

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

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

Milton Jones, Mayor	Present
Kate Vasha, Mayor Pro - Tem	Present
May Engquist, Trustee	Present
Joel Johnson, Trustee	Absent (Excused)
Lyn Miles, Trustee	Present (Arrived at 8:44 p.m.)
Carla Quintana, Trustee	Present
Greg Terrell, Trustee	Present

Town of Saguache employees present as follows:

Therese Garcia, Town Clerk	Present
Miracle Gomez, 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: Byron Williams; Sara Bergstrom; Williams Engineering, Carita Ginn, Saguache Chamber; Barbara Sibley; Cindy Archuleta, Oasis Restaurant; Wil Schreiber; and Ron Gilbertson

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

At this time Mayor Jones welcomed the new Deputy Clerk Miracle Gomez to the Town.

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

Agenda Approval—Add or Delete Items from the Agenda:

Add Under Citizen Comments: Sara Bergstrom – discussion on Vista Grande

Add Under New Business: Council of Governments [COG] update

Add Under Clerk's Report: Discussion on request from Saguache County landowners - Prairie Dog Treatment

Add Under Maintenance Report: Discuss USA Communications cable box

Consent Agenda:

The consent agenda includes the minutes for the Regular Session minutes for June 17, 2013 and Special Session minutes for June 20, 2013 and July 2, 2013; July List of bills, and the Sheriff report. The Town Trustees agreed to remove the Sheriff report from the consent agenda and move it right before the Citizen Comments.

MOTION by Trustee Terrell; Second by Trustee Engquist

Trustee Terrell moved to approve the consent agenda minus the Sheriff report.

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

Sheriff Report:

Undersheriff Tristen Van Zalinge was present to discuss the sheriff report with the Trustees. There was discussion on what codes the Sheriff uses for certain violations. Trustee Quintana had concerns about the vandalism that has been happening around town. She asked if the sheriff office could stagger the hours worked in town. Officer Van Zalinge mentioned that at this time the Sheriff office is understaffed, they can let the town know when they are fully staffed, then this could be readdressed at that time.

Citizen Comments:

Jesus Ortiz- Oasis Restaurant: Liquor License Renewal: Cindy Archuleta came to meet with the Trustees for the Oasis Restaurant Liquor License Renewal. There have been no issues with the Sheriff office. All the paperwork is in order.

MOTION by Trustee Quintana; Second by Trustee Terrell

Trustee Quintana moved to approve the Liquor License Renewal for The Oasis Restaurant.

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

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

Sara Bergstrom- Williams Engineering- Vista Grande and Grant application - cleanup: Sara Bergstrom showed the Vista Grande conceptual map to the Trustees. There were no changes made by the board. Ms. Bergstrom mentioned other types of maps the board could decide to use if these maps were needed, the Board agreed to move forward with the conceptual map.

- Clean-up Grant – Vista Grande: Ms. Bergstrom and Public Works Director Dan Pacheco discussed the grant application from Brownsfield, there has to a containment issue to qualify for the grant. There was discussion about an assessment that needs to be done, the Trustees thought an assessment was already done by Brownsfield, the town will look and send this to Sara. There is \$200,000 available for cleanup, a 20% match would be needed from the town, there is a waiver that is available if the town cannot come up with the 20% match. Mr. Pacheco will prepare and submit the grant to the State.
- Vista Grande- GOCO Grant: Trustee Terrell & Trustee Engquist will be working to re-submit the planning grant again. Some of the in-kind used in the prior application will not be allowed. The Town will need to budget matching cash for the grant application in 2014. There was more discussion on what part of the grant needs to be improved. A workshop was scheduled to discuss the GOCO grant application on July 23, 2013 at 7:00 p.m.

Carita Ginn – Saguache Chamber: Request for stage: Carita Ginn, Saguache Chamber met with the Town Trustees asking if the old stage could be donated to Saguache Chamber, the Trustees agreed the stage could be donated to the Chamber.

