

**Regular Meeting
of the Town Of Ignacio Board of Trustees
Wednesday, April 15, 2015**

I. CALL REGULAR MEETING TO ORDER: PLEDGE OF ALLEGIANCE AND ROLL CALL

Mayor Stella Cox called the Regular Meeting to order at 7:03 p.m. **Trustees Present:** Mayor Protem Alison deKay, Thomas Atencio, Edward Box III, Dixie Melton and Cecilia Robbins. **Staff:** Lee San Miguel, Town Manager; Georgann Valdez, Town Clerk; Dan Naiman, Community Development Coordinator; Jackie Mejia, Front Desk Clerk and IT, David Liberman, Town Attorney and Jeremy Schultz, Public Works. **Audience:** Rudy Mestas, Johnny Valdez and Chuck Farago for the Southern Ute Growth Fund.

II. PROCLAMATION: EARTH DAY APRIL 22, 2015

III. PUBLIC COMMENT: NONE

IV. APPROVAL OF MINUTES: Trustee Melton moved to approve the minutes of March 18, 2015 and April 1, 2015. Trustee Box seconded. The motion passed by unanimous voice vote.

V. UNFINISHED BUSINESS:

A. Trustee Atencio moved to amend the Agenda to address Item E and F (Mediation) before the A and B (Town Manager Evaluation) Mayor Protem deKay seconded. The motion passed by unanimous voice vote.

B. Executive Session under C.R.S. Section 24-6-402(4)(b) – Legal Advice: Mediation Update: Mayor Protem deKay moved to go into Executive Session under C.R.S. Section 24-6-402(b) to seek Legal Advice. Trustee Melton seconded. The motion passed by unanimous voice vote. Time is 7:14 and the Regular meeting was closed. The Executive Session concluded at 7:56 p.m. and was held for the purpose previously stated.

C. Mediation Action: Mayor Protem deKay moved to have the Town Board take responsibility of seeking mediation for Town Staff. Mayor Cox will make the contact and the Board will move forward after the Board gets an update from her. Trustee Melton seconded. The motion passed by 6-1 with Trustee Atencio voting no.

D. Executive Session under C.R.S. Section 24-6-402(4)(f) to discuss a Personnel Matter Town Manager Evaluation: Mayor Protem deKay moved to go into Executive Session under C.R.S. Section 24-6-402(f) to discuss a Personnel Matter. Trustee Melton seconded. The Motion passed by unanimous voice vote. The time is 8:00 and the Regular Meeting is closed. The Executive Session concluded at 8:30 p.m. and was held for the purpose previously stated.

- E. Town Manager Evaluation Action: Trustee Atencio moved to terminate Mr. San Miguel, and to pay him out his severance package. The motion died due to lack of a second. Mayor Protem deKay moved to wrap up the Town Manager's Evaluation and authorized a change in previous pay increase to 1.5 %, retroactive to anniversary date of November 18, 2014. Trustee Robbins seconded. The motion passed 5-2; with Trustee Atencio and Mayor Cox voting no.** Recommendation from Mayor Cox was to extend Mr. San Miguel's anniversary date to Feb 16, 2016. Mayor Protem deKay suggested exploring more frequent evaluations, possibly every three months. A Town Manager performance review will be placed on the July 1 Agenda.
- F. Email Rules Summary from Town Attorney:** Mr. Liberman gave the Board background material on Open Meetings Law and Open Records Law. He spoke briefly on sending emails; Board dealing with public business, and the public asking for emails about public business. Other communities have a policy where Board of Trustees do not communicate with each other between meetings to avoid this type of concern. They can receive emails from town staff but should not send email between Board Members regarding public business. Board Members need to be concerned about Open Records Act, and should consider having separate email accounts for Town business and one that the Town has access to. For Open Records requests they can get records as requested. If the Board is going to discuss pending legislation or public business, they should consider a meeting, give notice of meeting, take action, and take minutes. Two Board Members are allowed to discuss public business, but should avoid communication between three or more. They may respond to staff, but do not 'reply all'; one way communications to the Board is permissible. This also includes texts and any electronic communications. Board Members should avoid texts.

VI. NEW BUSINESS:

- A. Four Corners Motorcycle Rally** – Johnny Valdez, new owner of Four Corners Motorcycle Rally spoke to the Board, Staff and audience regarding his plans for the 2015 motorcycle rally to be held at the Sky Ute Downs. He gave a lengthy history of the previous rallies, attendance, locations, vendors, the Chamber's involvement, establishment of Ignacio Chamber Events, LLC (ICE); the loan from Region 9; and the revenue gained from the Rally. For the past few years, the Rally has seen a decline in attendance, in vendors and in revenue, losing up to \$80,000. In 2012, Mel Silva, past Chamber President asked the Town to put a moratorium on vendors in town, which was not legal, per the Town's Attorney. The Chamber agreed to pay the Town \$5000, and Board Members were asked to increase the vendor fee to \$800 to discourage vendors setting up in Town, which they did for 2012.

