

TOWN OF SAGUACHE
Board of Trustees
Regular Session
November 14, 2016

The Town of Saguache Board of Trustees met for a Regular Session on November 14, 2016, with Trustees being present as follows:

Greg Terrell, Mayor	Present
May Engquist, Mayor Pro - Tem	Present
Loren Aldrich, Trustee	Present
Susan Collins, Trustee	Absent (excused)
Wyoma Hansen, Trustee	Present
Amber Wilson, Trustee	Present

Town of Saguache employees present as follows:

Pamela Fye, Town Administrator	Present
Therese Garcia, Town 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: Carita Ginn, Saguache Chamber; Byron Williams; Thomas Mascarenas; Mary Johnson; Elvie Samora; Mike Wheeler; and Laura Lee Coleman-Conley

Call to Order: Mayor Terrell called the meeting to order at 6:35 p.m.

Moment of Silence and Pledge of Allegiance: was led by Mayor Terrell

Additions/Deletions to the Agenda: There were no additions or deletions to the agenda.

Sheriff Report:

1. Review/Discuss Sheriff's Report: No one from the Sheriff's Office was in attendance. Trustees did not have any discussion about the submitted report.

Citizen Comments:

Mary Johnson wanted to know how many complaints have been filed about the dog running at large. Town Administrator Fye said there have been two complaints.

Consent Agenda:

The consent agenda includes the Regular Session minutes for October 17, 2016, Special Session for October 20; and November List of Bills; Clerk's Report (written)

MOTION by Trustee Wilson; Second by Trustee Hansen

Trustee Wilson moved to approve the consent agenda as presented.

Vote as follows: Trustee Aldrich – aye; Trustee Hansen - aye; Trustee Wilson - aye;
Mayor Pro-Tem Engquist – aye; Mayor Terrell - Aye
VOTE: 5 – Aye; 0 – No; 0 – Abstain *Let the minutes reflect the vote was unanimous.*

Boards/Committees Reports:

Planning Commission – Quarterly Update: Chair Kathy Geddes was not present. Mayor Terrell stated the Planning Commission will be reviewing the current Master Plan when they meet in February.

Review/Discuss/Approve Letters of Interest – Planning Commission: The Trustees reviewed the letters and discussed how many members are to be on the Planning Commission. Attorney Farish read an excerpt from the Saguache Municipal Code- it stated that they are allowed five members on the commission, which includes three citizens, Mayor Terrell and another Board member. They can also have up to five alternates. There was no further discussion.

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

Trustee Wilson moved to approve Elvie Samora as the member and Barbara Donahue as the alternate member.

Vote as follows: Trustee Aldrich – aye; Trustee Hansen - aye; Trustee Wilson - aye;
Mayor Pro-Tem Engquist – aye; Mayor Terrell - Aye

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

Historic Commission – Quarterly Report: Mayor Pro – Tem Engquist went over the Historic Commission report with the Trustees. Mayor Pro – Tem Engquist updated the Board on the progress with the Community Building. She said that she met with Belinda Zink on November 3rd to get an update on the assessment. Ms. Zink presented some ideas on the drainage problem at the entrance of the building. Ms. Zink will return in couple of weeks with an engineer, also the final HSA document will be given to the Board by the end of the year. There was some discussion about the Otto Mears Park and Community Committee. Mayor Terrell stated that the committee is on hold until the assessment is completed, once the assessment is done the committee will get back together. It was discussed if the Town should advertise for committee members and if current members want to still be on the committee they could re-submit letters. Mayor Pro- Tem Engquist also mentioned the Town Hall Phase 1 will start in the Spring, formal bids will be advertised.

Review/Discuss/Approve Letter of Interest – Historic Preservation Commission: Trustees reviewed the letter submitted to be on the Historic Preservation Commission. Mayor Pro-Tem Engquist mentioned that Kelsey Hauck will be taking Leslie Griffith's place.

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

Mayor Pro- Tem Engquist moved to accept the letter of interest from Kelsey Hauck to be on the Historic Preservation Commission.

Vote as follows: Trustee Aldrich – aye; Trustee Hansen - aye; Trustee Wilson - aye;
Mayor Pro-Tem Engquist – aye; Mayor Terrell - Aye

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

Discuss/Approve Funding of \$800 for Saving Places Conference in February 2017 for Historic Preservation Commission, also to Include Travel Expenses:

Mayor Pro –Tem Engquist mentioned there are four people who want to attend the “Saving Places Conference” the deadline to get the early registration for \$200 each is December 20th. Two members are qualified for CLG scholarships. There was some discussion about travel expenses. Mayor Pro Tem was asked to check to see if the hotels can be paid in 2016 so the travel and training funds can be used. Town Administrator Fye stated that what is left over will be carried to the 2017 budget.

