

TOWN OF LA JARA

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Regular Meeting
Date: March 10, 2022

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/townofajara

Call to Order

To help prevent the spread of COVID-19 the Regular Meeting of the La Jara Town Board of Trustees was held as a hybrid meeting by trustees attending either in person or virtually. The meeting was called to order by Mayor Medina at 6:00 pm.

Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Medina.

Roll Call

Present in person were Trustees: Villagomez and Mayor Pro Tem Valdez and Mayor Medina. Trustee Chavez joined the meeting virtually at 6:10 pm; Trustee Espinoza joined virtually at 6:12 pm.

Absent: Trustee Wagoner

Also present were Chief Lujan, Town Attorneys Farish and Walker, Building Inspector Rodriguez, Maintenance supervisor Jimmy Hinojos, Town Manager Zaragoza and Town Clerk Pagnotta.

Guests

At the start of the meeting no quorum was present, however, Alamosa County Commissioner Lori Laske and Conejos County Commissioner Joseph Baroz addressed the board regarding the Region 18 Opioid Settlement Governance Council. Commissioner Laske discussed how the council was formed and provided information on the membership. She requested the town consider collaborating their funding allocation with the region to have a better financial impact. She stated the council has a broad representation from all counties in the region to make sure all areas are represented. She stated that it might be beneficial for the Town to collaborate with the region for the purpose of recording keeping and fiscal agent responsibilities. She included a draft IGA to review if the Town decided to consider joining Region 18 Participating Local Governments. Commissioner Baroz added that he joined the group to have representation from Conejos County and feels that combining all the funds would have a bigger impact. Commissioner Laske will follow up in April for the Town's decision to join the region.

Trustee Chavez joined virtually at 6:10 pm and Trustee Espinoza joined at 6:12 pm; a quorum was present.

Approval of Agenda

Motion: Mayor Pro Tem Valdez moved to approve the agenda; seconded by Trustee Villagomez.

Vote Results: Ayes: Trustee Chavez, Espinoza, Villagomez, 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 Chavez.

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

Nays: None

Motion Carried.

Guests

Town Manager Zaragoza explained that this month is Developmental Disability Awareness month and he is an advisor for the group, People First. Two individuals were scheduled to make a presentation but were unable to attend due to the weather. He asked to table the presentation until next month.

Citizen Comments

No citizens were present.

New Business

Resolution 2022-2 Canceling the municipal election scheduled for April 5, 2022, and declaring certain candidates elected. Attorney Farish explained the Colorado Revised Statutes election codes have been revised in respect to dates and timing of when an election can be canceled. The Town's current ordinance regarding canceling an election provides that if the only matter before the voters is the election of persons to office, the election can be canceled 20 days prior to the election. Attorney Farish suggested the Town's ordinance be revised to match the state statutes that states elections can be canceled 64 days prior to the election. He then read Resolution 2022-2 in its entirety.

Motion: Trustee Chavez moved to approve Resolution 2022-2 – A resolution canceling the municipal election scheduled for April 5, 2022, and declaring certain candidates elected; seconded by Trustee Espinoza.

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

Trustee Villagomez abstained.

Nays: None

Motion Carried.

CML Conference – Mayor Medina asked those that wanted to attend to let Town Clerk Pagnotta know as soon as possible so the rooms could be reserved.

Old Business

Business/Sales Tax License Fees – Mayor Medina explained that Attorneys Farish and Walker have researched the issue and found that there is a 2-year statute of limitation for refunding non-contract obligations. She stated that there were only 20 businesses that would qualify for a refund of the \$10 Sales Tax license fee amounting to a total of \$200. She suggested the board consider offering a credit to those businesses on next year's business license fee. Attorney Walker added that they could draft a letter to those businesses that are due a refund explaining this. He also stated that crediting the businesses for next year's fee would create a lot less staff work and make it cleaner for audit purposes. Trustee Espinoza stated that a letter should be sent to those businesses explaining the statute of limitations on refunds. Trustee Espinoza felt that the refund of the sales tax license fee should be kept separate from the business license fee so that the two are not convoluted. Trustee Chavez agreed that the refund could be credited to next year's business license fee, however she asked for clarification on if the sales tax fee and business license fee would be separated in the future. Attorney walker explained that the Sales Tax license fee was repealed by ordinance in November and going forward businesses would only need a Business License. Attorney Farish stated that they considered the fees and the administration on issuing refunds and felt it would be easier to offer a credit. Trustee Espinoza had issues with making the businesses wait until next year for a credit. It was discussed to send a letter giving the businesses an option of either a refund or a credit on next year's license.

