

Saguache County Board of Commissioners met in regular session
Tuesday, September 16, 2008 with the following present:

Sam Pace, Chairman
Mike Spearman, Vice Chairman
Linda Joseph, Commissioner
Ben Gibbons, County Attorney
Wendi Maez, Co-Administrator
Lyn Zimmer, Co-Administrator
Melinda Myers, Secretary and Clerk to the Board

Meeting called to order by Chairman Pace at 9:03 A.M.

Under Additions or Deletions to the Agenda:

1. Add Clerk's office wiring and carpeting.
2. Delete Sheriff's report.
3. Executive session during Attorney report.

Joseph moved to approve the agenda as amended. Spearman seconded the motion. The vote was three Ayes.

Reading and approval of minutes:

Spearman moved to approve the minutes of September 9, 2008 as amended. Joseph seconded motion. The vote was three Ayes.

Review of Mail:

1. **Brooke Fitz**, Community Events Manager sent a letter of thanks for the \$25.00 donation to the American Liver Foundation. (9/9/08)
2. **The Colorado Department of Public Health and Environment** sent the Agenda for September 18, 2008. (9/11/08)

Joseph moved to waive the 2007 taxes of \$304.84 on Chalet Unit I, Lot 1500, which has been transferred to the Baca Grande Property Owners Association to be added to Willow Creek Park. Pace seconded the motion. The vote was three Ayes.

3. **Shauna Ianson**, Assistant Manager of the Baca Grande Property Owners Association sent a letter requesting the 2007 taxes owed on lot 1500 Chalet Unit one of the Baca Grande Subdivision in the amount of \$304.84 be waived. For further questions contact Ianson at 719-256-4171. (9/9/08)

4. **Tristram S. Post** sent a letter requesting to be appointed to the San Luis Valley Fair Board, representing Saguache County. (9/10/08)
5. **Alice M Price**, Executive Director for Center for Restorative Programs sent a letter of thanks for the contribution of \$150.00 to their 2008 budget. (9/11/08)
6. **Gunnison Valley Hospital** sent the 2007 Community Benefit Report. (9/11/08)
7. **The Rio Grande Water Conservation District** sent the September 2008 Ground Water Tables. (9/15/08)
8. **The Upper Gunnison River Water Conservancy District** sent the Agenda for Monday September 22, 2008 to be held in Gunnison CO. (9/15/08)
9. **Ted Lindtveit**, Colorado Technical Services, Inc. Loss Prevention Team Leader did an audit for the Social Services Building and the County Jail on 8/27/08. A letter with his recommendations was received. Carol Gustin with the Saguache Sheriff Office notified Administration that the recommendations for the Jail have already been met. (9/15/08)
10. **Bernadette Myers**, Office Manager for United Country Real Estate sent in copies of a recent advertisement that was published in the San Luis Valley Lifestyles Newspaper for the Town Site of Iris. Iris can also be viewed in the Local MLS and United County's advertising tools plus Advanced Access. (9/15/08)
11. **The Colorado River Water Conservation District** sent the Agenda's for September 18, 2008. (9/15/08)

Introduction of Guests: Doug Larsen – Crestone Eagle; Steve Elliott; Dan Dallas & Andrew Archuleta – USFS/BLM; John Murray; Karen Snow; Herb Anderson; Andrea Steffens; Vinette Terres; Russell Schreiber; Bon Dellegar; Wooddora-Rose Eisenhauer; Lorraine Davis; David Nicholas, Dapnance, Dagini Amba, Swami Ti, Roger Gabrيره, and Robert Demko - HIU-TOC; Will Porter; Donna Peizer; Pavita Decorah – SALC; Joshua Anthony; Martin Macaulay; and Cindy Reinhardt.

Commissioners' Reports-Updates of Meetings:

Sam Pace reported:

- September 12 - Attended the CCI Steering Committee meeting in Denver.

Mike Spearman reported:

- September 12 - Attended two Juvenile Diabetes meetings in Denver and walked in a Diabetes Walkathon fundraising event.
- September 9 – Attended the Center Fire District meeting to establish the boundary for the La Garita Fire District.

Linda Joseph reported:

- September 10 - Attended the Friends of the Library meeting, where discussion focused on Fall Fest Plans, the upcoming direct mailing, and creation of a 1-2 year plan and longer term goals, to guide fundraising efforts.
- September 10 - Attended the Sage Grouse Conservation Strategic Committee in Gunnison, along with alternate Elinor Laurie. This included a public hearing on

the Shed Antler Collection issue. There will be an application made to the CO Wildlife Commission to adjust the season, a compromise solution that appears to have the support of the various groups involved.

- September 15 - Sat in on a meeting with Admin and Nursing to facilitate discussion of various issues. Zimmer and Newsom are reviewing status of PCP accounting.

