

# TOWN OF LA JARA

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Regular Meeting  
Date: March 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/townofajara](http://www.colorado.gov/townofajara)

## 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: Espinoza, Gallegos, Villagomez, Wagoner, Mayor Pro Tem Valdez, and Mayor Medina.

Absent: Trustee Chavez

A quorum was present.

Also present were: Chief Lujan, Town Manager Larry Zaragoza, Town Attorney Ben Pacyga, Building Inspector Darrin Rodriguez, Maintenance worker Anthony Rivera and Town Clerk Pagnotta.

## Approval of Agenda

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

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

Nays: None

Motion Carried.

## Consent Calendar

Trustee Gallegos asked why Aflac is listed as an expense. Town Clerk Pagnotta explained that Aflac is a supplemental insurance that is paid by the employees. The premiums are deducted from the employees' payroll checks and then forwarded to Aflac.

**Motion:** Trustee Gallegos moved to approve the consent calendar; seconded by Trustee Espinoza.

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

Nays: None

Motion Carried.

## Guests

Sarah Stoeber from Rio Grande Economic Development Group presented a PowerPoint presentation on the aging population in the San Luis Valley. She mentioned that the town should consider the workforce as the aging population is increasing and the younger workforce is decreasing. She challenged everyone to think of ways to keep the younger workforce in the valley and how to best serve the aging population.

The issue of the housing need was addressed. Trustee Espinoza mentioned that a housing study is being conducted in La Jara. She also mentioned that there is a COVID taskforce that is meeting regularly to address various issues. Trustee Villagomez stated Conejos County Hospital along with other health care providers are trying to offer jobs for the younger workers and encourage them to stay in the valley.

#### **Citizen Comments**

No Citizen Comments.

#### **New Business**

**Easter Egg Hunt** – Town Manager Zaragoza asked the trustees if they felt it was safe to have an Easter Egg hunt this year. Trustee Gallegos suggested giving out baskets instead of “Golden Eggs.” There was some concern about holding the event while following safety protocol for COVID-19. It was suggested to try and promote social distancing and require masks be worn. Mayor Pro Tem Valdez asked if Town Manager Zaragoza could research what other communities are doing to meet safety protocol.

**Motion:** Trustee Gallegos moved to proceed with the Easter Egg Hunt with safety protocol in place; seconded by Trustee Espinoza.

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

Nays: None

Motion Carried.

The Easter egg hunt would begin at 10 am at the park at 312 S. Main on April 3<sup>rd</sup>.

**Ordinance 2021-3** An ordinance of the Town of La Jara, Colorado, amending the La Jara Municipal Code to add a chapter authorizing the Town Manager to make small purchases and creating a procedure for such purchases. Attorney Pacyga drafted the ordinance that states the Town Manager shall have the authority to make purchases up to \$1,000; anything over \$1,000.00 would need board approval. Attorney Pacyga mentioned that he added a provision that prevents procurements from being divided so as to constitute small purchases.

**Motion:** Trustee Gallegos moved to approve ordinance 2021-3; seconded by Trustee Wagoner.

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

Nays: None

Motion Carried.

**Mandatory Meeting with Sam Light from CIRSA** – Mayor Medina stated that there would be a mandatory meeting on May 24<sup>th</sup> at 6 pm at Wagon Wheel. All trustees and employees are required to attend this training covering trustee and staff roles.

**Julian Espinoza** – Requested to go into executive session to discuss a business proposal. Mayor Medina asked for a brief explanation of what he is proposing. He stated he is proposing to develop a taco stand at the property on Hwy 285 located across from Alta Convenience. That property has residential water and sewer taps and is asking that they be upgraded to commercial taps. Trustee Espinoza questioned the layout of the agenda because the executive session was scheduled at the end of the meeting. Attorney Pacyga stated that because of the conflict that Trustee Espinoza is involved in this issue there needed to be some transparency with their request in open meeting and negotiations would then take place in executive session. Trustee Espinoza stated that they had nothing further to discuss until they go into executive session.

#### **Old Business**

**Ordinance 2021-2;** an ordinance of the Town of La Jara, Colorado amending section 37.22, concerning sales tax licenses, and amending section 110.05, concerning business license fees, of the Town Code.

