

Saguache County Board of Commissioners met in regular session Tuesday, November 17, 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 9:00 A.M.

Additions or Deletions to the Agenda.

1. Schedule budget workshop for Tuesday, Nov. 24, 2009 - 2:00 P.M.
2. Schedule a site visit for the Tessera Solar Facility at 1:00 p.m. Tuesday, Nov 24, 2009.

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

Reading and approval of minutes of November 10, 2009.

Pace moved to approve the minutes of November 10, 2009. Spearman seconded motion. The vote was two Ayes.

Review of Mail and other correspondence:

1. Tessera Solar Energy Systems sent a notice about the Solar Project that was discussed at the August meeting. They will be hosting a second public meeting at the Saguache County Community Building on Tuesday, November 24,09 from 4-7pm. (11/10/09)
2. The Public Alliance of Colorado sent a newsletter on Improving Public Health in Colorado there will be a workshop held on November 30, 09 1:30pm-4:30pm Crown Plaza Hotel Salon A 2886 S Circle Colorado Springs, Co 80906. (11/12/09)
3. State of Colorado Public Health sent the Agenda for the Colorado Board of Health on November 18, 09 9:30am at 4300 Cherry Cree Drive, Denver Co. 80246. (11/12/09)
4. James Barr sent a letter asking for a request of information on the Official Seal and Flag for the County of Saguache. (11/12/09)
5. USDA Rio Grande Forest Service sent a letter to announce that Baca Mountain. Tract & Camino Chamisa Project have no significant impact. See website for further information. <http://www.fs.fed.us/r2/riogrande/projects> . (11/17/09) With the plan done, the Park Service can get the funds to build the parking lot.

Introduction of Guests: Matie Belle Lakish – Crestone Eagle; David Nicholas, Michael Firson, John Murray & Donna Peizer – HIU; Jeff Robbins -HIU Attorney; Russell Schreiber, Ardis Thomas, Martin Macaulay & Bon Dellegar – HIU neighbors; Gloria Gutierrez – US Senator Mark Udall rep; J.W. Burton – CBPC; Joseph Liberti; Tom Blunt – Veteran’s Service Officer; Fred Paulson – Sub-District #1;

Ray Wright, Randall Palmgren & Steve Vandiver – Rio Grande Water Conservation District; and Deb Sarason & Allen Davey – Davis Engineering.

Commissioners Reports:

Sam Pace reported:

- November 11 - Attended Governors Climate Action Plan Advisory Panel meeting in Denver.
- November 13 - Attended Steering committee meetings at CCI.
- November 16 – Attended a meeting in Alamosa, hosted by the State Economic Development and Export Department to introduce Don Marostica the new Director.
- Calls from 1041 RFPs

Mike Spearman:

- November 10 - PUC hearing regarding Transmission Lines
- November 12- Dropped in and testified at the Wildlife Commissions meeting in Alamosa - ask questions regarding La Garita Creek –didn't know answer – had response within the hour.!!
- Newspaper headlines about the Baca Mountain Tract EA being finished.
- November 16 - Attended DRG meeting--/in Alamosa luncheon with the new Executive Director of the CO office of Economic Development, Don Marostica.
- Also visited with other Commissioners about the status of the ITA - Jim Berg, Social Services director of Rio Grande and Mineral County, has been dismissed.
- Was notified by Road & Bridge Supervisor he would be applying for a grant to repair runway at Leach Field.
- Numerous calls triggered by George Whitten spotting cement trucks on County Road T.

Linda Joseph:

- Focused this week on completing review of 60 SEMTAC grant applications, which will be scored during teleconferences this Wednesday and Thursday. Awards will be announced in mid-December, including for the County Office of Emergency Management, and Center Ambulance.

Lyn Zimmer and Wendi Maez – Co-administrator report:

Request from Moffat School to extend their Conservation Trust grant for \$10,000 for 12 months. Board agreed to hold the money over to next year.

Spearman moved to hire Wall Smith & Bateman as the County Auditors for 2010. Pace seconded the motion. The vote was three Ayes.

- Wall Smith & Bateman called to inquire if the Board had made a choice of auditors.
- Library budget – Zimmer and Bruce meet on Thursday, November 12th to review expenses. Journal entries were made to move some expenditures from general line items to the Daniels Grant. Bruce is tracking the in-kind services for all grants. The shortage of funds is due to the budgeted grant amounts that were not received but expenses have been incurred. Therefore this has caused a budget shortfall. Joseph requested completion of the income side actuals for 2009 to date.
- Sales Tax Grants were discussed; final decisions were postponed to later in the meeting.

