

**TOWN OF SAGUACHE  
BOARD OF TRUSTEES  
REGULAR SESSION MINUTES  
June 11, 2018**

**Roll Call:**

**Call to Order – Meeting called to order at**

Board Members Present – Mayor Samora, Mayor Pro-Tem Arredondo, Trustee Wilson, Trustee Torrez, Trustee Aldrich, Trustee Hansen

Staff Present: Town Clerk Iris Garcia, Town Attorney Gene Farish, Public Works Director Josh Curry

**Moment of Silence and Pledge of Allegiance**

Changes and Adoption of Agenda

Under New Business –

1. Beth Shimamoto.
2. Letter from Ed and Anne Neilsen added to the packet

Under Ordinance/Resolutions/Public Hearing

1. Ordinance 2018-E
2. Budget Resolution under item #2 – it should read revenues not expenditures

Under Boards/Committees Reports:

1. Historic Preservation

Consent Agenda –

1. May 29, 2018 minutes add a hyphenate De-Bruce under attorney report
2. May 14, 2018 under nominations for Mayor Pro-Tem – nomination for Loren Aldrich was made by Trustee Hansen not Trustee Wilson

Motion: Trustee Hansen moved to accept the changes to the agenda.

Second: Trustee Wilson

Vote: Aye – 6, No – 0, Abstain – 0 *Let the record show the motion passes*

**Sheriff's Report:**

Town Clerk Garcia presented the written Sheriff's report to the board.

Motion: Mayor Pro-Tem Arredondo moved to accept the Sheriff's report.

Second: Trustee Wilson

Vote: Aye – 6, No – 0, Abstain – 0.

**Citizen Comments:**

This time is established for the public to address the Board regarding any item not otherwise listed on the agenda. **Citizen comments are limited to 3 minutes per person.**

**Mike Wheeler-** Had a questions regarding the sewer project. Have we selected the contractor, and will they be bonded? Will you offer up to the community the amounts and requirements of the bonds? Feels a 2% or 2.5% bond is inadequate. Wants to make sure the design teams goals are met by contractors. Mayor Samora said the board will provide what law requires and with advice from attorney

**Barry Van Sant -** Shared with the board that the bus service recently took its inaugural ride. He rode the line it was a great trip they had 7 riders going north on Tuesday and 5 going to Alamosa on Thursday. The service is set up to convert to an on-demand system. The cost is 6 dollars round trip to Salida and Alamosa. He was encouraged with the value and hopes the board spreads the word regarding the services offered by the bus line.

**Skye Wright –** Curious about what is going on in Dave Martinez park. Was under the impression that the bathrooms would go further back.

**Luana Lovato –** 1. Can we get another cat and dog spay and neuter clinic in town? The cat problem is horrible. On Memorial Day she was put off by an out of town person coming to town to give away kittens making the problem worse. 2. Wondering what was happening with the sub water and ditches? I do not get any ditch water and the sub water doesn't run under her houses. Would like the board to think about how this issue is affecting the town. Would like to open the ditches on Denver Avenue.

**Mary Johnson –** Seeing an influx of traffic on Pitkin and is concerned that people are speeding and running the stop signs. Mayor Samora stated the board will address it with the Sheriff's department. Would like a stop sign by the library. Mayor Samora let Mrs. Johnson know that it would involve a traffic study.

**Approval Items:**

**Consent Agenda:**

This list includes “housekeeping” items that have been reviewed by staff and Board members prior to meeting. A single motion of the Board will approve these items. The Mayor will ask if any Board members or a member of the public requests that item(s) be removed from the Consent Agenda for further discussion. The Mayor will then ask if Board members have minor corrections to Content Agenda items: Board members may make minor corrections without

removing items from the Consent Agenda. All items not removed from the Consent Agenda will then be approved without any corrections. A member of the Board may vote no on specific items without asking that they be removed from the Consent Agenda for full discussion.

1. May 14, 2018 Minutes
2. May 29, 2018 Minutes
3. List of Bills June 2018

Motion: Mayor Pro Tem Arredondo moved to approve items on consent agenda.

