

Saguache County Board of Commissioners met in regular session Tuesday, February 7, 2012 with the following present:

Mike Spearman, Chair  
Sam Pace, Co-Vice Chair  
Linda Joseph, Co-Vice Chair  
Wendi Maez, Co-Administrator  
Ben Gibbons, County Attorney  
Carla Gomez, Clerk and Secretary to the Board  
Staci Morfitt, Acting Secretary to the Board

Meeting called to order by Chair Spearman at 9:02 A.M.

**Employee Appreciation Presentation:**

Santiago Garcia - twenty-five years of service

**Carla Gomez - Clerk and Recorder:**

1. Sworn in on Friday February 3, 2012.
2. Meeting with Attorney Gibbons on CORA law suit.
3. Posted a notice for public comment on a mail in ballot election for the primary election in June. Decision will be made at the February 21, 2012 meeting.
4. Discussed changing Drivers' License renewals to two set days a week.
5. Discussed recording the audio of BOCC minutes. The Board will discuss this request at the February 21, 2012.
6. Addressed concerns about election materials from the 1990's and 2008, shredded by Clerk Myers.

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

**Additions or Deletions to the Agenda:**

**Joseph moved to approve the minutes of January 17, 2012 as amended. Pace seconded motion. The vote was three Ayes.**

**Reading and approval of minutes of January 17, 2012:**

**Joseph moved to approve the Solar Reserve Public Hearing minutes of February 2, 2012 as amended. Pace seconded motion. The vote was three Ayes.**

**Reading and approval of the Solar Reserve Public Hearing minutes of February 2, 2012.**

**Review of Mail and other correspondence:**

1. **State of Colorado Dept. of Public Health** sent the letter of response to the October 25, 2011 Status Report & Waiver Request for the Saguache County Landfill. (1/25/12)

2. **Old Spanish Trail Association** sent the Volume 2, Number 1, January 2012 Newsletter. (1/23/12)
3. **Liza Marron** sent an email regarding the upcoming 2012 Coming Alive 3<sup>rd</sup> Annual 5K walk/run event held April 28<sup>th</sup>. (1/23/12)
4. **Northern Saguache County Library District** sent an updated contact information list. (1/19/12)
5. **Gunnison County Metropolitan Recreation District** sent the January 2012 Annual Report. (1/17/12)
6. **Baca Grande Water & Sanitation District** sent a letter with the updated Chairman and Contact information. (1/17/12)
7. **University of Colorado Boulder** sent the 2011 Winter Newsletter. (1/25/12)
8. **U.S. Fish & Wildlife Service** sent the January 2012, Issue 2 Newsletter. (1/25/12)
9. **Tu Casa** sent a postcard for Save the Date 2<sup>nd</sup> Annual Mardi Gras Charity Ball, Friday, March 2, 2012 Alamosa, Co. (1/25/12)
10. **Colorado State University Extension** sent the 2012 Southern Rocky Mountain Agriculture Conference & Trade Fair, February 7-9 Ski Hi Park, Monte Vista. (1/25/12)
11. **Upper Gunnison River Water Conservancy District** sent the Monday, January 30, 2012 Board of Directors Agenda. (1/23/12)

**Pace moved to approve the appointment of Jeannie Ewing to serve on the Saguache County Tourism Council. Joseph seconded motion. The vote was three Ayes.**

12. **Jeannie Ewing** sent a letter of interest to serve on the Saguache County Tourism Council. (1/27/12)
13. **Rio Grande Water Conservation District** sent the January 2012 Ground Water Table Measurements. (1/25/12)
14. **The Baca Grande POA** sent the Volume 19, Issue 1 2012 Winter Newsletter. (1/30/12)
15. **Colo. Intergovernmental Risk Sharing Agency** sent a letter in regards to the claim of Marika Popovits-Wadman concerning a paved road in Crestone. (1/30/12)
16. **US Dept. of Agriculture** sent a letter that 2012 funds will not be available to maintain Road maintenance to Grand Mesa, Uncompahgre and Gunnison National Forests. (1/30/12)
17. **US Dept of the Interior Bureau of Land Management** is celebrating the 200<sup>th</sup> Anniversary in 2012. As a part of the celebration they have offered to look up land patents for a site or building in Saguache County. In reply refer to 2020 (COF020, SF). (1/30/12)
18. **John Murphy, District Ranger** sent a letter inviting comments on several non-commercial silvicultural projects. (1/25/12)
19. **Colo. Office of Economic Development International Trade** is coming to Alamosa on February 14, 2012 from 5:30-7:30p.m. To reignite & create dialogue around the Bottom up Blue print Regional State Program. (2/2/12)
20. **Colorado Counties, Inc** sent a letter concerning changes in the Child welfare allocations. (2/2/12)
21. **Public Lands** emailed their 2012 Newsletter concerning SRS & PILT. (2/6/12)

### **Introduction of Guests:**

Mattie Belle Lakish, Crestone Eagle  
Teresa L. Bennis, Center-Post Dispatch  
Jason Anderson  
Lorena Price  
J. Kent Price  
Rockard Finley  
Lauren Krizansky, Valley Courier  
Andrew Archuleta, BLM  
Jim Pitts, USFS  
Chuck Tidd  
Ron Briggs

**Commissioners Reports:**

**Mike Spearman** reported:

1. Attended the Solar Reserve Public Hearing in Center February 2, 2012.
2. Attended the Developmental Resource Group meeting on January 31<sup>st</sup>.
3. Valley Commissioners meeting on January 31<sup>st</sup>. Discussion of support letters for Distributed Energy.
4. Making calls to applicants for the Fair Board.
5. Discussion with Conejos County about use of their tire shredder at Saguache County Landfill.

