

MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE MINUTES OF THE NOVEMBER 6, 2018 REGULAR SESSION MEETING AS AMENDED.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Review of Mail and Other Correspondence: 11/20/2018

1. **Saguache Sagebrush Quilters & Sara Fernandez** sent a thank you card for the approval of their grant request. (Received 11/5/18)
2. **Pike Historic National Trail Association**, sent October's Newsletter (Received 11/5/18)
3. **Tina Sanchez, Deputy Clerk, Town of Saguache**, sent a letter informing the courthouse that The Town of Saguache will be raising the water and sewer prices effective January 1, 2019 (Received 11/7/18)
4. **Upper Arkansas Water Conservation District** sent a letter with Tentative Agenda for their Board of Directors meeting and Enterprise Committee meeting both being held November 8, 2018. (Received 11/7/18)
5. **Colorado State University Extension Program**, sent the San Luis Valley newsletter for the month of November
6. **County Technical Services Inc.**, Sent 2018 Membership Meeting Agenda and Documentation being held November 27, 2018. Along with County Workers' Compensation Pool and Colorado County Casualty and Property Pool. (Received 11/13/18)
7. **San Luis Valley 4-H** sent RSVP invite to the San Luis Valley 4-H Achievement Night Friday, December 14 2018 at the Alamosa National Guard Armory. (Received 11/14/18)
8. **County Technical Services Inc.** sent a pamphlet with information on County Technical Services Inc. Newly Elected County Officials' Seminar on Thursday, December 13, 2018 at 8:00 am in Greenwood Village, CO including lodging and meals at no cost to discuss possible claims concerning personnel actions. (Received 11/14/18)

Introduction of Guests:

Sandia Belgrade- Crestone Eagle

Clayton Bondurant- Colorado Parks and Wildlife

Katie Birch- Colorado Parks and Wildlife

Kara Scheel- Colorado Water Conservation Board

Dee Greeman- S&T farming

Isabel Estevill

Maurisel Gonzales

Robert Viehl- Colorado Water Conservation Board

Jay Skinner- Colorado Parks and Wildlife

May Engquist- SLVEC

Christine Canley- SLVEC

Luis Gutierrez

Public Comment:

COMMISSIONER REPORTS:

Jason Anderson:

11/7 -Attended the Saguache County budget meeting to review proposals for the 2019 budget
11/8- Met with the Baca Grande resiliency Council energy group. Topics included the Councils desire to create a home efficiency service in the county that would incorporate an energy auditor and the use of the County Auditing tools. The group wants to know if the BOCC would be willing to look at a proposal.
11/13- Attended a Saguache County Emergency Coordination table top exercise with Bobby Woltz, Saguache county Administrator
Attended a work session at road and bridge, included was a meeting with CDPHE and the States Attorney general to discuss violations at the Saguache Landfill and plans to remedy. Budget discussion followed.
11/14- Spoke with Kristan Ekland and Ken Skogland about the public bid process
Spoke with Jerry Berry to listen to a presentation about circles
11/18- Attended the Crestone Community Thanksgiving potluck.
Attended that Moffatt School district basketball game between the Moffat staff and the Harlem Wizards.
11/19- Attended Office hours at the Saguache county courthouse, Time included a visit to the new admin and land use offices, as well as a visit with the sheriff and Saguache Seniors.
Submitted an article to the Eagle regarding views on the County.

Tim Lovato:

11/7- I attended the Saguache County budget meeting at Road and Bridge on the proposed changes for the 2019 revised budget
11/8- I received a call from a resident from County Road t inquiring about the size of the grow facility located in the south side of road T and 50. A county resident called about the condition of county road T and inquired about when the code enforcement would be inspecting grow operations,
11/13- I attended the tabletop exercise at Road and Bridge given by Saguache County Emergency Director, Bobby Woelz. In the afternoon attended work session and a meeting with the CDPHE to discuss the violations at the Saguache County Landfill.
11/14- I attended the San Luis Veterans Collation in Alamosa. I also visited with several residents about concerns on illegal grows throughout the county.
11/15- I drove to Denver for the Courthouse Security Cash Funded Commission meeting at the Colorado State Judicial Building. Thirty-five counties were awarded funds for the court security totaling over \$1.3 million dollars for the last portion of the state's fiscal year.
11/18- I attended the Tourism Council meeting at Road and Bridge and in the evening, I attended the Saguache Community Thanksgiving Dinner in Saguache. There were about 130 present and over 20 shut in meals were provided

Ken Anderson:

11/7- Attended the Saguache County budget meeting at Road and Bridge
11/11- Attended the Veteran's Celebration in Monte Vista
11/13- Attended the Landfill meeting with CDPHE and Tabletop Exercise at the Road and Bridge.
11/14- Went to Cheyenne Wyoming- talked about the water drought throughout the Country. Former Secretary of Agriculture spoke. Talked a lot about policies- that do affect Saguache County and the San Luis Valley.
11/18- Talked with Tristate- said there are 5 solar projects for the San Luis Valley. There not interested in putting them in since we don't have a line going out.
11/19-Talked with the DRG- there is a project possible that can affect Center, may be good for Saguache county.

