

**TOWN OF SAGUACHE**  
**Board of Trustees**  
**Regular Session**  
**February 19, 2013**

The Town of Saguache Board of Trustees met for a Regular Session on February 19, 2013, with Trustees being present as follows:

Milton Jones, Mayor	Present
May Engquist, Trustee	Present
Lyn Miles, Trustee	Present
Carla Quintana, Trustee	Present
Greg Terrell, Trustee	Absent (Excused)
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
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Citizens in Attendance: Lindy McDaniel, OLE; Todd Stewart, Solar Power Financial; Kathy Geddes, Saguache Planning Commission; Evan Samora, Saguache County Public Housing; Mike Norris, Saguache County Sheriff; and Joel Johnson.

**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.

**Agenda Approval—Add or Delete Items from the Agenda:** There were no additions or deletions to the agenda.

**Consent Agenda:**

Trustee Engquist asked that her name be included in the votes on the minutes. Town Clerk Garcia pointed out Voucher #13-161, check #1392, for \$60.00, which was for Dave Martinez auguring Ben Quintana's sewer line. Mayor Jones explained that the main line was plugged in that vicinity, and after the main was cleared by Public Works it was discovered that the Quintana line was still blocked. He and Maintenance Director Pacheco felt that the blockage in the Quintana line could have been caused by the plugged main, so that in this instance the Town should pay for the cleaning of the private line.

**MOTION** by Trustee Vasha; Second by Trustee Quintana

Trustee Vasha moved to approve the consent agenda.

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

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

**Citizen Comments:**

Evan Samora—Saguache County Public Housing Authority—water and sewer late fees: Mr. Samora explained that he did not receive a notice that the water/sewer rates were going up for the Public Housing, so when he paid in January the amount was not enough and he was charged late fees. He asked the Board to waive the late fees since he had not been notified of the increase in rates. Clerk Garcia explained that a letter was sent to Mr. Samora explaining the increase in rates, and the letter was never returned to the Town so it was assumed it was delivered. The address used was verified with Mr. Samora and was correct. There was discussion.

**MOTION** by Trustee Miles; Second by Trustee Engquist

Trustee Miles moved to waive the late fees for Public Housing for January 2013 because Mr. Samora did not receive the notice that was sent, he paid the amount he thought was due on time, and the fees would be paid by government funds and the trustees need to be good stewards of government money.

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

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

Lindy McDaniel—Submit Grant to Saguache County from Saguache Recreation Board: Ms. McDaniel brought an application for a Saguache County Sales Tax Grant to be submitted under the Saguache Recreation Board, to purchase hula hoops for OLE. There was discussion of who would own the hula hoops, and of whether the grant needs to come from the Recreation Board. There was discussion of the fact that the Recreation Board is in transition at this point.

**MOTION** by Trustee Vasha; Second by Trustee Miles

Trustee Vasha moved to allow submission of the grant under the auspices of the Town, and she will write a letter to be included with the application explaining that the Recreation Board is in transition and so the Board of Trustees is approving this grant application in their stead.

Vote as follows: Trustee Quintana – aye; Trustee Miles – aye; Trustee Engquist – 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 Part time Sheriff Agreement for 2013: The Board agreed to move this item forward so that Sheriff Norris could leave the meeting earlier. Clerk Garcia explained that the agreement was created in 2010, and has been renewed every year by the signing of a renewal page. There was discussion of whether a file was created when Mr. Pacheco reported street signs being knocked down a few months ago. Mr. Norris did not know about the file, since Mr. Pacheco spoke with Undersheriff Van Zalinge, but said he would look into it, and that the report will be filed if need be. Trustee Vasha expressed appreciation that the deputies are writing citations for the Town now.

**MOTION** by Trustee Vasha; Second by Trustee Engquist

Trustee Vasha moved to renew the agreement with the Sheriff’s Office for part time officer for 2013 year.

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

VOTE: 4 – Aye; 1 – No; 0 – Abstain *Motion approved.*

Todd Stewart—Solar Power Financial—Proposal—subscriber to local community owned solar garden: Mr. Stewart explained that his company is building the solar garden that is

being erected on Mountain Valley Lumber land. The garden has a capacity of 500 kW, and is open to Saguache County residents in the Xcel service area. They expect subscribers to see 5-10% savings on their power bills, with no investment up front. The garden received its permit from the County today. Mr. Stewart mentioned that the contract is for 30 years, but contracts for government entities under TABOR law are “subject to appropriation”. He requested the Town’s Xcel billing history, and Attorney Farish asked to see the power purchase agreement. The trustees will arrange a workshop to meet with Mr. Stewart again.

