

Saguache County Board of Commissioners met in regular session Tuesday, November 10, 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.

Additions or Deletions to the Agenda.

1. Lazy KV Homeowners will not be here.
2. Discussion of sales tax as it applies to cell phones under Attorney time.

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

Reading and approval of minutes of November 3, 2009.

Pace moved to approve the minutes of November 3, 2009 as amended. Spearman seconded motion. The vote was two Ayes.

Review of Mail and other correspondence:

1. Tessera Solar c/o Ecosphere Environmental Services sent the San Luis Valley Solar Project November 2009 Fact Sheet No. 2 newsletter. (11/4/09)
2. The United States Department of the Interior sent a Notice of Decision involving a proposed land exchange between the Bureau of Land Management and the Colorado State Board of Land Commissioners. The exchange will transfer title to all of the State Land Board's land and mineral interests within the Great Sand Dunes National Park and the Baca National Wildlife Refuge boundaries to the United States, to be managed by the Park or Refuge, respectively. (11/6/09)
3. **Daniel S. Johnson** sent an October 2009 report for the Saguache County Fire Mitigation Program. (11/05/09)
4. **Lisa Cyriacks** sent information in regards to Gunnison County filing a request for COGCC. (11/4/09)

Introduction of Guests: Matie Belle Lakish – Crestone Eagle; Lisa Cyriacks – SLVCA; Jason Davidson – Town of Moffat; Virginia Sutherland; Jeannie & Larry Ewing; May Engquist; and Teresa Benns – Center Post Dispatch.

Commissioners Reports:

Sam Pace reported:

- November 6 - Attended Board of Human Services meeting in Denver.
- November 9 - Attended the Saguache County Prevention Partners meeting in Saguache.

- Made calls to Engineering/planning groups about RFP's for 1041 assistance.
- Reviewed the Sales Tax Grant applications.

Mike Spearman:

- Reviewed Sales Tax Grants
- Reviewed 1041 Regulations and solar installation application.
- Intervalley Transit Authority meeting was attended by Jennie Norris and she will report to Spearman.
- Continue to keep tabs on the water issues.

Linda Joseph:

- Reviewed Sales Tax Grant applications.
- Spent time on activities associated with implementing Public Health grant applications.
- Completion of the OEM State grant process for new OEM; and
- Reviewed procedures for updating Library financial records and clarifying the grant money.
- Forwarded various correspondences that came in, and updated the list of follow-up items, to be reviewed at the meeting today.

Lyn Zimmer – Co-administrator report:

- Veteran's report from Tom Blunt was signed.
- Discussion on Library, a total of \$56,500 has been transferred from General Fund into the Library Fund. Only \$44,531 had been budgeted. Currently there is only about \$392 in the Library Fund. The board will need to decide how they want to proceed and how much of a transfer you want to do to keep the library in a positive number. At the end of October, Library was at 92% of expenditures. They are \$750 in account payable items as of Friday to be paid for the month of November. That is not counting payroll, etc. A total of \$1,543 has been billed to the Daniel's Grant.
- Maintenance budget for capital outlay was discussed last week. The board wanted a breakdown of tools that was being requested. Zimmer spoke with Pete Garcia and the following is the breakdown for request of 2009. There is a balance of \$8600 on his maintenance capital outlay line item. He would like to request permission to trim some trees now @ \$3000. If we do not do this now, then it will have to wait until spring. A new vacuum, \$700, a lawn tractor \$3500 then an air purifier, carpet fan, etc. for \$1400. This will total \$8600. One service call to nursing to take care of the carpet issue was \$600. Board approved the expenditures.

Break

Wendi Maez - Land Use Administrator:

- RFP's for 1041 – we received 3 RFP's for the possible 1041 consultant.
 1. Russell Planning and Engineering, Nancy Lauro – Maez has spoken with Nancy Lauro several times and was impressed with her resume. They did not give an estimate or amount for the review and consultant fee. Hopefully have a figure for your review before the meeting.
 2. Sugnet & Moore Environmental, Inc., Ivan Messinger – good experience and Maez was also impressed with this firm. The scope of services is about \$24,935.

3. Banks and Gesso, LLC, Gary Tuttle – this is the firm that came in and met with the Board a few weeks ago. Maez felt really good with this gentleman, he answered all of the questions and concerns. This bid is for \$22,500 with a breakdown of each task.

