

TOWN OF LA JARA

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Regular Meeting
Date: August 13, 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 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, Maintenance Supervisor Matthew Herrera, Town Manager Larry Zaragoza, Town Attorney Ben Pacyga and Town Clerk Shawn Pagnotta.

Approval of Agenda

Trustee Espinoza added discussion on Annexations as item A under Old Business. Trustee Gallegos added discussion on vender fees as item B under Old Business.

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

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

Nays: None

Motion Carried.

Guests

Martille Faatz was asked to make a presentation and answer questions on the accounting and budget process. Mayor Medina stated that this was a starting point for the trustees to learn a little more about the process. Mayor Medina stated they would have some additional work sessions to discuss the budget in more detail. Faatz explained the difference between governmental fund accounting and regular business accounting and explained the types of funds the town operates under. She encouraged the trustees to look at the diagram that showed the items that are included in the audited financial statements as well as review the Manager's Discussion and Analyses which summarizes the audit for the year. She explained the town must stay under budget; this is monitored closely by the Town Clerk. She also mentioned that the loans for the water and sewer projects have loan covenants in which the town must stay in compliance with. There was some discussion on the accounting policy and recommended revisiting the town current policy. Attorney Pacyga presented some samples of financial control and procurement policies from a

couple of towns similar in size to La Jara. Faatz briefly explained the new law regarding sick leave pay and how it will affect the Town.

Citizen Comments

No Citizen comments were made.

Consent Calendar

Trustee Gallegos mentioned a correction on the July 9th minutes.

Motion: Trustee Gallegos moved to approve the consent calendar including the changes mentioned for the July 9th minutes; seconded by Trustee Espinoza.

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

Nays: None

Motion Carried.

Old Business

Annexation – Trustee Espinoza stated that Attorney Pacyga was going to research the issue. Attorney Pacyga stated that he was looking into the pros and cons of the financial aspects of annexing these properties along Hwy 285. He stated that he initially thought about looking at each property individually, but thought that would be time consuming. Trustee Espinoza asked him to research annexation laws to determine if it is even financially feasible. Trustee Espinoza asked how much money would be generated from HUTF for annexing property along the highway. Mayor Medina stated the town manager should contact the highway department to find out how much highway money the town could potentially draw. Trustee Espinoza asked that this issue be tabled until the next meeting.

Vendors – Trustee Gallegos expressed her concern about whether vendors paid the same sales taxes as businesses that have an actual building. Town Manager stated that all businesses, even the vendors, do pay sales tax. Town Clerk Pagnotta clarified that all businesses that conduct business in the town limits are required to purchase a business license from the town. She went on to explain that produce vendors are not required to get a state sales tax license, however food truck vendors have to follow all the guidelines that all other businesses must follow. Trustee Espinoza asked the Town Clerk if she could get email addresses for the businesses. Mayor Medina encouraged trustees to meet with the Town Manager with questions regarding the daily activities to stream line the meetings. Trustee Gallegos feels that mobile vendors are taking business away from those that pay property taxes to the town. Town Manager Zaragoza stated that when patrons of the vendors stop to purchase something, they may also purchase other items from other businesses. Trustee Espinoza stated she is always pushing to be business friendly.

New Business

Liquor License Renewal for Pester marketing – Dana the Manager of Alta Convenience, spoke on behalf of the convenience store in La Jara. She stated she has been the manager for the past five years and believes there haven't been any issues with the liquor sales. Town Clerk Pagnotta state the application has been completed and Police Chief Lujan submitted a letter stating there has been no violations and feels that at this time there is no issue in renewing their liquor license.

Motion: Mayor Pro Tem Valdez moved to approve the renewal of the liquor license for Pester Marketing; seconded by Trustee Wagoner.

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

Abstained: Trustee Gallegos

Nays: None

Motion Carried.

CML Policy Committee – Mayor Medina explained that CML would like the town to designate a representative for the policy committee. She explained that it would involve attending a monthly meeting to contribute input on policies and ideas as a way to stay involved. She encouraged the trustees to consider serving on the committee and to let either herself or the town manager know if interested.

