

TOWN OF SAGUACHE
Board of Trustees
Regular Session
April 15, 2013

The Town of Saguache Board of Trustees met for a Regular Session on April 15, 2013, with Trustees being present as follows:

Milton Jones, Mayor	Present
Kate Vasha, Mayor Pro - Tem	Present
May Engquist, Trustee	Present
Lyn Miles, Trustee	Present
Carla Quintana, Trustee	Present
Greg Terrell, 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: Faith O'Reilly, Saguache Chamber of Commerce; Adam Greene, Solar Reserve; Kathy Geddes, Planning Commission; Don Geddes; Kristi Arredondo, Saguache Recreation Board; Carita Ginn, Chamber of Commerce; Hillary Conroy; Joel Johnson; and Tony Sandoval

Call to Order: Mayor Jones called the meeting to order at 6:59 p.m.

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

Agenda Approval—Add or Delete Items from the Agenda:

Add after Citizen Comments: appointing a new board member

Add Under Clerk's Report: update on the kiosk at the Pocket Park

Consent Agenda:

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

Mayor Pro - Tem Vasha moved to approve the consent agenda as presented.

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

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

Citizen Comments:

Adam Greene—Solar Reserve—Request for Letter of Support to Governor: Mr. Greene gave the Board an update and requested a letter of support as the company pursues a

long-term contract with a utility company. He described the functioning of the proposed plant and answered various questions asked by the Trustees. There was discussion of tax revenue and impact on the bird population, as well as additional subjects.

MOTION by Trustee Quintana; Second by Trustee Miles

Trustee Quintana moved to send a letter of support for Solar Reserve to the Governor.

Vote as follows: Trustee Quintana – aye; Trustee Miles –aye; Trustee Engquist –aye; Mayor Jones – aye; Mayor Pro – Tem Vasha – no; Trustee Terrell – abstain

VOTE: 4 – Aye; 1 – No; 1 – Abstain

Motion approved.

Faith O'Reilly—Saguache Chamber of Commerce—Liaison: Ms. O'Reilly brought up the proposed land use ordinance. Mayor Jones discussed the Planning Commission's plans and goals in developing the draft legislation. Ms. O'Reilly asked that the plan be growth-oriented and opportunity-oriented. She gave a short summary of upcoming actions she will take to further the New Business Initiative and mentioned the possibility of a motorcycle event coming into the area. Trustee Engquist reported that she has discussed the position of Board Liaison to the Chamber of Commerce with Ms. O'Reilly and Ms. Ginn, and will be acting in that capacity.

Appoint a new Board member: Mayor Jones expressed his appreciation for the two applicants, and encouraged both to continue to serve the Town, and for the one not chosen to run for the Board in the election next spring. The Trustees stated their preferred candidate as follows: for Joel Johnson Trustees Vasha, Quintana, and Miles; for Tony Sandoval, Terrell; Engquist abstained and Mayor Jones did not vote.

MOTION by Trustee Terrell; Second by Trustee Engquist

Trustee Terrell moved to appoint Joel Johnson to the Board of Trustees.

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

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

Attorney Farish swore Mr. Johnson in as Trustee.

Note: Mr. Joel Johnson was seated and took part in the remainder of the meeting.

Ordinances/Resolutions/Public Hearings: There were none.

Attorney Report:

Discuss letter received from Town of Crestone in regard to Corporate Personhood: Attorney Farish explained that Crestone is asking municipalities to support a federal constitutional amendment due to the Supreme Court decision in the Citizens United case, to determine that corporations should not be considered as persons in the political arena. The Board members discussed the situation. They agreed to table the subject until the next meeting, and to educate themselves about it in the interim.

Update—Planning Commission—Open House Land Use/Zoning Code: Attorney Farish and Planning Commission Chair Geddes gave a summary of the recent open house. Attorney Farish spoke about the purpose and formulation of land use codes. Mayor Jones commended Chair Geddes and the other members of the Planning Commission for their hard work.

General Information: Clerk Garcia mentioned that the Town will be receiving the first draft of the codification soon. Attorney Farish commented that there will be a tremendous amount of work to do after the draft is received.

Easements: Clerk Garcia mentioned the easements for Nehls and Sibley. She has not been able to contact the Nehls family for some months and Ms. Sibley is unwilling to sign the form. After discussion, the Board agreed that they will send certified letters to the two explaining that they will be unable to work on their water lines without signing the easement.

The Board thanked Attorney Farish for his hard work on behalf of the Town.

