

SAGUACHE COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION MEETING
TUESDAY, AUGUST 2, 2016

MINUTES

CALL TO ORDER:

The Meeting was called to order by Board Chair, Jason Anderson, at 9:00 A.M., with the following members present:

Jason Anderson, Commissioner, Board Chair
Ken Anderson, Commissioner
Tim Lovato, Commissioner
Wendi Maez, County Co-Administrator/Land Use Administrator
Lyn Lambert, County Co-Administrator
Ben Gibbons, County Attorney
Carla Gomez, Clerk to the Board

Board Chairman, Jason Anderson, asked for a moment of silence for fallen Commissioner Marianne Dunne, of Alamosa County, who passed away this week. Flowers were sent from the County to Ms. Dunne's family.

PLEDGE OF ALLEGIANCE:

Board Chair, Jason Anderson, invited those in attendance to join in reciting the Pledge of Allegiance.

Additions/Deletions to the Agenda:

1. Item Board of Equalization - 3:15 pm - Crestone Recreation Co.

Attorney Ben Gibbons informed the Board that this Petition to the Board of Equalization is the same Petition, for the same property, with the same complaint, from tax year 2015, that has been submitted to the State Board of Assessment Appeals, scheduled to be heard in Denver later this month. Mr. Gibbons suggested to the Board that they remove this item from the Agenda until they have been informed of the decision of the Board of Assessment Appeals.

Mr. Gibbons also requested that the item on the Agenda scheduled at 3:15, John Baxter, be moved to 2:30 P.M.

**MOTION BY COMMISSIONER KEN ANDERSON TO STRIKE THE BOARD OF
EQUALIZATION HEARING SCHEDULED AT 3:45 P.M. FROM THE
AGENDA, AS ADVISED BY ATTORNEY GIBBONS. ALSO, TO MOVE
JOHN BAXTER FROM 3:15 TO 2:30.
SECOND BY COMMISSIONER LOVATO**

VOTES IN FAVOR: 3
MOTION CARRIED

VOTES AGAINST: 0

**MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE AGENDA
AS AMENDED.**

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Reading and Approval of Minutes:

**MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE MINUTES
OF THE JULY 19, 2016, REGULAR SESSION MEETING, WITH THE
CORRECTIONS AS DISCUSSED.**

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Review of Mail and Other Correspondence: Mail 08/02/2016

1. **The Northern Saguache County Library District** sent a thank you card for the Spring 2016 Sales Tax Grant funds.
2. **The Rio Grande Water Conservation District** sent the July 2016 Ground Water Table Measurements.
3. **U.S. Fish and Wildlife Services** sent a notice that they have released the Final Land Protection Plan for the San Luis Valley Conservation Area.
4. **Lyn Miles** sent a thank you note for the flowers for her husband's funeral services.
5. **Colorado LTAP** sent a nomination form for their "You Show Us" contest.
6. **Irv Halter, Executive Director with the DOLA**, sent an approval letter for the contract for a grant regarding REDI #00105-Saguache County Airport Feasibility Study.
7. **The Colorado Community Action in partnership with DOLA** sent the CSBG 2014-15 Annual Report.
8. **The Saguache Ranger District** sent the Saguache District of the Rio Grande National Forest Full Tilt Spruce Beetle Salvage Project, draft Decision Notice and Finding of No Significant Impact for the 45 day objection period.
9. **The United States Bankruptcy Court** sent a motion for Kenneth C. Casey, Inc. debtor. Stating that Jeffrey L. Hill, Chapter 7 Trustee has filed a Combined Motion to Sell Real Property of the Estate at Public Auction.
10. **CSU Extension** sent the SLV Extension June report.

Introduction of Guests:

Sandia Belgrade, Crestone Eagle
Del Groen, Valley Haven Lodge
David Broyles, Mountain Valley Lumber

Rob Bretanus, Crafted Woods
Lonnie Nichols, Self
J.M. Baxter, Saguache Mountain Valley LBR
Teresa Benns, Center Post Dispatch

Public Comments:

None.

