

TOWN OF LA JARA

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Regular Meeting
Date: May 14, 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/townoflajara

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. Meeting was held at Northerner's Senior Center (413 Main Street)

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: Maintenance Supervisor Matthew Herrera, Police Chief Jerry Lujan, Town Manager Larry Zaragoza, Town Attorney Ben Pacyga and Town Clerk Shawn Pagnotta.

Approval of Agenda

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

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

Nays: None

Motion Carried.

Guests

Valley Wide Health Proclamation – Christina Daniels along with Sean and Rebecca Palas addressed the board regarding proclaiming May as mental health month. Daniels discussed the services that Valley Wide Health Systems provide and read the proclamation. Sean Palas talked about he and his wife's passion for mental health and educating people about mental health issues. Palas and Daniels provided the crisis line number (1-844-493-8255) and the process for screening for mental health issues. They stated they would like to working on building relationships between communities and behavioral health providers. It was suggested to put the crisis line number in the water bills.

Motion: Trustee Gallegos moved to approve the proclamation; seconded by Trustee Wagoner.

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

Nays: None

Motion Carried.

Julian Espinoza addressed the board regarding the five-year lease agreement for the BMX Track located at 312 S. Main. Town Manager Zaragoza stated that he and Town Attorney Pacyga have been reviewing the agreement and voiced his concerns that TABOR restricts entering into a long-term contract; he feels that the agreement should only be a one-year lease. Julian Espinoza stated that the BMX sanction will not accept anything shorter than a five-year agreement. Trustee Espinoza stated that the BMX sanctioning requires a five-year agreement because of the amount of capital investment that is involved in the development of the track. Trustee Espinoza stated that board had already approved the agreement a year prior, but it had never been signed. Town Attorney Pacyga felt that if the board had already approved the agreement then the Town should honor that. Attorney Pacyga suggested that if the agreement was in fact approved then the board could authorize the manager to sign the agreement. He stated that he would like to verify this as it would change his advice for the board. Trustee Espinoza explained their desire to develop and move forward with the BMX track to provide something for kids to do. Town Manager Zaragoza stated his concerns about burying debris at the track. He also stated his concern about the amount of people and revenue the BMX track would draw. Trustee Espinoza explained the development that has already been done to this property and what will need to be done. Town Attorney Pacyga explained his concerns about how the agreement is written in regards to the layout of the track. He stated that the description on the agreement was written pretty loose and suggested meeting with Julian to improve the existing lease by drafting a better document that what benefit both parties. Attorney Pacyga stated that if the agreement was approved a year ago then the Town Manager could perform the administrative act of signing the current agreement so that Julian Espinoza had something in place for his sanctioning needs. Together they would work on revising the document.

Motion: Trustee Gallegos moved to approve the lease agreement with the changes that were discussed; seconded by Trustee Wagoner.

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

Abstain: Trustee Espinoza

Nays: None

Motion Carried.

Julian Espinoza asked about putting in a water line for the BMX Track. He also stated that he needed some dirt for the track and asked if he could take some dirt from the infield at the walking track. Town Manager Zaragoza voiced his concern in removing the dirt from the infield because it would drop the infield about 4-inches. He stated that he had some contacts to help him get dirt. Trustee Gallegos stated that she had some contacts for dirt as well.

Julian Espinoza would like to put in a 2-inch line and suggested connecting to the line off the water main on South Main Street. Town Manager Zaragoza suggested running the water line from East La Jara. Julian Espinoza stated that he was told that the water line for East La Jara was already to taxed.

Town Attorney Pacyga asked for clarification on whether the board was approving the manager to sign the old lease, providing that it was approved a year ago, and then work on modifying and adopting a superseding lease at the next meeting. Trustee Gallegos withdrew her earlier motion approving the agreement.

Motion: Mayor Pro Tem Valdez moved to modify the current lease agreement, providing it was approved a year ago, with the changes that were discussed; seconded by Trustee Chavez.

