

# TOWN OF LA JARA

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Regular Meeting

Date: August 14, 2015

A permanent set of these minutes are maintained in the Town Clerk's Office. Approved Minutes are also available on the web at [www.townoflajara.com](http://www.townoflajara.com)

## **Call to Order:**

The regular meeting of the La Jara Town Board of Trustees was called to order by Mayor Zaragoza at 7:00 p.m.

## **Pledge of Allegiance:**

The Pledge of Allegiance was led by Mayor Zaragoza.

## **Roll Call:**

Present were Trustees: Cummings, Espinoza, Salazar, Gallegos, Mayor Zaragoza, and Mayor Pro Tem Medina.

A quorum was present.

Also Present were: Town Manager Koenig, Town Attorney Valdez, Chief of Police Dan Martinez, Town Clerk Shawn Pagnotta, Deputy Clerk Krista LaBlanc, and Maintenance Supervisor Matt Herrera.

## **Approval of Agenda**

Mayor Pro Tem Medina moved for the approval for the Agenda and Trustee Gallegos seconded.

### **Vote Results:**

Ayes: Trustees: Cummings, Salazar, Espinoza, Gallegos, Mayor Zaragoza, and Mayor Pro Tem Medina.

Nays: None

Motion Carried.

## **Approval for Consent Calendar**

Trustee Salazar moved for the approval of the Consent Calendar excluding the Building Inspector Report and Mayor Pro Tem Medina seconded.

### **Vote Results:**

Ayes: Trustees: Cummings, Salazar, Gallegos, Espinoza, Valdez, Mayor Zaragoza, and Pro Tem Mayor Medina.

Nays: None

Motion Carried

Trustee Gallegos had some questions regarding the Building Inspector Report. Trustee Salazar explained to Trustee Gallegos that the boards' position in the town is to work within their

authority, changing or examining policies and procedures. Trustee Salazar stated that Trustee Gallegos was trying to exceed her authority by patrolling the town on her own accord. Town Attorney Valdez asked for the floor and stated that it appears that the situation is becoming very divisive of the council. He stated that he has sat in as the Town Attorney for forty one years and never has he had this type of discussion when it appears a member of the board goes around policing what the staff or others do. He stated he had advocated hiring a Town Manager, and feels that our Town Manager does a superb job of managing this town. He stated employee moral exceeds that of other municipalities. He stated that it is the function of the town board to enact ordinances and establish policies, or perhaps in limited situations control actions of the Town Manager, Municipal Judge or Town Attorney. That includes the hiring, firing and supervision of employees.

Town Attorney Valdez stated to Trustee Gallegos that it did not go unnoticed that in the course of Trustee Gallegos discussion earlier that she had talked to Inspector Trottnner. In Town Attorney Valdez's opinion Trustee Gallegos had no business approaching Inspector Trottnner because that was the function of the Town Manager, and not the function of anyone else in the room. He stated he has tried to restrain himself as much as possible but he simply cannot remain silent when he sees this leading to what could be becoming a huge legal issue for this town. He stated if our town employees and the support staff continue to be harassed and questioned, perhaps their actions could be put into question as to the legality or non-legality that will finally lead to some kind of lawsuit, and all the council members will be named defendants. He stated if there are any complaints they need to be taken to the Town Manager and not to the Town Board. Town Attorney Valdez stated it is his job to give legal opinions.

Trustee Gallegos asked if she may please continue; in which Mayor Zaragoza stated she may not if it will continue with this sort of divisiveness. She was told to take it up with the Town Manager at a different time. Mayor Zaragoza stated that the Town Attorney just gave us his opinion and asked Trustee Gallegos if this was absorbed. Mayor Zaragoza agrees whole heartedly with the Town Attorney's comment about a very proficient Town Manager, he has got this community moving faster than any other communities that are comparable in size.

Trustee Gallegos asked if she may continue with one thing that would not take up a lot of time. Mayor Zaragoza asked if it was pertaining to the Building Inspectors Report. Trustee Gallegos stated that there was an application for a building permit that was collected for a site that was different from the permit that was issued. She asked who does the follow up on that. Mayor Zaragoza stated that the Building Inspector, the Town Clerk, and the Town Manager do the follow up. Mayor Zaragoza asked if Trustee Gallegos had any more questions. She continued on about the report stating that it has been two months and that it must take a long time to follow up. Mayor Zaragoza asked Trustee Gallegos if she understood what was being conveyed to her from Town Attorney Valdez's opinion, that Trustee Gallegos is overstepping her

boundaries, policies and procedures are what the Town Board does; not to police, not to go out and see if the maintenance isn't doing their job, or see if people have their permits posted or not. Mayor Zaragoza stated that he believes in due time it will take care of itself, if the town employees are allowed to do their work. He stated that the town employees take pride in what they do. Mayor Zaragoza stated that far too often Trustee Gallegos has come to the council with guns loaded to make people look bad, and as was mentioned, is dividing a lot against her as a Trustee. Trustee Gallegos stated that she is only bringing things forward to the board and not intending to make it look like an argument. Trustee Gallegos stated that the concerns she has brought up are concerns of the people. She stated that the board members including herself were elected to represent the people and the town. Mayor Zaragoza stated that he does not see

any citizens attending our meetings to address their concerns to the people that run the town; this board. Trustee Gallegos stated that when a concerned citizen talks to her it is her job to bring it to the Town Board. Mayor Zaragoza stated that Trustee Gallegos was forewarned about legality issues of harassing employees. The other trustees asked if the meeting could proceed.