COMMISSIONER'S DISCUSSION ITEMS:

- 1) Discussion of Leadership in realm of Public Health
- 2) Assign someone to Rio Grande Watershed Council
- 3) Resolutions for Sales Tax and Excise Tax

COMMISSIONER REPORTS:

Commissioner Jason Anderson 7/20-8/1 2016:

- 7/21 Met with Ginger Stringer, Public Health Dept. Director, concerning finding Director candidates, transition strategies, and creating a list of to-dos for the incoming director.
- 7/21 Attended the SLV broadband meeting to discuss the data from the DOLA grant to research broadband in the Valley.
- 7/25 Attended the Valley Wide Commissioners meeting in Alamosa. Topics included health services, changes with the action 22 organizations, and an update on the cutthroat trout. It was also noted that funding of \$5,000 has been received (?).
- 7/25 Was contacted by residents of the Bonanza Ranch subdivision seeking a letter of support for mitigation funds.
- 7/25 Met with the Eastern SLV Trails Coalition to finish a GOCO grant proposal.
- 7/26 Attended the Rio Grande National Forest meeting on timber resources and the Master Plan.
- 7/28 Attended the SLV Great Outdoor Coalition Quarterly meeting.
- 7/28 Spoke with Colleen Bennett, Casita Park resident about marijuana operations and blight.
- 7/29 Spoke with Robert Garnett about police time in the Baca
- 7/29 Spoke with Eric Bergman from CCI concerning why the Dept. of Revenue does not handle the Marijuana Excise tax.

Commissioner Lovato August 2, 2016 Commissioner's Report District III:

- July 19th – Attended the Colorado Cattleman's Land Trust Meeting in Saguache at the Road and Bridge. Land owners on the Saguache Creek Corridor are weighing their options on forming a group augmentation plan or joining the proposed sub-district number 5 to be in compliance with the proposed Rules and Regs. by the State of Colorado.
- July 20th – I was invited to participate in Denver to sit on a task group for the Colorado Cattleman's Land Trust to help write water policy for the Land Trust.

July 26th – Attended the Managers of Landfill Operations training in Alamosa.
July 27th- Attended the Managers of Landfill Operations training in Alamosa and then went on a site visit of the San Luis Valley Regional Landfill and observed their operation.
August 1st – Attended the San Luis Valley All hazards meeting in Alamosa. There are 32 members in the group, we did not have enough voting members to have a quorum to conduct business, although reports were presented.

Commissioner Ken Anderson:

July 18 – Attended the UAV Advisory Board meeting in Alamosa, discussed the \$100 fee for UAV flights.

Also attended the COG and DRG meetings.

July 19 – Commissioners Work Session

July 20 & 21 – Attended the Rocky Mountain FFA Convention in Ft. Collins.

July 25 - Attended the SLV Commissioner's meeting in Alamosa.

GINGER STRINGER, PUBLIC HEALTH DIRECTOR: REPORT ATTACHED;

Co-Administrator Lyn Zimmer Lambert provided the Board with a job description for the Public Health Director position, noting that it is more administrative than medical duties. The Board was asked to review the document, which will replace the old one. Applications will be accepted until September 1, 2016.

MOTION BY COMMISSIONER KEN ANDERSON TO ADOPT THE NEW JOB DESCRIPTION FOR THE PUBLIC HEALTH DIRECTOR POSITION.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Also, Crowfox-Kristy Fleming was present to inform the Board that she will work with Ms. Lambert on administrative and financial business at the department in the interim. She also noted that there is confirmed prairie dog and rodent plague in the BACA Refuge area. She also discussed the contract for a new printer for the PH Department.

MOTION BY COMMISSIONER KEN ANDERSON TO PURCHASE A NEW PRINTER FOR THE PUBLIC HEALTH DEPARTMENT.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Commissioner Jason Anderson discussed the appointment of a support person to assist the Department during this transition period.

DEPARTMENT HEAD REPORTS

BEN GIBBONS, COUNTY ATTORNEY:

Regarding the proposed excise tax ballot question, Mr. Gibbons discussed the issue of who is responsible for the collection and administration of the collected tax funds and any internal process that might need to be put into place should this question be approved by the voters. Ms. Belgrade inquired as to what bank could be used because of the federal issue surrounding the product. Further discussion will follow.