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

Abstain: Trustee Espinoza

Nays: None

Motion Carried.

Julian Espinoza reported that at the last Planning and Zoning Committee meeting the board voted to adopt Rio Grande County's building codes and modify them to meet La Jara's needs. He stated that it would be easier to amend codes that are already in place rather than trying to start from new. He stated the Planning and Zoning board reviewed these building codes and felt that these codes would meet of the needs for La Jara and provide some guidelines for new development. Town Manager Zaragoza stated that he was going to get an electronic version so that it could be easily revised. Julian Espinoza asked if a copy could be provided to the board so that it could be approved at the next meeting.

Lucas Larson introduced himself to the board and stated that he is running for county commissioner. He stated that he has a strong desire to bring the county together. As a commissioner he would like to work to make Conejos County great instead of the poorest county in Colorado. He would like to bring in some industry and would like to give incentives to bring more businesses into the county as well as educate people.

Citizen Comments

Piedad Romero addressed the board regarding weed spraying and stated her disappointment that the town is continuing to use glyphosate again this year. She talked to the board about the health risks of using glyphosate. Mayor Medina stated that the board did spend a lot of time researching alternatives and many of the residents asked that the town resume spraying. Mayor Medina stated that the town will not spray in areas that residents don't want sprayed. She asked for a comparison of the cost of the spray verses the labor it would take to cut or mow the weeds. Town Manager Zaragoza stated that he would research what other towns are doing as alternatives for spraying weeds.

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.

Old Business

Grievance Committee – Mayor Medina stated that she reached out to CML, CIRSA and other communities for advice on forming a grievance committee. She stated it was advised not to form such a committee because it would undermine the structure of the town board. She stated that if there are issues than there should be structure in place to handle these situations. She stated that it was absolutely not recommended to have a grievance committee for town residents to use for complaints; citizens can come to the board meetings to voice their concerns. Town Attorney Pacyga explained the complications with having a committee that is made up of trustees. If an incident occurred the committee would be on the front line doing the investigating of an incident and if the trustees needed to take action the ones that serve on the committee would not be in a position to remain neutral. He stated that part of the advantage of having regular channels such as having a town manager supervising HR is that there would be a separation in these positions. Trustee Espinoza suggested having an independent, neutral third-party HR person to handle issues and give support to the employees. Mayor Medina stated that the board of trustees would need to supervise the Town Manager to make sure that there is transparency and open communication. Town Manager Zaragoza stated his concerns about having a grievance committee because it undermines the manager and creates distrust. He stated that there is a chain of command and asked for a chance to establish a change in culture. Mayor Medina also asked for the same opportunity to create change for the new board. Mayor Pro Tem Valdez stated that the past was a learning process and stated with the new board they have an opportunity to take what was learned and make changes. Mayor Medina stressed that the board of trustees cannot be involved in personnel issues because of the liability.

Town Attorney Pacyga stated that he would help in revising the personnel policy and would be happy to reach out to other municipalities to see how their policies explain the grievance process.

New Business

Approval of Plat for Salazar Property – Town Manager Zaragoza stated that Attorney Ray Valdez is finishing up the deed. The mylar plat has been signed and would need to be filed with the county clerk.

Approval of plans for Harmon Hostetter - Town Manager Zaragoza explained that there are no issues concerning the town. The issues are between Hostetter and Richfield Ditch Company concerning easements. The plans are on hold until this issue is resolved.

Purchase of police car – Town Manager Zaragoza asked for permission to purchase a police car from CSP for \$7500. He stated funds are available and the purchase has been budgeted for. Chief Lujan explained the car is a 2013 Ford Explorer Police Interceptor with all equipment except the video system or radio.

Motion: Trustee Gallegos moved to approve purchasing the police vehicle from CSP for \$7500; second Trustee Wagoner.

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

Nays: None

Motion Carried.