MOTION by Trustee Hansen; Second by Trustee Wilson

Trustee Hansen moved to approve the funding of \$800 for four HPC members to attend the Saving Places Conference.

Vote as follows: Trustee Aldrich – aye; Trustee Hansen - aye; Trustee Wilson - aye; Mayor Pro-Tem Engquist – aye; Mayor Terrell - Aye

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

Ordinances/Resolutions/Public Hearings:

Review/Discuss/Approve Ordinance 2016-3: An Ordinance Amending Saguache Municipal Code Relating to “Dangerous Dogs”: Attorney Farish read entire Ordinance 2016-3; he added they wanted to pick up the State statute language. The penalty section needs to be added. Trustee Hansen asked if Sheriff Warwick has seen the Ordinance, Town Administrator stated no, but she will show it to him.

MOTION by Mayor Pro –Tem Engquist; Second by Trustee Wilson

Mayor Pro – Tem Engquist moved to approve Ordinance 2016-3: An Ordinance amending Saguache Municipal Code relating to dangerous dogs and as amended by Attorney Farish.

Vote as follows: Trustee Aldrich – aye; Trustee Hansen - aye; Trustee Wilson - aye; Mayor Pro-Tem Engquist – aye; Mayor Terrell - Aye

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

Attorney Report:

Discuss/Approve moving on to District Court on the Sladek case: Town Administrator Fye stated that the Board does not need to do anything at this point. Attorney Farish said he will wait until the Board tells him to move forward. Trustee Hansen asked if the Town will be redoing the lease with Sladek, when the Town does the lease they can decide whether to move forward with District Court. This will only be added to the agenda when the Board wants to discuss it. No motion was made.

Break: 7:20 p.m.

Re-convened: 7:26 p.m.

Old Business:

Update on Flood Map: Public Works Pacheco said he has not heard anything back yet. Town Clerk Garcia mentioned the Town Hall has been asked about the flood insurance and if a study has been done, the Town needs to make sure a study gets done.

Review/Discuss/Approve Memorandum of Understanding [MOU] between Mountain Valley Booster Club and Town of Saguache: Mayor Terrell told the rest of the Board about his concerns with the MOU. He stated that MV Booster Club has not done many things, they have asked for money for equipment, the Town does the background checks

and at that the Booster Club has turned those in the Town like they should, they give no reports to the Board. Mayor Terrell would be in favor of not doing the MOU. It was asked if MV Booster even wants the MOU, it was stated we are not sure; this will be tabled until we get this answer.

Update on Audrey Mondragon Property: Town Administrator stated we did receive the asbestos report from Audrey Mondragon, the inspection showed that there was asbestos in the drywall in the destroyed section. The asbestos needs to be removed by a certified hazmat company. Town Administrator stated that Ms. Mondragon is getting three quotes from companies. Town Administrator said she plans to just remove the affected area and leave the building that is standing and fix it. Elvie Samora asked after the quotes are received, how long she has to remove the debris. Mr. Samora also said that if Audrey leaves the building standing is against the original agreement. Town Administrator said that Ms. Mondragon is showing an effort. It was mentioned that some staff and Board members may be attending an asbestos meeting in Pueblo on November 21st. There was further discussion about the meeting.

Discuss November 15, 2:15 p.m. meeting with BOCC and Assessor re: assessment and valuation of new construction issues in the county: Town Administrator Fye stated the taxation revenue for the Town is staying flat. The Town needs some questions answered. Trustee Hansen, Mayor pro- Tem Engquist, and Town Administrator Fye will be attending the meeting.

New Business:

Schedule Budget Workshop for Finance Committee to present 2017 Budget: The Trustees thanked Town Administrator Fye for doing a good job. The Finance Committee will present the 2017 Budget to the Trustees on Friday, December 2nd at 4:30 p.m. at the Community Building. The adoption of the 2017 Budget will be on December 6th at 6:45 p.m. and held at the Community Building.

Review/Discuss/Approve RFP for Town Attorney: Attorney Farish asked to speak to the Trustees in executive session at some point. Mayor Terrell stated that we can hold an executive session meeting at the end of this meeting.

Accept Resignation of Trustee Kate Vasha effective 11/11/2016: Town Administrator Fye and Mayor Terrell stated they both received an email stating she is resigning from the Town Board effective noon on November 11th. Trustee Aldrich asked if the Trustees had the resignation letter to review/ Town Administrator Fye stated her resignation was in the email and not a separate letter. Town Clerk Garcia said the email was not part of the board packet.

MOTION by Trustee Hansen; Second by Trustee Wilson

Trustee Hansen moved to approve the resignation of Kate Vasha effective at noon on November 11th.

Vote as follows: Trustee Aldrich – aye; Trustee Hansen - aye; Trustee Wilson - aye; Mayor Pro-Tem Engquist – aye; Mayor Terrell - Aye

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

Review/Discuss/Approve publication of Request for Letters of Interest for Town Trustee vacancy: The Trustees discussed the time frame; there were no changes to the publication.

