

SAGUACHE COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION MEETING
TUESDAY, February 19, 2019

MINUTES

CALL TO ORDER:

The Meeting was called to order by Board Chair, Ken Anderson, at 9:03 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:

Ben Gibbons requested to go into Executive Session for Personnel
No one from Public Lands will be in attendance today

MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE AGENDA AS AMENDED.

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

Reading and Approval of Minutes:

MOTION BY COMMISSIONER JASON ANDERSON TO ACCEPT THE MINUTES OF THE FEBRUARY 5, 2019, REGULAR SESSION MEETING AS AMENDED

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

Review of Mail and Other Correspondence: 02/19/2019

1. **University of Utah School of Medicine**, sent registration form for Respiratory Protection and Fit Testing being held in February 2019 and March 2019. (Received 2/5/19)
2. **Colorado State University Extension Program**, sent the San Luis Valley 4-H Newsletter for the month of February 2019. (Received 2/6/19)

3. **Xcel Energy**, sent Happy New Year card. (Received 2/6/19)
4. **Colorado River District**, sent email with Board Meeting summary from latest quarterly meeting. (Received 2/6/19)
5. **The Upper Gunnison River Water Conservancy District** sent an email invitation to the 62nd Annual Banquet to be held at 5:30 on March 7, 2019 at the Fred Field Center. (2/12/19)
6. **Cathy Garcia** sent notice that Gardner successfully includes LWCF Permanent Reauthorization in Senate-Passed Legislation. (2/12/19)
7. **David Smalley** sent an email regarding his concern of Saguache County prisoners on the streets. (2/12/19)
8. **The State of Colorado** sent the School Security Disbursement Grand Funding Announcement. (2/13/19)
9. **Dan Frelka** sent a proposal to the Board of Commissioners proposing a Viasat Satellite Internet connection for backup to existing systems. (2/14/19)
10. **The Colorado River Water Projects Enterprise** sent notice of a meeting and agenda to be held February 15, 2019 in Glenwood Springs Colorado. (2/14/19)

Introduction of Guests:

Desirae Gerade- Clerk's Office	Zack Armstrong- Mammoth Farms LLC
Christine Canaly- SLV Ecosystem Council	DJ Mollen- Mammoth Farms LLC
Doug Eagleton-Sanborn Head	Michael Maskell- Mammoth Farms LLC
David Adams- Sanborn Head	Rhiannon Curry- Mammoth Farms LLC
May Engquist- SLV Ecosystem Council	Austin Nichols- Mammoth Farms LLC
Leo Baldwin	Helen Carpenter- Mammoth Farms LLC
Cassandra Baldwin	Branda Collister- Mammoth Farms LLC
Ernest Adams	Amy Colman
Richard Drake- Planning Commission	David Jackson
David Poole	Lori Laske- ASU
Justin Trouard- Mammoth Farms LLC	Cheryl Lovell, ASU
Colby Ward- Mammoth Farms LLC	

Public Comment:

COMMISSIONER REPORTS:

Jason Anderson:

2/6- Attempted to go to Denver, was going to give a testimony on Senate Bill 50 and 1. Road closures due to the weather made that unavailable.

2/9-10- attended the annual San Luis Valley Seed Exchange held at Joyful Journey Hot springs. This year was the first year that hemp was allowed. Hemp seeds and clones were being exchanged. Was also included in a round table presentation, along with someone from the state, around the governmental hemp regulations. Someone pointed out that because people are using medical marijuana because they don't have the same drawbacks; people are growing small amounts of hemp on their own because it's easy to extract. In Colorado you have to have a license to grow hemp whereas the constitution allows you to grow marijuana personally without a license. It's easier for a person to grow marijuana then it is for them to grow hemp.

2/11- held office hours in Crestone, haven't gotten an office there yet.

2/13-attended a work session with the County Commissioners, reviewed employee policy among other things.

2/14-15-attended CCI meetings. Extremely slow. Got a presentation from the new head of Colorado BLM, she has a lot of experience. The new director of agriculture also came and spoke.

