

TOWN OF LA JARA

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Regular Meeting
Date: February 11, 2021

A permanent set of these minutes are maintained in the Town Clerk's Office. Approved Minutes are also available on the web at www.colorado.gov/townoflajara

Call to Order

In an effort to help prevent the spread of COVID-19 the Regular Meeting of the La Jara Town Board of Trustees was held virtually via ZOOM. The meeting was called to order by Mayor Medina at 6:00 p.m.

Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Medina.

Roll Call

Present were Trustees: Chavez, Espinoza, Gallegos, Villagomez, Wagoner, Mayor Pro Tem Valdez, and Mayor Medina.

Absent: None

A quorum was present.

Also present were: Chief Lujan, Maintenance Supervisor Jimmy Hinojos, Town Manager Larry Zaragoza, Town Attorney Ben Pacyga and Town Clerk Pagnotta.

Approval of Agenda

Motion: Trustee Wagoner moved to approve the agenda; seconded by Trustee Espinoza.

Vote Results: Ayes: Trustees Chavez, Espinoza, Gallegos, Villagomez, Wagoner, Mayor Pro Tem Valdez and Mayor Medina.

Nays: None

Motion Carried.

Consent Calendar

Motion: Mayor Pro Tem Valdez moved to approve the consent calendar; seconded by Trustee Espinoza.

Vote Results: Ayes: Trustees Chavez, Espinoza, Gallegos, Villagomez, Wagoner, Mayor Pro Tem Valdez and Mayor Medina.

Nays: None

Motion Carried.

Guests

Robert Taylor from Boxcar Espresso discussed with the board his desire to put in a drive through service window at his coffee shop. In his plans he discussed where the driveway would be located and indicated that a tree would need to be removed. Trustee Wagoner felt that the town should support Mr. Taylor and help with the removal of the tree. Trustee Espinoza asked for clarification on a driveway and mentioned that if Taylor's driveway would include access from public lands, he would need to get an easement.

Town Manager Zaragoza stated that he would meet with Mr. Taylor to work out the details. Attorney Pacyga agreed with Trustee Espinoza in that an easement to access the right-of-way to cross public lands

would need to be recorded with the county. Additionally, Attorney Pacyga would like to have an agreement between Mr. Taylor and the Town specifying who would be responsible for the maintenance of the driveway. Pacyga suggested meeting with all parties to work out an agreement.

Christopher Wood, Clinic Manager from SLVRMC in La Jara and in Monte Vista along with Physician Assistant Cathy McCurdy introduced themselves to the board and stated they would like show their commitment and loyalty to La Jara as well as build meaningful relationships with the community. Mr. Wood introduced Cathy McCurdy and gave a background of her education and the work she has done in the health care field in the San Luis Valley. He stated SLV Health cares about the community and the citizen's health. Cathy McCurdy stated they are gradually rebuilding services in the La Jara Clinic and is looking forward to continuing to participate with the town on an administrative level to integrate the clinic into the community. Mayor Medina thanked both for attending the meeting and looking forward to partnering with them.

Citizen Comments

No Citizen Comments.

New Business

Repeal of Sales Tax License fee and increase of Business License fee for 2022 – Attorney Pacyga stated that a citizen raised a concern about collecting a sales tax license fee. He explained after reviewing the legal authorities it is clear that home rule jurisdictions that are self-collecting for sales tax can require a sales tax license fee, however, since the Town is a statutory town that is not self-collecting the Town should repeal that portion of the ordinance requiring a sales tax license fee and adjust the Business License fee accordingly. Trustee Gallegos had some questions regarding how sales tax is collected by businesses and paid to the town. Town Clerk Pagnotta explained that nothing is changing on how a business collects and pays sales tax, this repeal is only removing the requirement for businesses to purchase a \$10 “Sales Tax License” issued by the Town; businesses will still need to purchase a Business license in order to operate a business. Attorney Pacyga stated that there is no rush in approving this and suggested taking time to look it over.

Old Business

Committees – Mayor Medina stated in order to be more proactive with the meetings and have a little more trustee involvement three committees have been formed. Town Manager Zaragoza drafted a set of guidelines that will serve as a framework for each of the three committees. Mayor Medina explained the purpose of each of the committees. Trustee Espinoza suggested forming a Historic Preservation Committee and stated she would be interested in heading this committee up when her term is finished. There was some discussion on recruiting volunteers to serve on the Community Engagement Committee; Town Manager Zaragoza had a list of individuals that are wanting to be involved.

Mayor Medina explained that instead of individual trustee comments they will report on the committees that they serve on. She explained that the trustees should discuss any issues or concerns they have with the Town Manager. After a long discussion it was agreed to continue having the trustee comments.

Reports

Town Manager Report

Town Manager Zaragoza reported on the following items:

- Electronic Sign was installed.
- Control panel for pump house to be installed
- Hum vees have been sold for \$5,000.
- Hired a new maintenance worker.

