

Saguache County Board of Commissioners met in regular session Tuesday, April 14, 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 9:04 A.M.

Under Additions or Deletions to the Agenda:

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

Reading and approval of minutes

Pace moved to approve the minutes of April 7, 2009 as amended. Spearman seconded motion. The vote was three Ayes.

Review of Mail and other correspondence:

1. **James L. and Peggy Curtis** sent a letter concerning the Saguache County Library and how staff and Community have worked together to keep the Library going. They have work hard on funding to keep the library open and to keep it up-to-date with current books and periodicals. And would like the help to keep it going in Saguache. (4/8/09)
2. **State of Colorado Board of Health** sent their Agenda for a meeting to be held on April 15, 2009 at 9am in Denver, Co. (4/8/09)
3. **Rio Grande Water Conservation District** sent the Agenda for their Board of Directors Meeting on April 21, 2009 at 10am in Alamosa, Co. (4/7/09)
4. **State of Colorado Dept. of Public Health** sent the Notice of Meeting & Agenda for the Air Quality Control Commission on April 16, 2009 at 9am in Golden, Co.(4/9/09)
5. **San Luis Valley Water Protection Coalition** sent a letter they would like the Board to send to Rep. John Salazar showing your support for his reintroducing a bill to ensure the proper regulation of Hydraulic Fracturing and water protection. (3/25/09)

Introduction of Guests:

Pace moved to enter into Executive Session at 9:16 A. M. for personnel purposes under CRS 24-6-402(4)(f)(i). Spearman seconded the motion. The vote was three Ayes.

Spearman moved to return to regular session at 9:34 A. M. Pace seconded the motion. The vote was three Ayes.

Commissioners Reports

Sam Pace reported:

- April 10 – Attended the South Central Work Force meeting. There are three open board positions available for Saguache County.
- April 13 – Attended the work session with Colorado Office of Economic Development and International Trade and ScSEED.

Linda Joseph reported:

- April 7 to 9 - Attended the State Emergency Medical & Trauma Advisory Council (SEMTAC) meetings in Denver.
- April 13 - Attended a BOCC work session with representatives of Colorado Office of Economic Development and International Trade and ScSEED.
- Met with Penny Bruce to review financial tracking and reporting questions, in preparation to meet with Co-Administrator Zimmer next week.

Pace moved to create a line item within the Land Use budget for expenses incurred by citizens serving on County appointed Boards. Spearman seconded the motion. The vote was three Ayes.

- Gunnison Sage Grouse Strategic Committee - Joseph was in frequent contact with Jim Cochran the Committee's Director and Elinor Laurie, Saguache County's Alternate representative. A change in the meeting schedule resulted in conflicts making it difficult to attend. Jim has expressed that it is important for us to be at the table, especially in light of the reconsideration of listing the bird. The committee made some changes to the schedule to accommodate our participation in person or by phone. Elinor was able to phone conference into the meeting last week. The role is a full day per month to attend in person or half day a month by phone, plus intermittent sub-committee work. Joseph discussed the issue of covering the expenses involved (mileage and long distance phone), with Co-Administrator Maez.

Mike Spearman:

- April 9 – Attended the SLV water rules and regulation meeting.
- April 13 – Attended the work session with Colorado Office of Economic Development and International Trade and ScSEED.
- April 13 – Attended the SLV Transit Authority meeting and things are moving forward slowly, with a target date of June 1, 2009.
- Visited with CCI about SRS Funding Bill, and got the advice to send a letter to Senator Schwartz. Spearman will work on a draft.
- Would like to get some blank RAC application forms to pass on to prospective citizens.

Lynn Zimmer and Wendi Maez – Co-administrator report:

Pace moved to approve the Conservation Trust request for the Library for \$393.74. Spearman seconded the motion. The vote was three Ayes.

- The Saguache County Library has requested \$393.74 in Conservation Trust funds to pay for heating system repairs. This is an eligible expense for CT funds. This request is an addition to the \$500 given in December to pay for the wall construction.
- Commissioner Joseph has made a request for an expense reimbursement budget for volunteers incurring expenses to serve on Boards on behalf of the County. It is estimated this could amount to \$880 in 2009 for Gunnison Sage Grouse meetings in Gunnison for the County representative. Land Use does not have a line item in the budget for this request but if approval is given an additional line item can be added to the LU budget for this request. We may also want to add some additional funds because if the Sage Grouse is listed on the endangered species list there will be a lot of changes that will need to be done in the LDC.

Pace moved to adopt the new Saguache County Commercial driver drug testing rules. Spearman seconded the motion.

- There are several new laws in effect concerning the Family Medical Leave Act and new DOT drug testing requirements. We need to adopt these new policies soon. The policies have been sent to Attorney Gibbons for his review.
- Veteran's report was signed.
- Certificate of appreciation for Morgan Queal was signed
- The new procedure for use of County vehicles was amended by Road and Bridge to designate a non-smoking vehicle for countywide use, to which the Board took exception to. The Board pointed out that all commonly used county vehicles are non smoking and there should be no smoking in county buildings. Also a reminder that no pets should be transported in county vehicles, with the exception of service animals.

Break

Wendi Maez - Land Use Administrator report:

- Crestone/Baca Planning Commission appointments:

Pace moved to appointment Kairina Danforth as the Town of Crestone representative on the Planning Commission, and Steve Storm as Crestone's Alternate. Spearman seconded the motion. The vote was three Ayes.