Maez would like to have some assistance with at least the first 1041 permit we review. We can get through the process without a consultant but as the Board needs to review and discuss thoughts, questions and concerns for the first application. The statutes and our regulations allow for consultant fees to be charged back to the applicant. When Maez discussed the possibility of a consultant and fees with the current applicant they felt that would be a good thing for all concerned and did not have problem paying the fees.

Board decided to hire a consulting firm only for specific tasks as needed, rather than as an annual package. The County BOCC and Land Use office will determine if the preliminary application is complete. BOCC and Planning Commission can hold a public information meeting. Consultants may be retained to assist with the application review and report. Amendments to 1041 regulations are needed to rectify differing timelines.

- Tessera Solar – 1041 permit request – we are at the preliminary stage of this permit. Fees will also need to be determined for the permit. Attorney Gibbons will draft a letter to Tessera Solar for the Land Use office to send, outlining procedures. Maez has read through the permit and it seems to be in order. There remain some questions, about water usage and availability of the Division of Water Resources to comment, when the permit is deemed complete. Board discussed the need to have the application reviewed by an outside firm or do it themselves and calling in experts only when needed.
- We have received a letter of concern/question from Chris Anderson, property owner in the Mobile Home Estates concerning the variance approval of Crestone Community Housing. Mr. Anderson is questioning the foundation of the mobile home, and would like for the mobile home rules to be applied to “ALL equally and without exception.” Maez had Wes Moores (who is a certified foundation inspector trained by the State of Colorado to inspect foundations on double wide mobile homes) go out and inspect the foundation that was used for this mobile home and he has approved what was installed. The foundation that was installed is a new foundation called “Permanent Wood Foundation” or SIP (Structural Insulated Panel) foundation. Copies of Moores’ report will be available for your review during the meeting.

Dr. Arnett – Saguache Clinic report:

- Wants to be open three days per week, if a Nurse Practitioner can be found.
- Clinic needs some additional renovation. Move one of the restrooms and upgrade the nurse’s station. He would want to write a grant for the remodeling the building to the Rural Health Project. A conversation is needed with the Hazard Trust to see if renovations to the building are acceptable. And questions were raised about whether the building would be considered for sale and, whether an assessment is needed to confirm if the building is sound for renovating.
- Clinic concept:
 1. Having supplemental services in addition to general medical helps bring in more business and serves the community better.
 2. Would like to do more marketing for additional services such as dental. Will contact the dental hygienist who recently discontinued, offering marketing assistance and referrals.

3. Would like to change the signage to include the services available such as Physicians, Dental Hygienist, Physical Therapist or a Podiatrist.
- Pharmacy Services- considering an in-house pharmacy which would only serve the patients of the clinic, for limited interim prescriptions.

Adjourned for Lunch at 12:00 P. M.

Resumed meeting at 1:00 P. M.

Carla Willshau with Wall, Smith & Bateman Audit RFP

- Feels they can have the audit completed by July.
- Gives feedback to Departments on things that need to be improved upon.
- Feels that continuity of auditors enhances accounting practices.

Ben Gibbons – Attorney report:

- Board approved the letter Gibbons drafted for the Land Use office to send out to Tessera Solar in response to their application and notifying them of the fees assessment process and a possible public meeting.

Pace moved to sign onto the Gunnison County Amicus Brief. Joseph seconded the motion. The vote was two Ayes and one Nay.

- Gunnison County is sending an Amicus Brief regarding citizen groups participating directly in the Oil & Gas Commission permitting issues. The Board directed Gibbons for Saguache County to sign on the County's behalf.
- Cell phone sales taxes are being collected and sent to Rio Grande from Saguache County residents with Del Norte addresses. Baca residents are paying Town of Crestone sales tax due to the method of billing Verizon Wireless and Alltel use, which is tied to zip codes. Gibbons will send a letter to Verizon Wireless and Alltel to rectify the issue.
- Arredondo will email the Superintendents to verify the amounts for the Secure Rural School Funding split, before the article is released for publication.

Pace moved to adjourn at 2:20 P.M. Spearman seconded the motion. The vote was three Ayes.

Commissioners continued in work session to review Sales Tax Grant applications.

Respectfully Submitted,

Melinda Myers Secretary to the Board of County Commissioners

Minutes Approved November 17, 2009

Chairman of the Board

Attest

Commissioner

Commissioner