

SAGUACHE COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION MEETING
TUESDAY, April 2, 2019

MINUTES

CALL TO ORDER:

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

Ken Anderson, Commissioner, Board Chair
Jason Anderson, Commissioner
Tim Lovato, Commissioner
Wendi Maez, Co-County Administrator
Glen Simpson, County Administrator
Ben Gibbons, County Attorney
Dominique White for Trish Gilbert, Clerk to the Board

PLEDGE OF ALLEGIANCE:

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

Additions/Deletions to the Agenda:

Wendi Maez and Ben Gibbons requested to go into executive session for legal during their time.

MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE AGENDA AS AMENDED.

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Reading and Approval of Minutes:

**MOTION BY COMMISSIONER TIM LOVATO TO ACCEPT THE MINUTES OF THE MARCH
19, 2019 PUBLIC HEARING MEETING AS PRESENTED**

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE MINUTES OF THE
MARCH 19, 2019 REGULAR SESSION MEETING AS AMENDED**

SECOND BY TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Review of Mail and Other Correspondence: 04/01/2019

1. **Rio Grande Water Conservation District**, sent notice for Board of Directors meeting on April 16, 2019 in Alamosa. (Received 3/20/2019)
2. **Upper Gunnison River Water Conservancy District**, sent agenda for Board of Directors meeting on March 25, 2019 in Gunnison. (Received 3/20/2019)
3. **The Town of Moffat**, sent letter with RSVP information for the grand opening of the Moffat Community Center on Saturday, April 6th, 2019 at 2:00 P.M. (Received 3/21/2019)
4. **Gene Horton, Saguache County Resident**, sent an email regarding Bill 1177 and urging the commissioners to pass a resolution to make Saguache County a 2nd Amendment Sanctuary County. (Received 3/ 21/2019)
5. **Colorado River Water Conservation District**, sent notice and agenda for a special joint meeting of the Board of Directors via telephone conference on March 21, 2019 at 12:00 P.M. (Received 3/21/2019)
6. **Mary Cornum, Assistant to the Director, Veterans Coalition of the San Luis Valley**, sent thank you for the \$5,000 contribution. (Received 3/25/2019)
7. **United States Department of Agriculture, Sonny Perdue, Office of the Secretary**, sent email with documentation that provides a list of all primary and contiguous counties that are designated as primary disaster areas, as well as certain assistance available through the Farm Service Agency. (Received 3/27/2019)
8. **Blue Spruce 4-H Club**, sent a letter inviting the commissioners to their monthly meeting for a meet and greet with the members on April 1st, 2019 at 6:30 P.M. at the Monte Vista COOP Community Room. (Received 3/27/2019)
9. **Rio Grande Headwaters Land Trust**, sent email with information in the survey of bees in the San Luis Valley during Spring and Summer. (Received 3/28/2019)
10. **Jim and Cindy Kint, Saguache County Residents**, sent email regarding their concerns with House Bill 1177 and Saguache County becoming a Sanctuary County. (Received 3/28/2019)

Introduction of Guests:

Connie Trujillo
Lynn Hammel
Laura Taylor
Kaye Maez
David Daboll
Randal Arredondo
Lynette Grant
Sandia Belgrade
Dee Greeman-S&T Farms
Kayla Richardson
April Quintana
Peter Peterson

Matie B Lakish
Bill McClure- RGWCD
Iris Garcia
Jerry Burgess
Wyoma Hansen
Adam Moore- CSFS
Gene Glover-Rio Grande Commissioner
Jim Clare- RGC Weed District
Brianna Branam- RGC Weed District
Kayla Malone- Chaffee County Noxious weed
Dale Irby

The Board of County Commissioners presented plaques to Lynn Hammel and David Daboll for their years of service to the county.

Public Comment:

Continuation and consideration of the possible vacation and trade of County Road 42 and 10 acres within the NW1/4SE1/4 Section 31, Township 42 North, Range 7 East. No comments or concerns were made.

