

TOWN OF LA JARA

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Regular Meeting
Date: April 9, 2020

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

The Regular Meeting of the La Jara Town Board of Trustees was called to order by Mayor Zaragoza at 6:00 p.m. Meeting was held at Northerner's Senior Center (413 Main Street)

Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Zaragoza.

Roll Call

Present were Trustees: Valdez, Gallegos, Cummings, Mayor Pro Tem Medina and Mayor Zaragoza. Trustee Espinoza arrived at 6:03 pm.

Absent: None

A quorum was present.

Also present were: Police Chief Jerry Lujan, Building Inspector Joseph Trottnner and Town Clerk Shawn Pagnotta. The newly elected officers (Margie Wagoner, Annette Chavez and Rocky Villagomez) were also present, but were not sworn in at this meeting.

Approval of Agenda

Mayor Zaragoza added that Ben Pacyga, a Town Attorney candidate, will be meeting with the board later in the meeting. He added this as item "e" under New Business.

Motion: Trustee Valdez moved to approve the agenda; seconded by Trustee Cummings.

Vote Results: Ayes: Trustees Valdez, Gallegos, Espinoza, Cummings, Mayor Pro Tem Medina and Mayor Zaragoza

Nays: None

Motion Carried.

Because Mayor Zaragoza is being considered for the position as the Town Manager, he turned the meeting over to Mayor Pro Tem Medina.

Reports

Mayor Pro Tem Medina and Trustee Valdez reported from the Town Manager hiring/interview committee. The committee members were Mayor Pro Tem Medina, Trustee Valdez, Diane Hostetter and Curt Wilson; however, Wilson's time was being occupied with concern with COVID-19 and the schools. Trustee Valdez stated that the interview process has been really slow. They reached out to a few candidates, but because of COVID-19 it was difficult to conduct the interviews. Trustee Valdez recommended hiring someone from within the community that is familiar with town issues for one year and then revisit the interview process at that time. He stated the committee recommended hiring Larry Zaragoza as the Town Manager. Trustee Gallegos had some concerns with hiring Zaragoza as the

manager since he is currently the mayor. Mayor Zaragoza stated that he reached out to CML for guidance and was told that the board could hire with the current board or with the new board. Mayor Pro Tem stated that the committee feels that it is a necessity to hire someone immediately because of the constant issues that are arising, especially due to COVID-19. She provided the trustees with a handout that discusses the importance of a Town Manager. Trustee Gallegos felt that the issue should be tabled until the new board is sworn in.

Motion: Trustee Gallegos moved to table the issue until the next meeting. There was no second; therefore, the motion died.

Trustee Espinoza felt that a manager is needed now and the current board knows best the problems that the town is faced with and believes that having a one-year term for the agreement will bring continuity so that the instructional knowledge is not lost in change overs. She stated that there has been a considerable number of things that could have been dealt with as a municipality over the past few weeks that simply have not been taken care of because Town Clerk Pagnotta was not able to do any more than what she had been doing. She stated that because there are no other applicants that person should be appointed for a one-year term. Trustee Cummings also felt that a manager is needed now and stated that because of the Corona Virus there will probably not be any other candidates. He went on to say that he feels Larry Zaragoza has all the qualifications.

Trustee Gallegos wanted to discuss a few things in an executive session and didn't want to continue discussion while the mayor was present. Mayor Pro Tem Medina explained the procedures for having an executive session when dealing with potential personnel issues. Mayor Pro Tem Medina explained that she has reached out to CML and CIRSA for the legalities of the situation and was told that the Board of Trustees knew the town best and could make the appointment at any time. She went on to say that given any other circumstance, baring the COVID-19 pandemic, they would have had the time to continue with a different hiring process. She stated that the town is in crisis situation and needs to have a manager to deal with the ever-changing pandemic needs.

Trustee Valdez stated that not any one board member can make a decision on their own and that a special meeting would need to be called to make decisions and feels that a manager is needed so that these issues can be dealt with in a timely fashion. Trustee Espinoza asked how many qualified and available applicants the hiring committee had at this time. Mayor Pro Tem stated they only had one.

Motion: Trustee Espinoza moved hire Larry Zaragoza as Town Manager for a one-year term and that Mayor Pro Tem Medina and or the hiring committee negotiate the contract; seconded by Trustee Cummings.

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

Nays: Trustee Gallegos. Abstained: Mayor Zaragoza

Motion Carried.

Citizen Larry Sisneros questioned why the citizen comment section was removed from the agenda. It was explained that this meeting was to be a shortened meeting because of COVID-19 and citizens would be allowed to speak at the next meeting. He also had some concerns as to why the new board members were not sworn in. It was explained that because the election was only two days prior there was not enough time to certify the election prior to this meeting.

Trustee Valdez stated that the contract for the manager is a new contract that has been revised. Mayor Zaragoza stated that he had Attorney Ray Valdez review the contract. Mayor Pro Tem Medina stated that the manager's salary would be discussed at the next meeting.

Mayor Zaragoza stated that the former manager, Dennis Koenig, laid a great base line for a Town Manager and he learned a lot from him. He thanked the board for the opportunity and strives to be the best town manager that he can be for the town and the community.

