

Saguache County Board of Commissioners met in regular session
Tuesday, March 18, 2008 with the following present:

Sam Pace, Chairman
Linda Joseph, Vice Chairman
Mike Spearman, Commissioner
Ben Gibbons, County Attorney
Wendi Maez, Co-Administrator
Lyn Zimmer, Co-Administrator
Melinda Myers, Secretary and Clerk to the Board

Meeting called to order by Chairman Pace at 9:00 A.M.

Under Additions or Deletions to the Agenda:

1. Add COGCC telephone conference call at 1:00 P. M. – Executive Session for legal purposes.
2. Move Road & Bridge report to 1:30 P. M.
3. Change the COGCC call to an Executive session.
4. Delete Lee Ann Lovato – Rocky Mountain SER

Spearman moved to approve the agenda as amended. Joseph seconded the motion. The vote was three Ayes.

Reading and approval of minutes:

Spearman moved to approve the minutes of March 11, 2008. Joseph seconded motion. The vote was three ayes.

Review of Mail:

1. **Ted Lindtveit**, Loss Prevention Team Leader County Technical Services, Inc. sent a letter thanking Saguache County for the opportunity to present the Worker's Compensation Rule 8 training class that was given March 28, 2009. (3/10/08)
2. **James R. Dawson**, District Ranger Gunnison Ranger District sent a letter asking for input regarding two vegetation management project proposals on the Gunnison National Forest. The proposed projects include a firewood salvage sale and the cutting and/or girdling of trees in declining aspen stands. Comments must be submitted within 30 days of the Legal Notice publication. (3/11/08)
3. **The Rio Grande Water Conservation District**, sent the March 2008 Ground Water Table Measurements. Attached is a map of the unconfined aquifer well sites in the San Luis Valley. (3/12/08)
4. **The Colorado River Water Conservation District** sent a Notice of a Special Joint Meeting to be held by telephone conference on March 13, 2008 at 12:00 noon. An Executive Committee Meeting will be held on March 14, 2008 at 9:30 a.m. in Glenwood Springs. A Notice for a Special Meeting to be held

March 14, 2008 at 11:00 a.m. in Glenwood Springs. Agendas for these meeting are attached. (3/12/08)

5. **Lynn Rust**, DSD Energy, Lands and Minerals United States Department of the Interior Bureau of the Land Management, sent a letter with copy of the quarterly oil and gas lease sales. According to the letter Saguache County has parcels listed in the quarterly report. (3/12/08)
6. **Matt Robbins**, Community Relations Specialist Colorado Lottery sent a copy of the 25th Anniversary Fact Book that details Lottery's accomplishments. The book shows the proceeds distributions by county along with historical milestones, financial data, product information and interesting trivia. (3/13/08)

Spearman moved to have the delinquent taxes on schedules Numbers 485732402945; 485732403986; and 474732300901 canceled and that the scheduled properties are authorized to be struck from the County tax rolls. Joseph seconded the motion. The vote was three Ayes.