MOTION BY COMMISSIONER TIM LOVATO TO ACCEPT THE EXCHANGE PRESENTED FROM S&T FARMS FOR THE PROPOSAL AND VACATING A PORTION OF COUNTY ROAD 42

SECOND BY JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Dale Irby spoke on the road conditions on the Gunnison side of the county. Irby stated that the board has no concern for the people on that side of the county; the main concern here is that the county has plowed county road 24-BB all winter for a person that doesn't even own the place. It is sad to see how much time that has been spent plowing this road when county road 45 which is a more used road hasn't. It is hard to believe that with all the graders that this county has that you guys take one from Sergeants while yours is broken; and leave the people of Sergeants waiting until someone can get to them. Maybe the Board should come over the mountain and see for yourself that there is winter over there. Cannot believe the money that has been spent for one person that doesn't even own a vehicle in Saguache County.

COMMISSIONER REPORTS:

Jason Anderson:

3/20- Attended the Saguache County Work Session.

3/21- Spoke with Marvin Reynolds with CSU Extension concerning the perception that Saguache County did not fulfill budget requests from the Extension.

3/25- Met with the commissioners and administrators from Gunnison and Chaffee counties to discuss ways the three counties can work together.

3/26- Spoke with Jenny Pinchenau at CCI. She reported that the sponsors of HB-1003 listened to concerns from the rural areas and removed the Personal Property Tax Exemption from the community solar bill.

3/28- Met with the SLV Youth Diversion Project for next step planning.

3/28- Put in a comment with the Rio Grande Forest Service considering a fuels mitigation project for Galena Street in Crestone. They want to mitigate both sides. There's been concern from citizens because Galena Street becomes low income housing in the summer. There have been reports of wild parties and big fires. If they mitigated that area, it would give people more room to camp.

Also received some complaints about a cul-de-sac called Pinecone Way, it is a second access to Willow Creek. There is a 13-acre withholding and they have an access right. They put up a no trespassing sign at the bottom of the cul-de-sac; people felt that they were denying them access.

Got a call from the POA, they are feeling confused with road maintenance in the Baca, they are not sure who does it, when they do it, how often they do it. They don't feel like it's being done enough. They are planning on getting onto the agenda.

3/31- Was reminded via email that it is time for the commissioners to contact Bennet, Gardner, and Tipton to support PILT and SRS. As of this time only Gardner has not signed on support.

Tim Lovato:

3/20- Drove several roads north of County Road AA, the roads are in good shape considering how much moisture we have received.

3/22- Met with two constituents on questions they had on the Land Use Regulations, and if they were going to be updated. One question they had was if they were to replace an existing building of the same size if they had to pay for a building permit?

3/35- Attended the work session with the Gunnison and Chaffee commissioners and we discussed what issues we had in common and to build up our rapport with each of the other counties.

3/25- Attended the SLV All Hazards meeting in Alamosa, there were presenters from the State giving information on IPAWS (Integrated Public Alert Warning System). This system would reach out and include cell phones as well as landlines.

3/26- Met with Bobby Woelz, Saguache County Emergency Manager concerning the possible high-water events that could take place this spring during runoff. We drove parts of Saguache Creek and Cochetopa, inspecting the spillway and culverts in the Town of Crestone.

3/27- Attended the West San Luis Valley Transit Committee meeting at the Saguache County Road and Bridge room. The committee has been awarded a grant to do a survey on the needs for transit on the west portion of 285 in the San Luis Valley.

3/28- Delivered the ¼ of a beef that the Saguache County Commissioners donated to the CCI Scholarship Fund in November at the CCI Annual Winter Convention.

4/1- Spoke with Lawrence Pacheco, Costilla County Commissioner concerning the Red Flag Bill. Also spoke with Mike Yohn, Alamosa County Commissioner about the By-Laws for the Executive Board on Homeland Security that we have not been a part of drafting and they have been presented to the State for their thoughts.

Ken Anderson:

3/20- Attended the Work Session, finished the interviews for the Public Health Director.

3/25- Attended lunch with Gunnison County and Chaffee County Commissioners; thought we had a really good meeting and got some new ideas - thinking about some new stuff for the landfill.

