

Saguache County Board of Commissioners met in regular session Tuesday, April 7, 2009 with the following present:

Linda Joseph, Chair
Mike Spearman, Co-Vice Chairman
Sam Pace, Co-Vice Chairman
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 Chair Joseph at 9:03 A.M.

Under Additions or Deletions to the Agenda:

1. Add Assessor update at 10:00 AM
2. Library request under Attorney Report
3. Attorney Review of Contract under Attorney Report

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

Reading and approval of minutes

Pace moved to approve the minutes of March 17, 2009. Spearman seconded motion. The vote was three Ayes.

Review of Mail and other correspondence:

1. **Alex Rudney**, Forester Salida R.D. sent information requesting comments on the Proposed Poncha Loop Project. More information on the status of the project can be received by returning the post card or for further questions can be directed to Alex Rudney, Forester Salida R.D. 719-530-3962. arudney@fs.fed.us. (3/11/09)
2. **Mark W. Stiles**, Forest Supervisor/Center Manager sent a spreadsheet outlining the disbursement of 2008 Title II and Title III funds to Southwestern Colorado Counties. (3/23/09)
3. **Floyd Dwayne Jett** sent a follow up letter in regards to camping on his private property. (3/18/09)
4. **Doris Clowdus** sent a letter in favor of improving the roads in the Town of Sargents Colorado. (3/23/09)
5. **Madeline Jennings** sent a letter in favor of paving the roads in Sargents Colorado. (3/18/09)
6. **United States Bankruptcy Court** sent a docket for the Southern District of Texas Corpus Christi Division. (3/23/09)
7. **San Luis Valley Water Conservation District** sent a Memo on the 2008 Annual Report. (3/25/09)
8. **San Luis Valley Hazardous Substance Board** sent a letter wanting to thank the Board for voting to fund them for the 2009 fiscal year. (3/25/09)

9. **Received a petition** from some Saguache County Residents regarding Property on Co. Rd. LL56. (3/26/09)
10. **Julie Gibson** sent a letter wanting to thank everybody for their interest and letting Greyhound know how much we depend on the bus service in the San Luis Valley. (3/26/09)
11. **Gunnison Conservation District** sent a letter thanking Saguache County for supporting the conservation efforts & programs. (3/27/09)
12. **USDA Rio Grande National Forest Service** sent a letter wanting to let everyone know that they recently published their first Motor Vehicle Use Maps for each Ranger District. (4/1/09)
13. **Natural Energy Resources Company** sent a letter for the NEPA comparisons of Central Colorado Project & Flaming Gorge Pipeline alternatives. (4/1/09)
14. **Adam State College** sent their Spring 2009 Newsletter. (4/1/09)
15. **Floyd Dwayne Jett** sent a letter regarding to his property on Co. Rd. LL56. (3/31/09)
16. **Heartland Environmental Services** sent a letter informing you of their services in Colorado they provide energy efficient, environmentally sound, & financially effective management services for landfill operations. (4/2/09)
17. **Colorado Open Landscapes** sent their 2009 Spring Newsletter. (4/2/09)
18. **Le Puente** sent their 2009 Spring Newsletter. (4/2/09)

Introduction of Guests: Matie Bell Lakish - Crestone Eagle; Duane Jett, Fred Fuchs, Charlotte Fuchs, Stace Fuchs, Scott Ashley.

Commissioners Reports

Sam Pace reported:

- March 18 - Attended the work session with Nursing, Social Services, Admin and Commissioners on the Public Health District process and options.
- March 19 - Attended the South Central Senior meeting.
- March 20 - Attended the CCI Steering Committee meeting and discussed several issues. One Presentation on what can be done with unwanted horses, information at counwantedhorse.org. Bill is moving forward on tire disposal with little or no money from the State.
- April 1 – Met with Jason Anderson and Hew Hallock on energy conservation programs in Saguache County.
- USFS has moved forward on the Baca Mountain Tract study, which needs to be completed before the road through the Park can be started.
- Received a call from Ardis Thomas about Humanity in Unity.
- Exchanged emails on House Bill -1327 on tax increment financing to do urban renewal, which takes money away from counties and special districts.

Linda Joseph reported:

- March 18 - Attended the work session with Nursing, Social Services, Admin and Commissioners on the Public Health District process and options.
- Attended the SLV RETAC (Regional Emergency Medical & Trauma Advisory Council) meeting in Monte Vista. The SLV Needs Assessment by the State is done, and in final writing.