#### **Approval of the Building Inspectors Report**

Trustee Salazar moved to approve the Building Inspectors Report Trustee Espinoza seconded.

#### **Vote Results:**

Ayes: Trustees: Cummings, Salazar, Espinoza, Valdez, Mayor Zaragoza, and Pro Tem Mayor Medina.

Nays Trustee Gallegos

Motion Carried

**Guests:** None

#### **Recognition of Scheduled Public Comment**

There were no comments.

#### **Recognition of Unscheduled Public Comment**

No comments.

#### **Town Manager's Report**

Town Manager Koenig discussed the results of the MD and A, and the audit. He stated that there are four results that an auditor gives. He described to the board in detail what each result meant. The Town of La Jara received an unmodified result, which means that the audit was met to the auditor's standards.

#### **Approval of the Town Manager's Report:**

Mayor Pro Tem Medina moved to approve the Town Manager's Report and Trustee Gallegos seconded.

#### **Vote Results:**

Ayes: Trustees: Cummings, Salazar, Gallegos, Espinoza, Mayor Zaragoza, and Pro Tem Mayor Medina.

Nays: None

Motion Carried.

#### **Town Attorney's Report:**

Town Attorney Ray Valdez stated that he had spoken with Mr. Crowther one of the owners of 300 South Main Street, asking when the debris would be cleaned up. Mr. Crowther stated that the removal had to be disposed of properly in Pueblo. He also stated that he would not start the cleanup for another six to eight weeks. Town Attorney Valdez stated that he drafted a resolution stating that the fire debris is a clear and present danger to the town, directing the DA to compel the removal of the debris. Attorney Valdez suggested that all Trustees be in agreement with approving this resolution.

#### **Approval of Resolution 2015-8**

Mayor Zaragoza read the first paragraph of the resolution stating: A RESOLUTION OF THE BOARD OF TRUSEES OF THE TOWN OF LA JARA, COLORADO, DIRECTING THE DISTRICT ATTORNEY OF THE 12<sup>TH</sup> JUDITIAL DISTRICT TO COMPEL THE REMOVAL OF THE APRIL 15<sup>TH</sup> FIRE DEBRIS.

Mayor Pro Tem Medina moved to approve Resolution 2015-8 with some corrections to dates be made, and all trustees will sign on Monday August 17<sup>th</sup> 2015. Trustee Espinoza second.

**Vote Results:**

Ayes: Trustees: Cummings, Salazar, Gallegos, Espinoza, Mayor Zaragoza, and Pro Tem Mayor Medina.

Nays: None

Motion Carried.

**Approval of the Town Attorney's Report:**

Trustee Valdez moved to approve the Town Attorneys Report and Trustee Salazar seconded.

**Vote Results:**

Ayes: Trustees: Cummings, Salazar, Gallegos, Espinoza, Mayor Zaragoza, and Pro Tem Mayor Medina.

Nays: None

Motion Carried.

**Town Board of Trustees Comments:**

**Trustee Gallegos-** She stated that she will be meeting with Town Manager Koenig all week next week. She had a few questions about the petty cash.

**Trustee Espinoza-** She discussed economic development. She stated that she had attended a funding program. She stated that the work force center needed to penetrate the community more. She stated that she has a meeting with GOCO. She commended Mayor Pro Tem Medina for all her efforts and hard work.

**Trustee Cummings –** He asked if there was any kind of movement on the new restaurant going in. He stated he attended a meeting in Saguache and that it was very interesting. He asked about pothole maintenance. Town Manager Koenig gave him information on when that will be done along with asphalt patches.

**Mayor Pro Tem Medina-** Complimented Trustee Espinoza's building. She asked if anyone has received an e-mail in regard to the Rural Philanthropy follow up in Creede. She suggested the town should represent it, and to talk a little more about it in September.

**Trustee Salazar-** He stated that he visited with the housing authority and he is interested in severing on their board. He stated he would like to serve his community more. He stated he has some ideas for removing the blind spots in the town.

**Mayor Zaragoza-** No comments

**New Business:**

Nothing to report

**Old Business**

Nothing to report.

**Adjournment**

Mayor Pro Tem Medina moved to adjourn Trustee Salazar seconded. The meeting adjourned at 8:25 p.m.

Respectfully Submitted by,



*Shawn Pagnotta*  
Town Clerk - Shawn Pagnotta



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Mayor / Mayor Pro Tem