

Saguache County Board of Commissioners met in regular session Tuesday, April 6, 2010 with the following present:

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

Meeting called to order by Chair Pace at 9:03 A.M.

**Additions or Deletions to the Agenda.**

1. OEM Title III funding request at 2:45

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

**Reading and approval of minutes of March 16, 2010.**

**Joseph moved to approve the minutes of March 16, 2010 as amended. Spearman seconded motion. The vote was three Ayes.**

**Review of Mail and other correspondence:**

1. **Rio Grande Water Conservation District** sent the March 2010 Ground Water Table Measurements. (3/16/10)
2. **Center Head Start** sent information requesting comments on a proposed USDA Grant. (3/16/10)
3. **Robert Maez** sent a letter asking if the BOCC would like for him to continue the care of the lawn and weeds at the Center Haskin Medical Building for the 2010 summer. (3/18/10)
4. **Warren Stephen** sent a letter informing the BOCC of the possibility of the formation of a Fire District within the Baca/Crestone area. (3/22/10)
5. **USDA Forest Service** sent a letter informing Saguache County of some changes on road maintenance on National Forest System, roads of Grand Mesa, Uncompahgre & Gunnison National Forest. (3/29/10)
6. **Colorado Local Technical Assistance** sent the Spring, March 2010 Newsletter. (3/29/10)
7. **Friends of the Library** sent a letter from their Attorney to explain the request for the BOCC's consideration of a resolution to form the Northern Saguache County Library District. (3/29/10)
8. **Rio Grande Water Conservation District** sent notice of the next regular Board of Directors meeting on April 20 @ 10am at the Bureau of Reclamation Building. (4/1/10)

9. **Western State College of Colorado** sent the 35<sup>th</sup> Annual Colorado Water Workshop in Gunnison on July 21, 22 & 23 in Gunnison. (4/1/10)
10. **Mike Smith with Colorado Counties** sent Sam & Linda a thank you card for meeting with him on March 30. (4/5/10)
11. **Rio Grande Water Conservation District** sent the Draft-Agenda for the Board of Directors Meeting on April 20 @10am. (4/5/10)

**Introduction of Guests:** Matie Belle Lakish – Crestone Eagle; Steve Carlson; Jeff Shook; Henry Jackson- Viaero Wireless; Chad Wigham – HRW Rev Liv Trust; Steve Vandiver, David Graham and George Whitten – RGWCD.

### **Commissioners Reports:**

#### **Mike Spearman** reported:

- March 17 - Attended the joint meeting of the Planning Commissions and County Commissioners and Land Use Dept.
- March 22 - Attended DRG meeting in Alamosa.
- March 24 & 25 - Attended Extension Energy Seminar
- March 29 & 30 - Attended Fort Collins CSU Extension Advisory Committee
- April 2 - Attended Avengola Solar meeting at DRG, representatives from Saguache, Alamosa, and Rio Grande counties.
- Many phone calls and visits regarding the appointment to RGWCD.
- Old Spanish Trail – Suzie Off –meeting next Tuesday night
- Contacted the Dept of Ag about the cull potato problem around Center.

#### **Sam Pace** reported:

- March 17 - Attended the Planning commission and BOC annual joint meeting and dinner
- March 18 - Attended South Central Colorado Seniors
- March 19 - Attended CCI steering committee in Denver.
- March 25 - Tessera Maricopa site visit
- March 30 - Met with Michael Smith of Colorado Counties, Inc and Commissioner Joseph to discuss County issues and CCI services.

#### **Linda Joseph:**

- March 17 - Met with Emergency Manager Jim Felmler, Co-Administrator Zimmer, and grant writer Cindy Cleary to finalize procedures for OEM grant accounting, management and reporting.
- March 17 - Attended the joint meeting of the Planning Commissions and County Commissioners and Land Use Dept.
- March 18 - Participated on a teleconference about the formation of a CO Assoc. of Local Boards of Health (CALBOH). Commissioners Joseph and Crestima Martinez of Costilla County will be presenting this opportunity at the next SLV County Commissioners Assoc. (SLVCCA) meeting, encouraging Counties to join. Annual dues are \$70 per government entity or \$25 for an individual to join.
- March 18 - Participated in the SLV RETAC (Regional Emergency & Trauma Advisory Council) review of Valley grant applications to the State. Applications from Saguache

County including the County's OEM, Baca Ambulance, Center Fire & Ambulance and Northern Saguache Ambulance. Most received favorable reviews.

