

**Special Meeting  
of the Town Of Ignacio Board of Trustees  
Wednesday, April 22, 2015**

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

Mayor Stella Cox called the Special Meeting to order at 6:02 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; Lisa Rea, Town Treasurer; Kirk Phillips, Chief of Police; Jackie Mejia, Front Desk Clerk and IT; James Brown, Public Works Director, and Jeremy Schultz, Public Works.

**II. PUBLIC COMMENT: NONE**

**III. UNFINISHED BUSINESS:**

**A. PAYROLL COST SAVINGS WORK SESSION:** Ms. Rea reported staff met to review the recommendation made by her and by Mr. San Miguel. If the Board agrees to staff's recommendations, they will be implemented into the policy. Recommendations include: Keeping the maximum compensatory time at 80 hours within any calendar year, for all departments with the exception of IPD. Every effort will be made to use them by year end; any earned in December can be rolled over to the coming year. Any unused comp time at the end of the year will be paid out, but with good management, this should be minimal. Public Works will make every effort to manage the on-call hours. The Public Works Director's position will remain non-exempt; due to his field work this does not qualify his position as exempt, per FLSA (Federal Labor Standards Act). Administrative Day pay is for administrative personnel only. All essential and emergency response personnel will work their normal hours; this includes fire, police and public works, all of which are responsible for the safety of the town's residents. Administrative Days are called by the Mayor or the Town Manager.

The Comp time and On-call were discussed at length. Trustee Atencio suggested eliminating comp time altogether and paying employees overtime, as an employee would be paid at the same rate, and would eliminate tracking of comp time. Paying employees overtime vs. comp time will cost the Town more money; comp time is paid out in time. Public Works Employee Jeremy Schultz stated the public works staff is getting paid straight time for their on-call week. Ms. Rea said that is what the policy states and that any time an employee is called out, they are paid at overtime rate. Supervisors are encouraged to send employees home early when they are on call. Mr. Brown stated during the summer it's not always possible because of the heavier work load, also this leaves the department short staffed and services need to be provided to the citizens. A seasonal full-time employee is hired during the summer months.

Trustee Robbins would like some method be established to have the employee use his comp time so the Town does not owe the employee 80 hours of pay at the end of the year. If the Town would consider eliminating the comp time, Mayor Protem deKay asked if hiring a new employee would be the better option. The Board weighed the option of paying overtime.

Management is strongly encouraged to have employees use up their comp time hours before years' end. If Comp time is eliminated, Ms. Rea recommended it for the 2016 Budget Year because it's not in the 2015 Budget to pay overtime, and to use up the employees' comp time hours this year. No action was taken on the issue but will be placed on the May 6 Agenda to approve policy changes.

- B. Executive Session under C.R.S. Section 24-6-402(4)(f) – Personnel: Mediation. Trustee Melton moved to go into Executive Session under C.R.S. Section 24-6-402(f) to discuss a Personnel Matter: Mediation. Trustee Box seconded. The motion passed by unanimous voice vote. Time is 6:52 and the Regular meeting was closed. The Executive Session concluded at 7:52 p.m. and was held for the purpose previously stated.**
- C. Mediation Action: Trustee Robbins moved to continue with mediation. The motion was seconded by Trustee Atencio.** Trustee Melton would like some limitation on the cost, and hiring a local firm to do the mediation. The quote for mediation came in at \$4500, and Trustee Melton would not want it to exceed that. Trustee Atencio would like a time frame for the mediation to be completed. It was clarified that the Board would be interviewing and hiring the mediator. **The motion was amended to say the Board would like to continue with mediation, that the costs not exceed \$4500 and the final report should be to the Board in 30 days. Trustee Atencio seconded. The motion failed in a tie, with Trustees Atencio, Melton and Robbins voting yes and Mayor Cox, Mayor Protem deKay and Trustee Box voting no.** Mayor Protem deKay stated that although she did not vote for the mediation, there is still expectation of the Town Manager to do the team building. Mr. San Miguel stated the team building may not cost \$4500, but seeking assistance to do team building would be step in the right direction. **Trustee Robbins made a motion to proceed with team building, seeking assistance outside of staff, with a limitation of \$3000 and completed within 30 days.** Trustee Atencio would like to hear from the employees if mediation or team building would help. Find out if there is even willingness for the employees to participate and stated we don't want any more employees to leave. **The motion failed due to lack of a second. Mayor Protem deKay moved that the Town Manager proceed with team-work activities he deems necessary with this staff and if he wants to spend money on one of those activities, he can bring it before the Board. Motion was withdrawn. Trustee Melton moved to do an anonymous survey of staff, asking them if they would participate in team building activities and if they feel that it would be beneficial. Once the responses are received from Staff, the Board can proceed with the mediation process. Mayor Protem deKay seconded. The motion passed by 5-1 with Mayor Cox voting no. Trustee Atencio suggested the survey ask staff for comments.**
- D. Executive Session under C.R.S. Section 24-6-402(4)(f) to discuss a Personnel Matter Town Manager: Mayor Protem deKay moved to go into Executive Session under C.R.S. Section 24-6-402(f) to discuss a Personnel Matter: Town Manager. Trustee Box seconded. The Motion passed by unanimous voice vote.** The time is 8:13 and the Regular Meeting is closed. At 9:07, Ms. Rea and Chief Phillips were called into the Executive Session. The Executive Session concluded at 9:25 p.m. and was held for the purpose previously stated.

**E. Town Manager Action: Trustee Atencio moved to terminate Mr. San Miguel, without cause and provide him with his severance package. Trustee Robbins Seconded. The Motion passed by 5-1 vote with Mayor Protem deKay voting no. The Termination is effective immediately.**

**Trustee Robbins recommended appointing Chief Phillips and Lisa Rea as co-managers. Mayor Cox asked them if they were willing to jointly act as co-interim manages. They both agreed. This appointment will be until the next Board meeting, May 6 until a more permanent arrangement can be made.**

**IV. ADJOURNMENT:** Being no further business before the Board, Mayor Cox adjourned the meeting at 9:33 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.

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**Stella Cox, Mayor**

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**Date**

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**Attest: Georgann Valdez, Town**