CWRPA loan letter - Town Clerk Pagnotta explained that a letter was drafted requesting deferment for the water and sewer loan payments that are due in November of this year and in May of 2021. She explained that the May payments were made, but because of COVID the town might see a decrease in revenues in the coming months as people are not working and unable to pay their water and sewer bills. This could possibly create a financial hardship for the town to be able to have funds to cover these payments.

Motion: Mayor Pro Tem Valdez moved to send the letter requesting deferment of payment to CWRPDA for November of 2020 and May of 2021; seconded by Trustee Wagoner.

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

Nays: None

Motion Carried.

Town Manager Report

Town Manager Zaragoza reported on the following items:

Roll off dumpsters – looked into the expenses and decided to switch to a different trash service in order to save money and support local businesses. He stated that the town had 4 roll-off dumpsters for the spring clean-up as well as a 2-yard monthly trash service. This saved the town about \$3200. He also reported that he has established a set time for citizens to be able to dump organic material out at the lagoons. The designated times to take debris to the lagoons is set for Mondays from 9am to 11am and Thursdays from 2pm to 4pm. It was suggested to put a notice in the water bills.

SLV Animal Welfare Society – Stray dogs will now be taken to Valley Human League/Dumb Friends League in Alamosa instead of SLV Animal Welfare Society because of the distance to drive the dogs to

San Luis. The town will have the same agreement with Dumb Friends League as they did with SLV Animal Welfare Society.

East La Jara Water – water testing should be done on this line because the town does supply water to this area.

Community Survey- A survey was sent out to citizens to inquire how they have been impacted by the COVID virus. He stated that a majority of the returned surveys have been positive thanking the town for reaching out to the community.

John Deere Backhoe loan payment – Town Clerk Pagnotta explained that the loan payment had been restructured because it was originally set up as a one-time payment of about \$19,200 annually. She explained that this one-time payment was due at the same time as the water and sewer loan payments which totaled \$32,000. She stated that the water and sewer fund could not support making these two large payments in the same month. The loan was restructured to make 6 payments of about \$3,000 every other month of.

FOG (fats, oil and grease) reduction in the waste water collection system – Maintenance Supervisor Matthew Herrera explained that the town is not meeting the requirements with the state in regards to the percentage of removals because the lagoons needed to be dredged. He stated that there are chemicals that can be added to help reduce some of the sludge and lower the algae numbers. He stated these chemicals will help, but the lagoons will still need to be dredged.

Motion: Mayor Pro Tem Valdez moved to purchase 60 gallons of BioLynceus; seconded by Trustee Chavez.

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

Nays: None

Motion Carried.

Bill to Paul Faucette for water line break – received payment for the amount of water main break.

Grocery distributions - held on April 22, funded by Colorado Assistance Fund through El Pomar and on May 14, funded by the senior center. He took four boxes to Capulin. He stated that a gentleman offered \$900 to purchase meat to be given away at the last distribution.

Speed bumps – ACI put permanent speed bumps on South Main for \$200.

Biweekly pay periods – Town Clerk Pagnotta explained that the pay schedule was changed to bi-weekly making payroll easier.

Hiring a part-time maintenance worker -Robert Cummings was hired part-time at \$12 p/h to help the maintenance department because they were short staffed.

Motion: Mayor Pro Tem Valdez moved to accept Town Manager's report; seconded by Trustee Espinoza.

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 explained that he worked with Chief Lujan in regards to addressing an issue with the VRA Subcommittee. He worked on the BMX Lease and has been brushing up on Title 31 and the Open Meetings Law to become more familiar. He reported that he also spoke with former Town Attorney Ray Valdez on a few items that he is finishing up. Attorney Pacyga stated that he spoke with Valdez regarding a resignation letter, but Valdez wanted to finish those last few items up before sending the letter. He stated that he is grateful to be working for the town.