EVAN SAMORA, HOUSING DIRECTOR: REPORT ATTACHED:

**MOTION BY COMMISSIONER KEN ANDERSON TO COVENE AS THE
SAGUACHE COUNTY HOUSING AUTHORITY BOARD AT 10:40 A.M.
SECOND BY COMMISSIONER LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

**MOTION BY COMMISSIONER KEN ANDERSON TO ADJOURN AS THE
SAGUACHE COUNTY HOUSING AUTHORITY BOARD AND RETURN
TO REGULAR SESSION AT 10:50 A.M.
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

RANDAL ARREDONDO, ROAD & BRIDGE SUPERVISOR:

- a. Delmar Groen – Road pavement request:
Mr. Groen was present to request paving of about 1.6 miles of County Road 50 from County Road G north to the driveway 7532 County Road 50, as necessary for his bed and breakfast business and other businesses and residential families located on that road. He commended the Department for grading the road when necessary. Mr. Arredondo stated that paving would be too costly, but would continue to help maintain the road. Mr. Groen also requested removal of willows that are blocking visibility on the road. R&B will send someone to mechanically remove the willows from the roadway.
- b. Mr. Arredondo also discussed the IGA with the Town of Saguache for various services to be provided by the Department.

**MOTION BY COMMISSIONER LOVATO TO APPROVE AND SIGN THE
INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF
SAGUACHE FOR RELATED PROJECTS AS SPECIFIED IN
THE CONTRACT, ie – PAVING, HELP WITH THE SHOP.
SECOND BY COMMISSIONER KEN ANDERSON
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

- c. Mr. Arredondo also discussed the issue of road access fees for marijuana grow businesses. There are 7 such businesses approved. Ms. Maez and Mr. Arredondo

will work on a schedule for those fees. Need to make sure they are paid, amount depends on size of the business, amount of traffic, trips per day and so forth.

- d. Road EE39 – another 30 year access Right of Way presented.

**MOTION BY COMMISSIONER LOVATO TO SIGN THE CONTRACT
FOR A 30 YEAR ACCESS RIGHT-OF-WAY WITH THE
BUREAU OF LAND MANAGEMENT.**

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

- e. Tires for the landfill loader have been purchased and installed by the Gunbarrel Station for the cost of \$6,360.

Expansion for the landfill will be included in the Budget

JIM FELMLEE, OEM DIRECTOR - REPORT ATTACHED:

Mr. Felmlee was present to review his report and to request the Board sign the license certification for the Baca/Crestone ambulance.

**MOTION BY COMMISSIONER LOVATO TO SIGN THE LICENSE
CERTIFICATION FOR THE BACA/CRESTONE AMBULANCE.**

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Commissioner Jason Anderson inquired as to the tabletop exercise in September. Mr. Felmlee responded that Public Health, the Sheriff's Office and other county emergency agencies will be involved in the exercise.

LUNCH

WENDI MAEZ, LAND USE ADMINISTRATOR, AIRPORT ADMINISTRATOR:

Mike Spearman was present informing the Board that SLV REC has installed Wifi in the lounge at the Center airport, they waived the fee, cost is \$89 per month; \$1,464 in fuel was purchased from the airport in June, about 450 gallons; there is a contract on the Myers hangar. Also under the Sales Tax Grant, carpet is to be installed, ceiling tiles to be removed, painting will be done and new lights will be installed and will try to fix the restroom. It's coming along very nicely. Also need to work on the next Sales Tax Grant, maybe to purchase a camera. Need internet to upload data. Randy Wright from Alamosa is helping with the airport development zone, need to maintain the facility including snow removal, need to develop revenue, which will create commerce.

Ms. Belgrade commented that some pilots would rather stop here for fuel, this is aviation friendly and there are people willing to help.

Ms. Maez commented that there needs to be fund generation and agreements with UAS users.

WENDI MAEZ, LAND USE ADMINISTRATOR:

Ms. Maez presented two lot consolidation requests:

1. Lot Consolidation request for Ken Edgar, Lot 1872CR and 1875, Baca Grande Chalets Unit 1.

**MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE
LOT CONSOLIDATION REQUEST SUBMITTED BY KEN
EDGAR FOR 1872CR AND 1875, FOR BACA GRANDE
CHALETS UNIT 1.**

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

2. Taylor White – Subdivision Exemption request for Lazy KV Estates Block BBB Lot 5C containing 3.75 acres. This request is to “unconsolidate” 3 previously consolidated lots into their previous lot size, each lot will contain 1.25 acres.

The lots will be used for residential use; Applicant has come in for a construction permit for storage containers on each property.