Boards/Committees Reports:

Saguache Recreation Board—Quarterly Report: Ms. Arredondo reported that Randal Arredondo will serve as President, Julie Innes will be Vice President, Kristi Arredondo will be Treasurer and Staci Morfitt will be Secretary. They submitted an ad to the Summer on the Rio Grande publication. The Chamber of Commerce will possibly assist with the ad. Clerk Garcia suggested holding a workshop with the Town Board and the Recreation Board to go over all aspects of the Recreation Board requirements and activities. Trustee Quintana asked for a schedule of events. Clerk Garcia pointed out that since they have not received information, they don't know what the Rec Board has done in the past.

Tree Board—Quarterly Report: Trustee Terrell reported that Prentice finally did the tree trimming they had contracted to do. He asked that in the fall the Town advertise for a new Tree Board member. The Tree Board got some additional pruning done. Mr. Pacheco reported that he and Dave Martinez and Dwight Irwin hope to prune six more blocks by the end of May. Mr. Terrell reported that the Tree Board held a tree pruning workshop in conjunction with the forestry department. There are no plans to plant new trees this year because of the drought. The trustees suggested beginning to water the trees on 4th Street.

Old Business:

Vista Grande Update—what can be done to move towards planning: Trustee Terrell asked the Board to allow some members to start taking steps toward the planning process. CIRSA will give estimates of the impact of different proposed facilities on the Town's insurance premium if Clerk Garcia will send them a list of the possible facilities. Trustee Terrell also asked for suggestions of items that should be on the list. He mentioned that the only item that will cost money is the mapping of the area, and Williams Engineering has submitted a bid for less than \$5,000 to complete that project. The Board agreed to consider whether to contract with Williams Engineering for the mapping at the May meeting. Trustee Terrell asked for help in researching possible sources of grants. The Board agreed **by consensus** to ask Trustee Terrell to continue working toward the planning goals as possible.

Trustee Quintana asked about the grant for the Town parks. Clerk Garcia reported that she will order the items in the next week, and the Public Works Department will install the items in the summer when the seasonal workers are employed.

Community Building kitchen project—process: Trustee Quintana reported that Deputy Clerk McKee is looking for grants online. She said she and Caroline Irwin want to bring in the health inspector for input. Trustee Quintana emphasized that she wants a simple commercial kitchen. She suggested that anyone in town with questions can contact her. Clerk Garcia asked if the first step would be to have Deputy Clerk McKee look for funding for a kitchen funder, and then bring the information to the Board of Trustees. Trustee Vasha suggested that there be a process for getting input from other citizens who have been interested in this project for some time. After discussion, the Board agreed to not bring any inspectors into the kitchen at this point. Deputy Clerk McKee is to look for possible grant funding for a kitchen planner, or for both planning and development, and bring the information to the Board of Trustees, who will make all decisions regarding the project.

Discuss options for board meeting recording device: Clerk Garcia reported that the tape recorder is getting less dependable. Trustee Terrell had information on digital options. The Board agreed that Clerk Garcia should buy a device that has the features she wants.

New Business:

Discuss sending letter to CML in regard to annual conference: Trustee Terrell drafted a letter to CML regarding their conference. The letter encourages CML to consider getting the conference more affordable, so that representatives from poorer and smaller communities can afford to attend. After discussion, the Board agreed by consensus that the letter will be signed by all Trustees and sent.

Trustee Comments: Trustee Quintana thanked the Board members who contributed to the Easter Egg Hunt, and said it went very well. She mentioned that the committee of women have reserved the Community Building for the Fourth of July for barbecue and a community gathering.

Reports:

Clerk's Report:

Written report: Clerk Garcia reported that Deputy Clerk McKee was told by someone at the Sheriff's Office that the Forest Service is recommending no burning, and that the Town should do the same. The Trustees said that the Town does not have to follow the County or the Forest Service, and to allow folks to burn in Town as long as they have water nearby and do not burn when it's windy.

A reminder to the Board that they will need to set up the meeting with the Rec Board. The Trustees were okay the News from Town Hall.

Clerk Garcia reported that five water accounts are facing shut-off.

Burt Wadman reported by email that Eric Frey has almost completed his part of the kiosk work. The wrap-around is not completed yet. The sign was picked up by Maintenance Director Pacheco and Mayor Jones. There was discussion of the contract extension until April 15th for Don Jensen. Trustee Vasha mentioned that the delay in completing the project is due to the sign, which Don Jensen has no control over. The Board decided to begin assessing a daily \$500 fine against Don Jensen if the work is not completed by April 29th.