Attorney Pacyga stated that the issue was brought up by a local business owner who questioned the purpose of requiring a Sales Tax License. Attorney Pacyga went on to state that because the Town is not a self-collecting entity, the sales tax license is not serving a purpose and should be removed. The ordinance is written to remove that license but increase the fee for a business license. Town Manager Zaragoza stated that he is still gathering information from other entities as to what they charge for business licenses. He stated that the Town's current fees need to be revised and he is working on a fee schedule. He suggested that the ordinance be revisited later; possibly having a work session to discuss it further. The issue was tabled.

Assurance agreement with Downtown Colorado Inc. (DCI) – The agreement was sent out prior to the previous month's meeting.

**Motion:** Trustee Espinoza moved to approve the Assurance Agreement with DCI; seconded by Trustee Wagoner.

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

Nays: None

Motion Carried.

Ordinance 2021-4 – An ordinance of the Town of La Jara, Colorado amending the La Jara Municipal Code to authorize the creation of committees. Attorney Pacyga stated that during the last meeting there was question about the basis for creating the committees. He stated that the Town has an ordinance that establishes the Planning and Zoning Commission but does not establish ad hoc committees or the other committees. He summarized the key points. Trustee Gallegos had questions about qualified members of the committees. It was decided that members be bona fide residents, qualified electors of the town, employees, owners of real property, or owners of a business.

**Motion:** Mayor Pro Tem Valdez moved to approve Ordinance 2021-4 with changes for the qualified members; seconded by Trustee Wagoner.

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

Nays: None

Motion Carried.

## **Reports**

### **Town Manager Report**

Town Manager Zaragoza reported on the following items:

- Sidewalk project on Main Street to begin end of March or first of April.
- Maintenance building loan request has been submitted. The town will have a 3-year loan at 4.25% interest.
- Update on new control panel for pump house. Working on coordinating the installation with the electrician and the programmers.
- Meeting with CE Corps regarding the water distribution system and the pressure issues. They had some different options to address the issues that will be provided in a report. It suggested that when the group meets again, representatives from the hospital and Rio Grande Inn be invited to discuss their issues with water pressure as it relates to their fire suppression needs.
- A resident approached Town Manager Zaragoza about purchasing some property located at the park at South Main. He was also approached by Karen Hinojos from the Conejos County Housing Authority who would like to purchase property for additional housing development. Trustee Espinoza cautioned that the town would need to submit RFPs for any lands sales for development. Town Manager Zaragoza will gather more information.

- Burned the yard debris at the lagoons with assistance from the Capulin Fire Department as well as Fire Chief Austin Valdez and Matt Montoya from La Jara Fire Department. There will be no more dumping allowed at the lagoons.
- Working with DCI to gather some stakeholders for community involvement. DCI will be conducting a walkthrough business assessment.
- Paul Garel is the Town ORC and has been submitting the required paperwork and water/sewer readings to the state for the past three months. Attorney Pacyga drafted an agreement that will need to be approved.
- Town Manager's employment agreement will expire on April 22. An evaluation form has been mailed to trustees. Mayor Medina asked that the evaluation be returned to Town Hall by March 26th so that she can compile the forms and review them with the Town Manager.
- Highlighted some of the qualifications and duties of the employees. He stated a few things that each one is doing for the betterment of the town.

### **Town Attorney Report**

Town Attorney Pacyga reported on the following:

- Drafted a proposed easement agreement for BoxCar Espresso regarding their request to put in a drive through. Waiting on the property owner to survey the property.
- Consulted with Chief Lujan regarding the vicious dog ordinance.
- Working with Town Manager regarding an opinion letter relating to the loan for the maintenance building.
- Drafted the water and wastewater operator's agreement in February.
- Prepared the ordinances that were being considered at this meeting.

**Motion:** Trustee Gallegos moved to approve the Town Manager's and Attorney's Report; seconded by Trustee Wagoner.

**Vote Results:** Ayes: Trustees 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. Town Manager Zaragoza stated that he has been concerned with the amount of revenue that is being generated; stating that COVID-19 pandemic has been a large contributing factor for the reduction in revenues. However, the police department has started picking up the pace.

### **Maintenance Report**

Maintenance Supervisor Jimmy Hinojos submitted a written report but was absent from the meeting. Anthony Rivera attended and offered to answer any questions.