Second: Trustee Hansen

Discussion: none

Vote: Aye - 6 , No - 0 , Abstain - 0 , *Let the record show the motion passes*

**Boards/Committees Reports:**

Historic Preservation Commission – Leigh Ann Buniger discussed the MOU with the board. HPC has submitted what they are willing to do in submitting the historic structure assessment. The County will act as the GRC and draft the RFP.

Needs a trustee to join the HPC. They have a meeting once per month on the first Thursday. The Town board will let them know next meeting

**Ordinances/Resolutions/Public Hearing:**

Budget Hearing 2018 amended Budget – Attorney Gene Farish called the meeting to order at 7:16pm at the Road and Bridge.

Attorney Farish: A Quorum is present. Today is June 11, 2018 this is a public hearing for the Town of Saguache 2018 Budget Amendments and Appropriations Saguache, Colorado. Topic: 2018 Budget Amendments and Appropriations A public hearing will be conducted for informing citizens and soliciting public input, written or oral, regarding the 2018 Budget Amendments and Appropriations

| Fund                | Original Revenues | Amended Revenues | Original Expenditures | Amended Expenditures |
|---------------------|-------------------|------------------|-----------------------|----------------------|
| General Fund        | \$ 396,506        | \$ 418,128       | \$ 369,506            | \$ 485,937           |
| Water               | \$ 203,632        | \$ 150,558       | \$ 203,632            | \$ 202,810           |
| Sewer               | \$ 1,545,292      | \$ 2,199,238     | \$ 1,545,292          | \$ 2,188,720         |
| General Improvement | \$ 173,561        | \$ 83,075        | \$ 173,561            | \$ 105,272           |
| Conservation Trust  | \$ 13,618         | \$ 11,378        | \$ 13,618             | \$ 15,618            |
| Recreation Fund     | \$ 1,600          | \$ 1,600         | \$ 1,600              | \$ 1,600             |
|                     | \$ 1,936,103      | \$ 2,863,977     | \$ 1,936,103          | \$ 2,999,957         |

Copies of the 2018 Budget Amendments and Appropriations are available for public

review prior to the Public Hearing at the following location:

Saguache Town Hall  
504 San Juan Ave., Saguache, Colorado.

The point of contact for the Town of Saguache is Iris Garcia, Town Clerk at 719-655-2232.

**Town of Saguache  
Iris Garcia  
Town Clerk  
This was published June 1, 2018.**

**I will now read the resolution in order to receive public comment.**

**RESOLUTION NO. 2018-Q**

**(Series 2018)**

**A RESOLUTION APPROPRIATING ADDITIONAL SUMS OF MONEY IN EXCESS OF AMOUNTS BUDGETED FOR THE TOWN SAGUACHE, COLORADO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2018 AND ENDING DECEMBER 31, 2018, AND REVISING EXPENDITURE APPROPRIATIONS.**

WHEREAS, the Town is authorized by Section 29-1-109, C.R.S., to establish and amend its annual budget and to make transfers and supplemental appropriations of budgeted funds; and

WHEREAS, the Town provided notice of a public hearing concerning this Resolution in accordance with Section 29-1-106, C.R.S., by publishing notice once in a newspaper of general circulation and held such public hearing as required by state statute; and

WHEREAS, the Town desires to amend its 2018 budget and approve supplemental budget appropriations from the General Fund, General Improvement Fund and Water and Sewer enterprise Fund as set forth in this Resolution in order to fund needed anticipated operating expenditures and capital outlay; and

WHEREAS, money to finance these anticipated expenses will come from unanticipated revenues and grants; and

WHEREAS, other revenue sources anticipated at the time of the adoption of the budget have been more or less than anticipated; and

WHEREAS, as a result, it is necessary to amend the original budget appropriations for the current year;

WHEREAS, the additional appropriations contemplated by this Resolution do not exceed the amount of estimated revenues and fund balance in the budget year 2018.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF SAGUACHE, COLORADO:**