Police Report – Chief Lujan thanked Attorney Pacyga for his assistance in drafting a victim’s rights response. He went over his written report as well as explained the training that the officers have taken and the issues with COVID-19. Town Manager Zaragoza stated that he attended the monthly police staff meeting and was impressed with the professionalism and respect the officers have for the chief.

Maintenance Report – Maintenance Supervisor Matthew Herrera explained the he has worked on the pressure pumps and has been cleaning alleys and streets.

Town Clerk Report – Town Clerk Pagnotta stated that she submitted a written report and would be willing to answer any questions.

Motion: Trustee Gallegos moved to approve the above reports; seconded by Trustee Wagoner.

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

Nays: None

Motion Carried.

Executive Session:

Motion: Trustee Espinoza moved to go into executive session for discussion of a matter required to be kept confidential by the following federal or state law, rule, or regulation: under C.R.S. Section 24-6-402(4)(c); seconded by Trustee Wagoner.

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

Nays: None

Motion Carried.

Returned to open meeting

Mayor Medina announced “The time is now 9:16 pm, and we now conclude the executive session and return to open meeting.

Trustee Comments

Trustee Gallegos –Questioned the procedure for hiring, she asked if the positions needed to be advertised. It was explained that the maintenance worker was hired temporarily just to help out while they were understaffed.

Trustee Wagoner – She stated that there is a lack of testing for the COVID virus, especially in Conejos County. She suggested seeking a grant for testing and possibly PPE for businesses and citizens. She also asked if there were any recycling opportunities for the community.

Trustee Chavez – Asked if the town had an ordinance on Jake brakes or noise. It was stated that there is a noise ordinance.

Mayor Pro Tem Valdez – Agreed with Trustee Wagoner about getting testing for COVID. Town Manager Zaragoza suggested that they reach out to the county public health to see if tests could be made available.

Trustee Espinoza – Asked if Town Manager Zaragoza could follow up on the Valdez subdivision. She reported that her company is sponsoring, in conjunction with Sangre De Cristo Heritage Center, a historic building survey within the Town of La Jara. This project is for a historic building inventory that will provide the owners with the documentation they will need to be able to get History Colorado money to do external repairs for their buildings at 15% of the cost. This project is an ongoing effort for business development in the town. She encouraged the new board members to think about bringing in more money and businesses into the community. She stated that the town will need to be able to act as the fiscal agent for grants to be able to help business development. She suggested that the town start budgeting for the extra cost involved in being a pass-through agent. She also stated that the town needed to work on developing a master plan.

Trustee Villagomez – Discussed wearing masks and talked about the procedures that the hospital follows in regards to COVID and not taking chances of infecting people. He stated that it is up to the businesses to require masks be worn. He brought up the vehicle traffic along the ditch. He asked how to stop people from using the ditch as a rode. Chief Lujan stated that the police department has patrolled this area. Town Manager Zaragoza suggested meeting with the president of the ditch company. He also had concern about officers being on call and working for other towns. Chief Lujan stated that when an officer is on call they are not being paid, however, if they were on standby the town would be required to pay the officer to be available.

Mayor Medina – Reported that Sam Light from CIRSA will be coming to do some training for the trustees at some point. She stated that he would be a great resource to ask questions. She reported on the webinars that she and Town Manager Zaragoza attended regarding COVID.

Mayor Pro Tem Valdez stated that Conejos County is in a Stager 2 Fire Ban.

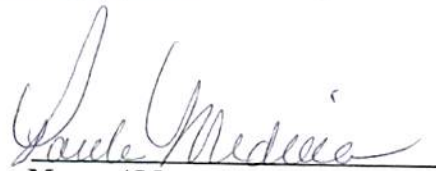
Adjournment:

Mayor Pro Tem Medina moved to adjourn. The meeting adjourned at 9:59 pm.

Respectfully Submitted by


Town Clerk – Shawn Pagnotta




Mayor / Mayor Pro Tem