

SAGUACHE COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION MEETING
TUESDAY, November 6, 2018

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, for David Bitler, County Administrator
Ben Gibbons, County Attorney
Rhiannon Curry for Trish Gilbert, Clerk to the Board

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. Attorney Gibbons asked for an Executive Session during his time.
2. Ellen Cox, Victim Advocate for the Sheriff Department for Grant Approval

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

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 OCTOBER 16, 2018, REGULAR SESSION MEETING AS PRESENTED.**

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

Review of Mail and Other Correspondence: 11/06/18

1. **Daniel S. Johnson, Saguache County Firewise Program**, sent an email with a recap report on the work done over the summer dealing with wildfires.(10/15/18)
2. **Colorado River District**, sent an email with the news and update to the Board of Directors Quarterly meeting being held October 16 and 17 in Glenwood Springs. (10/15/18)
3. **Sarah Koehn Frey, Director, Northern Saguache County Library District**, sent a Thank You card for approving the Sales Tax grant application. (10/16/18)

4. **Old Spanish Trail Association**, sent Trail Tales, the Quarterly newsletter of the La Vereda Del Norte Chapter. (10/16/18)
5. **Upper Gunnison River Water Conservancy District**, sent the agenda for the Board of Directors meeting being held on October 22, 2018. (10/16/18)
6. **Northern Saguache County Library District, Sarah Koehn Fry, Director**, sent a letter requesting permission to use unused Conservation Trust grant dollars to install a patron-counter at each library as their current one has stopped working. (10/18/18)
7. **Wreaths Across America, Carol Martinez**, sent a Thank You card for approving their Sales Tax grant application (10/18/18)
8. **Joseph McConnell, Program Administrator, Colorado Department of Local Affairs**, sent a letter regarding the intent to declare the Crestone Fire Protection District dissolved. (10/29/18)
9. **County Technical Services, Inc.**, sent a letter with Board Positions that are up for Election at the upcoming membership meeting. (10/31/18)
10. **Kevin Wilkins, San Luis Valley Council of Governments**, sent a letter and invoice for the 2019 Council of Governments Dues. (10/31/18)

Introduction of Guests:

Ellen E. Cox – VA Program
 Matie Belle Lakish
 Kenneth Skoglund III

Christine Canaly – SLVEC/Landfill
 Teresa L. Bennis – Center Post-Dispatch

Public Comment:

Sandia Belgrade of the Crestone Eagle commented that with all that is going on she was glad to see an Alliance was returned to the Ute Tribe.

ELLEN COX, VICTIMS ADVOCATE GROUP, SAGUACHE COUNTY:

Cox advised Commissioners that a copy of the grant was given to Attorney Gibbons and he has reviewed and approved. Cox explains the grant is for one full time position (hers) and one part-time position, which is her assistant Beatrice, who has been with them for approximately one and a half years. The grant will enable Saguache County to start building their own structure and resources for Victim Advocacy.

Commissioner Chair Jason Anderson questions where the \$25,000 match will come from, and Cox explains it will be provided as in-kind with volunteer hours. Cox also explains that she also applied for another separate grant in the amount of \$10,000 that will help with hours and supplies as well. Cox informs commissioners the total of the grant received is \$130,000 and she is very excited that the State saw the need in Saguache County and awarded almost all that was asked. Commissioner Chair Jason Anderson congratulates Cox stating she is very good at getting things accomplished.