Section 1. That the 2018 estimated expenditures for each fund are adjusted as follows:

|                        | Original     | Adjustment  | Final        |
|------------------------|--------------|-------------|--------------|
| General Fund           | \$ 369,506   | \$ 116,431  | \$ 485,937   |
| Water Fund             | \$ 203,632   | \$ (822)    | \$ 202,810   |
| Sewer Fund             | \$ 1,545,292 | \$ 643,428  | \$ 2,188,720 |
| General Improvement    | \$ 173,561   | \$ (68,289) | \$ 105,272   |
| Conservation Trust     | \$ 13,618    | \$ 2,000    | \$ 15,618    |
| Recreation Fund        | \$ 1,600     | \$ -        | \$ 1,600     |
| Total All Expenditures | \$ 1,936,103 | \$ 692,748  | \$ 2,999,957 |

Section 2. That the 2018 estimated revenues for each fund are adjusted as follows:

|              | Original   | Adjustment  | Final      |
|--------------|------------|-------------|------------|
| General Fund | \$ 396,506 | \$ 21,622   | \$ 418,128 |
| Water Fund   | \$ 203,632 | \$ (53,074) | \$ 150,558 |

|                     |              |             |              |
|---------------------|--------------|-------------|--------------|
| Sewer Fund          | \$ 1,545,292 | \$ 653,946  | \$ 2,199,238 |
| General Improvement | \$ 173,561   | \$ (90,486) | \$ 83,075    |
| Conservation Trust  | \$ 13,618    | \$ (2,240)  | \$ 11,378    |
| Recreation Fund     | \$ 1,600     | \$ -        | \$ 1,600     |
| Total All Revenues  | \$ 1,936,103 | \$ 529,768  | \$ 2,863,977 |

Section 3. That the revised budget hereby approved and adopted shall be signed by the Mayor and the Town Clerk and made a part of the public records of the Town.

**RESOLVED, APPROVED AND ADOPTED** this 11<sup>h</sup> day of June 2018.

Attorney Farish: Is there any testimony? – no testimony in opposition. No testimony is support of.

I will now close the evidentiary portion of this hearing

Questions From staff and board-

Town Clerk – To clarify why we are amending the budget. We had several grants and other corrections that needed to be made.

Hearing closed at 7:20 PM

**Resolution 2018-Q – 2018 Budget Appropriations**

Motion: Mayor Pro-Tem Arredondo

Second: Trustee Wilson

Discussion: none

Vote: Aye - 6 , No - , Abstain - , *Let the record show the motion passes.*

**Ordinance 2018-E Cargo/shipping container moratorium**

James Montoya – has a container that has been there for quite some time what does that mean for him.

Luana Lovato – unless the town is willing to provide defense council the jail time needs to be removed. Attorney Farish – If this remains as of July 1, they are entitled to council.

Mike Wheeler – Suggested to the board that if they want property owners to remove storage containers that they should take a look at the buildings in the town.

Tabled until special session

**Break:**

**Attorney Report:** Discussed with the board the possibility of making the town a court of record. We now have an Attorney acting as our Town Judge and this is now a possibility. The Board instructed Attorney Farish to draft an ordinance changing the status of our municipal court to a court of record.

**Old Business:**

**Review the location for bus stop Tim Chittum** – Tim Chittum discussed the location of the bus stop on main street.

**Building construction – Dave Martinez Park**

Town Clerk discussed with the board the concern that the placement of the restroom was placed too far forward and asked the board what their wishes were in regard to the placement of the restroom.

Motion: Mayor Pro-Tem Arredondo moved to investigate further east to place the restrooms at the Dave Martinez Park.

Second: Trustee Hansen

Vote: Aye – 6, No – 0, Abstain – 0 *Let the record show the motion passes.*

**Marijuana Ballot Questions-**

Attorney Gene Farish addressed the board as to whether they would like to place medical marijuana on the ballot. In taxing retail marijuana, the board will have to decide in the amount of tax and whether they want to put a max cap on the amount to 15%.

Mayor Pro-Tem Arredondo feels it should be both medical and retail sale. The Board of Trustees directed Town Attorney Farish draft the ordinance to include both retail and medical marijuana sales. Will have to construct two ballot issues.