**Ordinances/Resolutions/Public Hearings:**

Attorney Report:

Review an entry of findings and order on Trustee dismissal: The board reviewed the findings and order that they had received prior to the meeting. Mayor Jones stated for the record that each Board member received a copy of the Findings and Order from the hearing to show cause, each has approved it, and the Trustees will be signing it tonight. Trustee Terrell is absent, so will sign it later, and Trustee Quintana abstains.

Review/Discuss/Approve Part time Sheriff Agreement for 2013: this was handled earlier in the meeting.

Review/Discuss/Approve Independent Contract Agreement for Williams Engineering, LLC—on call engineering service “as needed basis”: there was discussion of how the contract will work, and who can request engineering services.

**MOTION** by Trustee Vasha; Second by Trustee Miles

Trustee Vasha moved to approve the Independent Contract Agreement with Williams Engineering LLC for on-call engineering services on an as-needed basis.

Vote as follows: Trustee Quintana – aye; Trustee Miles – aye; Trustee Engquist – 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 3-mile plan: There was discussion of the creation of the three-mile plan in 2006. Clerk Garcia explained that the Board accepts or modifies the 3-mile plan every year.

**MOTION** by Trustee Engquist; Second by Trustee Quintana

Trustee Engquist moved to approve the 3-mile plan without changes.

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

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

Discuss process for board members informal small group meetings: This subject was raised because three board members met to work on a grant application, and it was posted as an informal workshop, but the Town Clerk asked for clarification as to how to handle the situation in the future. Attorney Farish said that according to the Open Meeting Laws, any time three or Board members meet to handle Town business it is a meeting, and must be posted as one, and the adopted Board rules and procedures for meetings must be followed.

General Discussion: Attorney Farish expressed reservations about the many solar projects that are proliferating throughout the state. He suggested getting as much information as possible, including input from the electrical companies, before committing to the solar garden. Trustee Vasha suggested that Xcel be invited to send a representative to the meeting when they discuss the solar garden.

Clerk Garcia reported that Xcel energy has requested a list of poles that the Town wishes to use for mounting decorations or banners, as well as information about the items to be mounted, so that they can inspect the poles to verify that they are durable enough to sustain the items added. The trustees suggested telling Xcel to check all poles. Clerk Garcia pointed out that they need to tell Xcel what will be mounted on the pole. Mayor Jones suggested charging Xcel for the time used to identify the poles.

Attorney Farish mentioned that C.R.S. 31-4-303 specifies that trustee vacancies must be filled within sixty days or else the Town needs to hold a special election. Clerk Garcia said that she has a letter for the Board to approve during her report, requesting letters of interest.

### **Boards/Committees Reports:**

Planning Commission—Quarterly Report: Ms. Geddes presented a summary of the proposed land use code as it currently exists. The code is almost ready for review by Attorney Farish, and the Commission also needs to decide upon formatting. There will be at least one more open house to present it to the citizens before adoption. Ms. Geddes stated that she hopes the code will be ready to adopt this summer. The Board thanked Ms. Geddes for her service to the Town.

Historic Commission—Quarterly Report: (This will be brought to the Board at the March meeting): Trustee Vasha mentioned that one more Board member could join the Historic Preservation Commission.

### **Old Business:**

Review/Discuss/Approve Application GOCO Planning Grant: Trustee Engquist said that she and Trustee Terrell should have the application ready for the Board to approve on March 4<sup>th</sup>. Trustee Engquist explained that Crestone is also submitting an application for a GOCO planning grant, and that they will write a letter supporting Saguache's application if Saguache will write a letter supporting theirs. Mayor Jones asked Trustee Engquist to see if a representative from Crestone could be at the meeting on March 4<sup>th</sup>.

Vista Grande—Update: Trustee Terrell would have given the update but is out sick.

Historic Structure Assessment [HSA]—update: Trustee Vasha reported that the Historic Structure Assessment was completed in January. The recommendation of the head of the State Historical Fund is that the Board continues with the next phase, which is the development of construction plan and documents. The grants have become very competitive, and getting the comprehensive construction documents will help with getting continued funding. There is some match required. Trustee Vasha offered to apply for a Saguache County sales tax grant next fall to help with the match, if the Town decides to go that route. The grant application is due April 1<sup>st</sup>. After discussion, the Board decided to make a decision after holding the workshop on grant planning. They agreed to hold a special session after the March 4<sup>th</sup> workshop to make the decision.