BOARD OF SOCIAL SERVICES MONTHLY REPORT – LINDA WARSH: REPORT ATTACHED.

Monthly expenditure was 179,711.85. Mostly went to food assistance and child care.

Filled two positions: Technician position and a caseworker

Will meet with the administrator on December 5th to make sure all the numbers match.

Continuing to work on the wall with the bullet proof window in the Center office.

Working on getting a camera and monitor.

David Bitler- There was an article in the Center paper, the dental clinic has purchased and going to remodel in 2019 and move to a new location - that will open a lot of space for the County. That building has a requirement that health services must come out of that building which would work for the public health.

DEPARTMENT HEAD REPORTS:

RANDAL ARREDONDO, SUPERVISOR, ROAD AND BRIDGE DEPARTMENT: 1998 Dodge Ram- the engine control module is bad, will cost \$2927.06 truck is worth about \$4,000 it has the plow on it. Cummins is the only place that sells it- but will be fixed in the shop.

Commissioner Tim Lovato- I think it is worth investing in.

Christmas lunch is scheduled for Friday, December 14th at Noon.

Dee Greeman with S&T Farms- Had a chance to visit with Shane and Beth and with the Nature Conservancy because of the conservation easement on the ranch. There is a site that has 6 10 acre lots on East of County road 42 and South of H. There is one that lot that we found might be suitable. We are limited on what we can do. Can't do the gravel pits or building. This one lot amounts to about 10 acres, if the county is interested, we can convey it with warranty deed in exchange for abandonment of the road. It is intended for commercial development. The legal is the NW of the NW of the NW of section 32 township 42N range 7E.

Commissioner Tim Lovato- you were wanting to do a one to one exchange.

Dee Greeman- we were hoping that we could come to you guys and maybe do an outright purchase on it for abandonment, or to vacay it.

Commissioner Tim Lovato- there was a lot of water down there that had been backed up-

Dee Greeman- is Shane's going to put a sprinkler down there then he will maintain that. In the past no one has gone down there and cleaned it, so trash and weeds backed up.

Commissioner Ken Anderson- if you keep it cleaned it will work.

Dee Greeman- some of that water is shared by Cruse brothers and S&T farms. If your farming it properly you're going to be using more water. There will be a reservoir on County Road E that will capture ditch water. So, we can regulate the flow going down to the sprinklers.

Commissioner Jason Anderson- we don't have a use for this proposed property, we are going to give up county right away- there will no longer be the ability to make passage through there.

Dee Greeman- they don't want people to be able to go back there- not go back there and kill wildlife.

There are 6 10 acre lots in front of the La Garita store that can be used by the county.

Commissioner Ken Anderson- We can use it for a fire department- and we have money put away for that. It's getting the Center fire department to work with us, it's something we've talked about for years. If they put two sprinklers in how that is going to affect the water on the road. That road hasn't been used.

Commissioner Jason Anderson- Fire is a district issue not a county issue. We must ask are we willing to give away choices in the future, it doesn't matter how long that's been abandoned- do we want to give up the ability to use it when growth may happen. Ranches are turning into neighborhoods and who's to say a neighborhood won't appear there one day and are we willing to give away for future building.

Commissioner Ken Anderson- I don't know how this will affect us 25 years down the road- because of the fast development.

Commissioner Jason Anderson- We need to keep large tracts of land in tact do we want to see this County chopped up to 5 acre lots with a house on it. How do we look to preserve the rural nature that will probably be threatened one day? 1. Do a realignment of the right of way 2. Keep it as it is 3. Look at compensation.

Commissioner Ken Anderson- 1. Do a realignment of the right of way

2. Equitable exchange for abandonment of the right of way

3. Do Nothing.

Dee Greeman- from our perspective we would like to work on equitable exchange- I don't like a lot of activity going through private lands- you get a lot of things going on like property damage and poaching. We do have 6 or seven other properties that may serve a purpose for the county. All the guy wants to do is be able to farm and enjoy his ranch. There is substantial amount of deer- they seem to be a year-round herd with 30 to 40 head. We get elk out there in the winter time.