**Broom Purchase Letter – Direct the Town Clerk to draft a letter to purchase the sweeper.**

**Water Restrictions-** Trustee Hansen asked that town maintenance monitor the use of water to stay with our usage. Asked Josh to monitor the water and bring an average to the next meeting. Mayor Pro-Tem asked that we adjust the times of watering. Mayor Samora asked that the times be adjusted from 6 to 12pm and from 4 to 10pm.

Motion: Trustee Wilson moved to change the times of water restrictions to 6am to 12pm and from 4pm to 10pm effective June 20, 2018.

Second: Trustee Hansen

Vote: Aye – 6, No – 0, Abstain - 0

**New Business:**

**Ed and Tootsie Powszukiewicz** – Asked for a waiver for water sewer rates for multi-family housing units.

Motion: no motion

Request dies for lack of motion

*Let the record show the motion fails*

**Bryan Gadd** – Water usage for school construction. Tabled until next meeting

**Wendi Maez** – Building permit fee waiver for temporary placement of cargo container

Motion: Mayor Pro – Tem Arredondo motioned to waive the fee for Saguache County

Second: Trustee Aldrich

Discussion: none

Vote: Aye - 5 , No - 0, Abstain – 1 Trustee Wilson , *Let the record show the motion passes*

**Sharing Christmas** – Nyla Orvis asked for a waiver for community building fees for Sharing Christmas Fund Raiser

Motion: Mayor Pro-Tem Arredondo moved to waive fee for Sharing Christmas

Second: Trustee Wilson

Discussion:

Vote: Aye - 6 , No - 0 , Abstain - 0 , *Let the record show the motion passes*

**Fireworks display- HEART also asked for a waiver of fire restriction to do a firework display during their event.**

Motion: Trustee Arredondo moves to lift restrictions until 8pm to 11pm on July 4.

Second:

Motion fails for lack of a second.

**Ed and Anne Nielsen** – Variance request for placement of RV/travel Trailer

Motion: Mayor Pro Tem Arredondo moved to approve variance request for 2 years.

Second: Trustee Hansen

Discussion: None

Vote: Aye - 6 , No - 0 , Abstain - 0 , *Let the record show the motion passes*

**Beth Schroeder – Requested a waiver of water restriction one day on July 31<sup>st</sup> for a fundraiser for the Mountain Valley School.**

Motion: Mayor Pro-Tem Arredondo moved to waive water restriction from 9:30 to 2:30 for the Mountain Valley School Volleyball team.

Second: Trustee Aldrich

Discussion: Trustee Hansen asked if they use nozzles or if they let the water run when they are not using the hose. Ms. Schroeder said they use nozzles.

Vote: Aye - 6 , No - 0 , Abstain - 0 , *Let the record show the motion passes.*

**Luana Lovato - Speeding on Denver Avenue Luana Lovato - Requesting that a traffic study be completed. Town will look into this study. Also requesting a waiver on the Monday water restrictions. Request fails for lack of motion.**

**Staff Reports:**

1. Maintenance Report- Written
2. Town Clerk – Written

**Trustee Comments:**

Trustee Aldrich – Happy with the progress reports and the information coming from town staff.

Trustee Torrez – Happy with the staff

Trustee Hansen – Wants the board to step up and serve on our boards

Mayor Pro-Tem Arredondo – We are doing a good job. Sometimes we think that some of the interaction goes on too much and we need to curtail that a little.

**Executive Session (if needed):**

Josh Curry has requested that his items be heard in open session for the discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f) regarding Public Works and personnel issues.

Mayor Samora stated that Josh Curry was due for his 90 day review which what they will be doing now. He invited Josh to speak first about what he felt he accomplished, what he needs to do and where he is in this transition.

Josh Curry felt he has pretty much handled all of the situations that have arisen and has been transferring into the position well. He is having to learn how to handle and deal with personnel issues. Feels that communication is going good between staff. He felt the transition was more complicated than he had calculated. He feels he is proficient on the equipment could use more time on the motor grader.