Review/Discuss/Approve extension for contractor doing Kiosk work at Pocket Park: There was discussion that the contract for the pocket park has expired, except for the plantings, and yet the kiosk isn't done. Mayor Jones felt that the contractor should have requested an extension. Mr. Pacheco explained that the delay in the roof came partly because the blueprints from Burt Wadman were not specific, so Mr. Frey had to figure out how to create the roof, and he could only work on it on the weekends. In addition, the place that is to paint it is taking a long time to get the work done. Also, the display items are not yet completed. After discussion, there was agreement that the Clerk should send a letter to Mr. Wadman asking him to come to the Board to explain what is happening with the pocket park project.

**New Business:**

Board to set priority list—possible grant funding—staff and board roles: This was discussed earlier in the meeting.

Council of Governments discussion: Trustee Engquist reported that she spoke with Linda Joseph, and supposedly Saguache will start receiving notices of the Council of Government meetings. Saguache County has only one official representative—at this time it is the Crestone representative, and the alternate is the Center representative. However, other representatives are welcome to attend the meetings. Jason Anderson represents Saguache County. Trustee Engquist offered to represent the Town of Saguache.

Discuss and appoint Mayor Pro - Tem: There was discussion of who would be willing to serve.

**MOTION** by Trustee Engquist; Second by Trustee Miles

Trustee Engquist moved to appoint Trustee Vasha as the Mayor Pro - Tem.

Trustee Quintana suggested waiting until the new board member has been appointed and Trustee Terrell is in attendance

Vote as follows: Trustee Miles – aye; Trustee Engquist – aye; Trustee Vasha – aye; Mayor Jones – aye; Trustee Quintana - no

VOTE: 4 – Aye; 1 – No; 0 – Abstain                      *Motion approved.*

**Trustee Comments:** There were none

**Reports:**

Clerk's Report:

Written report: Clerk Garcia distributed the notice to post and publish requesting letters of interest for the Board opening. The Trustees approved it as written. Clerk Garcia reported that the CDBG grant has been closed and approved, and final payment has been received. She reported that there are no shut-offs scheduled for February 20<sup>th</sup>. The Trustees agreed to modify the old shop into record storage as long as nothing irreversible is done to the structure. Clerk Garcia reported that she has spoken to the auditors about combining accounts. The Town currently has twelve accounts with First Southwest Bank, most of which have no regular activity. The auditors will figure out how the accounts can be consolidated.

Review/Discuss/Approve Revisions to Community Building rental: The Trustees were given proposed changes to the Community Building rental forms. They agreed to have the changes incorporated into the forms. Clerk Garcia also asked for clarification of charges. It is fairly common that a renter reserves a single day, but then spends some of the previous day either decorating or cooking. The trustees agreed that set-up and clean-up can be done the day before or after, and the charge would be only for the days of the event.

Trustee Quintana asked that the Clerk give Evan Samora a copy of the letter regarding the water/sewer rate increases.

Xcel Energy request for list of light poles to have attachments: This was discussed earlier in the meeting, and the Trustees asked the Clerk and Maintenance Director to do what they need to do. Maintenance Director Pacheco reported that he has already been told that the old decorations are too heavy and the brackets are not strong enough. He also mentioned areas where the wires are bare. The trustees suggested that Mr. Pacheco develop a list of the wires that need to be addressed. There was also discussion of maintenance of transformers and street lights.

Maintenance Report:

Written Report:

Discuss/Approve Chlorination system for the water system: Mr. Pacheco explained to the Board that the chlorination system that is currently in place is obsolete. The Town agreed to update the chlorination system as part of maintaining the waiver. He feels that there is sufficient money budgeted to complete the work this year, and is asking the Board for permission to begin the process. The Board asked him to have the engineer determine the cost and bring it to the Board at the next meeting. Mr. Pacheco explained that Mayor Jones had suggested putting a direct line from the pump to the tank, so Mr. Pacheco will get costs for two versions, with the direct line being one of them.

**MOTION** by Trustee Quintana; Second by Trustee Vasha

Trustee Quintana moved to begin replacement of the chlorination system by hiring the engineer for the cost comparison.

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

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

Trustee Vasha thanked the Town for having the maintenance staff help with packing up the library.

Mr. Pacheco asked if filling the tires with gel to prevent flats will work for snow removal. Mayor Jones said that it would work. Mr. Pacheco will find out what it would cost.

**Adjournment:** The meeting was adjourned by Mayor Jones at 9:02 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