3/27- Attended Lynn Hammel's retirement party for her 27 years of service.

3/28- Went to Pueblo to the Hudson Farm for the 4-H Foundation Board.

3/30- Went to the Health Fair in Del Norte, talked to Dr. Walker who is the Public Health Doctor for here in Saguache - we need to get him onto the agenda.
Talked with Emily Brown, Rio Grande Public Health Director - she said that she would be willing to work with our new Public Health Director.

LYNETTE GRANT, PUBLIC HEALTH DIRECTOR

**MOTION BY COMMISSIONER TIM LOVATO TO GO INTO THE BOARD OF HEALTH
SECOND BY COMMISSIONER JASON ANDERSON**

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Lynette shared that the next Annual Community Anti-Drug Coalition will be taking place in Dallas this year. There will be ten youth and two adults attending. EPR, will become active in the coalition. Admin is

working on an integrated finance department. Working on getting more grants and funding that Public Health can apply for. Public Health will be having their own Health Fair on Saturday the 6th.

MOTION BY COMMISSIONER JASON ANDERSON TO COME OUT OF THE BOARD OF HEALTH

SECOND BY TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

MOTION BY COMMISSIONER JASON ANDERSON TO GO INTO EXECUTIVE SESSION FOR LEGAL COUNSEL PER C.R.S 24-6-402(4)(b)

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Back in session from Executive Session at 10:30 A.M.

DEPARTMENT HEAD REPORTS:

RANDAL ARREDONDO, SUPERVISOR, ROAD AND BRIDGE, Report Attached.

Randy spoke about the 1996 paint truck that the Road and Bridge is wanting to purchase. They are asking \$66,750 and will deliver the truck as well as provide two days of training. Commissioner Lovato suggested contracting out with another county to paint the lines. Check with Alamosa, Rio Grande and Chaffee County.

DAN WARWICK, SHERRIFF, Report Attached.

Warwick stated that there have been 50/50 felony and misdemeanor charges and arrests, about 32 calls in the last month. Getting close to \$50,000 in revenue. The undersheriff is on a loan to Center PD for their interim Police Chief so there is some coverage down there. Last week an architectural company came down, they're working on getting numbers for what it will take to get a conceptual drawing put together. Commissioner Anderson stated having a structure in the Crestone area for the Sheriff's Office is a good idea, being that it is the fastest growing community in the county. We have more than enough reserves, we are being negligent not having something in that area.

TRISH GILBERT, SAGUACHE COUNTY CLERK & RECORDER, Report Attached.

Trish stated that her office is very appreciative of the boards support and approval of the Sales Tax Grant funds. All parties have completed the Saguache County Website Work Order and Requirements for the Clerk and Recorder's Office for the new SIPA Website. The office is considering using LEDS Electronic Document Management System which would be user-friendly with all departments using the same system. We are partnering with HEART to demonstrate a "Cookie Election" for the Community Career Fair on May 6th. We have applied for a second ERTB Grant for indexing our digitized records. We will be getting an upgrade on our Dominion Voting System at no additional cost. Between November 2019 and November 2020, we will conduct 4 elections.

Back in Session from Lunch at 1:00 PM.

WENDI MAEZ, LAND USE ADMINISTRATOR:

1. Medical Marijuana Variance request for Rudy Southerland/Landowner – Carrie Southerland/Caregiver – Track 4 SW1/4SE1/4 Section 9 SWN1/2SW1/4 Section 15, Township 45 North Range 10 East – 61695 County Rd. EE. This request is for 3 patients and the caregiver. Caregiver is Carrie Southerland which has 24 medical plants herself, with 3 patients – one patient will have 40 plants, one patient will have 60 plants, and one patient with a total of 70 plants. This location will have a total 194 on this location. Ms. Southerland will be bringing notification of the adjoining landowners. A sketch plan of the property is included.

MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE MEDICAL MARIJUANA VARIANCE REQUEST

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

2. Lot Line Adjustment request for Verlyn and LaTayne Boese, Parcel 50, Ghost Mine Ranch and Tract 2, Amended La Garita Bluff Tracts. Boese’s would like to move the boundary between these 2 tracks to provide better access for Parcel 50.

MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE LOT LINE ADJUSTMENT FOR VERLYN AND LATAYNE BOESE PARCEL 50 GHOST MINE RANCH

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

3. Cinque Terre, LLC, Lot Consolidation request, Baca Grande, Chalet Unit Two, Lots 3633, 3634-C, 3636 and 3637. Crestone Baca Planning Commission recommended approval of this request with a 2/1 vote during their regular meeting on March 25, 2019. One vote NAY due to her feelings about corporation consolidating for financial gain.

MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE LOT CONSOLIDATION FOR BACA GRADE CHALET II LOTS 3633, 3634-C, 3636, 3637.

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

4. Don and Pat Tullos, Lot Consolidation request Baca Grande, Chalet Unit One, Lots 382C and 385. Crestone Baca Planning Commission recommended unanimous approval of this request during their regular meeting on March 25, 2019.

MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE LOT CONSOLIDATION OF LOTS 382C AND 385 BACA GRANDE CHALET UNIT I

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

5. Jeffrey J. Evans and Linda Brotman Evans, Lot Consolidation request Baca Grande, Chalet Unit One, Lots 2139C, 2141C, 2143, 2144 and 2145C. Crestone Baca Planning Commission recommended unanimous approval of this request during their regular meeting on March 25, 2019.

**MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE LOT CONSOLIDATION FOR LOT 2139C, 2141C, 2143,2144, AND 2145C NOW KNOWN AS 2139CRR
SECOND BY COMMISSIONER JASON ANDERSON**

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

6. Glenn D. Mosher, Lot Consolidation request, Baca Grande, Chalet Unit One Lots 1658 and 1659. Crestone Baca Planning Commission recommended unanimous approval of this request during their regular meeting on March 25, 2019.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE CONSOLIDATION OF LOTS 1658 AND 1659 TO BE KNOWN AS 1658C
SECOND BY TIM LOVATO**

VOTES IN FAVOR: 3

VOTES AGAINST:

0

MOTION CARRIED

County Owned Lot Bids:

1. Lazy KV Estates, Lot 5 Block E – minimum bid amount required is \$4,000.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE BID FROM KYA J CLARK FOR LAZY KV ESTATES LOT 5 BLOCK E IN THE AMOUNT OF \$5,000
SECOND BY COMMISSIONER TIM LOVATO**

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

2. Parcel # 460209300381 – Baca Grande Mobile Home Estates, Lot 323 – minimum bid amount required is \$1,500.

MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE BID SUBMITTED BY MATIE B LAKISH BACA GRANDE MOBILE HOME ESTATES LOT 323 IN THE AMOUNT OF \$2,007

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

3. Parcel # 434119202038 – Mineral Hot Springs Estates – Lot 1 Block 4, Area D – minimum bid amount required - \$400.

- Parcel # 434119217048 – Mineral Hot Springs Estates – Lot 31 Block 7, Area D – Minimum bid amount required \$400.

MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE BID FOR HARRY ALASIKAN FOR MINERAL HOT SPRINGS LOT 1 BLOCK 4 AREA D AND LOT 31 BLOCK 7 AREA D IN THE AMOUNT OF \$800

SECOND BY JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST:0

MOTION CARRIED

- Baca Grande Chalet Unit One, Lot 1611 – minimum bid amount required - \$4,000.

- Baca Grande Chalet Unit One, Lot 1612 – minimum bid amount required - \$4,000.

MOTION BY COMMISSIONER JASON ANDERSON TO ACCEPT THE BIDS FOR CHALET UNIT I LOT 1611 AND 1612 IN THE AMOUNT OF \$4016.11 AND \$4016.12

SECOND BY TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE BID FOR CYNTHIA THOMAS FOR LOTS 3, 4, 5, BLOCK 1 IN THE AMOUNT OF \$1,068 LOT 2A 2 BLOCK 2 IN THE AMOUNT OF \$1,400 AND LOT 2A 3 BLOCK 2 IN THE AMOUNT OF \$761. ALL MINIMUM BIDS HAVE BEEN MET

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

- Request from Aleco Tryois, a previous landowner that had his property deeded to him with an address issue. The gentleman would like to purchase his lot back at a reduced rate. The minimum bid amount required on this lot is \$4000. A tax lien was owned on this property for a lien 2011 in the amount of \$946.15 had the property been redeemed.