- March 19 - Attended the RETAC regional review in Alamosa, of SLV EMS grants to the State this year. This meeting was to rate our proposals and make recommendations toward the State level review, which Joseph will also participate in, as a member of SEMTAC, in May.
- March 24 - Attended the Medical Surge planning meeting in Alamosa, well attended by multiple departments from all SLV counties.
- April 1 - Received an announcement that Pam Gripp, Baca Grande EMS, was one of 25 people, selected out of 270, to participate in the Spring 2009 Medical Reserve Corps Deployment Training in Bethesda, Maryland in May.
- Biomass: Completed the BOCC letter of support for the Biomass/Biochar project proposed by the Rio Grande Conservation District. Engaged in several conversations with various groups working on biomass enterprises, connect them to network and explore aligning efforts. These include -
 - ScSEED, coordinating the Biomass Enterprise competition as a Targeted Industry project;
 - Nick Chambers/John Baxter who are continuing their projects in these areas, with experiences gained from their USDA/County Sales Tax grants;
 - Andrew Archuleta, when the question arose as to whether the forest fuels the Forest Service must clear and was to burn might be utilized in biomass projects; and, Brenda Anderson from our Conservation District. Andrew is interested in looking into this together, and Brenda will attend today during his time for some preliminary discussion.
- Library: Had numerous conversations with regard to Library status and direction. They are planning to pursue a Library District and have requested Attorney Gibbons' input, for discussion during his time on the agenda. Bruce is ready to take next steps in aligning the financial tracking sheets she's using for grants and operations with the County's, to be continued with Co-Administrator Zimmer.
- Received a call from Ardis Thomas about Humanity in Unity, and clarified the points in the land use process for public input.

Mike Spearman:

- March 18 - Met with Donna and Jeannie about current legislation regarding combining Nursing and Social Services.
- March 23 - Attended Developmental Resources Group
- March 25, 26 - Testified at Senate Education Committee regarding Senate Bill 1250, also spent a good deal of time on Senate Bill 177 regarding taxing Solar Development
- April 1 - Carl Worley wants to do a subdivision on the west side of Center and directed them to Land Use.
- April 3 - Assisted David Toews in closing on a land sale.
- April 5 - MV Coop looking for land to build bulk propane storage and store in the Cochetopa or Hwy 50. Would like to keep them in Saguache County.
- Xcel comment, Concentrated Solar Dev. which uses natural gas as back up will speed up the process of bringing new gas lines to Saguache County.

Lynn Zimmer and Wendi Maez – Co-administrator report:

- Victoria Gorentz, a dental hygienist from the Salida area called and is interested in working in Saguache at the clinic as a hygienist. She is willing to accept all clients, not just Medicaid clients as the other hygienist. She has submitted a formal request for the dental clinic here in Saguache. She is willing to accept Medicaid clients as well as private pay and other dental insurances.

Pace moved to approve the abatement for Center Motor Car Company; \$466.62 in 2007 and \$505.32 in 2008, also Ford Motor Car Company; \$214.16 in 2007 and \$231.94 in 2008. Spearman seconded the motion. The vote was three Ayes.

- Assessor Jackie Stephens has a put together an abatement for Center Motor Company in Center which has been out of business for several years. 7500-0000-0060 - Center Motor Car Company 2007 - \$466.62 2008 - \$505.32. 7500-0000-0900 - Ford Motor Rotunda Equipment 2007 - \$214.16 2008 \$231.94.
- Town of Center has received 2008 Conservation Trust Funds as requested. 2009 Conservation Trust Request does not request funds for the overlay of the parking lot. As the letter shows that was scanned and sent to each of you on Thursday, the overlay of the parking lot at the park is for “in-kind” work for the GOCO grant that the Town of Center received. Commissioners referred this to Arredondo for detail on the work involved and costs.
- A voucher has been submitted for signing for ScSeed reimbursement for the Bio Mass project per request from ScSeed.
- The Regional Assessor/Treasurer DOLA grant was signed.
- A letter of thanks will be sent to Morgan Queal for serving on Blue Peaks Board of Directors. A notice to solicit a volunteer to serve on this board will be sent out to the papers.
- Attorney review of attorney contract to be discussed during attorney time.

Break

Wendi Maez - Land Use Administrator report:

Pace moved to approve the Subdivision Exemption request for Crestone View Farms. Spearman seconded the motion. The vote was three Ayes.