MOTION BY COMMISSIONER LOVATO TO ENTER INTO THE GRANT AWARD UNDER THE TERMS AND CONDITIONS OF THE COLORADO DEPARTMENT OF PUBLIC SAFETY FOR THE VICTIMS ADVOCATE PROGRAM.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

COMMISSIONER REPORTS:

Jason Anderson:

- 10/17 – Attended the Alamosa visit from Governor Hickenlooper.
- 10/21 – Attended the Saguache County Security meeting with Ken Wilson, Sheriff Warwick, Bobby Woelz, and Tad Crawford of the Baca POA, and a Representative from Highway Patrol. Items discussed included County Regulations and Security in the Baca.
- 10/22-10/24 – Attended the Headwaters Institute Conference of Trails as economic drivers.
- 10/25 – Saw Shawn Holmer, Roads Manager for the Baca POA grading the County Access road into the Baca.
- 10/26 – Attended a neighborhood gathering in the Baca.
- 10/29 – Attended the Valley Wide Commissioners meeting with the District Attorney.
- 10/29 – Attended the Commissioners work session on the budget.
- 10/31 – Spoke with Adam Green with Congen Technologies about a solar project in Saguache County.
- 11/5 – Met with the Baca Resiliency Council about Governance issues.

Tim Lovato:

- 10/17 – Attended the monthly SLV Veterans Coalition meeting in Alamosa. Discussion included improvements on the Choice Care Program and a video about suicide was shown and discussed when complete.
- 10/18 – Attended the civics class at Mountain Valley School, Ms. Molly Strain was the teacher present. Was asked questions by the students about the upcoming election, referendums on the ballot, and why I was the best candidate for the District III Commissioners position.
- 10/19 – Attended the Heart & Lazy KV Health and Safety event, in attendance were Saguache County Public Health, Northern Saguache County Fire Departments, Saguache County Department of Social Services, Saguache County Clerk Trish Gilbert and staff, and the SLV Western Transit Shuttle. Residents were given fire extinguishers, smoke/carbon monoxide detectors, first aid kits, and door prizes were drawn. This event was funded by a Saguache County Sales Tax grant. In the afternoon, drove through Lazy KV Estates and saw the blight and a number of marijuana grows in the subdivision. Also met with Mayor Patricia Reigel of the Town of Moffat.
- 10/25 – Attended the SLV Transit monthly meeting in Saguache. Topics discussed included the number of riders per trip to both Salida and Alamosa, approximately 14 each day. The Eagle line will soon be expanding to Joyful Journey and the Lazy KV Estates Subdivision. Also the Eagle Shuttle can be chartered to attend different functions in the Valley.
- 10/29 – Attended the SLV County Commissioners Budget meeting in Alamosa and then did a site visit of County Roads 42 and E. That afternoon attended the work session on the 2019 Saguache County budget.
- 10/31 – Attended the Saguache Creek Water Users Association meeting. After the meeting, met with Cleve Simpson from the Rio Grande Water Conservation District and he told me of a meeting that he had with Mr. Toanner on the possible exportation of 22,000 Acre Feet

of water to the Front Range. Spoke with Christine Olson on her budget requests from the District Attorney's office for increases for some of the attorney's on her staff.

11/1 – Met with Bobby Woelz OEM Director, Dave Osborn Colorado Department of Homeland Security and Safety, and Bryan Lujan Manager for the Town of Center. We were given a tour of the Center Municipal Power Plant. The purpose to determine if it could be functional in a weather related emergency and what the cost would be to make it functional.

11/5 – Spoke with Kevin Boyle from the Colorado Division of Water Resources on the certification of water meters on Commercial Growers. This will be a topic of discussion during the Land Use report.

Ken Anderson:

Signed a letter to vote no on Amendment 74. Was unable to attend the SLV Commissioners meeting, but did attend the Saguache County BOCC meeting on the budget and attended the site visit with fellow Commissioners at County Road 42. Attended the meeting with the South Central Seniors and spoke with Monica Wolf to come up with new ideas, there is a lot of information available to seniors who reach out. Made a couple trips to the Airport and met with Jed Ellithorpe, and spoke with Jones from Center Schools to see if the kids would be interested in fixing some things out there. Discussed some items that need to be addressed with the new Public Health Office and will speak to Randy about some road issues.

BOARD OF PUBLIC HEALTH MONTHLY REPORT – DAVID DABOLL: REPORT ATTACHED.