Commissioner Ken Anderson- take those options and share them with Shane and Beth.

MOTION BY COMMISSIONER KEN ANDERSON TO GO INTO EXECUTIVE SESSION FOR PERSONNEL PER C.R.S 24-6-402(4)(F)(I) FOR ROAD AND BRIDGE

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Back in session at 11:32.

CONNIE TRUJILLO, SAGUACHE COUNTY TREASURER:

It was a quiet second quarter, did a ton of releases. Had four new foreclosures. All the income that came in was from the releases. People are requesting our delinquent tax role. Had tax lien sale, didn't do 100% like last year. had 466 properties that went to sale, 393 that sold; 70 didn't sell more of which were Baca properties. Collection rate was still in the 90 percentiles Brought in 12,616.79 in premium bids. Which will be in the 2018 budget. Memorandum of understanding for the sheriff's tax lien, that needs to be signed and sent back to the state.

TRISH GILBERT, SAGUACHE COUNTY CLERK AND RECORDER:

When is it too early to determine who will be chairman in 2019,

So that I can order name plates for the check stamper.

Commissioner Tim Lovato- you will know by December 1st.

Colorado County Clerk's Winter Conference is scheduled for January

20th-23rd.

Is there any reason why we can't update our own webpage?

Commissioner Jason Anderson- Have Trish sit in on meeting with Mark Talbert.

Trish- The courthouse offices would like to close on December 12th from noon to 4:00pm for our Christmas party. We will provide lunch and have a Christmas sock exchange. The BOCC is welcome. Commissioner Tim Lovato- Can you keep the offices open? I'd rather keep it open to serve the public. Commissioner Ken Anderson- If you're going to shut it down make sure it is advertised.

Commissioner Jason Anderson- My concern is that it's a Wednesday. We have all heard that we shut down too often.

Trish Gilbert, we have made it a lot easier for them by allowing them to renew their registration online, recording online- a lot of stuff that they don't have to come into the office for.

MOTION BY COMMISSIONER JASON ANDERSON TO ALLOW THE DEPARTMENTS IN THE COUNTY COURTHOUSE TWO HOURS FROM 2 TO 4 PM ON THE 12TH OF DECEMBER FOR THE EMPLOYEES TO CELEBRATE THE HOLIDAYS

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 2

VOTES AGAINST: 1

MOTION CARRIED

Trish Gilbert, The Oath of Office for elected officials will be held in the courtroom on January 8th I would like to start ordering office furniture, which will come from the grant funds, it will exceed the 2,500-dollar limit.

Commissioner Tim Lovato- bring us a list of items and prices

Trish Gilbert, we've been going online and getting prices from different websites.

Over 4,000 that we put in for furniture

Commissioner Jason Anderson- I like your idea, I like walking into an office with new stuff. You can make the office look professional.

Trish Gilbert, the main office is going to get all the new furniture, not in my office.

Commissioner Jason Anderson- bring us the furniture that you want with prices and we will look at.

Trish Gilbert, we passed the Risk limiting audit (RLA) in the first round, statewide there were zero discrepancies. Saguache County had over 60% voter turnout and Colorado sits 2nd for voter turnout.

MOTION BY COMMISSIONER TIM LOVATO TO BREAK FOR LUNCH

SECOND BY COMMISSIONER JASON ANDERSON

Back in session from lunch at 1:00pm

WENDI MAEZ, LAND USE ADMINISTRATOR:

Stated that two gentlemen requesting variances both hold CDL's, if the variances pass, she will have to let Dan know, he will report to the DMV and they will pull the CDL's. The variance for the plant count is 75 plants which is over our 24 plants.

Commissioner Jason Anderson- What we want to know is 1. What are you going to do with it? 2. What are the safeguards? 3. What do your neighbors think about it? Without going into why, we want to know why someone would need 75 plants.

Isabell for Luis- Stated that his wife reduces it and then cooks his meals and makes tea with the powder.

He will be in the KV estates. They want to do everything legally- he had the electricity company come out

and got all the inspections proofed. Created living conditions for the girls, but as of now everything is up to code.

We have nothing to hide, we want to be transparent.

Commissioner Tim Lovato- is there a way do get this done with using 50 plants

Isabel for Luis, the plants are small- the smaller the plant the better. The plants are enclosed in a little barn.