Reports

Town Manager Report

The items that the Town Manager reported on are as follows:

- Sewer Lagoon Update – The town was given 90 days to submit a plan to address the violations that have been occurring since 2015. He has been working with the engineer and CDPHE to rectify the issue. He stated there aren't any grants available for sludge removal.
- CDOT Grant has been submitted. Received two bid proposals for the project; SLV Quality Concrete (\$43,945); Alcon Construction Inc. (\$30,359.56). He stated that the town has the money available to move forward with the project regardless if the town is awarded the grant.
- Invited Mack Yaun from Kenosha Consulting, LLC to look at the issue with the contaminated soil from an old gas station that is affecting the water service line to those properties. The water was tested from the Town's main water line and no contaminants were found.
- Coronavirus Relief Fund Committee Report – They have had four meetings and four businesses from La Jara have applied. He explained that this is a reimbursement grant where the town would pay the businesses up front and the county would reimburse the town if the business qualifies. He stated that the application process would require documentation for qualifying expenses.
- CML District 8 Meeting will be hosted by the town on September 22, 2020 at the Wagon Wheel.
- Retreat for Staff and Trustees on Friday, September 25, 2020 at 8 am to 5 pm at The Barn in Alamosa. Mr. Salazar discounted the price of renting the facility \$1,000 for a final cost of \$200. He is putting together a pre-retreat questionnaire that he would like the trustees to complete. Staff is required to attend for the first part of the retreat.
- Thanked Julian Espinoza for painting the posts at the park on south Main. The BMX course is starting to look great.
- Letter from San Luis Valley Housing Coalition to assess the housing needs for the town. They are requesting donations to complete the study. The board had agreed to discuss this topic at the retreat.
- Hum V's – Asked for permission to sell them and use the money to purchase body cameras for the police officers. Trustee Espinoza requested soliciting for bids.

Motion: Mayor Pro Tem Valdez moved to solicit bids for the Hum V's; seconded by Trustee Wagoner.

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

Nays: None

Motion Carried.

- Update on Max Lara's property - They will begin putting the modular homes in soon. Maintenance Supervisor and the Town Manager will be meeting with them to map out the location of the water and sewer lines.
- Sangre De Cristo National Heritage area has nominated Sanford Town Hall to be placed on the Colorado Most Endangered Places list. They are requesting a letter of support from the town.

Motion: Trustee Espinoza moved to provide a letter of support to Sangre De Cristo Heritage Area for nominating Sanford Town Hall as an endangered place; seconded by Mayor Pro Tem Valdez.

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

Nays: None

Motion Carried.

- Veteran's Blvd – requesting that the town maintain the area around the tree that was purchased.
- The town's part-time cover officer has expressed an interest in working full time for the police department. Town Manager Zaragoza is asking for a waiver from the personnel policy regarding nepotism and stated that the officer would be under the supervision of the chief and not a relative. Chief Lujan stated that the officer has 5 years' experience with the department and would be a great benefit to the town. Trustee Espinoza commented that the officer lives in and is active in the community. Attorney Pacyga stated that because the chief will be supervising this officer no waiver is needed.
- Update on former attorney Ray Valdez, he is in very poor health.

Town Attorney Report

- Attorney Pacyga met with Chief Lujan and Sargent Campos to review SB-2020-217. They looked at the town's ordinance regarding disorderly conduct and how it compares with the state statute. He indicated that there is a conflict between the two and suggested rewriting the ordinance to follow the state statute.
- Procurement policy – Attorney Pacyga presented a few samples from other town's similar in size to La Jara. He was going to prepare a draft policy; further discussion would take place at the retreat.
- ATV Ordinance – Attorney Pacyga reviewed the town ordinance concerning ATV's. The current ordinance has all the necessary language to address the concerns and felt that a new one is not needed.
- Attorney Pacyga researched the legal issues in putting up a LED Sign and soliciting for advertisements from businesses. He explained the case law and suggested drafting a very clear policy on the types of advertisements that could go on the sign. Mayor Pro Tem Valdez suggested putting up a sign to only convey messages to the citizens of the town and not solicit advertising from other businesses.

Police Report

Chief Lujan Submitted a written report but added that school was going to start on August 19. He indicated that when school is in session kids will be less likely to be on the streets.

Maintenance Report

Maintenance Supervisor Matthew Herrera reported that he is continuing to work on the issues with the sewer lagoons. The maintenance staff has filled a few potholes around town and continues to trim trees

and grass. Town Manager Zaragoza mentioned that the lagoons are closed to tard debris until the pile can be burned.