Lynn Zimmer and Wendi Maez - CO-Administrators:

- Sales Tax Grant applications were handed out to the Board.

Joseph moved to approve the bid from Del Mar Carpet for \$20,956.10 to carpet the first and second floors of the courthouse. Spearman seconded the motion. The vote was three Ayes.

- Discussion on carpet bids, the current carpeting was installed in 1990 with a ten yr warranty and lasted 18 years.
- Administration staff has compiled the goals received at this time, from Administration, Road & Bridge, Library, Land Use and Maintenance.
- Marc Diament, architect out of Denver wants to help the County get some grants for renovations and additions. Board said they would like to hear his proposal.
- BOCC meeting schedule for December will be changed to the 9th and the 16th. Tuesday, the 2nd, the Board will be attending the CCI Conference.

Joseph moved to enter into Executive Session at 10:12 A. M. for legal purposes under CRS 24-6-402 (4)(b). Spearman seconded the motion. The vote was three Ayes.

Spearman moved to return to regular session at 10:30 A. M. Joseph seconded the motion. The vote was three Ayes.

Break

Wendi Maez - Land Use Administrator:

Spearman moved to approve the additional residence Conditional Use Permit for Steve Elliot on Baca Grande Chalet Unit I, Lot 758C. Joseph seconded the motion. The vote was three Ayes.

- Steven F. Elliott – Conditional Use request – additional residence – Lot 758C – Baca Grande Chalet Unit One. Crestone/Baca Planning Commission recommended unanimous approval of this request with no conditions during their regular meeting on September 10, 2008.

Spearman moved to approve the Lot Consolidation request for Steven F. Elliott on Baca Grande Chalet Unit I, Lot 758 and 759. Joseph seconded the motion. The vote was three Ayes.

- Steven F. Elliott – Lot Consolidation request – Lots 758 and 759 – Baca Grande Chalet Unit One. Crestone/Baca Planning Commission recommended approval of this request during their regular meeting on September 10, 2008.

Spearman moved to approve the Lot Consolidation request for Franklin N. Judson on Baca Grande Chalet Unit I, Lot 803 and 804. Joseph seconded the motion. The vote was three Ayes.

- Franklin N. Judson – Lot Consolidation request – Lots 803 and 804 – Baca Grande Chalet Unit One. Crestone/Baca Planning Commission recommended approval of this request during their regular meeting on September 10, 2008.

Pace moved to have the Sheriff decide if the Grover violation qualifies as a public nuisance. If that avenue fails, then Attorney Gibbons will send a letter to Cease and Desist. Joseph seconded the motion. The vote was three Ayes.

- Peter and Enedina Grover – Violation of Conditional Use permit. Grover’s were granted a Conditional Use for landscape/excavation business in 2007. At that time Grover’s did not request a sign be put on the property. A sign was put on the property at a curve on County Road T. Mr. Arredondo and Maez have asked Mr. Grover to move the sign to the east and he has not done that. A letter was sent to Grover’s telling them that the Conditional Use permit had been revoked. There is now an advertising sign plus a 4-Sale sign attached to the business sign.
- Ben Wolfe and Terry Balsler – Violation of Home Occupation/Conditional Use – SW1/4 7-43-11. After several attempts to get Mr. Wolfe and Mr. Balsler and the landowners Pam and Steven Gripp to come in and meet with Maez to obtain a Conditional Use permit have failed, Maez is bringing this matter before the Board for recommendations. This is for an auto repair

business that is operated off of County Road T. Attorney Gibbons could send a letter to landowners to apply for the Commercial Conditional Use permit or face a Cease and Desist order. Joseph offered to contact the Gripps to see if they understand the situation, before taking these actions, and will report back at the next BOCC meeting.

Ben Gibbons – Attorney report:

- COGCC voted unanimously to include a section under Rule 201, the purpose section of the rules, that none of its rules are meant to negate, alter, or impair local authority to regulate oil and gas operations, absent an operational conflict.
- COGCC also voted that the staff is to work with La Plata County, on a test basis, toward a MOA or other non-confrontational issues resolution mechanism.
- Public comment for the Baca trails issue is due by October 16, 2008.

Melinda Myers - Clerk and Recorder:

- The replacement of the carpet will cause a cascade of issues for the Clerk's office. The timing needs to be approved by the Colorado Department of Revenue and it must not interfere with the election. When all the equipment is removed from the office the wiring will be exposed and present an excellent opportunity to upgrade the cables as recommended by Kenny Bertin of WSB.

Adjourned for lunch at 12:00 P.M.

Meeting reconvened at 1:04 P.M.