- Crestone View Farms – Subdivision Exemption request – NW1/4 11-41-7. This request is to subdivide a tract of land containing 159.52 acres into 3 tracts. Tract 1 – 7.47 acres, Tract 2 – 149.97 and Co. Rd. Easement Tract – 2.08 acres. Saguache County Planning Commission recommended approval of this request by unanimous vote at their regular meeting on March 26, 2009.

Pace moved to approve the Subdivision Exemption request for Randall and Leslie Jean Mortensen. Spearman seconded the motion. The vote was three Ayes.

- Randall and Leslie Jean Mortensen – Subdivision Exemption request – SW1/4 21-41-9. This request is to subdivide a tract of land containing 162.006 into 3 tracts. Tract 1 to contain 5.382 acres, Tract 2 to contain 154.788 acres, County Road tract to contain 1.836 acres. Saguache County Planning Commission recommended approval of this request by unanimous vote at their regular meeting on March 26, 2009.

Pace moved to approve the Subdivision Exemption request for Scott and Cathy Ashley. Spearman seconded the motion. The vote was three Ayes.

- Scott and Cathy Ashley – Subdivision Exemption request – SE1/4 7-46-8. This request is to subdivide a tract of land containing 40.54 acres into 3 tracts. Tract 1 to contain 19.49 acres, Tract 2 – to contain 5.03 acres, Tract 3 – to contain 16.02 acres. This request is to subdivide a family owned tract into 3 tracts. The Saguache County Planning Commission recommended approval of this request by unanimous vote at their regular meeting on March 26, 2009.

Pace moved to approve the Subdivision Exemption request for Stace W., Frederick W. and Charlotte L Fuchs. Spearman seconded the motion. The vote was three Ayes.

- Stace W., Frederick W. and Charlotte L. Fuchs – Subdivision Exemption request to subdivide a previously consolidated tract back to its original state which contained 2 tracts. Tract 2-CR to contain 5.740 acres and Tract 3 to contain the original acreage of 1.523 acres. This request is caused by a divorce in the family and they need the tract to be taken back to its original state. The Saguache County Planning Commission recommended approval of this request by unanimous vote at their regular meeting on March 26, 2009.
- Appointments to the Crestone/Baca Planning Commission – there are 6 openings for the CBPC board this year. There are 3 openings for regular members and all 3 alternate positions. The appointment letters have been emailed to the BOCC and the decision will be tabled to April 14, 2009.
 1. David Nicholas, Baca area member has requested re-appointment
 2. Diana Dunlap, BGPOA member has requested re-appointment, and is the BGPOA's designee.
 3. Town of Crestone – Ralph Abrams has requested not to be re-appointed. The town has requested that Kairina Danforth serve as the Town of Crestone rep with Steve Storm as their alternate.
 4. William Folk – alternate for the Baca area has requested re-appointment.
 5. Clay Bridgford – has requested appointment to the board.
 6. Russell Schreiber – has requested appointment to the board.
 7. Burt Wadman – has requested appointment to the board.

Board will discuss the appointments at the next meeting.

- Received a copy of a Compliance Order issued from the State of Colorado to Diana Allen. The State of Colorado has issued this compliance order giving her 30 days to REMOVE all of the tires from her property and she cannot accept any more tires.

- A Title III funding request budget has been created for the revision of the C/B Sub-Area Master plan. Land Use is requesting \$16,000 to complete this revision. If we can use the 2008 Title 3 funds for this purpose we can have the DOLA grant money to complete the SCMP. That will leave about \$15,000 in that account but we will have to include solar into the master plan and the land development code in order to get reimbursed for that grant. A copy of the CBMP budget was presented to the BOCC. Maez will advertise the Title III funding request.

Spearman moved to enter into Executive Session at 10:55 A. M. for personnel purposes under CRS 24-6-402(4)(f)(i) and for legal purposes under CRS 24-6-402 (4)(b). Pace seconded the motion. The vote was three Ayes.

Spearman moved to return to regular session at 11:23 A. M. Pace seconded the motion. The vote was three Ayes.

Ben Gibbons - County Attorney report:

Pace moved to have Attorney Gibbons review the petition and formulate a response. Spearman seconded the motion. The vote was three Ayes.

- Received a petition from the Saguache County Residents regarding Property located on Co. Rd. LL56.

Pace moved to approve the resolution to establish the Saguache County Public Health Agency. Spearman seconded the motion. The vote was three Ayes.