### **Clerk Report**

Town Clerk Pagnotta submitted a written report and offered to answer any questions. She also reported that she completed and submitted the Small Communities Grant Application for funding for the wastewater project.

### **Inspector Report**

Building Inspector Darrin Rodriguez submitted a written report and offered to answer questions.

## **Committee Reports**

**Planning and Zoning Commission** – Chairman, Julian Espinoza reported that the commission met with Henry and Stella Schimpf during their regular meeting to discuss plans to convert part of the building on Main Street into a residence and a small store front. Trustee Gallegos read the minutes from the P&Z Commission. It was recommended by the Commission to allow the building to be used in this manner if the building codes were followed. The proposal from the Schimpf's is to have one open room in the front that would be used for a second-hand store and the back area as living space. Trustee Gallegos stated that the use of the building as proposed should be approved because 1/3 of the building space will be a business and 2/3 will be living space. She stated that there should be a defining wall separating the living space from the business area. Mayor Pro Tem Valdez stated his concerns about vehicle parking.

**Motion:** Trustee Gallegos moved to approve the retail business and rear living space as proposed by the Schimpf's and recommended by the Planning and Zoning Commission; seconded by Trustee Espinoza.

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

Nays: None

Motion Carried.

**Policies and Procedure Committee** – Mayor Pro Tem Valdez reported that the committee has not met yet. A copy of policies will be emailed to the members to review and a meeting will be set up.

**Community Engagement Committee** – Trustee Wagoner reported that Kylee Brown from DCI will be visiting and once they have some input from DCI the committee should be able to move forward. Trustee Espinoza reported that they are in the process of gathering community members. Town Manager Zaragoza has a list of names that will be member/stakeholders. There is a need to try and draw some youth involvement. There was some discussion on individuals that do not reside in the town limits being allowed to serve on these boards. Trustee Espinoza stated that a lot of business owners do not reside in the city limits and the community Engagement Committee would need their involvement. Attorney Pacyga stated that he would amend the ordinance to allow business owners and renters of properties within the town limits to serve on the committees.

**Motion:** Trustee Espinoza moved that property and or business owners that reside outside the town limits be allowed to serve on the committees as they are stakeholders; seconded by Mayor Pro Tem Valdez.

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

Nays: Trustee Gallegos

Motion Carried.

Attorney Pacyga read the verbiage that he included specifying the qualification for committee members.

## **Trustee Comments**

**Trustee Villagomez** – Addressed the water issue and acknowledged how quickly Jimmy Hinojos and the maintenance responded. He thanked them for a job well. He stated that the hospital is looking into other options to help relieve the Town's water system.

**Trustee Wagoner** – Asked about returning to in person meetings once everyone is vaccinated. There was some discussion on giving incentives to employees to get COVID vaccinations.

**Trustee Espinoza** – Reported that there will be benefit dinner for Miranda Garel in Manassa on the 20<sup>th</sup> of March. She reported on the various boards and meetings that she has been attending.

**Trustee Gallegos** – Asked if the new commissioners have reached out to the town; Town Manager Zaragoza replied that Commissioner Baroz has been in contact. She asked if the town was paying for the

training and certifications for the maintenance department. She asked about a park on the west side of town. Town Manager Zaragoza stated that he will address the issue with DCI, he also stated that Mr. Polkowski has mentioned developing the land in that area. Trustee Gallegos did not agree with selling town property for housing. She stated her appreciation of the maintenance department being more cautious when plowing snow.

Mayor Pro Tem Valdez – Did not have anything further to report.

Mayor Medina – Reminded the trustees to return the Town Manager evaluations by March 26<sup>th</sup>.

**Executive Session**

**Motion:** Mayor Medina 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)(e) seconded by Trustee Gallegos.

**Vote Results:** Ayes: Trustees 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 8:56 pm, and we now conclude the executive session and return to the open meeting.


With no additional items to be discussed, the next agenda items is Adjournment.”

**Adjournment:**

Trustee Wagoner moved to adjourn. The meeting adjourned at 9:15 pm.

Respectfully Submitted by

  
Town Clerk – Shawn Pagnotta

  
Mayor / Mayor Pro Tem