- March 25 - Attended the Planning Commission Hearing for public comment on the revised draft Master Plan.
- March 25 - emailed the Board a packet from Penny Bruce, regarding the studies and tasks completed for the Library District effort, including a sample resolution and information on the Board's options, when we meet with the proponents April 20.
- March 27 - Visited the Saguache Community Garden and had a tour and heard of plans for the 2010 garden season.
- March 27 - Attended the theatrical performance at the Ute Theater in Saguache.
- March 29 - Attended the SLV CCA meeting in Alamosa. Follow-up items: decision on CALBOH membership, and a letter of support for the Pike's Historical Trail project.
- March 29- There will be a Council of Governments formation Retreat on Monday April 26 at 9am. Draft Articles, Bylaws and financial projections were provided.
- March 29 - A subgroup from Alamosa, Costilla and Joseph for Saguache County met after the regular meeting for clarification of whether the three County start-up of bus transit is good to go. It was agreed to proceed; RFPs will go out soon and the projected start date for services is July 1, 2010.
- March 30 - Met with Michael Smith of Colorado Counties, Inc and Commissioner Pace to discuss County issues and CCI services.
- March 30 - Corresponded with legislators regarding the BLM decisions effecting counties' PILT payments.
- Received email from Sharon Carr with concerns about Bonanza Road.
- Have received numerous emails from citizens with comments and complaints on the draft master plan and Planning Commission.

**Wendi Maez & Lyn Zimmer** – Co-administrator report:

- Received a request from Saguache County Museum for Conservation Trust funds to replace fence at the Hazard House. Administration will inform the Museum Board the all the funds are currently appropriated and when new funds are receive their request will be considered.
- Received a check from CAPP (CTSI) for the repair to the nursing facility in Center in the amount of \$21,000. The write up of the inspection from John Wagner was presented and reviewed. As the Building was reported to be sound, the Board approved the repairs.
- The administrators met with Lucia Smead from the State CSBG (Community Service Block Grant) as well as several Board members on March 31, 2010 to go over the plans of the SLVCAA (SLV Community Action Agency) for the future. There will be a special board meeting on April 8 to begin the process of hiring a new executive director as well as go over the by laws to tighten them up. The administrators brought home some work to help Conejos County out so that we can make sure everything is covered and all back up is available for audit purposes.
- The administrators attended training in Canon City to be updated on Social Services on March 30. Several county administrators, commissioners and directors attended.
- Assessor Stephens, Treasurer Trujillo, Maez and Zimmer attended a meeting with Deb Downs and the staff from Pueblo County to go over the plans of the new system,

Saguache plans to stay with the new systems, some other assessors and treasurers will be going back with ACS.

- Rio Grande Water Conservation District Board of Director appointment: David Graham who had been the Saguache County rep on this board resigned, but with the death of the chairman of the board has asked to be reinstated. Also received a letter requesting appointment to the board by Kent Palmgren

Break

**Wendi Maez** - Land Use report:

**Joseph moved to approve the Subdivision Exemption request for Helen R. Wigham Revocable Living Trust on the NE1/4 33-41-7. Spearman seconded the motion. The vote was three Ayes.**

- Helen R. Wigham Revocable Living Trust – Subdivision Exemption request to divide 2 sprinkler quarter corners from the original quarter containing approximately 157 acres. Tract one will contain 145.69 acres, Tract 2 will contain 5.08 acres and Tract 3 will contain 5.00 acres. The reason for this request is to be able to sell the sprinkler quarter in order to provide financial support to the children’s mother that is in a nursing home. A durable POA is on file with the Land Use office giving Rebecca Conklin POA for the property. Conklin has signed an authorization form giving Chad Wigham authorization to represent at meetings. Access to property is located off of County Roads B & 44, Electricity – SLVREC, Telephone – CenturyLink, Water – Well # 277449, Sewage – Approved sewage systems on property, Present Use – Residential/Ag, Future Use – Residential/Ag.  
SCPC recommended approval as presented – vote: 6 ayes 1 nay.