Randal Arredondo – Supervisor Road & Bridge and Land fill:

- The asphalt hot plant has passed the Air Quality test.
- Mr. Parker is still interested in leasing a building at Leach Airfield.
- Any condition use request for additional residence off a County road will have to pay for another access fee to Road and Bridge.
- The Title I, II and III funds are ending but other funds may kick in to replace them.
- Arredondo requested the Road and Bridge fund keep the R&B mill levy in 2008 to make up for the shortfalls due to increased fuel and oil prices.
- Mr. Hollenbeck's attorney has called Arredondo to find the date that the road on his land became a county road. Arredondo will continue to research to find the starting date.
- Rented a scraper to dig a new landfill cell. It will run 7 days a week so the job will get done sooner.

Donna Newsom – Nursing Director:

- Saguache County Public Health has received a letter from the Department of Local Affairs approving our request for a Community Services Block Grant to fund the acquisition of the Public Health Building. Kim Smoyer has been contracted by public health to complete the next steps toward funding. This includes the application and environmental impact study that has to be done. We have a timeline of completion by November 1, 2008. This should ensure funding in December 2008.
- The Saguache County Emergency Food Bank served 41 residents during August. Eleven of those served were unemployed and out of the total number of 41, there were 21 children served. The estimated cost of food distributed was \$861.00
- The Wellness Coordinator and agency Director in conjunction with Rio Grande County Public Health staff held its first heart disease and cholesterol screening at the public health office. This screening includes risk factor screening, cholesterol reading and blood pressure screening. Each county department will have a day scheduled for this valuable opportunity. The wellness staff has been out in the county holding the “Healthy Living Classes.” These classes are being offered in English as well as Spanish. CDPHE recently awarded SCPH \$2,500.00 stipend in recognition of Violet Vigil and Yoana Palacios dedication in getting this program “up and running” so quickly. They have done an excellent job of getting the classes organized and advertised within the county.
- The plans for the fitness facilities are at a standstill until the acquisition of the building is completed. The Diabetes support groups are going well. They are being held in Center and Saguache, monthly. Attendance has been good. The Second annual “support Diabetes” Run, Walk or Ride is scheduled for September 20th during the Fall Festival in Saguache. This year’s motto is “Naturally Sweet.” Thank You Violet for all of your hard work toward this important event.
- Six members of the Saguache Prevention Coalition traveled to Nashville, TN. To attend the 20th Annual National Underage Drinking Conference. This was an outstanding conference and the coalition brought back many excellent resources and knowledge that will enhance our implementation phase of the grant. Ileen Rivale and Pearl Brewer are to be commended for their continuing efforts in this important endeavor. Each coalition member attended separate sessions in order to attend as many offerings as possible. We were able to meet with the Colorado contingent and found this networking most valuable. We appreciated the fact that our County Sheriff and Social Services Director were able to attend. This has given our coalition a valuable perspective of the problems we have in the county related to underage drinking. We have a Youth Coalition meeting in Center on October 23. Thank you, Katrina Ruggles for your efforts toward this goal.
- The PCP Department continues to add clients. We are caring for 120 clients. The telephone satisfaction surveys are continuing and the reports and follow up has been excellent. The department has scheduled a PCP training class to be held in October.

- SCPH has announced plans for influenza season. Although we will not provide a mass vaccination clinic, we will be offering “flu clinics” through out the county. We will be scheduling traveling clinics to each county department. Flu shots are \$15.00, Medicare accepted. Children up to age 18 are no charge.
- September is “Emergency Preparedness Month” This is a nationally recognized effort across the country to encourage preparedness activities. SCPH and Citizens Corps have scheduled Community Emergency Response Team training in Saguache starting September 25, 26 and 27. There is no charge for the training.
- Epidemiology Report: Saguache County Public Health continues with TB investigations. These investigations are being done in conjunction with CDPHE TB Department.

Andrew Archuleta and Dan Dallas – USFS/BLM:

- Anderson ditch parcels mineral rights will be retained by the BLM.
- Handed out a report on the criteria for RS2477 roads and trails.
- La Garita Creek fish removal is only in the planning a stage. It will be brought before the Board before it is finalized.

Break

Vennette Terres – Humanity in Unity:

- Local property owner complained about activity levels at the Humanity In Unity properties. None of the three residential properties have a current approved Conditional Use permit. All three locations host advertised public daily programs and periodic special events including camping, classes and music jams. Other property owners came forward with complaints of disturbances. Members of the HIU countered the complaints and said that they were attempting to comply.

Bill Paying

<p>Joseph moved to adjourn at 4:45 P.M. Spearman seconded. The vote was three Ayes.</p>
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Respectfully Submitted

Melinda Myers Secretary to the Board of County Commissioners

Minutes Approved October 7, 2008

Chairman of the Board

Attest

Commissioner

Commissioner