Downside- wildfire mitigation legislation was PI. We got support with the amendments for solar. Our Opioid pilot program is still moving forward, a couple of amendments added, a couple of health insurance bills, we pay an astronomical amount in health insurance. Representative Donovan thinks that the hospitals have huge profit margins, and he wants to start by putting in legislation that if you're accepting any funding your profit margins have to be in control.

The legislation that allows kids to run lemonade stands is going forward, we are protecting kids' rights.

Tim Lovato:

2/10- Attended the Saguache County Museum board meeting, discussion included the theme for the Memorial Day Parade

2/11- Received a call from Commissioner Jason Anderson in regards to Wednesday's work session, we felt that there were enough items to discuss to still have a meeting.

2/13- Attended the work session in the commissioner's room, discussion included the job advertisement for the Public Health Director, and the administrator's direction to place the advertisement.

2/14- Attended the Saguache Methodist Church Valentine dinner, Cajun food was served. After the dinner, attended the Moffat-Mountain Valley basketball game, it was the last game played in the gym since the new school is being built. They will be using the new gym for the next basketball season. .

2/15- Received a call from Road & Bridge supervisor Randy Arredondo about the break in that occurred between the 14th and 15th at the County shop west of Center. Stolen was a pickup, welder and other items.

2/17- Received a call from Mrs. Braden associated with the Valley to Valley Care Center. She was having a cargo carrier delivered in the morning and no building permit had been pulled. She tried calling Land Use for the approval of it to be delivered but there was no answer; since she called on Sunday.

Ken Anderson:

2/13- Attended the Commissioners work session, talked with David Daboll and the sheriff's department. Attended the TPR meeting, some things are going to be done in the San Luis Valley. Highway 112 to 17 is going to be worked on this summer. Widen the shoulder on Highway 17. Highway 285 between Center and Saguache will get some work done. CDOT will be there to control traffic at the foot of Monarch pass. Had a reorganizational meeting for the Democrat party in Saguache.

2/15- Left for Denver. Had a legislative meeting, was disappointed that Donald Valdez didn't attend. Planning on 800 more bills.

Looked at a transfer station in Georgetown. Wasn't impressed with the site.

Received a call from Randy Arredondo about the break in at the Center shop, talked to the deputy, they said it looks like it could be an inside job.

BEN GIBBONS, COUNTY ATTORNEY

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

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Back in Session from Executive session at 10:00 am

EVAN SAMORA, DIRECTOR OF HOUSING, Report Attached

**MOTION BY COMMISSIONER KEN ANDERSON TO GO INTO THE BOARD OF HOUSING
SECOND BY COMMISSIONER TIM LOVATO**

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

**MOTION BY COMMISSIONER KEN ANDERSON TO COME OUT OF THE BOARD OF
HOUSING**

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

LINDA WARSH, DIRECTOR OF SOCIAL SERVICES, Report Attached

The report presented shows the amount of money the State of Colorado spends on behalf of Saguache County for the county clients. January is high due to all of February being pushed into January because of the Federal shutdown. March should be back to normal. The grant funds will be sent soon for the IOG grant.

DEPARTMENT HEAD REPORTS:

RANDAL ARREDONDO, SUPERVISOR, ROAD AND BRIDGE, Report Attached

Doug Eagleton and David Adams with Sanborn Head and Associates came before the board and requested that Saguache County work with them to figure out what direction the county wants to go regarding the landfill and solid waste. (keeping the landfill open, direct haul, looking at transfer station(s)).

Doug Eagleton stated that he spoke with Gary Fussler about Saguache County landfill needs.

Commissioner Jason Anderson stated that solid waste is very expensive and the capacity of the landfill probably causes the landfill to not divert. CDPHE is also very expensive. Is Saguache County utilizing the solid waste well?

Commissioner Tim Lovato stated that Saguache County does need to become more efficient as well as have more programs for recycling. There is always a cost to the landfill.