Mr. Valdez is working on a 3-year contract for the Sky Ute Event Center with the Growth Fund, needing final approval from Tribal Council. Mr. Valdez stated he owns the Rally and asked for better communication from the Board. Mr. Valdez offered the Town \$2500 stating he did not want to hurt businesses that want the Rally. His vendor fee in the Event Center is \$400. Trustee Robbins stated people were contacting Town Hall and

the Board needed to make a decision on vendor fees, and we know the Town is responsible to meet the vendor's needs. Mayor Protem deKay asked, "Why do you want to give us money?" Mr. Valdez said he's not asking the Board for anything at this time, but suggested the Town keep the vendor fee equal to his. The Board thanked Mr. Valdez for coming before the Board stating it is key to have communication and conversation and the Town has to make money from the vendors to offset the costs.

Mr. Valdez stated the website is up, tickets are selling, RV sites are filling up, vendors are registering and paying and sponsors are coming in. Trustee Atencio asked Mr. Valdez to come sit on the Town's committee to discuss the Rally. Chuck Farrago, representing Bruce Valdez from the Growth Fund said they are working on the Agreement and believe the Rally is good for town, region and tribal membership; if this Rally fails, everybody loses.

- B. Payroll Cost Savings Work Session Date:** A brief discussion was to hold the work session on the same date as the discussion regarding the mediation. The Board would like to discuss goals for mediation, general questions, and criteria to develop a plan to proceed. The meeting was scheduled for 6:00 p.m. on April 22; staff members that want to be involved in the discussion of the payroll cost savings are welcome; the second part of the meeting will be held in Executive Session to discuss the mediation process.
- C. W.C.A. Transit Waste LLC CPI Increase: From 11.25 to 11:40 for single cart; \$17.25 to \$17.50 for second cart and from \$23.25 to \$23.60 for third Cart. Mayor Protem deKay moved to approve the Transit Waste 1.32% CPI increase. Trustee Melton seconded. The motion passed by unanimous voice vote.**
- D. Ordinance #320 – Amend Municipal Code, Chapter III, Land Use: Downtown Design Guidelines:** The Draft was approved by Planning Commission last week at their meeting. **Mayor Protem moved to adopt Ordinance #230 amending the Municipal Code, Chapter III, Land Use: Downtown Design Guidelines. Trustee Atencio seconded. The motion passed by unanimous voice vote.**
- E. Board Meeting Dates and Time (Earlier) Discussion:** Following a brief discussion, suggestions and ideas, there was no change to meeting time or dates but the Board agreed that if a meeting could be canceled, they would favor a break.
- F. Schedule Town Attorney Review (Annual Review per Contract Date May 13, 2014).** Mr. San Miguel stated that other entities do not do reviews for their attorney and Mr. Liberman said his other clients do not do reviews. It will be placed on the May 6 Agenda to renew his contract.

VII. STAFF REPORTS:

- A. Police Report:** Discussion items included boom boxes, police patrol around school zones, speeding, staff driving to work in Town vehicles, and blocked roads by parked

vehicles. Questions that come to Board members should be addressed to the Chief by the citizen.

- B. Public Works:** Updating and uploading the gas files to the Google Drive is being done by Boyd. The irrigation leak on Tranquilo Court was repaired; the treated water leak has yet to be located and may require a leak detection firm at a cost of \$4000 to \$6000, which is not in the budget. The GIS Mapping software is waiting on the agreement with Tribal Utilities. Mr. San Miguel stated the Town needs to acquire licenses for users and a server. This new system will help with location of utility lines which Public Works has had concerns with. The water meter calibration was questioned by Trustee Atencio.
- C. Treasurer:** Auditor presentation by phone was approved by the Board by consensus.
- D. Community Development Coordinator: No questions**
- E. Town Manager:** Economic Alliance: Housing is an issue, expensive to build in La Plata County; Karen Iverson RHA brought a few people to visit the site; RFP on drawings will be out soon; RHA looking at getting in to the development field; with RHA as the developer and manager the property, the Town would donate the land to RHA. We will be having a conversation with Ken Charles at DOLA to discuss this possibility. Ignacio could be a pilot project.
- F. Attorney:** Areas covered during the month include: Email policy discussion; work with BP notice oil and gas interest under lease and raw water Rights of way.

VIII. TRUSTEE REPORTS: Mayor Cox informed the Board of a scholarship available to a community member; the letter was forwarded to the school superintendent, Dr. Rocco Fuschetto. We received a response from Chairman Frost on the taxation issue; the letter will be sent it to Mr. Liberman and Mr. San Miguel. The Southwest Outdoor Expo will be May 30-31 at the Sky Ute Events Center. Trustee Box will represent the Board at IHS Graduation. 2015 CML Conference was discussed, the Town Manager and Trustee Robbins will attend; The Mayor would like events as the San Ignacio Fiesta, the Ute Fair, the Expo and the Rally on the Google Calendar. Trustee Atencio is having problems with his Chromebook.

IX. ADJOURNMENT: Being no further business before the Board, Mayor Cox adjourned the meeting at 10:28 p.m. The next regular meeting will be May 6, 2015, at 7:00 p.m. at the Abel F. Atencio Community Center at 570 Goddard Avenue.

Stella Cox, Mayor

Date

Attest: Georgann Valdez, Town