MOTION BY COMMISSIONER LOVATO TO ENTER INTO THE BOARD OF PUBLIC HEALTH AT 10:03A.M.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Director Daboll apologizes to Commissioners for not getting them his report sooner, but explains with the Department move and some health issues, he has been behind. Daboll explains that he had a Core conference call discussing the top five priorities including mental health services, or lack thereof, substance abuse, lack of housing, and food scarcity, all revolving around poverty.

Daboll informs Commissioners that all funds from the July trip for the Communities that Care program have been reimbursed by the State. Daboll advises that with the help of Rhiannon Curry, the new Financial Officer, the Department is moving toward increased efficiency in processes, procedures, and reimbursements from the State. Daboll advises Commissioners with a Public Health Master's Degree, comes nothing in regard to finances, and Commissioners would be hard pressed to find someone in this field that has that background, without a separate degree earned as well.

Daboll discusses with Commissioners the PCP program and advises that it would need to serve 30-40 clients in order to fund itself, based on his research and they are currently

serving 25-28 and have been for the last two years that he has been the Director. Commissioner Lovato asks if the County needs more providers for this program, and Daboll explains, the current providers aren't working full hours, what is needed is more clients to obtain more billable hours. Daboll also comments that he has had a hard time obtaining providers in the Crestone and Moffat area's as the people applying to be PCP's cannot pass the drug test, or find out they have to take one and decide against applying. Commissioners discussed if this program was viable, had to be provided, and if there was a way to provide without the county paying for it.

**MOTION BY COMMISSIONER KEN ANDERSON RETURN TO OPEN SESSION AT 10:25A.M.
SECOND BY COMMISSIONER LOVATO**

**VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

DEPARTMENT HEAD REPORTS:

EVAN SAMORA, SAGUACHE COUNTY HOUSING, REPORT ATTACHED:

**MOTION BY COMMISSIONER LOVATO TO MOVE INTO THE HOUSING BOARD AT
10:25 A.M.**

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

**MOTION BY COMMISSIONER LOVATO TO RETURN TO OPEN SESSION AT 10:46 A.M.
SECOND BY COMMISSIONER KEN ANDERSON**

**VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

RANDAL ARREDONDO, SUPERVISOR, SAGUACHE COUNTY ROAD AND BRIDGE:

Supervisor Arredondo was out on vacation. Chris Canaly with SLV Ecosystems has been working with Supervisor Arredondo regarding recycling removal at the Saguache County Landfill and asks Commissioners if she can take Supervisor Arredondo's time to address the Board in regard to what has been worked on.

Canaly advises that SLV Ecosystems has been working with Zero Waste Services out of Denver to attempt to turn lemons into lemonade with an educational opportunity through the CDPHE at the Landfill. Canaly suggests an educational program taking approximately six months that would document the cleanup of the Landfill from start to finish. Canaly asks Commissioners to contribute \$5,000 toward the cleanup to pay for the heavy equipment that will be needed for the cleanup process. Commissioner Chair Jason Anderson suggests a Sales Tax grant, so that Canaly and her cleanup team, would be responsible for receiving and spending of the funds.

MOTION BY COMMISSIONER KEN ANDERSON TO ACCEPT AND SIGN THE LETTER FOR COMMISSIONERS TO ASSIST WITH THE GRANT WITH THE COLORADO DIVISION OF PUBLIC HEALTH AND ENVIRONMENT FOR SUSTAINABILITY AT THE LANDFILL.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

CONNIE TRUJILLO, SAGUACHE COUNTY TREASURER:

MOTION BY COMMISSIONER LOVATO TO ENTER INTO EXECUTIVE SESSION FOR TREASURER PERSONNEL PER C.R.S. 24-6-402(4)(f) AT 11:07A.M.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

MOTION BY COMMISSIONER LOVATO TO RETURN TO OPEN SESSION AT 11:29 A.M.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