Motion: Mayor Pro Tem Valdez moved to send a letter to the businesses that qualify for a refund of the Sales Tax License fee and give them the option of a refund or a credit on next year's business license; seconded by Trustee Chavez.

Vote Results: Ayes: Trustees Chavez, Espinoza, Villagomez, Mayor Pro Tem Valdez and Mayor Medina.
Nays: None
Motion Carried.

Reports

Town Manager Report

Town Manager Zaragoza read through his report and highlighted the following:

- Public Hearing is scheduled for Tuesday, March 22 at 6:30 at Northerner's Senior Center to discuss the wastewater collection system rehab project. The project has been revised to now consist of an I&I Study, a control structure between the two cells and sludge removal. The project will cost about \$1,000,000.00.
- Meetings continue with CDPHE representatives addressing the I&I study and the projected work at the lagoons. The I&I study (smoke test) will be on March 29 and March 30.
- Kevin Carpenter with Colorado Water Resources and Power Development Authority will be contacting the trustees to move forward with the loan-forgiveness loan for the wastewater project.

Town Attorney Report

Town Attorney Farish mentioned that the new trustees will be sworn in at the next meeting and he has been thinking about orientation and training. He stated he is glad to see some trustees taking advantage of training by attending the CML Conference. He is looking forward to reviewing the codes.

Town Attorney Walker reported that he attended the rate study work session virtually and was amazed at how Chris Brandewie was able to project the proposed rates. He was impressed by the Owl camera and microphone device the town uses for virtual meetings. During the rate study work session there was some discussion on comparisons of what other entities charge for water and wastewater services; he cautioned that no two systems are the same. He did add that the proposed rates are less than what he has seen elsewhere. He mentioned that he would like to attend the CML Conference and noted some of the sessions that might be valuable; the town offered to assist him with lodging. He stated that they will be working on a few of the ordinances that need to be revised.

Motion: Mayor Pro Tem Valdez moved to approve the Town Manager and Town Attorneys reports; seconded by Trustee Espinoza.

Vote Results: Ayes: Trustees Chavez, Espinoza, Villagomez, Mayor Pro Tem Valdez and Mayor Medina.
Nays: None
Motion Carried.

Police Report

Police Chief Lujan presented a written report and offered to answer any questions.

Maintenance Report

Maintenance Supervisor Jimmy Hinojos submitted a written report and offered to answer questions.

Clerk Report

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

Inspector Report

Building Inspector Darrin Rodriguez reported that he has issued a few more building permits and has been working with the contractors for Dollar General. They have started the dirt work and should start framing soon.

Trustee Comments

Trustee Chavez – Thanked Trustee Espinoza for serving with her for the past two years.

Trustee Espinoza – Asked the trustees to consider forming a business committee since most of the business owners don't live in the city limits and feels that a committee might be a way for them to be involved so that their voices are heard. She reported that a citizen approached her about a community center. This citizen also stated that she had some water wells that could possibly be used for augmentation; Trustee Espinoza referred her to Town Manager Zaragoza. She thanked everyone for serving with her and stated that serving as a trustee has been an interesting process. She encouraged everyone to be involved in the community.

Trustee Villagomez – Stated that the last two years he has seen how things are moving forward and would like to see where they go. He stated that as a board they can make changes to the community to make things better.

Mayor Pro-Tem Valdez – Gave kudos for Commissioner Baroz for being involved. He mentioned that when he was mayor, he fought for a community center but realized that the town does not have the money for it. He thanked Trustee Espinoza for her service.

Mayor Medina – Reported that someone expressed to her that they were impressed with what the town has done in the past few years. She stated she appreciated that Audra Rendon has attended the last few meetings and shown her commitment by being involved prior to being sworn in as a new trustee in April.

Adjournment:

Mayor Pro Tem Valdez moved to adjourn. The meeting adjourned at 7:30 pm.

Respectfully Submitted by


Town Clerk – Shawn Pagnotta


Mayor / Mayor Pro Tem