Clerk Garcia explained that items a.-d. are recommended by CIRSA to help protect the Town from liability issues.

- a. Review/Discuss/Approve Statement of Safety Policy—CIRSA: Clerk Garcia explained that items b.-e. are recommended by CIRSA to help protect the Town from liability issues.
- b. Review/Discuss/Approve Motor Vehicle Records Review Policy—CIRSA:
- c. Review/Discuss/Approve Sanitary Sewer Overflow Information for Property Owners—CIRSA:
- d. Review/Discuss/Approve Sanitary Sewer Overflow Incident Report and Onsite Assessment forms—CIRSA:

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

Mayor Pro - Tem Vasha moved to approve the following items as recommended by CIRSA: Statement of Safety Policy, Motor Vehicle Records Review Policy, Sanitary Sewer Overflow Information for Property Owners, and Sanitary Sewer Overflow Incident Report and Onsite Assessment forms.

Vote as follows: Trustee Quintana – aye; Trustee Johnson – aye; Trustee Miles – aye; Trustee Engquist – aye; Trustee Terrell – aye; Mayor Pro – Tem Vasha – aye; Mayor Jones – aye

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

Discuss Soil Conservation District—50/50 matching grant—Spraying Noxious Weeds:

Clerk Garcia reported that the Soil Conservation District is offering 50/50 matching grants this year. They cannot spray near ditches but can spray in alleys or along shoulders. The Board agreed that Clerk Garcia should apply for the grant. She asked about spraying at Vista Grande. Mayor Pro - Tem Vasha said that she does not know if the BLM will be willing to help with the spraying at Vista Grande. The Board agreed to wait on that decision until they have more information. Clerk Garcia mentioned that the State is requiring the Town to create a noxious weed plan. Lamar Taylor from the Soil Conservation District created a plan for the Town. Clerk Garcia and Maintenance Director Pacheco need to look at it and if it seems sufficient, then she will bring it to the Board. There was discussion that some of the ditches can be sprayed because they don't get water any more.

Update on easement for Nehls and Sibley properties—Pocket Park: This was handled earlier in the meeting.

Review/Discuss/Approve revision to Exhibit A (Public Request Form): Clerk Garcia pointed out that the form as approved is confusing, and suggested moving the citizen's signature above all of the staff information.

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

Pro - Tem Vasha moved to approve the revision to Exhibit A (Public Request Form).

Vote as follows: Trustee Quintana – aye; Trustee Johnson – aye; Trustee Miles – aye; Trustee Engquist – aye; Trustee Terrell – aye; Mayor Pro – Tem Vasha – aye; Mayor Jones – aye

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

Maintenance Report:

Written Report:

Review/Discuss/Approve Job Descriptions for Public Works, Maintenance II, and Seasonal help: Mr. Pacheco reported that he has incorporated some of the changes that Board members have suggested to the job descriptions.

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

Trustee Miles moved to accept the job descriptions for Public Works, Maintenance II, and Seasonal help.

Vote as follows: Trustee Quintana – aye; Trustee Johnson – aye; Trustee Miles – aye; Trustee Engquist – aye; Trustee Terrell – aye; Mayor Pro – Tem Vasha – aye; Mayor Jones – aye

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

Discuss Extending deadline for applications for Seasonal Help: Mayor Jones asked that the age limit of 18 be removed, and that the only requirements be a valid driver’s license and a clean driving record. Clerk Garcia said that she will need to check that workmen’s compensation and younger employees using equipment. After discussion, the Board agreed to have the work dates run June 1st through the end of August, and to re-advertise the position without the age limit, as long as it is acceptable to workmen’s compensation. Applications will be due the first of May, with hiring to occur after that. Mayor Jones mentioned that relatives of Board Members and staff are not allowed to apply.

CDPHE Information: Mr. Pacheco reported that the Department of Health is requiring the Town to test for nutrients. For two years the Town is to test for nutrients every two months, reporting the results to the Department of Health annually. They are checking that wastewater treatment plants are not polluting ground water. Mr. Pacheco reported that the Town was previously exempt from this testing. He has written a letter reminding the Department of Health that the Town was exempted, and sending information as to why. He has not yet heard back from them, so the Town may be required to do the tests. The state is still confused about the Town’s permit.

The Board agreed to look at watering restrictions at the May meeting.

Adjournment: The meeting was adjourned by Mayor Jones at 9:48 p.m.

TOWN OF SAGUACHE BOARD OF TRUSTEES
SAGUACHE, COLORADO

Milton Jones, Mayor

ATTEST:

Therese Garcia, Town Clerk