MOTION BY COMMISSIONER LOVATO TO ALLOW A \$2.49 INCREASE FROM CURRENT PAY FOR A CLERK IN THE TREASURER'S OFFICE. DEPARTMENT HEAD AND ELECTED OFFICIAL TO WORK ON PAYSACLE FOR EMPLOYEES

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

BEN GIBBONS, COUNTY ATTORNEY:

MOTION BY COMMISSIONER LOVATO TO ENTER INTO EXECUTIVE SESSION FOR LEGAL COUNSEL PER C.R.S. 24-6-402(4)(b) AT 11:30 A.M.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

MOTION BY COMMISSIONER LOVATO TO RETURN TO OPEN SESSION AT 11:44 A.M.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

LUNCH

WENDI MAEZ, LAND USE ADMINISTRATOR:

1. Kenneth Skoglund III/Thor's Mountain Limited – SE1/4SW1/4 & SW1/4 SE1/4 11-49-9 and NE1/4NE1/4 & NW1/3NE1/4 14-46-9 – address is 33766 County Road 58EE, Villa Grove – marijuana cultivation area – Tier 1 – 1800 plants.

The state application was received prior to the moratorium date.

Physical address – 33766 County Road 58EE – Villa Grove

Existing use or property – vacant

Proposed use of property – MJ cultivation area and residence

Proposed structures – 1-3000sq. ft. greenhouse and 1 residence

Sewage disposal will be applied for an installed if approved

Water – water will be purchased by contract with Kelly Smith. Contract is valid beginning February 11, 2018. Division of Water Resources letter included in application packet.

This property is not within 1000 feet of a bus stop

We have received one letter of support and one letter of concern for this application.

Saguache County Planning Commission has recommended approval of this request with a unanimous vote as presented with the following additional conditions – season grow, no grow lights, acreage to be used approximately .5 acres, proof of posting at the driveway to show date and time of Board of Commissioners review.

Proof of posting has been received, proof of posting day of BOCC meeting has also been required.

MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE CONDITIONAL USE PERMIT REQUEST FOR KENNETH SKOGLUND III/THOR'S MOUNTAIN LIMITED WITH SAGUACHE COUNTY PLANNING COMMISSION AND DIVISION OF WATER RESOURCES CONDITIONS.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

2. County Road Z, LLC, property owner – Evergreen Naturals, LLC/Susan Wise – Ownership Structure change request x3. They are requesting to change the structure of ownership on all 3 of the CUP's approved. Jane Wise-Gronewoller current 100% ownership request change to show 100% ownership to Susan Wise. Will email copies of the request.

MOTION BY COMMISSIONER LOVATO TO APPROVE THE OWNERSHIP CHANGE FOR EVERGREEN NATURALS, LLC FROM 100% OWNERSHIP BY JANE WISE-GRONEWOLLER TO 100% OWNERSHIP BY SUSAN WISE.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

3. Request to surrender CUP, Marijuana Cultivation facility for Jon & Nancy Billingsley and O'Laughlin & Paris 401K Sharing Plan.

MOTION BY COMMISSIONER KEN ANDERSON TO SURRENDER THE CONDITIONAL USE PERMIT ISSUED TO JOHN AND NANCY BILLINGSLEY.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

MOTION BY COMMISSIONER LOVATO TO SURRENDER THE CONDITIONAL USE PERMIT ISSUED TO O'LAUGHLIN AND PARIS 401K.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

4. Memorandum of Understanding for Control of Confidential Data with the State of Colorado, Department of Revenue to appoint Wendi Maez to obtain marijuana excise tax information.
5. David Jaffe and Eryn Bordes, Lot Consolidation Request to consolidate Baca Grande, Chalet Unit I, Lots 1320, 1321, 1322, and 1323. Crestone/Baca Planning Commission recommended unanimous approval during their regular meeting on October 22, 2018.

MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE LOT CONSOLIDATION REQUEST FOR DAVID JAFFE AND ERYN BORDES FOR BACA GRANDE, CHALET UNIT I, LOTS 1320, 1321, 1322, AND 1323 NOW KNOWN AS LOT 1320C.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

6. Bonny Marlene Settle, Lot Consolidation request to consolidate Baca Grande, Chalet Unit I, Lots 1737 and 1738C. Crestone/Baca Planning Commission recommended unanimous approval during their regular meeting on October 22, 2018.

MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE LOT CONSOLIDATION FOR BONNY MARLENE SETTLE FOR BACA GRANDE, CHALET UNIT I, LOTS 1737 AND 1738 C, NOW KNOWN AS LOT 1737CR.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

7. Kathleen Georgia Campbell, Lot Consolidation request to consolidate Baca Grande, Chalet Unit II, Lots 3625, 3626, 3627, 3668, 3669, and 3670C. Crestone/Baca Planning Commission recommended unanimous approval during their regular meeting on October 22, 2018.

MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE LOT CONSOLIDATION FOR KATHLEEN GEORGIA CAMPBELL FOR BACA GRANDE, CHALET UNIT II, LOTS 3625, 3626, 3627, 3668, 3669, AND 3670C NOW KNOWN AS LOT 3625CR.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

8. 2 bids received for Town of Moffat, Lot 11, Block 43. Minimum bid amount \$200.
One bid received had multiple dates and multiple checks. Per advice of the Attorney, the bid process is to be a single bid process, because of this Commissioners reviewed the original bid received from two separate bidders only.

MOTION BY COMMISSIONER LOVATO TO ACCEPT THE BID FROM MR. MAHONEY FOR \$222.22 FOR LOT 11, BLOCK 43, TOWN OF MOFFAT AS IT MET THE SINGLE BID REQUIREMENT AND THE MINIMUM BID REQUIREMENT OF \$200.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

9. 1 bid received for Town of Moffat, Lot 6, Block 73. Minimum bid amount \$200.

MOTION BY COMMISSIONER KEN ANDERSON TO DENY THE BID FOR \$125 FOR LOT 6, BLOCK 73, TOWN OF MOFFAT, AS IT DID NOT MEET THE MINIMUM BID REQUIREMENT OF \$200.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

10. 1 bid received for Baca Grande Chalet Unit II, Lot 3412, minimum bid amount \$4000.

MOTION BY COMMISSIONER KEN ANDERSON TO ACCEPT THE BID FROM MILES PERRY FOR \$4000 FOR BACA GRANDE, CHALET UNIT II, LOT 3412 AS IT MEETS THE MINIMUM BID REQUIREMENT OF \$4000.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

11. 1 bid received for Baca Grande Grants, Lots 818 and 819.

MOTION BY COMMISSIONER LOVATO TO ACCEPT THE BID FROM BROOKE CARTER AND EMMA OYSTER FOR \$4507 PER LOT FOR A TOTAL OF \$9014 FOR BACA GRANDE GRANTS, LOTS 818 AND 819 AS THEY MEET THE MINIMUM BID OF \$4000 PER LOT.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

12. Refund of Application fees.

Maez explains to Commissioners that she received an application prior to the moratorium, however due to changes on the application, it would fall under the new regulations. Because of this, they have requested to pull their application and have asked for a refund of the fees paid. Commissioner Chair Jason Anderson questions how much work was done on the application, and Maez explains other than the mailing, nothing was done. Commissioner Chair Jason Anderson issues the directive to refund the application fees, minus the mailing costs incurred.

13. County owned Baca lots, currently on six month hold.

Mattie Belle Lakish was in attendance to request that the Commissioners extend the hold on these lots, as a plan is in place. Lakish asks the lots be put on hold indefinitely until the Planning Commission can give the Commissioners and update.