MOTION by Trustee Wilson; Second by Trustee Hansen

Trustee Wilson moved to approve the publication for the request for letters of interest for board vacancy, with the deadline of noon on December 7 2016 and to consider at the Regular Session on December 12, 2016 at 6:30 p.m.

Vote as follows: Trustee Aldrich – aye; Trustee Hansen - aye; Trustee Wilson - aye; Mayor Pro-Tem Engquist – aye; Mayor Terrell - Aye

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

Discuss Date and Time of Board Meetings: Trustee Wilson asked about changing the times of the meetings from 6:30 to 6:00 p.m. There was a short discussion about Board members availability to come to the earlier time. Trustee Hansen would also like to change the day of the meetings from the third Monday to the third Tuesday. Attorney Farish stated the 3rd Tuesday works for him.

MOTION by Trustee Hansen; Second by Trustee Wilson

Trustee Hansen moved to approve starting on January 2017 to move Board meetings to the third Tuesday at 6:00 p.m.

Vote as follows: Trustee Aldrich – aye; Trustee Hansen - aye; Trustee Wilson - aye; Mayor Pro-Tem Engquist – aye; Mayor Terrell - Aye

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

Assignments and Commitments Review:

Discuss future workshops (water treatment, sidewalk policy): There was no discussion.

Trustee Comments: Mayor Terrell asked everyone to keep Susan Collins in their thoughts. There were no other comments.

Reports:

Maintenance Report: Public Works Pacheco met with Colorado Rural Water Association and they have concerns on how marijuana is affecting water. Mayor Terrell said the Town needs to look at these issues with the Lagoon system. This item should be added to the December agenda to discuss this further. Trustee Hansen asked Public Works Pacheco about Perry Hazard meter and why it is not working. Mr. Pacheco said that it is due the sub water, he said it is shorting out the wiring. Mr. Pacheco said he is looking at different options by either placing above ground in the summer months and lower it in the winter months. Trustee Hansen also asked about items on Town right-of-way. Public Works Pacheco said he and Town Administrator Fye are moving forward and taking pictures. Trustee Hansen asked about abandoned vehicles, Public Works Pacheco said he is watching that. Trustee Hansen asked if letters will be going out, Public Works Pacheco said, yes they will be.

Town Administrator Report: Town Administrator Fye said the Board received her report in the packet and if they have any questions. Town Administrator Fye said that Mayor Terrell, Mayor Pro- Tem Engquist and herself will be meeting with Lt. Governor tomorrow.

Laura Lee Coleman-Conley and Mike Wheeler asked about moving forward with building they had discussed with the Board in October. Mayor Terrell said the Town is

waiting to see what Saguache County does. Whatever the County does the Town may follow suit. Mike Wheeler said there is limited time when they can put the concrete down. Town Administrator Fye said they could come and get a building permit for the pad.

Executive Session (if needed): The Trustees agreed to go into executive session.

MOTION by Mayor Pro – Tem Engquist; Second by Trustee Wilson

Mayor Pro- Tem Engquist moved to go into Executive Session for conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. 24-6-402(4)(b) and for the purpose of determining positions to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(a);

Vote as follows: Trustee Aldrich – aye; Trustee Hansen – aye; Trustee Vasha – aye; Trustee Wilson – aye; Mayor Terrell – aye

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

It's November 14, 2016, and the time is 8:13 pm. For the record, I am presiding officer, Mayor Greg Terrell. As required by the Open Meeting Law, this executive session is being electronically recorded.

Also present at the executive session are the following persons: Attorney Farish, Dan Pacheco, Trustee Hansen, Trustee Wilson, Trustee Aldrich, Trustee Engquist, Town Administrator Fye, and Town Clerk Rese Garcia

This is an executive session for the following purposes: For conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. 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 the executive session.

If at any point in the executive session any participant believes that the discussion is going outside the proper scope of the executive session, please interrupt the discussion and make an objection.

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

The Town Attorney Fairsh stated this may include attorney-client privilege and asked that the tape be turned off. The tape was turned off at 8:15 p.m.

The time is now 8:37 p.m., and the executive session has been concluded. The participants in the executive session were: Attorney Farish, Dan Pacheco, Trustee

Hansen, Trustee Wilson, Trustee Aldrich, Trustee Engquist, Town Administrator Fye,
and Town Clerk Rese Garcia

For the record, if 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.

See none, the next agenda item is....

No motion was made.

Adjournment: There being no further business, the meeting was adjourned by Mayor Terrell at 8:30 p.m.

TOWN OF SAGUACHE BOARD OF TRUSTEES
SAGUACHE, COLORADO

Greg Terrell, Mayor

ATTEST:

Therese Garcia, Town Clerk