Trustee Espinoza asked that the remainder of the meeting be conducted by Mayor Pro Tem Medina, however, Trustee Gallegos stated that Zaragoza was still the mayor as the contract for the Town Manager had not been signed. Trustee Espinoza agreed to allow Zaragoza conduct the remainder of the meeting.

Trustee Comments

Mayor Zaragoza stated that he requested that they forgo the trustee and citizen comments in order to keep the meeting short due to COVID-19 and to also limit the number of people to under 10 attendees to comply with the social distancing requirements. Trustee Gallegos objected to not allowing trustee comments; Mayor Zaragoza allowed trustee comments.

Trustee Gallegos: Requested that agenda items be moved around for future meetings. She suggested having the trustee comments towards the end of the agenda so that trustees had a chance to comment on the agenda items. She also asked if the reports from the different departments could be more detailed. Trustee Espinoza suggested moving the "Guests" item up toward the top of the agenda so that the guests are not sitting through the entire meeting. Trustee Espinoza also asked if the financial statements could be easily revised to make them easier to understand.

Trustee Cummings: Stated that he was happy to have a new town manager and congratulated the new mayor and trustees.

Trustee Valdez: Congratulated the new board. He mentioned that the CML conference is a great opportunity to learn and connect with other municipalities as well as vendors for future projects and encouraged the new trustees to attend the conference.

Mayor Pro Tem Medina: Congratulated the new board members. She stated that she is excited and nervous about being the next mayor, but is willing to learn to do the best for the town.

Trustee Espinoza: Reported that she has been reaching out to businesses about the misinformation that is circulating regarding the CARES Act and have discussed the different funding options that are available. She has been working on economic task force by helping local businesses apply for grants and loans through the different banks in the valley as well as providing them with information in an effort to give them the resources that they may need to survive the economic downturn due to the pandemic. Mayor Pro Tem Medina thanked Trustee Espinoza for being an active member of the community and for reaching out to the businesses.

Mayor Zaragoza: Reported that he helped the senior center obtain a grant for \$5,000 from El Pomar and the SLVCOG that will be used to purchase food and necessities to be distributed to the elderly in the community first and then to the needy. Trustee Espinoza volunteered to purchase gift cards to be given to those in need and she encouraged others to do the same.

Mayor Zaragoza reported on the water main break where Mr. Faucette hit the town's water main while digging with his backhoe. He stated that Mr. Faucette did not call to have any utilities located. Mayor Zaragoza stated that he is working with Attorney Valdez to draft a letter to Mr. Faucette informing him of his responsibility for damages.

New Business

Tree Dump/ Roll off for Spring Clean-up – Mayor Zaragoza discussed the liability and dangers of locating the roll off dumpsters at the lagoons. It was suggested to move the dumpsters for the spring clean up to the maintenance yard. It was decided to have the Spring Clean-up starting April 20 to May 2.

Registration for FEMA – Contact information – Town Clerk Pagnotta explained that she reached out to Christy Doon, DOLA representative, in regards to getting some financial assistance for the town due COVID-19. Doon recommended registering with FEMA; a contact person is needed for the registration process. Pagnotta suggested that since Larry Zaragoza was hired as the town manager that he be designated as the contact person and the mayor could be listed as the secondary contact person.

Town Clerk Pagnotta read a letter from Christy Doon in regards to compiling a list of unmet needs the Town may have due to COVID-19. The suggestions were hot lunches for the seniors, PPE, support to our local government in the absence of the sales tax or non-payment of water/sewer bills, and protective gear for fire department and masks for citizens.

Backhoe payment deferment and CDPHE Loan payment deferment – Mayor Zaragoza explained the financial situation with both the backhoe loan payment and the water and sewer loans with CDPHE. He explained that the backhoe payment is a yearly payment of just under \$20,000, due in May, and the loans with CDPHE are \$32,000 twice a year, due in May and November. Zaragoza explained that Town Clerk Pagnotta would be reaching out to both entities for options for a deferment as well as restricting the backhoe loan payment.

Ben Pacyga – Mayor Zaragoza asked Mr. Pacyga to meet with the board in an informal interview for the Town Attorney position. Mayor Zaragoza explained that our current Attorney, Ray Valdez, has retired but is still willing to help the town if needed in the interim. Mayor Zaragoza asked Mr. Pacyga to explain a little about himself. Pacyga stated that has a private practice with John Montgomery and if hired the town would be hiring the law firm. He explained that his strengths are in legal research. He stated that his office is in Alamosa and is available any time. He stated that his practice is to not let the sun set two times on a contact. The trustees asked a variety of questions as to his knowledge of different aspects of being the town attorney. He submitted a proposal and stated that he would be happy to negotiate and be flexible with his fees. It was decided to discuss and negotiate on the fees in a closed session and exchange contracts. Mr. Pacyga left the meeting. Trustee Valdez suggested hiring Ben Pacyga as Town Attorney and negotiate his fees. It was decided to negotiate a fee of \$150 an hour with Mr. Pacyga.

Old Business

None

Adjournment:

Mayor Pro Tem Medina moved to adjourn. The meeting adjourned at 8:25 pm.

Respectfully Submitted by

Shawn Pagnotta
Town Clerk – Shawn Pagnotta



Paulo Medina
Mayor / Mayor Pro Tem