7. **Connie Trujillo**, Saguache County Treasurer/Public Trustee sent a letter concerning three schedule numbers that reflect mobile homes in the county that have been determined by the Saguache County Assessor to no longer exist. Treasurer Trujillo requests authorization by resolution to cancel all delinquent taxes for such schedules listed in the letter.(3/13/08)
8. **Dale and Mae Engquest** sent a letter expressing their appreciation for the well composed letter that the BOCC sent to Michael Blenden at the USFWS. Mr. and Mrs. Engquist agree with the thoughts that were expressed and are pleased to be represented by Saguache County's Board of Commissioners. 3/14/08)
9. **Natalya Vesture**, CDC Preparedness Grant Manger Emergency Preparedness and Response Division CDPHE State of Colorado will be hosting the 6th annual Public Health Emergency Preparedness Planning Conference on May 8, 2008. (3/14/08)
10. **Mike Hoganson**, Representative for Oldcastle Precast, Inc. sent a brochure on 3-Sided Bridge Systems. (3/14/08)
11. **ESRI** sent the Winter 2008 edition "Government Matters". This contains GIS for State and Local Governments. (03/17/08)
12. **Colorado State University**, sent information on the community-Based Forestry Program. (3/17/08)
13. **Deborah J. Young**, Colorado State University Extension, sent updates on the two bills being considered at the Colorado General Assembly regarding premises registration of livestock. The Colorado 4-H Youth Development program has no requirement for premises registration of 4-H livestock project animals. (3/17/08)
14. **Brian P. Saber**, General Manager Colorado Logos, Inc. sent the renewal contract for Highway 117 and Saguache County Road T. No payment is due at this time. (3/17/08)
15. **The Upper Gunnison River Water Conservancy District** sent an Agenda for the Board of Directors Regular Meeting to be held on March 24, 2008 at 6:30 p.m. in Gunnison. (3/17/08)

16. **The Colorado Fourteeners Initiative**, A Partnership for Preservation sent the Spring 2008 Edition of Fourteener. (3/17/08)
17. **The Colorado Public Human Resources Association**, sent registration information on a workshop that will be held on Wednesday, April 9, 2008 in Denver. The topic will be: Planning for the Ages: Succession Planning and the Impact of Generation to your Workplace. (3/17/08)
18. **Donna Newsom** – Saguache County Public Health Director: sent out an email alert on a Salmonella outbreak in the Valley with two possible cases in Saguache County.
18. **Oil and Gas Letters:**
 1. Donna Dowell
 2. Christian Dillo for The Crestone Spiritual Alliance

Introduction of Guests: Doug Larsen – Crestone Eagle; Don Geddes – Planning Commission; Charlotte Bobicki – Senator Salazar’s rep; Jeff Shook & Lisa Cyriacks – County Planning Commissions; Karen Hoffner – SLV Fair Board; Elvie Samora – Road & Bridge.

Commissioners’ Reports-Updates of Meetings:

Linda Joseph reported:

- March 12 - Spoke with Kimberley Bryant about regional emergency preparedness with regard to oil & gas emergencies. Some factors to be addressed - Counts of emergency personnel in the USFWS Environmental Assessment did not account for some listed in different services are the same personnel. Recruitment of new volunteers continues to be a problem. Hazmat First Responders are 1 1/2 hours away from the Baca Refuge site.
- March 13 - Met with All Hazards Chair Pete Magee to discuss regional preparedness with regard to oil & gas emergencies. Our Hazmat team has never had an incident of the types that might occur at an oil and gas operation - fire/explosion, or spill. They would expect the operator's emergency plan to address more immediate need for trained/equipped response on-site, and procedures for these specific hazards. This scenario could be considered for a local training drill, to role play an incident and identify any areas for improvement and readiness.
- Attended the SLV RETAC meeting in Monte Vista. Concerns about flooding this spring were discussed, and the issue with not being able to get flood insurance in Saguache County was mentioned. Joseph let them know that Wendi Maez, Land Use is researching this.
- March 14 - Prepared an agenda with Admin and Dept. Heads for orientation of the County's new webmaster/host, Kenny Bertin of WSB Computer Services on March 25th. Provided County Attorney with details of job for inclusion in the contract.
- March 17 - Spoke with Margaret Finnerty about Museum business. She has prepared a budget and letter of request for operating support from the county and will email to County Admin. With regard to valuing the Museum inventory, Finnerty thought that the Historical Society might have support to offer to

accomplish that goal. She is in contact with them on the other infrastructure improvements in progress, and will get back to us after she's consulted them.