- Presented a resolution to establish the Saguache County Public Health Agency.
- Received a letter from the Baca Grande Water and Sanitation attorney regarding PILT funds. Attorney Gibbons has determined that there is some money owed to BGWS.
- Met with Library personnel regarding legal help in forming a Special Library District. The Board has approved Gibbons to assist the Library.

Mike Norris – Sheriff

- Has taken training funded by the State for a new computer program.
- Jail is averaging 20 inmates with a few outside prisoners.
- Looking into grants to update to a new jail, as the current structure is antiquated.
- Another grant would fund an additional officer for three years, who would have to be retained for a year after the grant is over. It would help the budget in overtime expenses.
- A letter of complaint of officer harassment in the Baca Grande area. Norris has not spoken to the officer yet.

Adjourned for Lunch at 12:09 P. M

Resumed meeting at 1:0 P. M.

Randal Arredondo – Supervisor Road & Bridge and Land fill report:

- Has been getting calls about the coyote bounty this year, and wanted to know if the program was budgeted for this year. Board gave approval for funding, same as in previous years. (CHECK MOTION)
- Presented a County Vehicle Use Policy for approval. Board gave approval of the policy presented.
- The Crestone area has seen an out-break of stickers being put on road signage, which is against the law and a safety issue. Arredondo will place a notice in the papers to cease and desist.

Pace moved to approve the contract with Southwest Conservation Corp for summer youth labor. Spearman seconded the motion. The vote was three Ayes.

- The agreement with Southwest Conservation Corp was presented for discussion, approval and signed.

Pace moved to approve the sale of a 1995 Ford ¾ ton pickup at the equipment auction in Villa Grove. Spearman seconded the motion. The vote was three Ayes.

Spearman moved to approve the sale of a fork-lift. Spearman seconded the motion. The vote was three Ayes.

- Requested to send a 1995 Ford ¾ ton pickup and an old fork lift to the auction in Villa Grove.

Pace moved to approve the purchase of a fork-lift. Spearman seconded the motion. The vote was three Ayes.

- Paid off equipment under contract, Dozer Cat D7R for \$253,832.84 and Grader Cat 140 H \$137,667.07.
- Currently filling cracks on County Road G. The overlay machine will be coming back from Rio Grande County soon.
- Will calculate the cost of doing the overlay of the Town of Center Town Park to provide in kind match for a GOCO grant.

Jeannie Norris - Social Services Director:

- There were eight active TANF cases during the month of February with five cases pending. Food assistance cases were up to 383 during February. Saguache County shows a 20 percent increase over the 2008 figures, as compared to a statewide average increase of 41.8 percent. February saw 29 aid-to-the-needy-disabled cases, and we continue to have 109 old age pension recipients. The CHEERS training center has three TANF clients, and two adult basic education students.
- Dan Daly and John Roybal from the State Human Services TANF Division were here on Friday, April 3, to meet with myself and Diane Romero. We had the

opportunity to spend the morning with them, and discuss initiatives we are developing together with the schools which could be funded with TANF allocation dollars. They were supportive of the ideas which we showed them, and introduced new ways of assessing the needs of children in our caseload, as well as children whose families are within the eligibility income levels but are not currently in our caseload.

- The Child Protection Unit received eight referrals during February, seven of which were accepted for investigation. One referral was determined to be from another county, and the Unit did two courtesy investigations. There are currently thirteen children in placement; eight dependency and neglect court cases in progress, and 152 children in open cases. The adult protection team closed nine cases, and have four open cases, with two new referrals. The adult protection caseworker, case aide, and the two adult category workers from the IV-A Unit will be attending an elder law training.
- LEAP has now received applications from 601 households, with 551 having been approved for benefit, and four applications pending.
- Monthly collections for the IV-D Unit were \$36,605.58, which represents a 20 percent increase over the February, 2008 collections. Pam Jones has passed her Administrative Process examination, and is now certified to file cases on her own. Pam and MaryAnn have now divided the caseload equally. Suzanne Dennis is consulting with the IV-D Unit to provide training.
- The commodity program continues to expand, and we have begun to receive significant amounts of frozen foods. If current allocations continue, we may be able to distribute commodities on a bi-monthly basis rather than quarterly. We are also pursuing the possibility of a distribution in the Crestone area with volunteer assistance in that community.
- DSS, together with the Sheriff's Office, will sponsor the meth lab training on Monday, June 15, in the Moffat gymnasium. Please RSVP to either office. All agencies are encouraged to attend.
- The Financial Sub-Pac meetings are providing valuable information for this Department, and the committee will be serving as the work group for development of county administration methodology for the next five years.
- Notice of acceptance of the 2009 budget for DSS has been received, and a copy attached.