MOTION BY COMMISSIONER CHAIR JASON ANDERSON TO PLACE THE BACA GRANDE MOBILE HOME ESTATES LOTS ON HOLD UNTIL A PLAN HAS BEEN RESOLVED OR UNTIL WHICH TIME THE COMMISSIONERS DECIDE TO RELEASE THEM.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

14. Code Enforcement Officer

Maez informs Commissioners that she has received 5 applications for the position and questions if the Commissioners would like to be a part of the interviews. Commissioner Chair Jason Anderson asks Maez to schedule interviews and inform Commissioners of time and date of such, and whomever is available will attend.

15. Land Development Codes – regarding Division of Water Resources suggested changes.

Maez explains to Commissioners that during the revisions to Land Use codes, and a meeting with Kevin Boyle from the Division of water resources, his recommendations were

added to resolutions. Previously these were to provide receipts to show who and where water was coming from, and to show that water usage was not exceeding what was originally proposed. Maez goes on to explain that now the Division is asking for certified flow meters to be installed, or added to the current wells, and the only way to enforce this is through the County CUP.

Commissioner Lovato explains this is a way to make things equal across the board for all of the approved Commercial grows in the County and being able to verify water usage on commercials, by water supplier. Commissioner Chair Jason Anderson questions if the Counties regulations require a certified meter. Commissioner Ken Anderson questions if the State is “double dipping” by reading the meter from the water provider and then again from the water recipient. Attorney Gibbons questions if the Commissioners would go back to already approved grows and add this as a condition, where it wasn’t previously, stating he feels the County doesn’t need to be involved in any more water issues. Commissioner Chair Jason Anderson agrees it is not the Counties business, stating all the Commissioners ask is that the approved grow is following the Division of Water Resource rules, it is then the Divisions responsibility to enforce that. The majority of Commissioners agree and instruct Maez to leave the water condition where it is at.

Commissioner Chair Jason Anderson questions Maez about a medical grow that is not complying with variance conditions to be able to grow over the 12 plants allowed.

**MOTION BY COMMISSIONER CHAIR JASON ANDERSON TO REMOVE THE VARIANCE FOR THE MEDICAL GROW LOCATED AT NW1/4 OF HIGHWAY 112 AND HIGHWAY 17 UP TO AND INCLUDING THE REMOVAL OF PLANTS ABOVE 12.
SECOND BY COMMISSIONER LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

WENDI MAEZ, SAGUACHE COUNTY AIRPORT MANAGER REPORT:

1. Contract discussion regarding purchase of fuel.

Maez questions Commissioners on their thoughts regarding the contract provided and asks Attorney Gibbons his opinion as well. Attorney Gibbons explains his only concern is the 90 day termination period, as he feels it should be 30 days as with most contracts entered into. Maez agrees to change the period from 90 to 30 days.

Commissioner Chair Jason Anderson questions if they should hang on to the fuel and wait for someone willing to manage the entire Airport. Commissioner Ken Anderson explains what they have it a great deal, and Ellithorpe, has already assisted above and beyond with cleaning the Airport, etc. then the deal allows for. Maez also informs Commissioners that Ellithorpe will pay for the repairs to the second fuel tank as well. Commissioner Lovato questions if Attorney Gibbons had any other issues with the contract, and Gibbons confirms he does not.

MOTION BY COMMISSIONER LOVATO TO ENTER INTO THE AMENDED FUEL CONTRACT WITH JED ELLITHORPE, SHOWING A 30 DAY TERMINATION

**NOTICE, FOR THREE YEARS TO INCLUDE A HANGAR AT NO CHARGE.
SECOND BY COMMISSIONER KEN ANDERSON
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

DAVID BITLER, ADMINISTRATOR – ADMINISTRATIVE

Land Use Administrator Maez filled in for Administrator Bitler, as he was out not in the office the day of the meeting. Maez advises she has given Commissioners the Veteran's report for review and signature. Maez informs Commissioners the Ambulance District would like the County to conduct their pre-employment drug testing. Attorney Gibbons suggests an MOU be prepared to facilitate this agreement. Maez also discusses with Commissioners that the Library District has sent a request to change the use of the Conservation Trust funds they received to be able to add counters to both libraries for \$1074.95 each or \$2149.90 total.