Sam Pace reported:

- March 14 - Attended steering committee hearings at CCI.
 - A. Public Lands; several pine beetle bills are moving forward. Fire mitigation tax deduction and other with fiscal impacts are in senate appropriations awaiting their fate.
 - B. SB063 was amended not to affect local standards for noise control.
 - C. Presentation by State National Forest Director and discussion on enforcement issues around the misuse of vehicles and also campground closings.
 - D. Agriculture, Wildlife, and Rural Affairs; State Fair animal ID bill is dead. CCI supported a bill on animal confinement standards which was supported industry wide. Also dead is the bill to cut funding for potato inspections. 1325, on a seasonal worker pilot program is still in committee. Several other bad bills died.
 - E. Land use and Natural Resources; Bill 1259 has removed the parts CCI objected to and is now a good notification bill concerning special districts. 1165 and 1161 which concern mining reclamation and which I argued strongly in favor of and CCI supports are still in committee and hopefully will move forward after their hearing on the 19th. 169 is another mining bill concerning fees for in situ mining which generated much discussion and a decision to monitor and support some fee structure. 202 is an oil and gas bill, which we opposed unless amended even though it seemed to be specific to Wattenberg area. Commissioner Wally White put forth the MOA proposal dealing with the new oil and gas regulations and found general support for this. It seems that this would be a way for counties to have more restrictive regulations in some areas and still allow for COGCC to approve or not. A lot of discussion on this.
 - F. Health and Human Services; 177 makes changes to the Colorado Works Program is a totally different bill now. CCI opposed 183 to do with paternity testing and child support. 194, the Public Health reorganization bill has some language that allows what some people feel are intrusive powers to enter property and deal with possible abuse or health problems. This and other financial concerns of the largest counties caused us to just monitor this. Many good people have worked hard on this including county commissioners.
- March 14- I delivered our protest of Lexam's variance request to the COGCC.

Mike Spearman reported:

- Spoke to some citizens on road issues.
- Drafted a letter to Kim Weiss on the road work the County did on her property.

Lynn Zimmer and Wendi Maez - CO-Administrators:

- A letter was sent to Carol Osborn the Secretary of SLV County Commissioners Board regarding budget items that were not approved by our Board and letters that were sent out by her to departments. A copy of the approved budget was

attached to the letter. Administration will get more information on the Valley Veterans, and schedule reports by Board appointees for yearly updates.

Pace moved to schedule a public hearing on the Title III funding request from the Annexation Task Force, Crestone, CO on May 13th. Joseph seconded the motion. The vote was three Ayes.

- Title III funding request was received from Annexation Task Force, Crestone, CO. We will need to set a public hearing date for this.

Spearman moved to approve the use of \$33,000 for each Sales Tax Grant Category for the first round of 2008 Sales Tax Grant requests. Joseph seconded the motion. The vote was three Ayes.

- Sales tax grant packets are ready and are being disbursed today. As of 12-31-2007 there was \$33,551.05 in each of the three grant categories. As of 1-31-2008 there was \$37,805.73 and as of 2-29-2008 there is \$43,699.33 that can be disbursed.

Joseph moved to support the Orient Land Trust in their grant for a Historical Walking Tour. Spearman seconded the motion. The vote was three Ayes.

A request for a letter of support was received from Orient Land Trust. A letter of support was presented for signature.

Wendi Maez - Land Use Administrator:

Spearman moved to approve the sale for the Vulcan Mining Claim to Fullmer's for \$500 with the mineral rights excluded. Joseph seconded the motion. The vote was three Ayes.

- Land Use has received a counter offer from the Fullmer's concerning Vulcan Mining Claim. They are offering \$500 with the mineral rights excluded. They would like an irrevocable right of first refusal to purchase the mineral rights if we ever decide to sell or convey the mineral rights. Maez will send a letter with the County's counter offer and explaining the policy for selling County Owned property.

Spearman moved to approve signing the DOLA grant application to complete the County and the Town of Crestone Master Plan. Joseph seconded the motion. The vote was three Ayes.

- Currently working on a grant from DOLA to complete the Master Plan and to work with the Town of Crestone to get their plan complete. If you give your approval the Board Chair will need to sign the application because the grant requests are due April 1st.