Its 300 square feet. Has lots of stress and the THC helps with it.

The tags are for one year only and only one grow.

MOTION BY TIM LOVATO TO APPROVE THE VARIANCE BY LUIS GUTIERREZ UPON APPROVAL OF THE LEGAL COUNSEL FOR THE 75 MEDICAL MARIJUANA PLANTS SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

We must do a final adoption of Regulation 43 the sewage regulation on the 18th of December at 3:00

MOTION BY COMMISSIONER KEN ANDERSON TO HAVE A PUBLIC HEARING FOR THE ADOPTION OF REGULATION 43 ON THE 18TH OF DECEMBER AT 3:00.

Wendi Maez, Summit Resources the Lindsay Frasier Variance was put on hold to make sure there sewing disposal system was approved, she has not replied.

Statement was provided to show where we stand with marijuana.

Taylor Holdings in the town of Moffat owes excise tax and the notices were returned.

Income statements show where we stand at the end of October, we are going to put \$30,000 for code enforcement; \$10,000 for part time and \$7,500 for office and telephone, advertisement and for a vehicle.

Commissioner Jason Anderson-The board needs to know the funds from the excise tax, because they will be used different from the marijuana excise tax

DAVID BITLER, ADMINISTRATOR – ADMINISTRATIVE

Stated we need the approval of the 2019 calendar. It is based off previous years.

Commissioner Tim Lovato- One thing I don't see on here is special runs on the vouchers

Randy Arredondo, sometimes there are not times when there isn't enough time to approve budget and our bills are late.

Commissioner Jason Anderson- With having Mr. Bitler here hopefully we won't run into that anymore.

MOTION BY COMMISSIONER JASON ANDERSON THAT WE REMOVE APRIL 19TH AS A HOLIDAY FROM SAGUACHE COUNTY PENDING A CHANGE IN POLICY SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Wendi Maez- It says we have 12 holidays in our personal policy

MOTION BY KEN ANDERSON THAT WE ACCEPT THE SCHEDULES BROUGHT FORWARD BY THE ADMINISTRATOR AS AMENDED

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

David Bitler-received a call from Lorraine Lopez- she left a message about seniors having to buy liability for using the senior center. Our insurance company said that they are automatically covered by the county by using our building- they said it isn't necessary for them to get more. The question is for the commissioners to reconsider it and wave it to that they won't have those expenses.

Commissioner Jason Anderson- So what they are telling us is that if a senior heaven forbid hurts themselves in that room that we our insurance is going to cover that accident whether they have insurance or not. They provide important services; they have expenses but don't have an income. But let's check with Ben

David Bitler, back in October Road and Bridge came to have their budget adjusted because of extra revenue coming in. signing off on another \$21,000. We are within the budget that you guys approved. Wanting to make sure you guys know what we are doing.

Colorado Parks and Wildlife & Colorado Water Conservation Board.

Presented a PowerPoint on promoting the protection conservation and development of Colorado's water resource for present and future generations.

Stream and lake protection in Saguache County.

We don't recommend water rights.

Colorado's parks and wildlife recommendations

1. Natural environment exists- collect stream flow water to look at depth per perimeter
2. Natural environment can be preserved by the water available
3. No material injury to water rights

Clayton Bondurant with the Colorado Parks and Wildlife; local game warden stated that Tim asked him to stop by and give an overview. Wrapped up the end of the 4th big game season. Pretty slow up here, some success. People want to see an increase in deer and elk in units 680 and 681. The ratio has

consistently gone down every year. If it passes deer management will stay the same, elk tags will have a huge cut to preserve their life and population. Will probably be the last year for the December cow hunt.

MOTION BY COMMISSIONER KEN ANDERSON TO MOVE INTO EXECUTIVE SESSION FOR DAN WARWICK, SHERRIFF, AND DAVID BITLER, ADMINISTRATOR FOR PERSONNEL PER C.R.S. 24-6-402(4)(F)(I).

MOTION BY KEN ANDERSON TO MOVE INTO EXECUTIVE SESSION FOR BEN GIBBONS FOR LEGAL PER C.R.S 24-6-402(4)(b)

SECOND BY COMMISSIONER TIM LOVATO

MOTION CARRIED

Back in session at 4:19pm

Christine Canaly, San Luis Valley Ecosystem Council

Stated that when you look at different budgets from landfill and transfer stations one is more expensive than the other. Gary Fusilier made a point about how rural counties get attached to their landfills. My husband and I would do some of our shopping after we dropped stuff off at the landfill, some of house was made from material from the landfill. Before we open a new cell, I want to ask the BOCC is you are willing to visit places that have been transferred into transfer stations- Hinsdale county, lake city would be a good place to look.