Ordinances/Resolutions/Public Hearings:

Attorney Report:

Discussion on Lee Smith Excavation contract – next step: Attorney Farish would like to go into executive session to discuss Lee Smith Excavation contract with the Trustees.

This is an executive session for conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b).

MOTION by Mayor Jones; Second by Trustee Quintana

Mayor Jones moved to go into executive session for a conference with the Town attorney.

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

Mayor Pro – Tem Vasha – aye; Mayor Jones – aye

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

It is 7:38 p.m. on July 15, 2013 the Mayor Milton Jones is the presiding officer.

As required by the Open Records law this executive session is being electronically recorded.

Individuals in attendance for the executive session are: Mayor Jones, Trustee Quintana, Trustee Engquist, Trustee Terrell, Trustee Vasha, Public Works Dan Pacheco, Engineer Sara Bergstrom, Town Clerk Rese Garcia, and Deputy Clerk Miracle Gomez.

This is executive session for the purpose of a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b).

I caution each participant to confine all discussion to the stated purpose of the executive session, and that no formal action may occur in executive session. If at any point in the executive session any participant believes that the discussion is going outside the proper scope of this executive session, please interrupt the discussion.

As Town Attorney, it is my opinion that the discussion of the matter announced in the motion to go into executive session constitutes a privileged attorney-client communication. I am, therefore, recommending that no further record be kept of this executive session.

The presiding officer states that the Town Attorney recommends that no further record be kept of this executive session.

The time is now 7:40 p.m. and the tape will now be turned off.

Mayor Jones would like to make record that the town engineer is here as well as Town Trustees.

The recorder was turned back on at 8:35 p.m., the recorder has been turned back on because the attorney-client communication has been concluded.

In attendance during the executive session were: Mayor Jones, Trustee Quintana, Trustee Engquist, Trustee Terrell, Trustee Vasha, Town Clerk Rese Garcia, Deputy Clerk Miracle Gomez, Public Works Dan Pacheco, Engineer Sara Bergstrom, and Attorney Gene Farish.

For the record, any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask you to state your concerns for the record.

Seeing none, the next agenda item is...

Schedule next work session for codification process.

At this time the Trustees recognized Ron Gilbertson before the scheduling of the work session.

Ron Gilbertson spoke to the board about an ISO audit that is being done for the fire department. He needs a form filled out by the town in regard to hydrants and other information about the town water system. The form needs to be completed by July 26th, Mr. Gilbertson will meet with Dan Pacheco.

Note: Trustee Lyn Miles arrived at the meeting at this time.

Schedule next work session for codification process: Attorney Farish discussed the process with the Trustees. The Trustees agreed to schedule the next codification work session at 6:30 p.m. on August 19, 2013 before the regular session.

Discussion on Prairie Dog in Saguache County: There was discussion about who is responsible to take care of the prairie dog problem. Attorney Farish stated that they could get in touch with Trustee Richard Haines from South Fork, Attorney Farish stated that if they would want the contact information he can give us his number. There was discussion about the cost and what to see what the County could do. The Trustees felt that these landowners should contact Saguache County first to see how they can help.

Note: Attorney Farish left the meeting at this time.

Boards/Committees Reports:

Saguache Recreation Update: No one from the Recreation Board was present at the meeting, the Trustees would like to meet with a representative at the August 19th board meeting.

Tree Board Update: Trustee Terrell gave the board a verbal update. There is nothing to report at this time, other than the tree board members are looking for a different licensed tree trimming company to do the work in the town this fall.

Old Business:

Historic Commission Update:

HPC- Update National Historic District: Mayor Pro – Tem Vasha let the Trustees know that the contractors doing the National Historic District will be in town next week. There will be a meeting on July 17th at the Welcome Center at 5:00 p.m., all property owners in the proposed area were invited to the meeting.

Discussion of Historic Fund Grant for Town Hall – town match: Mayor Pro – Tem Vasha advised the Trustee about the grant for the Town Hall. There was discussion that the town's match would be \$15,000, this amount could be broken down over the next two years, in two budget year cycles [2014 & 2015]. By **consensus**, the Trustees agreed to move forward with the application.