- A. Kairina Danforth – Town of Crestone Rep. Ms. Danforth does own property in the Town of Crestone. The property is listed under her real name of Katherine Fuller.

Pace moved to enter into Executive Session at 10:30 A. M. for personnel purposes under CRS 24-6-402(4)(f)(i). Spearman seconded the motion. The vote was three Ayes.

Spearman moved to return to regular session at 10:52 A. M. Pace seconded the motion. The vote was three Ayes.

Pace moved to appoint Jerry Burton as surrounding area alternate, Burt Wadman as the Baca Area member, and Clay Bridgford as the Baca Area alternate to Crestone Baca Planning Commission Board. Spearman seconded the motion. The vote was three Ayes.

- B. Burt Wadman – Baca area. Mr. Wadman owns Grants Lot 1339. Mr. Wadman lives at 936 Spanish Creek Road which he rents and will be building a home on Lot 1339 in the future.
- C. Clay Bridgford – Baca area. Mr. Bridgford owns Grants Lots 288 and resides on Lot 300.
- D. Russell Schriber – Baca area. Mr. Schreiber owns and resides at 4455 Ridgecrest Way.
- E. David Nicholas – Baca area rep. Mr. Nicholas owns and resides at 319 Palisade Court in the Mobile Home Estates.
- F. William Folk – Baca area alternate. Mr. Folk owns and resides at 637 Panorama Way.
- G. Jerry Burton (Jahree) – Surrounding area representative, Mr. Burton owns and resides at Baca Grande Ranchette Lot 7.
- H. Diane Dunlap – BGPOA rep. Ms. Dunlap owns and resides at Chalet One Lot 1640. I will not be able to get a letter from the BGPOA concerning this appointment until Friday April 17th. I have informed the POA that we will hold off on this appointment until April 21st.

Spearman moved to counter offer \$750 per lot on 44 lots to Lazy KV Estates Home Owner Association as is. Joseph seconded the motion. The vote was two Ayes and one Nay.

- Lazy KV Estates Homeowners Assn. has sent a request to purchase 44 LKV lots for \$500 each for a total of \$22,000.
- Received a complaint letter from Terrell Tucker concerning the possibility of Mr. Bernard Quintana's sewage system being within 100 feet of a water way. On April 8, 2009, Maez did a site inspection and determined the system is not within 100 feet of the water-way, 100 feet was measured off and the waterway was past the 100-foot mark.

Pace moved to approved Lot Consolidation for Steven Elliott on Lots 376 and 377, Baca Grande Mobile Home Estates. Spearman seconded the motion. The vote was three Ayes.

- Steven Elliott – Lot Consolidation request for Lots 376 and 377, Mobile Home Estates. Crestone/Baca Planning Commission recommended approval of this request at their regular meeting on April 8, 2009.

Pace moved to approved Lot Consolidation for M.C.Russi on Lots 1053 and 1054C, Baca Grande Grants Unit One. Spearman seconded the motion. The vote was three Ayes.

- M.C. Russi – Lot Consolidation request for Lots 1053 and 1054C, Baca Grande Grants Unit One. Crestone/Baca Planning Commission recommended approval of this request at their regular meeting on April 8, 2009.

Pace moved to approved Lot Consolidation for M.C.Russi on Lots 1051 and 1052, Baca Grande Grants Unit One. Spearman seconded the motion. The vote was three Ayes.

- M.C. Russi – Lot Consolidation request for Lots 1051 and 1052, Baca Grande Grants Unit One. Crestone/Baca Planning Commission recommended approval of this request at their regular meeting on April 8, 2009.

Ben Gibbons - County Attorney report:

- Still working on the response to the Co. Rd. LL56 issue.
- Conducting research on Land Use enforcement and will report on proper procedure.
- Working on WSB Commuter Services contract.
- Working with Assessor Stephens to determine the percentage of PILT due Baca Grande Water and Sanitation District on the Baca lot owned by the National Park.

Joseph moved to convene as the Housing Board at 11:35 A.M. Pace seconded the motion. The vote was three Ayes.

Chella Coleman - Housing Director – Monthly report

Pace moved to adjourn the Housing Board and return to regular meeting at 12:10 A.M. Joseph seconded. The vote was three Ayes.

Adjourned for Lunch at 12:10 P. M

Resumed meeting at 1:07 P. M.

Title III funding discussion:

- Title III funding requests were discussed as to how to use the funds received prior to 2009 and the 2009 funds.

The Solar Facility regulation discussion has been rescheduled to Wednesday, April 21, 2009.

Pace moved to enter into Executive Session at: 1:30P. M. for personnel purposes under CRS 24-6-402(4)(f)(i) and for legal purposes under CRS 24-6-402 (4)(b). Spearman seconded the motion. The vote was three Ayes.

Executive Session – Department Head Evaluation Discussion – BOCC only

Pace moved to return to regular session at 4:30 P. M. Spearman seconded the motion. The vote was three Ayes.

Pace moved to adjourn at 4:30 P.M. Spearman seconded the motion. The vote was three Ayes.

Respectfully Submitted,

Melinda Myers Secretary to the Board of County Commissioners

Minutes Approved April 21, 2009

Chairman of the Board

Attest

Commissioner

Commissioner