- Maez has been working with FEMA to possibly get the County residences Federal Flood insurance. There would need to be a resolution if the Board approves.
- Discussion and review of map of the BLM Oil & Gas Lease sale.
- Received a letter from Kim Smoyer about the ground disturbance in the Elkhorn Ranch Subdivision by Xcel Energy to put in the underground power lines on the easement and have not reclaimed it. Maez commented that it was a private property issue and she doesn't feel there is any way the County can assist them.
- The tax lot sale for Lazy KV will be in June. The lots will not be consolidated, as Lazy KV Estate lots contain more than one acre.
- Jeff Shook and Lisa Cyriacks PC Chairpersons gave the monthly PC report. The Planning Commissions have been meeting and working on the Oil and Gas Regulations for the County. They are almost finished and then they can be sent off for legal review. There was discussion on inspectors and County inspections of drilling sites and worker housing. The Board thanked the Planning Commission members for all their extra work and time on this important issue.

Ben Gibbons - County Attorney:

- Forwarded an email from Mike Blenden, USFS to give notice that he had sent the updated Cooperating Agency MOU to their attorney. Gibbons will contact the USF&W attorney.
- HB081350 to create a for capital improvement with renewable energy features. Boulder is asking for support.
- Sent a proposed policy for building maintenance.
- Working on policy for email, cell phones and computer use by County employees. Also creating a tracking log for review of policies. Joseph asked about having an organized and categorized policy manual which can be referenced, in notebook and PDF forms.
- Web service contract needs to be ready for the first meeting with the web host on March 25th.

Joseph moved to enter into Executive Session at 11:32 A. M. for legal purposes under CRS 24-6-402 (4)(b). Spearman seconded the motion. The vote was three Ayes.

Spearman moved to return to regular session at 11:40 A. M. Joseph seconded the motion. The vote was three Ayes.

Adjourned for lunch at 11:50 P.M.

Meeting reconvened at 12:58 P.M.

Joseph moved to enter into Executive Session at 1:00 P. M. for legal purposes under CRS 24-6-402 (4)(b). Spearman seconded the motion. The vote was three Ayes.

Spearman moved to return to regular session at 1:39 P. M. Joseph seconded the motion. The vote was three Ayes.

Randal Arredondo – Road & Bridge Supervisor:

- Inspected the property at CR 51 and CR B with Maez to check on the setbacks for M&G Farm's new grain bins. The property owner will apply for a variance.
- Still researching the rights and responsibility of ditch owners, Attorney Gibbons will send some information.
- Chaffee County wants to rent the chip sealer distributor again this year. The price for this year still to be determined.
- Presented a cost analysis for 2008 asphalt on roads in the county.

Pace moved to purchase the two year old trailer and sell the old one. Joseph seconded the motion. The vote was three Ayes.

- The 1976 lowboy trailer needs to be rebuilt, (\$15,000) or replaced. Had an offer to buy a 50 ton trailer which is only 2 years old for \$35,000. The lowboy was not in the budget for this year, but did not last as long as they thought it would.
- Kristy Murphy from the USFS/BLM wants to meet about roads off Hwy 285, which go to some private holdings on public lands.
- Did snow removal on private road to Jim Earing and Raymond Bee and Arredondo is having trouble collecting the bill. The property owners do not get along and the County does not want to get involved.
- There is still a little bit of rock waste product available at \$2/yard up to 50 yards limit.
- Road and Bridge has 1,100 empty sand bags and some extra reject material available to fill them. Received a letter from the Villa Grove area asking for sandbags and fill to have on hand. The County will provide these, and to other flood prone areas, also. The Board would like to put out some public service announcement regarding the spring flooding and would like to have the information about the sandbags be included.
- Will attend a weed meeting in Alamosa March 19th.