**Joseph moved to approve the Subdivision Exemption request for Sam Investments, Inc on the NW1/4 18-41-9. Spearman seconded the motion. The vote was three Ayes.**

- Sam Investments, Inc. – Subdivision Exemption request – to divide a parcel containing 19.71 acres into 2 tracts. Tract 4 to contain 5.268 acres and Tract 5 to contain 13.095 acres. SCPC recommended approval of this request with the following conditions: 5.268 acre must be rejoined with the sprinkler quarter when title is transferred, 5.268 acre tract may not remain as an individual tract.

**Joseph moved to approve the consolidation for Ernest M. and Virginia K. Myers on the NE1/4 8-41-9. Spearman seconded the motion. The vote was three Ayes.**

- Ernest M. and Virginia K. Myers – Consolidation request to consolidate a tract of land to create Tract 1 containing 7.905 acres, Tract 2 containing .0347 acres and Tract 5 containing 131.354 acres. SCPC recommended approval of this request as presented.

**Joseph moved to approve the Subdivision Exemption request for Sam Investments, Inc on the E1/2NE1/4NE1/4 8-41-9. Spearman seconded the motion. The vote was three Ayes.**

- Sam Investments, Inc. – Subdivision Exemption request – to divide a tract of land containing 161.673 acres into 2 tracts. Tract 1 to contain 10.064 acres and Tract 2 to contain 151.609 acres. SCPC recommended approval of this request as presented with the following vote: 6 ayes/1 nay.

**Joseph moved to approve the Conditional Use Request for Eric Ellithorpe/Viaero Wireless on with the stipulation that the Emergency/ Law Enforcement can locate their equipment on the tower at no charge. Spearman seconded the motion. The vote was three Ayes.**

- Eric Ellithorpe/Viaero Wireless – Conditional Use request (subdivision exemption request to follow if CUP is given recommendation of approval) for the construction of a 195ft. cell phone tower. This request is for the construction of a cell phone tower on property that adjoins the Town of Center to the north. At this time I have not received any comments from the Town of Center. Access to property is located off of County Road 49, Electricity – SLVREC, Telephone – N/A, Water – not needed, Sewage – not needed. SCPC recommended approval with the following condition: the EMS/Law Enforcement equipment and availability located on tower.

**Joseph moved to approve the Subdivision Exemption request for Eric Ellithorpe on . Spearman seconded the motion. The vote was three Ayes.**

- Eric Ellithorpe – Subdivision Exemption request – SEE #2 for legal description SCPC recommended approval with the following condition: access to tower much be shown clearly on plat and must show width of access. Any easements document must show width of access.
- Leigh Mills, alternate to on the SCPC has resigned and the SCPC made a motion to accept her resignation. Mills also presented a proposal to do a re-write of the MP to include information that she has gained through the years of helping with the MP forums. The SCPC decided not to accept her proposal, that she present her re-write as a citizen.

**Ben Gibbons - County Attorney**

**Joseph moved to enter into Executive Session at 11:23 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: 43 A. M. Joseph seconded the motion. The vote was three Ayes.**

- Attorney Gibbons has researched the statutes regarding Public Health providing a Public Health Officer to small municipalities. He has discovered that the towns would be responsible to reimburse the County for the costs, which would be worked out in an IGA. The Board will let any action be initiated by the towns.

Adjourned for Lunch at 12:00 P. M.

Resumed meeting at 1:00 P. M.

**Randal Arredondo** - Supervisor Road & Bridge and Landfill Report:

- Sky View Way in the Baca was scheduled to have overlay this year, but BGW&S will be putting a line through, so that road overlay will be rescheduled until next year.