Pace moved to approve the 4D Consultation Contract. Spearman seconded the motion. The vote was three Ayes.

Break

Andrew Archuleta – USFS/BLM month discussion:

- ACEC, (Area of Critical Environmental Concern), can be nominated by the local BLM Field Office to be included in the management plan.
- Oil and Gas leases for the area have been withdrawn until research can be done on the Old Spanish Trail, which is a Historical Designated Trail.
- Still waiting to get the final structure of the stimulus package

- There will be two RAC groups in the SLV, one will be Saguache County and the rest of the Valley in the other. Handed out applications, (Deadline is June 1, 2009), for nomination for interested individuals, they will be advertising for RAC members. A manager will need to be hired in the future. RAC funds will be used to fund this position.
- San Isabel fuel reduction project has created lots of interest in the biofuels potential. There is several tree diseases active in the forest and the affected areas can be bid on for removal.
- Still waiting on the Park to turn in their management plan before moving forward on the access road.
- La Garita Creek fish project update tabled till next month.
- USFS/BLM is waiting for the Division of Water Resources review of the water plan at Old Cow Town, before the permit for their cattle drive will be issued.

Kim Smoyer – ScSEED director:

- Working in conjunction with DRG to sponsor a contest for a business start up that uses a local product or by product as biomass to produce a product. The winner will get start up capital and professional assistance for their business.

Kimberly Bryant – OEM Quarterly update:

- Bryant is willing to offer advice on Sales Tax Grant and Title III Grant applications which apply to public safety, if the Commissioners are interested. Commissioners agreed that OEM comments would be useful.
- The Public Land/County mutual aide contracts are being signed. Bryant is concerned about the Fish and Wildlife coming into the mix without a fire management plan in place. There is no federal fire fighting equipment within 50 miles and a fire on the Refuge would fall to Baca and Crestone to be first on the scene.
- There are many more projects that need to be done in regards to county emergency, but the current time constraints prohibit Bryant from getting them done. Bryant would like to hire temporary help at various times as long as it stays in the budget and a contract for labor is signed prior to employment. Commissioners agreed on this approach.
- Hwy 114 now has signage to prohibit hazmat on the route, put up by CDOT.
- Land at the entrance of the Baca is full of dead cottonwood, which is a real fire danger. Bryant and Arredondo have attempted to contact the owner, Mr. Ireland.
- Some residents of the Baca Grande are asking for the extra money in the Road and Bridge fund to upgrade the second access road for emergency situations.

Melinda Myers - Saguache County Tourism Council report:

Promotional efforts include

- Valley Coop ad in the Official Colorado Vacation Guide for 2009.
- Purchased enhanced listings for all towns on colorado.com.
- Funded county tourism pages and county map in the Saguache County Business Association Membership Directory 2009.
- Continue to distribute the Saguache County Visitor Guide. Hosting a visitor information table in the courthouse lobby, with maps and brochure.

Valley wide efforts:

- Three SCTC members are also members of the San Luis Valley Tourism Association. Current projects are Valley Recreation Map, Agtourism Conference this fall, continuation of the Historical Area Grant and website.

Event grants:

- The Council made the decision to fully award all the grant requests for the spring cycle, which effectively leaves no money for the fall cycle. The rationale was to stimulate the tourism in the County even if it meant dipping into the fund balance. We will need approval to move funds from the fund balance into the budget for the fall events.

Special Events:

- Hosted Phil Keoghan's ride across America to raise money for MS research when it comes through Saguache.
- Supporting partner to the Saguache Downtown Revitalization Project.

Housekeeping:

- Working on by-laws and mission statement. Placed notices for new member recruitment.

Melinda Myers - Clerk report:

Spearman moved to approve the Liquor License renewal for Tomichi Creek Trading Post. Pace seconded the motion. The vote was three Ayes.

- Tomichi Creek Liquor License renewal.

Spearman moved to approve the Liquor License renewal for La Garita Trading Post. Pace seconded the motion. The vote was three Ayes.

- La Garita Trading Post renewal.

Pace moved to adjourn at 3:40 P.M. Joseph seconded. The vote was three Ayes.

Respectfully Submitted,

Melinda Myers Secretary to the Board of County Commissioners

Minutes Approved April 14, 2009

Chairman of the Board

Attest

Commissioner

Commissioner