Land Fill Supervisor:

- Free dump day is April 19th.
- Mark Swartz wants to install a solar heater at the Landfill office for free if he can put up a sign that it was supplied by him. Arredondo gave him permission to do it.

Penny Bruce - Library Administrator:

PROGRAMS—

- For the first time this year, the Headstart had a conflicting program on story day, so we won't be setting that record for the number of programs we've provided in one school year. On March 13, the weather was finally nice enough for the children to walk over to the library for story time and it was great to welcome them back.
- Have contacted the English teachers for Mountain Valley middle and high schools and am preparing presentations for each of their seven classes, in hopes of sparking interest in forming book clubs for teens this summer. Ms. Lujan, the high school English teacher, has been especially helpful, even suggesting rewards she could provide next fall to the students who participate, like exempting them from one assignment, or having a pizza party. The school

will also be able to track any improvements made on CSAP scores for those students who attend a summer program.

- We can now offer the services of a volunteer who provides assistance in filing federal tax forms, which has become highly in demand, with the “stimulus rebate” being offered this year. He has been devoting one afternoon per week to answer questions and has been helping as many as a dozen people each time.
- Our annual report to the Colo. Dept. of Education was completed on-line and on time, before March 15.
- Made an impromptu visit to the Center library on March 5 and was able to have brief discussions with Becky Reed, the school librarian and Carol Phillips, the director of the public library. It was good to just get familiar with their layout and to get a better idea of their computer situation and their plans for summer reading this year.

FUNDRAISING

- We are planning a fund-raising event to coincide with National Library Week, April 13-19, the details of which still need to be worked out. We recently received an anonymous donation of fifty canvas book bags that will be imprinted with our name and logo, which will make putting together our proposed book-and-bag sale much easier.
- We did suggest that the Friends of the Library send out another letter requesting donations, but have been delayed in compiling the list of addressees. Plans are in place to send letters to all the library patrons who were not included in the last mailing.
- We are taking advantage of a donation program offered by the Seeds of Change Company. For \$15, they will be sending us 100 packets of their left-over seeds from last year, which should eliminate the need to purchase any more seeds for the summer reading garden project.

FRIENDS OF THE LIBRARY

- The group met on February 25, with 12 members attending and two donations were made to the library fund, earmarked for new books and summer reading program expenses, respectively. We decided that we could participate in the movie program that the Saguache Rec. Dept. is proposing, provided that we're not liable for the expense of buying the DVD's.

Spearman moved to convene as the Saguache County Department of Social Services Board at 3:00 P.M. Pace seconded. The vote was three Ayes.

Jeannie Norris - Social Services Director

- The TANF case count has once again increased from ten cases to eleven active cases. There were nine child-only cases, and forty-five med-only cases. We had 383 food stamp cases, 102 old-age-pension recipients, and 27 aid-to-the-needy disabled cases. Old-age-pension cases represent an increase from 83 cases in February, and cases are up from 23 to 27. We anticipate a steady increase in TANF applications, as the legislature has approved increased benefits for active TANF clients.

- Cheers/Blue Horizon has three TANF clients who require training, and have no transportation, or lack a license to drive. We are addressing those needs with the assistance of Alamosa Bus Company. This is one of the issues being included with the Transit Authority planning.
- The Child Protection Unit had 11 referrals during February, of which 7 were accepted for investigation. The Unit has 57 open child protection cases, and 7 open adult protection cases. We were selected for a foster care review, which brought reviewers from the State to examine seven foster care cases, and two foster care providers for Saguache County, and are pleased to say that we passed this review with flying colors. Our data is entered into the TRAILS system in a timely manner, and our files were up to date. The fact that our case workers have entered accurate information within the deadlines is largely responsible for the \$19,500 in IV-E reimbursement that we received during 2007.
- DSS held the organizational meeting of our Adult Protection Team. Participation was good, and we will be meeting at least quarterly. The State has a variety of training materials, and we hope to have our own library of available materials for use when asked to present a program at any time. We are excited about the opportunities that this program has already presented, and look forward to the cooperative effort that has come through this APT organization.
- The LEAP program has processed 566 applications, and approved 517 households. On March 7, we received word from the State that maximum benefits available from LEAP have been increased effective March 10, and will increase from \$700.00 to \$900.00. Minimums increase from \$100.00 to \$175.00.
- Attended the SLV Transit Plan meeting yesterday, which worked through what a proposed budget might look like. Discussion between agencies dealt with how a dispatch center might coordinate services so that duplication of runs could be avoided and ridership combined whenever possible. Suzanne O'Neill had a sample contract to work from. Monte Vista Economic Development Council has volunteered to serve as the lead agency, and committed to at least two years in this capacity.