Break

Wendi Maez - Land Use Administrator:

Pace moved to deny the request for a change in the HIU Conditional Use Permit. Spearman seconded the motion. The vote was three Ayes.

- Humanity In Unity 6 month review – A letter was forwarded to the Board that was received from Jeff Robbins, HIU attorney last week, and a letter received from Vinnie Terres, adjoining landowner. Received three complaint letters from Ms. Terres and one from Russell Schreiber (8/27/09). Gave anyone that requested the name of HIU’s contact person for the complaints. Complaints are to be given to HIU first, and only sent to Land Use if need be. HIU reported on each program they had after each program was held, and Maez received several complaints. HIU is trying very hard to stay compliant with the resolution approved in June. Attention is needed to better implement traffic plan, which is the main source of complaints (speed, dust, use of approved routes). HIU can schedule additional events using venues established in the community for these purposes, or apply for a special event permit for extra events.
- Have received a letter from Dan Dallas with USFS concerning the final “Baca Mountain Tract and Camino Chamisa Project” EA. EA and FONSI are available to review at <http://www.fs.fed.us/r2/riogrande/projects>. Mr. Dallas has made the decision to implement Alternative 2, with one modification to build the South Parking Area rather than the Middle Parking Area proposed in Alternative 2.
- Maez met with the Lazy KV Homeowners Association to get the name correct on their deed.
- Review FS/BLM MOU Cooperating Agency for Solar Development. Gibbons reviewed and made some changes.

Ben Gibbons - County Attorney

- Discussion on Tessera Solar 1041 application – Gibbons will draft a letter to Tessera to set a Cost Recovery account for the application, and a waiver of the 30 day deadline and set it at 60 days.

Mike Norris – Sheriff

- Nothing to report on and Commissioners had no questions for him.

Adjourned for Lunch at 12:00 P. M.

Resumed meeting at 1:00 P. M.

Randal Arredondo - Supervisor Road & Bridge and Land fill report

- Wrote a grant for resurfacing the airport runway at Leach Field, Road & Bridge will pay the matching portion of \$50,000. Board approved the expenditure.
- Expressed concern with C-DOT regarding the reduced hours of snow removal this winter of no plowing 7p.m. to 5p.m. Arredondo suggested the Board write a letter.

- Received an email from Andrew Archuleta on the funds for the Camino Chamisa Road, which need to be transferred to a Federal Agency. Art Hutchinson is following up on this through the National Park Service.
- Mr. Joseph Liberti came in to request the County add the section of east section of Road AA near CR65 to the list of maintained county roads. Arredondo advised against it, as it would set precedence for unmaintained county road all over.

Pace moved to enter into Executive Session at 1:25 P. M. for legal purposes under CRS 24-6-402(4)(f)(i). Spearman seconded the motion. The vote was three Ayes.

Pace moved to return to regular session at 1:46 P. M. Spearman seconded the motion. The vote was three Ayes.

Jeannie Norris - Director Board of Human Services

- There were 14 active TANF cases during the month of September, with 5 cases pending and 7 child only cases. Food assistance cases rose to 445, up from the prior case count of 435. There were 30 aid-to-the-needy-disabled cases, and old age pension cases decreased by 1 to 108. The AND program has been reinstated by Gov. Ritter.
- The CHEERS training center had 8 TANF clients, and 3 adult basic education students. The center is closed temporarily due to a break-in during the weekend. Computer equipment was damaged and the facility ransacked. Center Police Dept. are investigating.
- The Child and Adult Protection Unit report 14 referrals during September, all of whom were accepted for investigation. There were 17 children in placement, 11 dependency and neglect cases in progress, and 182 children in open cases.
- The Administrative Review Division from the State Department has commended Caseworker Heather Yowell for her timeliness and thoroughness with case compliance. This is a valued recognition, and greatly prized.
- The Governor indicates that there will not be legislation in 2010 for the two recommendations from the Child Welfare Action Committee calling for a centralized call center for child protection referrals, and centralized State control of all county human resources offices.
- IV-D monthly collections for September were up sharply, with \$42,894.97 for the month, compared to \$33,551.37 for the same period in 2008. Year-to-date collections are holding steady, having increased by \$350.00 to \$366,408.61.
- The Prevention Partners Coalition has received the video, and we have copies available for civic organizations or school functions which would benefit from the 11 minute production. Any of the coalition members would be happy to speak to groups if needed in order to further our mission or preventing underage drinking and drug use.
- Saguache County now has the highest rate of child poverty in the State of Colorado, having surpassed Costilla County.
- Commodity distribution has been scheduled for the last three days of this week, and Vivian Jones has a shipment of turkeys arriving on Monday to insure a plentiful

Thanksgiving dinner for everyone. During the month of September, 181 households were served with 427 individuals residing in those homes.