Commissioner Tim Lovato, I read the comments you made about the landfill not being sustainable; and I agree with most parts, but we are not getting a new cell we are going to enlarge the existing cell, we can get a few more years. My thought would be to do a transfer station in Crestone and see what the costs are and maybe we do more throughout the County.

Christine Canaly, So, you're going to have to continue with the state regulations, getting a liner, and doing water analysis, as opposed to transfer stations and drop off sites that don't have state regulations and are managed by the county. Wondering why you want to put yourself through that kind of scrutiny for a couple more years?

Commissioner Ken Anderson, we do it anyways, the only thing that is going to change is the liners, everything else is the same. If we close the landfill, we still have to maintain those wells.

Christine Canaly- Center and Crestone Baca are the two places that are growing the most and those town places are furthest away from the landfill.

Commissioner Tim Lovato stated that we are taking advantage of what we have, by keeping a service that is available for the county.

Commissioner Jason Anderson, we had to decide for budget purposes, that's not to say the budget can't be changed- it's still a maybe but we had to make a choice for the budget. Set it up and we will go look at a transfer station. We will go visit a transfer station on Tuesday December the 11th.

Bill McClure

Regarding the ballot issue 1A that was just passed, there was numerous errors. the title was changed from what your resolution stated. It passes not the way you guys approved it; it was put on the ballot as 1 and 1/2%

Should have been 1 and ½ % of.

I'm here representing the people of center, we already pay 70,0000 dollars for law enforcement, we are objecting that we have to pay another 1 and ½ percent of. Half of that sales tax will be coming out of center; if you look at the ballot results, Center didn't pass it; all the other towns did. We have not objection if you stick to the wording. Maybe that will give the sheriff time to look over it and fix it then come back in two years and try again and do it properly.

Ben Gibbons- what needs to be done is it needs to get sent to the Secretary of State's Attorney to be interpreted and if they say they can't change it, then they can disqualify it, and someone can pay to do a special election and see if it passes again. This is not he commissioners ballot issue. It was referred through the commissioners but the secretary of state it the official. Its Trish that must do it, you guys have nothing to do with it. You don't have the authority to change it.

Commissioner Jason Anderson, my taxes pay for the Center library, do you think I should have to pay that; I sure don't use it. We all pay for things that we don't use in this county, but we all go out it together as a County.

Bill McClure, People were told that they were voting for the jail

1 and 1/2 % of 1 percent .015 not 1.5

MOTION BY COMMISSIONER TIM LOVATO TO ACCEPT THE BID SUBMITTED BY JEFFERSON JAYNES IN THE AMOUNT OF \$4,222 DOLLARS FOR BACA GRANDE CHALET 1 LOT 259

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

MOTION BY KEN ANDERSON TO ACCEPT THE BID IN THE AMOUNT OF \$4,305 FOR BACA GRANDE CHALET II LOT 4354 SUBMITTED BY JAMES SPORKA

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

David Bitler, Saguache County Administrator stated that the Saguache County Policy Manual that was created in 2016 was not recorded until 2018, it's never been distributed. 1. Take a look at this and see if there are any changes that you are wanting to make. 2. If you don't want to do that then I can just distribute it.

BOCC- We have already adopted it so just distribute it.

We have a created a plan public health to try and get them to a better place; David will be back, and we will sit down with him with a plan on how we can do this building. I would like to lift the requirement that they have to come to me for every penny that is spent. Sink or swim and see what happens.

BOCC- keep it in place till the end of the year, we want to see a new plan then we can change that.

Commissioner Jason Anderson, before I step down as chair, I want to schedule a work session to review a strategic plan. I also want to schedule to have Mr. Bitler shown around as the administrator to each district.

Seeing no further business, Commissioner Chair Jason Anderson adjourns the meeting at 5:20 PM

RESPECTFULLY SUBMITTED:

**DOMINIQUE WHITE FOR
TRISH GILBERT, CLERK & RECORDER**

DATE MINUTES APPROVED: December 4, 2018






**JASON ANDERSON, COMMISSIONER,
BOARD CHAIR**



KEN ANDERSON, COMMISSIONER



TIM LOVATO, COMMISSIONER



**ATTEST
TRISH GILBERT
CLERK & RECORDER**