MOTION BY COMMISSIONER TIM LOVATO TO DENY THE REQUEST FROM ALECO TRYOIS, BACK AT A REDUCED RATE AS IT IS THE PROPERTY OWNERS RESPONSIBILITY TO PAY ANY TAXES OWED.

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

WENDI MAEZ AIRPORT MANAGER REPORT

The #1 fuel pump at Leach Airport has been fixed at the location without having to pay a technician. Pump #2 is being worked on at this time. Saguache County Sheriff's office used the paved areas around Leach Airport for some driving trainings on Thursday, March 28th.

GLEN SIMPSON COUNTY ADMINISTRATOR, ADMINISTRATIVE REPORT

1. Iris Garcia, Town of Saguache – drain system MOU changes and signature

The board stated that they didn't have a problem with the project, they had a problem with the waiver. The board wants to strike the last line of the agreement.

MOTION BY COMMISSIONER TIM LOVATO TO REAPPOINT BILL MCCLURE TO REPRESENT DISTRICT SOUTH OF ROAD L FOR THE RIO GRANDE WATER CONSERVATION BOARD

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

2. Request approval, resolution and signature on "Community Solar Garden Subscription Agreement"

MOTION BY COMMISSIONER TIM LOVATO TO ENTER INTO AN AGREEMENT WITH THE SRT SUBSCRIBER FOR COUNTY BUILDINGS

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 2

VOTES AGAINST: 1

MOTION CARRIED

3. MOU for Saguache Senior Citizen Center in the DSS Building, signature.
4. I am still working on options and pricing for a projector & camera for BOCC Conference Room.
5. I am installing 4 cameras outside the Admin/Land Use Building & attached building and downstairs in the Courthouse.
7. Personnel Board (SCPB) met last Tuesday and is reviewing the 2007 Employee Handbook and County Policy and Procedures Manual for possible updating recommendations to the BOCC. Randy was elected Chairman of the SCPB.
8. SCPB would like to be placed on the April 9th BOCC Work Session to discuss previous recommendations for 2019's 12th Holiday and County Mileage reimbursement policy.
9. I will have lunch with the Alamosa County Administrator (Gigi) and New Finance Director Roni who previously was County Administrator of Rio Grande County, Monday, April 8th.
10. I invited Healing Waters Fly Fishing for Disabled Veterans to Saguache County.

ADAM MOORE, SUPERVISORY FORESTER, ALAMOSA FIELD OFFICE, COLORADO STATE FOREST SERVICE, Report Attached.

Moore shared reports of the 2018 Aerial Detection Survey Summary, which provides summaries for the major damage agents detected in the 2018 aerial detection survey for Colorado and Saguache County.

SAGUACHE COUNTY WEED BOARD DISCUSSION

Commissioner Tim Lovato is trying to get the Saguache County Weed Board started. Statutorily the county is supposed to have a Weed Board.

Rio Grande Weed Board discussed ways that Saguache County could get started with a weed board. The board of commissioners can hire someone after training. they can do just the County Roads without a license. Rio Grande is willing to do a MOU with Saguache County to get things started.

Seeing no further business, Commissioner Ken Anderson adjourns the meeting at 3:42 P.M.

RESPECTFULLY SUBMITTED:

Dwhite

DOMINIQUE WHITE FOR
TRISH GILBERT, CLERK & RECORDER

DATE MINUTES APPROVED: April 16, 2019

Ken Anderson

KEN ANDERSON, COMMISSIONER,
BOARD CHAIR

Jason Anderson

JASON ANDERSON, COMMISSIONER

Tim Lovato

TIM LOVATO, COMMISSIONER

Trish Gilbert

ATTEST
TRISH GILBERT
CLERK & RECORDER