Rick Vasagoitia - Colo. Division of Wildlife Area Manager:

- Deer and Elk population in Saguache County – DAU for Game Units 76, 791, 79 and 82.
- Board agreed with the CDOW to take the proposed middle options to manage the populations.

Tom Blunt – Veteran’s Officer

- Brought photos of the dedication Memorial at the Hillside Cemetery. Memorials have been ordered for the La Garita, Crestone and Chicago cemeteries.

Break

Pace moved to convene as the Housing Board at 2:50 P.M. Spearman seconded. The vote was three Ayes.

Chella Ward - Saguache County Housing Director

Spearman moved to adjourn the Housing Board and return to regular meeting at 3:20 P.M. Pace seconded. The vote was three Ayes.

Steve Vandiver - Rio Grande Water Conservation District:

- Discussion of water users fees for the new Sub-district. They are concerned about the letter from the Board regarding the user fees which will be collected by the County, which was presented to Judge Keenhold during the water law trial.
- Vandiver explained that the Sub-District will do the research and set the assessed fees per parcel and pass the information along to the Assessor and Treasurer. When the Sub-District gets going and starts charging per acre feet of water, they can then pass some of those funds to the County.
- Spearman asked about any disputes on the fees, where do property owners take their grievances? Vandiver explained that these processes need to be worked out and they plan on handling all issues with protests.
- The Board repeated its request to receive minutes of the RGWCD, and periodic reports during BOCC meetings, at least annually.

Pace moved to find the Preliminary application from Tessera Solar complete and send a notification. Spearman seconded the motion. The vote was three Ayes.

The Board will hold a Community meeting regarding this application, on December 11, 2009 at 5 – 7 P.M.

Pace moved to retain Russell Planning and Engineering to assist Saguache County in completing the written report on the Tessera Solar Preliminary Application. Joseph seconded the motion. The vote was three Ayes.

Quarterly revenue and expense review was postponed.

Sales Tax Grants:

Pace moved to approve the Fall 2009 Sales Tax Grants for Renewable Energy / Business and job creation, as follows: ScSEED, Saguache Downtown Restoration project - \$7,000; SLV Small Business Development Center - \$1,500; ScSEED, Energy Efficient Downtown Saguache -\$3,730; ScSEED, local currency project -\$3,730; SLV Development Resources Group, community program facilitation - \$3,500; CITV Youth Group, equipment for Youth program -\$4,500; and the SLV Energy Fair & ScSEED, grow the Fair into a Valley-wide event -\$4,000 for a total of \$27,730. Spearman seconded the motion. The vote was three Ayes.

Pace moved to approve the Fall 2009 Sales Tax Grants for Youth and Seniors projects as follows: Mountain Valley School, Diversity Conference for high school -\$5,000; Tri County Senior Citizens, provide transportation -\$2,000; Crestone Children's Cooperative, continue services for Crestone families with children under 5 - \$800; Saguache County Road & Bridge, summer youth jobs -\$8,000; Crestone Performances, bring high quality, cultural music programs to youth and community -\$2,000; Center Consolidated Schools, equipment for Vikings Mentoring Program - \$5,000; Saguache Recreation Board, continue concerts, peewee sports and film programs -\$2,000; Crestone Youth Plaza, summer day camp -\$4,000; Crestone youth Plaza, after school program for girls -\$4,000; Saguache County Library – salary of part-time staff - \$8,000 and Center Conservation District, educational outreach programs - \$5,000 for a total of \$45,800. Spearman seconded the motion. The vote was three Ayes.

Pace moved to approve the Fall 2009 Sales Tax Grants for Emergency Services, Public Health and Safety as follows: Saguache County Office of Emergency Management, supplement the position salary, equipment and hazard mitigation contract -\$7,612; Saguache County Public Health, food bank -\$5,000; Saguache County Public Health, supplies for Wellness Center - \$3,615; Center Police Department, taser guns for officers -\$4,844; and Saguache County Public Health, purchase AEDs -\$6,400 for a total of \$33,471. Spearman seconded the motion. The vote was three Ayes.

Board discussed and made final decisions on the three categories of sales tax grants.

Bill Paying

Pace moved to adjourn at 5:15 P.M. Spearman seconded the motion. The vote was three Ayes.

Respectfully Submitted,

Melinda Myers Secretary to the Board of County Commissioners

Minutes Approved December 8, 2009

Chairman of the Board

Attest

Commissioner

Commissioner