Commissioner Ken Anderson stated that the regulations and rules are ridiculous. Saguache County doesn't have the people to do recycling. It's not right for rural Colorado.

Doug Eagleton requests that Saguache County work with him on looking at the landfill and talking with CDPHE about budgeting. There is a grant that the county can get to help with the costs.

Randy Arredondo stated that the consent order for the landfill needs a response. The landfill is ready for an expansion right now. The liner is \$166,950. The cover is \$29,150 drains are \$4,200 the cheapest is Absmeier Landscaping.

**MOTION BY COMMISSIONER TIM LOVATO TO ENTER INTO THE CONSENT DECREE GIVEN BY CDPHE WITH CLARIFICATION OF 5 YEAR END DATE
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

**MOTION BY COMMISSIONER TIM LOVATO TO ENTER INTO THE BID SUBMITTED BY ABSMEIER LANDSCAPING AND CONSTRUCTION LLC IN THE AMOUNT OF \$272,000 FOR THE EXCAVATION OF THE NEW CELL AS SPECS GIVEN BY DAVIS ENGINEERING
SECOND BY JASON ANDERSON
VOTES IN FAVOR: 2 VOTES AGAINST: 1
MOTION CARRIED**

**MOTION BY COMMISSIONER TIM LOVATO TO ACCEPT THE BID FOR THE LINER FROM SOUTHWEST LINER SYSTEM IN THE AMOUNT OF \$166,950
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 2 VOTES AGAINST: 1
MOTION CARRIED**

Mr. Arredondo also stated that the Road & Bridge shop in Center had a robbery, stolen was a 2005 Dodge, a trailer, welder, and a lot of other small items. The Sheriff's office was called but didn't show up until the next day around 9:30 am.

CONNIE TRUJILLO, COUNTY TREASURER, Report Attached

The end of year report for foreclosures shows that there have been 5 new foreclosures in January and February. People are still sending in releases. All money has been transferred back into the general fund. The semi-annual report is published in the newspaper bi-annually. Tax notices have been sent out and 1/3 has already been collected.

Trujillo asked about the board removing the spring holiday, and stated that in county policy it states that the employees get 12 paid holidays. If the board is removing the spring holiday is Columbus Day going to be added? No response from the board other than they will look into the policy and changes needed.

Back in Session from Lunch at 1:00PM

WENDI MAEZ, LAND USE ADMINISTRATOR:

1. David and Julie Poole subdivision exemption request. Tract of land containing approximately 11.0 acres. The Perky Subdivision lots were created without county approval many years ago. This request is to bring another Perky Subdivision lot into compliance with County regulations and State laws. One letter of concern was received requesting clarification of the legal description on the

adjoining landowner letter the LU office sent out. The legal description on the letters was incorrect and a new notification letter was sent out showing the correct legal description. No concerns were received after the second corrected letter was sent out. The Saguache County Planning Commission recommended unanimous approval as presented, during their regular meeting held on January 31, 2019

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE SUBDIVISION EXEMPTION REQUEST FOR DAVID AND JULIE POOLE
SECOND BY COMMISSIONER TIM LOVATO**

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

2. Mammoth Land Holdings, LLC Modification of location of license premise change. This request is to move the location of the license premise area from the current approved location north close to the access area off of County Road U. Per Mr. Trouard's letter of intent Mammoth Farms reached an agreement/compromise with the landowners south of his current location to move all operations away from County Road T. A shop building is being constructed on the property that may or may not be used for his license premise area. If the request to relocate this operation is not approved Trouard has been informed he may not use the shop for marijuana business, it can only be used as a shop for his tractors, equipment etc. Land Use did issue a construction permit on November 15, 2018 for this structure. The construction permit was issued due to the fact that if the modification is not approved Mr. Trouard will not be allowed to use this structure for this cultivation and will only be allowed to use the structure like any other agricultural shop type building on an agriculture piece of property. Also, the structure is being constructed on the AG portion of the property not the license premise area. There has been letter of concern received from the landowners to the west of this property with a response send back from Trouard's attorney. The Saguache County Planning Commission recommended unanimous approval as presented during their regular meeting held January 31, 2019.

MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE LOCATION OF LICENSE PREMISE CHANGE FOR MAMMOTH FARMS LLC AS PRESENTED WITH THE ACCESS ROAD BEING MOVED ¾ TO THE EAST

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

3. Marijuana Medical Variance request for Leo Baldwin III and Cassandra Baldwin, Lazy KV Estates Lot 4 Block R. Construction and sewage disposal permits are current and approved.

MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE VARIANCE REQUEST FOR THE BALDWINS FOR A TOTAL OF 94 PLANTS

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

4. Marijuana Medical Variance Request for David Jackson, Lazy KV Estates Lot 3 Block K. Construction and sewage disposal permits are current and approved.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE VARIANCE REQUEST OF 60 PLANTS FOR DAVID JACKSON
SECOND BY COMMISSIONER TIM LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

5. Trust Group LLC, Structure of Ownership change from Trust Group LLC to Green Resources, LLC/ Beau Zhen Xiang. Physical address being 6748 Highway 17.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE OWNERSHIP CHANGE FOR 6748 HIGHWAY 17 FROM TRUST GROUP LLC TO BEAU ZHEN XIANG/ GREEN RESOURCES LLC
SECOND BY COMMISSIONER TIM LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

6. Trust Group LLC, Structure of Ownership change from Trust Group LLC to Greenview Farm, LLC. Physical address being 6754 Highway 17.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE OWNERSHIP CHANGE FROM TRUST GROUP LLC TO GREENVIEW FARM LLC LOCATED ON 6754 HIGHWAY 17
SECOND BY COMMISSIONER TIM LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

GLEN SIMPSON COUNTY ADMINISTRATOR, ADMINISTRATIVE REPORT

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE GREG PETERSON FOR ANOTHER TERM ON THE GUNNISON BASIN ROUNDTABLE
SECOND BY COMMISSIONER TIM LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

**MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE BACA GRANDE EMERGENCY SERVICE AMBULANCE LICENSE REQUEST FOR 1 YEAR
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

PETER PETERSON, COUNTY ASSESSOR

**MOTION BY COMMISSIONER TIM LOVATO TO ENTER INTO THE COLORADO PARKS AND WILDLIFE IMPACT ASSISTANCE GRANT
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

Peterson stated that this is the reappraisal year, every two years by statute every Assessor's office in the state has to do a reappraisal. Saguache office is focused on getting everything up to date and getting all the information in the system. May 1st notices of evaluation will be sent out. Focused on places without permits. This is the 4th year in a row that the Assessor's office has completed the audit perfectly.

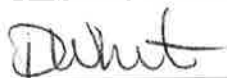
LORI LASKE, ASU ALUMNI DIRECTOR

Laske stated that currently there are 21 students from Saguache County attending Adams State University. If Saguache County would match the State COSI amount Saguache County could provide \$28,944 in scholarships to Saguache County students. Saguache County can provide about 28 scholarships. The students that receive this scholarship will be residents of Saguache County.

**MOTION BY COMMISSIONER JASON ANDERSON THAT THE COUNTY SIGNS A PARTNERSHIP WITH ADAMS STATE UNIVERSITY AND THE STATE OF COLORADO COZI FUND AND DONATE \$14,472 TAKEN FROM THE CANNABIS EXCISE TAX LINE ITEM.
SECOND BY COMMISSIONER TIM LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

Seeing no further business, Commissioner Ken Anderson adjourns the meeting at 3:30PM

RESPECTFULLY SUBMITTED:



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

DATE MINUTES APPROVED: March 5, 2019


KEN ANDERSON, COMMISSIONER,
BOARD CHAIR


JASON ANDERSON, COMMISSIONER


TIM LOVATO, COMMISSIONER



ATTEST
TRISH GILBERT
CLERK & RECORDER