mr. Martinez are unable to fix the flap themselves. The Board asked Mr. Pacheco to get bids on replacing the flap.

Small Compactor: Mr. Pacheco reported that he has located a small compacter that the Town could either purchase or lease for 30 days. After discussion, the Board agreed to lease it for 30 days, and evaluate its usefulness for possible purchase in 2013. There was discussion of possibly purchasing a street sweeper, and that TABOR prevents the Town from purchasing on installments. Clerk Garcia suggested that if the paving doesn't cost too much, the lease of the compacter could come out of the same line item. Mayor Jones mentioned that they should try to get gravel on the end of 9th St., in preparation for getting it paved in the next few years. Once all Town roads are paved, the Town can begin to re-surface the roads that are developing problems.

MOTION: Trustee Serna; Second by Trustee Terrell

Trustee Serna moved to lease the compacter for 30 days.

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

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

Mr. Pacheco reported that the Town needs to get a PER report done on the water system. He has created a bid, and will give it to several engineers he knows who might be interested. Trustee Terrell mentioned that DOLA Energy/Impact grants will focus on water needs this year. Clerk Garcia reported that the applications for the Energy/Impact grants will be available starting August 1st, and due on December 3rd. Mayor Jones suggested looking at the costs of chlorination systems as an item that could use grant money. The Board directed Mr. Pacheco to publish the bid for the PER in the paper as well as giving it to engineers.

General Discussion: There was discussion of the building to be built at the lagoon. There was confusion about whether the Town was collecting bids. Mr. Pacheco reported that they have been getting estimates only, so they could have a sense of how much would be needed for it. They agreed that Mr. Pacheco would run a request for bids in the paper, as well as sending it to companies he knows.

Fiber optic lines: There was discussion of the recent work done in town to install fiber optic line, and that the company didn't clean up very well. Mr. Pacheco reported that he required them to do some clean-up and repair work. The Board will consider passing an ordinance for permitting and controlling utility work in Town.

Scenic Byway: Trustee Vasha asked to borrow a table and chairs from the Community Building for the Scenic Byways lunch on June 27th. The Board agreed.

Town Patrol car: Trustee Quintana asked what repair was needed on the patrol car. Mr. Pacheco reported that the catalytic converter went out. He also said he has advised the Sheriff's Office to take the car out of town and drive it on the highway for a bit once or twice a week.

Old/Unfinished Business:

Schedule Workshop—Bid/Purchasing Policy: this was right before the Clerk's Report.

New Business:

Discussion on permits: Trustee Vasha asked when a resident needs a building permit. Clerk Garcia said that under the ordinance currently regulating building permits, they are required for almost everything done to a structure. The Planning Commission intends to have less stringent requirements for building permits in the land use code. The Board agreed that they will consider passing an ordinance prior to the passage of the land use code, in order to get a less stringent code in place as soon as possible.

Clerk Garcia reported that she will not be present at the July Board meeting. Deputy Clerk McKee will be at the meeting, and will present the Clerk's Report.

Executive Session, if needed: None was needed.

Adjourn: There being no further business, the meeting was adjourned by Mayor Jones at 9:36 p.m.

TOWN OF SAGUACHE BOARD OF TRUSTEES
SAGUACHE, COLORADO

Milton Jones, Mayor

ATTEST:

Therese Garcia, Town Clerk