- Citizen of the Year for 2020 – It was suggested nominating Matthew Gallegos and Lynette DePriest.
- Grocery Distribution at Northerner's on February 19 from 10 to noon.
- Completed Xcel Energy Application for the maintenance building.
- Completed loan application to First Southwest Bank for the construction of the maintenance building.
- Town car had to have a new sensor installed. Baroz Auto Service made the repairs for \$168.
- New businesses – Dollar General Super store will be going in south of Subway. There has been an interest in someone purchasing Mel's Restaurant. Happy Paws is a new pet grooming service next to Box Car Espresso. Sent a plant as a welcome gift from the Town.
- Assurance Agreement approval for DCI (Downtown Colorado Inc.) Town Manager Zaragoza will send the agreement to Town Attorney to have him review it. There was discussion on emailing the agreement to the trustees and approving it if everyone agreed. Town Attorney Pacyga mentioned that all the emails concerning this issue would need to be public record. A special meeting was scheduled for 2/17/21 to approve the Assurance agreement as well as approve a resolution establishing spending limits for the Town Manager.
- Centauri Tutoring program, organized by Joseph Valdez, requested use of Northerner's Senior Center for after school mentoring.
- Upper Rio Grande Economic Development Group would like to do a power point presentation at our next council meeting on the aging population.
- Agreement between the Town and Paul Garel for his service as the ORC for the water and sewer systems. Attorney Pacyga has drafted an agreement, but would like to meet with Town Attorney Pacyga and Paul Garel to discuss it in more detail.

Motion: Trustee Gallegos moved to approve the Town Manager's Report; seconded by Mayor Pro Tem Valdez.

Vote Results: Ayes: Trustees Chavez, Espinoza, Gallegos, Villagomez, Wagoner, Mayor Pro Tem Valdez and Mayor Medina.

Nays: None.

Motion Carried.

Town Attorney Report

Town Attorney Pacyga reported on the following;

- Prepared the contract for the ORC for the water and waste water systems.
- Preparing an opinion letter for the loan for the maintenance building.

Motion: Mayor Pro Tem Valdez moved to approve the Town Attorney's Report; seconded by Trustee Wagoner.

Vote Results: Ayes: Trustees Chavez, Espinoza, Gallegos, Villagomez, Wagoner, Mayor Pro Tem Valdez and Mayor Medina.

Nays: None

Motion Carried.

Police Report

Police Chief Lujan presented a written report and asked if there were any further questions. Trustee Gallegos asked about a noise ordinance prohibiting the use of Jake Brakes. Chief Lujan explained that most of the noise from the Jake Brakes occur outside the town limits and the sound carries into town. Trustee Gallegos asked about putting a sign up. It was explained that the sign would need to be put up outside the city limits on the highway. Town Manager Zaragoza will look into it.

Maintenance Report

Maintenance Supervisor Jimmy Hinojos submitted a written report and offered to answer any questions. Mayor Medina shared a citizen's compliments on the professionalism of the maintenance crew. Town Manager Zaragoza added that there had been an issue with the deep frost line this year causing issues and he is very proud of the professionalism of the maintenance department regarding these issues.

Clerk Report

Town Clerk Pagnotta submitted a written report and offered to answer any questions.

Inspector Report

Building Inspector Darrin Rodriguez was not present but submitted a written report. Mayor Pro Tem Valdez asked if more detail could be submitted in the report.

Trustee Comments

Trustee Villagomez – Had a few issues that he will address with Town Manager Zaragoza. Appreciates the hard work from the maintenance workers.

Mayor Pro Tem Valdez – Mentioned the upcoming COVID Shot distributed by the county.

Trustee Wagoner – Very exciting about the Community Engagement Committee and has a lot of good ideas on how to make the downtown more accessible and enjoyable.

Trustee Chavez – Asked for a list of members for the Policy and Procedures Committee. She wished everyone a happy and safe Valentine's day.

Trustee Espinoza – Requested that a copy of the Alamosa Code for building be sent to all trustees.

Trustee Gallegos – Asked about choosing a Citizen of the Year. She suggested that the citizen should reside in the city limits of the town. She nominated Lynette DePriest. She asked if DJ's Café received a welcome plant.

Mayor Medina – Nothing to report.

Executive Session

Motion: Mayor Pro Tem Valdez moved to go into executive session for 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); seconded by Trustee Wagoner.

Vote Results: Ayes: Trustees Chavez, Espinoza, Gallegos, Villagomez, Wagoner, Mayor Pro Tem Valdez and Mayor Medina.

Nays: None

Motion Carried.

Return to Open Meeting

Mayor Medina announced "the time is now 8:15pm, and the executive session has been concluded. The participants in the executive session were Trustee Gallegos, Town Attorney Pacyga, Town Clerk Pagnotta, Trustee Espinoza, Trustee Chavez, Trustee Wagoner, Trustee Villagomez, Mayor Pro Tem Valdez and Mayor Medina. 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 the 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 that you state your concerns for the record.

Seeing none, the next agenda items is Adjournment.”

Adjournment:

Trustee Wagoner moved to adjourn. The meeting adjourned at 8:15 pm.

Respectfully Submitted by

Shawn Pagnotta

Town Clerk – Shawn Pagnotta



Paul Medina

Mayor / Mayor Pro Tem