New Business:

Council of Governments [COG] update: Trustees Engquist and Terrell mentioned to the Board that Linda Joseph has attended VA meetings around the valley. They are losing funding because veterans are not registering for their benefits. The COG is encouraging VETS to register for their benefits even if they are not planning to use them at this time. Doing this helps provide benefits to those who are using the benefits now or plan to use them in the future. Clerk Garcia will get information from Linda Joseph for the “News from Town Hall”.

Trustee Comments: Trustee Quintana mentioned to the Trustees about a meeting discussing the Library anniversary, held at the library on 7/16/13 at 2:30 p.m., if anyone that wants to attend.

Reports:

Clerk's Report:

Written Report:

The Trustees had no questions in regard to the report. The Clerks mentioned that there were three delinquent accounts. The News from Town Hall is okay, the information from Linda Joseph will be added.

General Information: Clerk Garcia mentioned to the Trustees that Lindy & Marge let the town know that they have moved the Farmers Market from Saturday to Friday afternoon from 2- 6 p.m., the location of the market will be on the "pavers" at the pocket park. If they get more vendors they will close the street and have it in the street. The Trustees felt that if they do get more vendors they would rather have them change the day back to Saturday and close the street down, by consensus the Trustees felt that closing the street on a Friday afternoon could cause an issue.

Community building kitchen: Clerk Garcia mentioned that she spoke to Caroline Irwin about the Community Building kitchen funding possibilities. The Trustees agreed to look into USDA grant/loans or check to see what other possible funding there is.

Pocket Park Kiosk update: Clerk Garcia mentioned that the town received an invoice for the graphics design done by "The Invisible Spark" in the amount of \$1000. This was added to the July list of bills, Voucher # 13-312. After the design is put on the panel (wrap-around sign) and the panel is put on the large culvert the kiosk will be complete.

Prairie Dog Treatment: *This topic was discussed during the attorney report.*

Maintenance Report:

Written report:

Backhoe Replacement: Attorney Farish would like to see certain language in the contract in regard to TABOR. The Trustees discussed the bucket cost. This item was tabled till the August 19, 2013 meeting.

Discuss Dumpster options: Public Works Director is to contact Waste Management for cost information. There was discussion on what is going to cost Saguache County to open the landfill again. A decision will be made a later date. For the present time town staff will take trash down to Rio Grande County to the SLV Regional Solid Waste Authority (landfill).

Discussion on start date for RMS Utilities, Inc.: Public Works Director Dan Pacheco mentioned to the board that RMS Utilities, Inc. will start the sewer line replacement project on Pitkin Avenue on July 22nd and be completed on August 9th. Mayor Jones suggested putting the date of September 1st on the contract.

Discussion on material for pathway at Pocket Park: There was discussion about complaints that are being received in regard to the pathway at the Pocket Park. The plan is to get "breeze" and put in on the pathway. Funds can be used from either the General Improvement Fund or Conservation Trust Fund.

General Discussion: Public Works Director Dan Pacheco mentioned to the Trustees that when they are working on the budgets, if the town is planning to purchase equipment or do water or sewer projects to make a line item specifically for that item under capital outlay. The Trustees will look at that while working on the budgets.

There was discussion about towns in the valley that have lost their waiver. Public Works Director Pacheco stated that the wells are over 700 feet deep. Also if the town puts in a chlorination system this would be a plus for the town.

USA Communications- cable box: The Trustees discussed sending letter to USA Communications in regard to the cable box that has been plugged in the Town shop for more than 2 years. A certified letter is to be sent to USA Communications advising them that this needs to be removed within 10 days from the date on the letter, or the Town will unplug it.

Executive Session (if needed): *Executive Session was handled during the Attorney's portion of the meeting.*

Adjournment: There being no further business, the meeting was adjourned by Mayor Jones at 9:42 p.m.

TOWN OF SAGUACHE BOARD OF TRUSTEES
SAGUACHE, COLORADO

Milton Jones, Mayor

ATTEST:

Therese Garcia, Town Clerk