Joseph moved to approve a resolution to transfer \$280,000 of State TANF reserve funds from Saguache County to Lake County, as further outlined in the MOU with Lake County. Spearman seconded the motion. The vote was three Ayes.

- We have been working with the State Accounting Department regarding how we might dedicate a portion of our State TANF reserves to needs in our building. They tell us that the Federal government is taking a much closer look at the interpretation of “capital construction” versus “building renovation” for TANF client benefit. Dan Daly said that the Feds no longer approve material improvements to extend the life of a building. The SLV Directors meet each month following our SIGNAL contract meeting, and devoted quite a bit of time to this issue during our last two meetings. Director Norris took the issue to the Southeast Directors meeting last week as an agenda item to discuss how properly to use these funds while they are available. It appears that we can cover the cost of work which needs to be accomplished in our building by using State TANF

reserves, without having to use any Saguache County funds, or accessing the Saguache County DSS reserves.

Spearman moved to adjourn the Saguache County Department of Social Services Board and return to regular meeting at 3:20 P.M. Pace seconded. The vote was two Ayes.

Break

Spearman moved to convene as the Housing Board at 3:23 P.M. Joseph seconded. The vote was three Ayes.

Chella Coleman, Housing Director

Spearman moved to adjourn the Housing Board and return to regular meeting at 3:54 P.M. Joseph seconded. The vote was two Ayes.

Kimberly Bryant – OEM, Quarterly update:

- The 2007 grant from Colorado State Division of Emergency Management has been awarded. The 2008 grant is not out yet.
- Brought a draft of a letter from Gunnison County Emergency Management in support of the Hazmat resolution on Hwy 114. Attorney Gibbons will review for changes.
- Attended the Governor's Conference on Emergency Management and networked with other County OEMs.
- Digital radios have all been rebanded. NOAA signal is not making it to Saguache and Bryant has asked them to it turn up.
- Acquired some emergency equipment to distribute in the County.
- Flood planning meeting was held last Thursday to discuss planning for high water incidents in Saguache County. Sunday, April 6th will be a table top flood disaster Plan. She has some wall posters on order that outline the NIMS chain of command.
- The Saguache County Community Wildfire Protection Plan is finished and ready for review.

Karen Hoffner – SLV Fair Board:

- Submitted a grant application for Sales Tax grant for the Fair.
- 4-H is holding its own in the Valley so far. Many County kids are still involved, but no chapter has been started in Crestone yet. Pace commented that a bill is working its way through the Legislature to change the use of Conservation Trust funds to pay for ongoing expenses.
- The Boys and Girls Club kids are also competing in the Fair in non-livestock events.
- Will be reporting back to the Board in September after the Fair.
- Still looking for new members to join the Fair Board from Saguache County.

Discussion on the Lexam's Well Permits #5 & #6 hearing before the COGCC on April 1, 2008 on who can attend and testify and what exhibits would be presented.

Bill Paying

Joseph moved to adjourn at 4:55 P.M. Spearman seconded. The vote was three Ayes.

Respectfully Submitted,
Melinda Myers Secretary to the Board of County Commissioners

Minutes Approved April 1, 2008

Chairman of the Board

Attest

Commissioner

Commissioner