One letter of concern has been received – adjoining landowner feels unconsolidating these lots will increase density and future population near their property.

SCPC recommended approval of this request during their meeting on June 30, 2016.

**MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE
SUBDIVISION EXEMPTION REQUEST FOR LOT 5C BLOCK
BBB LAZY KV ESTATES REQUEST AS SUBMITTED BY
TAYLOR WHITE.**

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

3. The Watershed Council: Has requested a Board member be appointed to the RHACT Board. This came out of the fire, to rehabilitate the forests in Mineral, Hinsdale, Rio Grande and Saguache Counties to address beetle kill and expand the RHACT Board which meets quarterly.

**MOTION BY COMMISSIONER KEN ANDERSON TO RECOMMEND
COMMISSIONER JASON ANDERSON FOR THIS COUNCIL.
SECOND BY COMMISSIONER LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

PUBLIC LANDS MONTHLY DISCUSSION:

Tristram Post was present to discuss the state of various fires burning in the area, some roads are still closed but not on our side, visitation is up, they have a new wildlife biologist and only one law enforcement officer and are inventorying and analyzing in the county for a Forest Service Revision Program.

LYN LAMBERT, WENDI MAEZ, CO-ADMINISTRATORS ADMINISTRATIVE REPORT:

- 1) Marvin Reynolds delivered an invitation to the Board and County Administrators to a Dinner at Calvillo's Restaurant in Alamosa on August 16 at 6 PM
- 2) Auditors will be here on August 9th to present the 2015 audit. Acceptance of the audit will need to be done on August 16. Treasurer office and administration office will have a telephone conference with the auditors on Monday, August 1, 2016 to go over the audit findings.
- 3) Budgets were due to Lyn Lambert on Friday, July 29, 2016.

Also, Ms. Lambert discussed TANF and the Agreement with Pueblo and the Department of Social Services. This has been reviewed by County Attorney Ben Gibbons:

**MOTION BY COMMISSIONER LOVATO TO ACCEPT THE TANF CONTRACT.
SECOND BY COMMISSIONER KEN ANDERSON
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

**MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE
MEMORANDUM OF UNDERSTANDING WITH THE PUEBLO
DEPARTMENT OF SOCIAL SERVICES FOR SERVICES PROVIDED
TO THIS COUNTY, WITH A 60 DAY REVIEW. TO INCLUDE THE
SUPERINTENDENT AGREEMENT AND THE HOTLINE
AGREEMENT.**

**SECOND BY COMMISSIONER LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

PETE GARCIA, COURTHOUSE PLUMBING:

Mr. Garcia was present to inform the Board of the need to redo the plumbing system clean-outs on the courthouse grounds, and would like to ask Road & Bridge to dig these out. He also informed the Board that he is in need of the pickup from Road & Bridge as Bob is using his own truck. Admin was instructed to get the truck from Road & Bridge.

LONNIE NICHOLS, DANGERS OF NEW ELECTRIC METERS:

Mr. Nichols was present to inform the Board of his concern with this issue. Item was tabled.

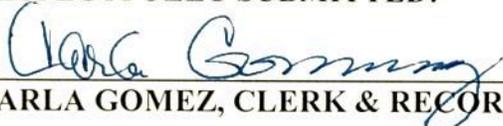
JOHN BAXTER, EXPANSION OF THE SAW MILL:

Mr. Baxter was present with Mr. Broyles and Mr. Bretanus to discuss the expansion of his lumber business to include processing of dead and dying trees for use as handcrafted custom millwork. This expansion would create a new business, increase the employment base and get some of the dying lumber out of the woods. Mr. Bretanus notes that there is a huge market for finished spruce and fir product. They would like to pursue this plan and focus on community craftsmen. They would have access to grants as a non profit organization.

BILL PAYING:

ADJOURN: There being no further business, the meeting was adjourned at 3:33 p.m. by Board Chair, Jason Anderson.

RESPECTFULLY SUBMITTED:


CARLA GOMEZ, CLERK & RECORDER

DATE MINUTES APPROVED: August 16, 2016


**JASON ANDERSON, COMMISSIONER,
BOARD CHAIR**



Ken Anderson
KEN ANDERSON, COMMISSIONER

Tim Lovato
TIM LOVATO, COMMISSIONER

Carla Gomez
ATTEST
CARLA GOMEZ
CLERK & RECORDER