**Joseph moved to waive the Nepotism Policy for Road and Bridge in this case. Spearman seconded the motion. The vote was three Ayes.**

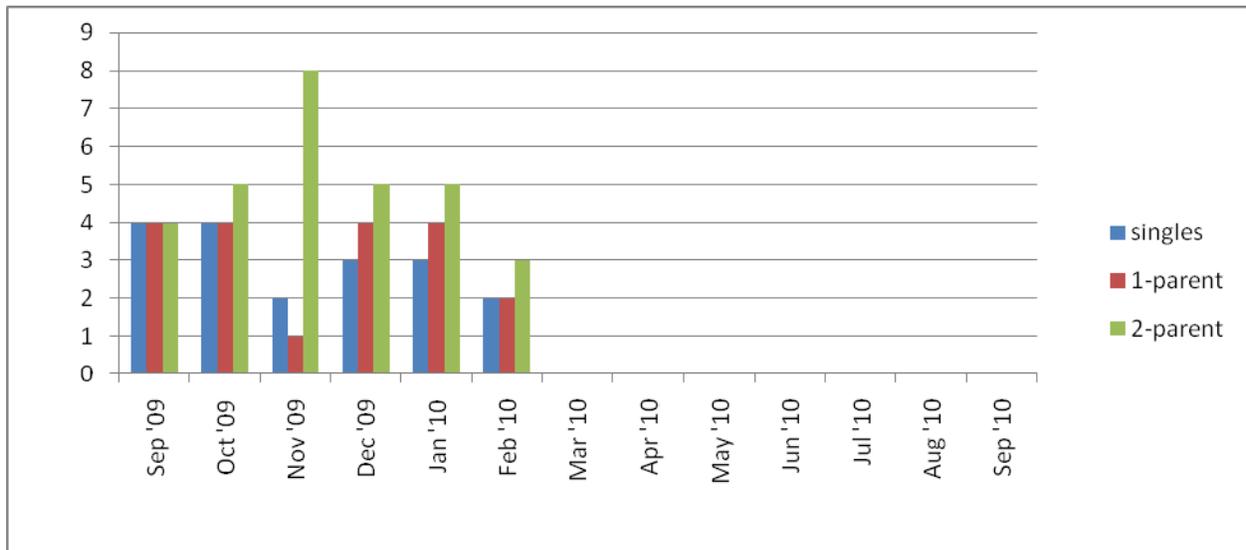
- Arredondo presented a request to waive the nepotism policy in one case in his office.
- Will be coordinating with the Old Spanish Trail Committee to place signs for the Trail in Saguache County.
- Working on getting the signage for drainages and creeks on the roads.