Mayor Samora asked if he was getting help from Danny Pacheco. Josh Curry stated only when he asked questions and it wasn't really offered only really when asked direct questions. Mayor

Samora asked Clerk Garcia if she had anything to add. Clerk Garcia stated that she didn't feel comfortable weighing in as she is not his direct supervisor.

Trustee Hansen asked what he needs to improve now that he has reached his 90 days, such as supervisor training or something else to advance?

Josh Curry stated he doesn't think he needs supervisor training that between himself and Iris he has been getting that. He said he may need more knowledge of the water and waste water systems and is working on obtaining his water users license and has been attending classes and discussed the process of classes and testing.

Trustee Hansen asked if his team was working together as a team?

Josh Curry stated it wasn't 100% but that they were getting closer every day and that he is pleased with Jarrod and Colten. He and Jarrod have butted heads, but he believes they are working through it.

Mayor Samora stated if this was the end of his probation the board could consider that as a fact or do it in a motion and they could also consider a change in his wage level.

Trustee Hansen asked if he has had a performance evaluation to go along with process?

The Board discussed the process and the evaluation form. They discussed who would complete the evaluation. It was discussed that the Mayor, as his supervisor, should complete the evaluation.

The Board agreed to use the form on file and he and Josh would meet to go over it.

Josh Curry asked if they would wait until that time to do a pay increase.

Trustee Arredondo thought they could do it now.

Mayor Samora felt technically there should be an evaluation in place but if it can be done relatively quickly and if the board is in agreement that if the evaluation is either at "meets expectation or above" than that wage can increase.

Trustee Hansen suggested that it could be done at a special session once Mayor Samora and Josh finished the evaluation and Josh agrees and the Mayor agrees, they can look at what we are going to do.

Mayor Samora said at that time it could be decided if the pay is prorated to the current pay period.

The board decided that they would schedule a special session. The date for the special session would take place on June 19, 2018 at 6:30pm.

No motion was made in regard to the public works director position or pay rate increase.

**Executive Session:**

Motion: Trustee Hansen moved to go into executive session for the purpose of determining positions relative 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) – Contract Agreement and

For the discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f) regarding Public Works and personnel issues.

Second: Trustee Wilson

Vote: Aye – 6, No – 0, Abstain – 0 *Let the record show the motion passes.*

Moved into executive Session at 10:35PM

Out of executive session at 10:46

Mayor Samora: The time is now 10:46 pm, and the executive session has been concluded. Participants in session were Trustee Loren Aldrich, Trustee Janice Torrez, Trustee Amber Wilson, Trustee Wyoma Hansen, Mayor Pro Tem Randal Arredondo, Saguache Town Clerk Iris Garcia, Attorney Gene Farish. For the record, if any person believed 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 Meeting Law, I would ask you to state your concerns for the record.

*No objections*

**Review/Discuss/Approve Contract Agreement extension for Dan Pacheco.**

Motion: Trustee Hansen extend for 3 months

Second: Mayor Pro-Tem Arredondo

Discussion:

Vote: Aye - 6 , No - 0 , Abstain - 0 , *Let the record show the motion passes.*

**Review/Discuss/Approve temporary summer employment.**

**Saari Deherrera- Office Position**

Motion: Mayor Pro-Tem Arredondo motions to hire Saari Deherrera for the office position.

Second: Trustee Hansen

Discussion:

Vote: Aye - 6 , No - , Abstain - , *Let the record show the motion passes.*

**Ripper Fitz- Maintenance position**

Motion: Trustee Hansen

Second: Mayor Pro-Tem Arredondo

Vote: Aye – 6, No – 0, Abstain – 0 *Let the record show the motion passes.*

**Adjournment: Meeting adjourned at 11:02Pm**

Motion: Mayor Pro-Tem Arredondo moved to adjourn.

Second: Second Trustee Aldrich

Discussion:

Vote: Aye - 6 , No - 0 , Abstain - 0 , *Let the record show the motion passes.*

TOWN OF SAGUACHE, COLORADO

BY: *Elvie M. Samora*

Mayor, Elvie M. Samora

ATTEST:

*Iris Garcia*

Town Clerk, Iris Garcia