MOTION BY COMMISSIONER LOVATO TO ALLOW THE LIBRARY DISTRICT TO USE THEIR REMAINING CONSERVATION TRUST FUNDS ON PUTTING IN NEW COUNTERS AT BOTH LIBRARIES.

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

JOHN HERFORD, OAK LEAF ENERGY PARTNERS:

John Herford of Oak Leaf Energy Partners attended to discuss one more time the Solar Project his company is working on, and to address Saguache County becoming a subscriber to this project. Herford explains he and Commissioner Chair Jason Anderson worked long and hard to find a place in Saguache County to place the Solar Garden, but were unable to do so, and in the end decided the Solar Garden would have to be placed in Chaffee County as originally planned.

Herford explains to Commissioners that even though the Solar Garden will be placed in Chaffee County, there is still an opportunity for Saguache County to receive reduced electrical rates. Herford explains he would like the County and the County housing authority to sign on as subscribers, increasing his original offer for the County at 6.3 cents and the housing authority at 5 cents, throwing in a grant that the County could choose a recipient for.

Commissioner Chair Jason Anderson explains to fellow Commissioners his first choice would be to have the solar garden in Saguache County, his second choice would be to take advantage of solar period, and his third choice would be to continue to do what they are doing, which is no solar. Housing Director Evan Samora explains there was an opportunity for solar with housing 8 years ago, and nothing was done. He feels this is a good opportunity to save money for housing, and if it took 8 years to get another offer, it will only be longer before another one comes along.

Commissioner Tim Lovato questioned if Herford had a contract available for review. Herford admits it is not in his possession, but can email it to Commissioners and Counsel right away. Commissioners agree they are interested in Herford's proposition, but would like the opportunity to review the agreement before committing to it.

TRISH GILBERT, SAGUACHE COUNTY CLERK AND RECORDER, LIQUOR LICENSE RENEWAL, TOMICHI CREEK TRADING POST.

Clerk and Recorder Gilbert advises Commissioners that all fees have been paid for the renewal and no complaints or violations were received from the Sheriff's Department for this request. Gilbert also advises Commissioners that as of January 1, 2019 Senate Bill 197 has changed liquor laws allowing vendors to carry "full strength beer", so there will not be anything known as 3.2 beer going forward.

MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE LIQUOR LICENSE RENEWAL REQUEST FOR TOMICHI CREEK TRADING POST.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

OLD BUSINESS:

Commissioner Tim Lovato addresses, that it was brought to his attention that County Departments have been advertising positions on Facebook, and he believed it was County Policy, that Departments could not advertise in that fashion. Commissioner Chair Jason Anderson comments he doesn't believe there is a policy that says you can't post there. Commissioner Lovato feels job postings should be kept official, while Commissioner Chair Jason Anderson argues whatever avenues are available to get more applicants should be used. Attorney Gibbons comments that the policy would only address what is the official posting site of the County. Commissioner Chair Jason Anderson comments if someone goes to the County website and copies the ad and posts to Facebook, there is no violation, because once posted on the website it is public information.

BILL PAYING:

Seeing no further business, Commissioner Chair Jason Anderson adjourns the meeting at 3:45P.M.

RESPECTFULLY SUBMITTED:

**RHIANNON CURRY FOR
TRISH GILBERT, CLERK & RECORDER**

DATE MINUTES APPROVED: November 20, 2018






**JASON ANDERSON, COMMISSIONER,
BOARD CHAIR**



KEN ANDERSON, COMMISSIONER



TIM LOVATO, COMMISSIONER



**ATTEST
TRISH GILBERT
CLERK & RECORDER**