Clerk Report

Town Clerk Pagnotta submitted a written report, but asked if there were any questions.

Attorney Pacyga forgot to mention an issue that was brought up at the last meeting regarding the liability of an officer leaving the jurisdiction. He stated there is a mutual aid statute that provides a mutual agreement where an officer assists another jurisdiction, that jurisdiction is liable for the officer's negligence; however, the officer's home jurisdiction would cover the workers compensation coverage. He suggested formalizing a written agreement between the agencies.

Approval of Reports

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

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

Nays: None

Motion Carried.

Trustee Comments

Trustee Wagoner – Reported on a neighbor that is concerned about the standing water on Joe S. Chavez. She stated that the water seems to not be draining in the gutter. Town Manager Zaragoza explained that the storm drain would need to be cleaned with a jetter truck. She also mentioned that there has been some excessive speeding on Joe S. Chavez and asked about getting a speed bump installed. Maintenance Supervisor replied that speed bumps would affect snow removal. Trustee Wagoner also asked about getting pedestrian crossing signs on Hwy 285. Town Manager Zaragoza replied that he would contact the highway department.

Trustee Espinoza – Reported that the barber shop on Walnut is being remodeled. She reported on the Energize Colorado Fund and encouraged businesses that have been affected by COVID to reach out to them for assistance. She also mentioned that First South West Community Fund is offering another round of innovation grants. She reported that SLVDRG received a 24-month grant position for response and business development. She stated that they are seeking someone local to fill this position with a salary range of \$55,000 to \$60,000 a year. There is also a second position for an operations and financial person with a similar salary range. She reported on the different boards that she is serving on outside of serving as a trustee and informed of the things the community fund is doing.

Trustee Villagomez – Asked what new businesses would be willing to open here in La Jara. Trustee Espinoza explained the issues with the lack of space, housing and infrastructure.

Trustee Gallegos – Thanked Trustee Wagoner and Town Clerk Pagnotta for working together on the Main Street sidewalk grant. She had questions about the temporary deputy clerk position that was advertised in the paper. She questioned the weeds at the hemp building. Chief Lujan explained that he has tried to contact the owner to have the weeds resolved. In regards to the Hum V'S, she suggested putting a *minimum* bid requirement. She feels that the Special Use Tax that is charged on the purchase of vehicles is a burden to the citizens and feels that it should be done away with. It was explained what the revenues

generated from the special use tax is used for. It was further explained that tax issues would need to be voted on by the citizens of the town. Trustee Gallegos also asked about the noise ordinance and asked if noise from engine brakes was included and if it was being enforced. She was complaining about a suspicious person that was walking around her neighborhood and asked if the individual could be cited for disturbing the peace. She asked if Danny Gallegos had a business license. She asked where the maintenance workers take their breaks and feels that something needs to be provided for them. Town Manager stated that he is working on getting a better facility for them. She again mentioned the issue with the contaminated soil at the old gas station as it is right next to the water line. Town Manager Zaragoza replied that the water up to the property where the contaminated soil is located is safe. Trustee Espinoza stated that the town is not liable for the contaminated soil.

Mayor Pro Tem Valdez – Reported that a business owner complained that there is a smell of sewer when it rains. Maintenance Supervisor Matthew Herrera stated that it might be from their storm drains and they may need to have them cleaned. He addressed the questions that Trustee Villagomez had regarding new businesses and housing coming into La Jara. He explained some of the requirements when someone decides to develop property. He stated that he spoke with the city manager from Alamosa about reaching out to developers for housing.

Mayor Medina – Reported that she appreciated that the trees have been trimmed and cleaned up. She commented on the bright, visible shirts the maintenance is wearing.

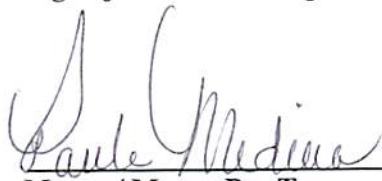
As a reminder Mayor Medina suggested streamlining the meetings by meeting with the Town Manager on routine issues instead of bringing them up at the board meetings.

Adjournment:

Mayor Pro Tem Valdez moved to adjourn. The meeting adjourned at 8:40 pm.

Respectfully Submitted by


Town Clerk – Shawn Pagnotta


Mayor / Mayor Pro Tem