**Joseph moved to convene as the Board of Health. Spearman seconded the motion. The vote was three Ayes.**

**Della Vieira** – Director Saguache County Board of Health:

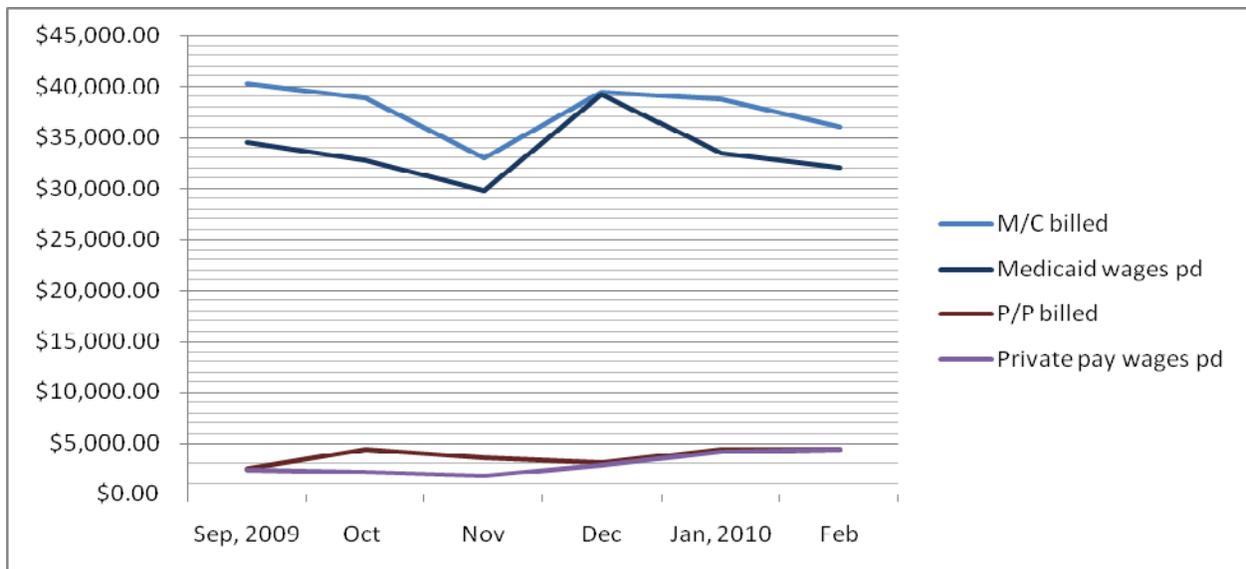
- CTSI review of soundness of Center Office/Clinic indicated that none of the needed repairs was so extensive as to warrant condemnation of the structure. Pete Garcia mentioned last week that he had received authorization of \$21,000 to repair the leaking roof secondary to hail damage 1-2 years ago.
- Public Health will be assisting at annual health fairs:
  - Center Headstart 7:00-11:00, April 9<sup>th</sup>
  - Mountain Valley Gym 7:00-11:00, April 17th.
- No contracts yet from CDPHE:
- OPP holding input session 5/17, objective to streamline CDPHE contracts and grants administration with LPHAs; location TBA.
  1. National experts describe the experiences and models used in other states.
  2. Small groups will be formed to identify what is working well and prioritize what needs improvement.
- Food bank report for Feb:

**Table 1 Food Bank Utilization**



- Wellness Center open, receiving two new pieces of donated equipment this week (a Stairmaster & inclining treadmill); thank you to Melinda for organizing the donation.
  - Center will be open Mon-Fri 8:00-4:00
  - Users will sign in/out at PH front desk & receive packet of info, rules & regulations.
  - Signage is posted (examples provided at meeting) for liability and safety.
- PCP report:
  - 82 Medicaid clients for \$35,513.33 billed (Medicaid wages \$34,577.02)
  - 2 private pay clients for \$878.70 billed (Private pay wages \$730.55)

**Table 2 PCP Cash Flow**



**Pace moved to adjourn the Board of Health and return to regular meeting at 2:00. Joseph seconded the motion. The vote was three Ayes.**

**George Whitten, Steve Vandiver** -Rio Grande Water Conservation District:

- The RGWCD is diligently working on the Irrigation Rules. Everyone is still awaiting Judge Kenhold's decision, but no telling when that will be.

**Spearman moved to appoint Kent Palmgren as one of the Saguache County representative to the Rio Grande Water Conservation District Board. Joseph seconded the motion. The vote was three Ayes.**

- Appointment of representative to the RGWCD Board.

Break

**Saguache County Fire Wise Program** - Title III Public Hearing

**Joseph moved to approve \$35,000 in Title III funding to continue the Public Education Firewise Program run by Daniel Johnson. Spearman seconded the motion. The vote was three Ayes.**

- Daniel Johnson Firewise Program Title III Funding request. Board approved with the contract with the same conditions as the previous year.

**Spearman moved to approve \$804.50 in Title III funding to the Saguache County Office of Emergency Management to finish the clean up on the County Road T mitigation Project. Joseph seconded the motion. The vote was three Ayes.**

- OEM Title III funding request for County Road T mitigation project.

Bill paying

**Joseph moved to adjourn at 3:47 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 13, 2010

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Chairman of the Board

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Attest

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Commissioner

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Commissioner