**Linda Joseph** reported:

1. January 23 - Attended the Hazard-Based Collaboration & Resource Sharing meeting in Alamosa at the Emergency Operations Center, along with Della Vieira and Jim Felmler.
2. January 25 - attended the US Fish & Wildlife Service public comment scoping meeting for the comprehensive conservation plan for all three refuges in the SLV. Written comments are due on February 24.
3. February 2 - attended the Solar Reserve application Public Hearing in Center. And worked on compiling remaining questions and input for further review and discussion. The Board decided not to extend the public comment period.
4. February 4 - attended the Saguache County Tourism Council meeting in Saguache. Council composition and meeting location are changing. Council volunteered to provide a list of Saguache County cultural sites for Conservation Area/ Heritage Park inclusion. The SLV Annual Tourism Conference will be in Hooper, on FEB 24.
5. February 5 - Received and forwarded first working drafts of Road and Weed sections of the Sage Grouse Conservation action plans, sent by Samantha Staley, Resource Advisor BLM Southwest District, for review and comments. Forwarded contact information from Charlotte Bobicki for the Dept. of Interior to receive further written public comments on the SLV Conservation Area/Heritage Park.
6. Citizens can submit thoughts and comments about AGO to:

Alan J. Gilbert  
Senior Advisor to the Secretary  
Southwest and Rocky Mountain Regions  
U.S. Department of the Interior  
12136 W. Bayaud Ave., Suite 100  
Lakewood, Colorado 80228

and Ginny Brannon  
Asst. Director for Water and Energy  
CO. Dept. of Natural Resources  
1313 Sherman St.  
Denver, CO 80203

Email: [Alan\\_Gilbert@ios.doi.gov](mailto:Alan_Gilbert@ios.doi.gov)  
Phone: 303-969-5375  
Fax: 303-969-5503

Email: <Ginny.Brannon@state.co.us>  
303-866-3311 ext., 8658

7. SLV County Commissioners meeting - support for the letter Jon Montano presented regarding the RETAC review process and representation on that Task Force. And, CCI appointees to the Commissioner seats on that task force.
8. Heard from Erin Minks and Chris Canaly of a meeting with USFWS regional reps, in Denver on March 1st., regarding minerals purchase at the Baca Wildlife Refuge. Chris also mentioned she will submit to the County, the same document she gave the court recorder at the Solar Reserve Public Hearing.

**Sam Pace** reported:

1. Attended CCI meeting in Denver on January 19<sup>th</sup>-20<sup>th</sup>.
2. Attended the Solar Reserve Public Hearing in Center February 2, 2012.
3. State Board of Human Services meeting on February 3<sup>rd</sup> via telephone.

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

- 1) Yearend report from the County Treasurer was given to the Board for review and signature.

**Pace moved to approve the signing of the auditing contract for the Auditing of the County financial records for 2011, and the Financial Assurance for the Saguache County Landfill agreement with Wall, Smith and Bateman. Joseph seconded motion. The vote was three Ayes.**

- 2) Agreement from WSB Auditing firm has been received and reviewed by Attorney Gibbons. With Boards approval, agreement shall be signed.

**Joseph moved to approve the signing of a letter of support for the Town of Moffat's State Historical Fund Grant. Pace seconded motion. The vote was three Ayes.**

- 3) Request from Town of Moffat for the support of a State Historic Fund Grant to restore the Moffat Church.
- 4) Handout 2011 final Revenue and Expense report.

**Connie Trujillo:**

1. Re-Call Election process ran really well.
2. No final reports yet, as we have not received all of the billing statements for expenses.
3. Canvass was February 2<sup>nd</sup> and official reports have been sent to the state.
4. The SRS money has been received. Schools are requesting distribution of portions assured them. Commissioners agreed the arbitration arrangements are still being worked out for the remaining portions.

Break

**Wendi Maez** - Land Use Administrator:

**Joseph moved to approve the Subdivision Exemption for James Kent and Lorena Rae Price. Spearman seconded motion. The vote was three Ayes.**

1. James Kent and Lorena Rae Price – Subdivision Exemption request to create 3 tracts within SW1/4 32-42-8, original acreage amount 161.233 acres. Tract one to contain 156.541 acres and Tract 2 to contain 3.038 acres and the County Road easement tract to contain 1.654 acres. The Saguache County Planning Commission recommended unanimous approval of this request during their January 26, 2012 meeting.

**Pace moved to approve the transfer of the Medical Marijuana Grow Operation License ONLY to be transferred to Highland Health. Joseph seconded motion. The vote was three Ayes.**

2. Avery Runner owner of CB1, LLC has requested a change in License Ownership for his (medical marijuana grow operation) OPC license to Highland Health. This was an approved grow area in April 2011. Mr. Runner will still be the landowner and the owner of the MIP (Medical Marijuana Infused Tinctures Facility).
3. Signed the Certificate of Appreciation for Diane Dunlap and Burt Wadman.

**Pace moved to make a language correction on Resolution LU-2010-2, reception number 366031. Joseph seconded motion. The vote was three Ayes.**

4. Ronald Bombard owner of Razor Dome Ranchettes has requested a change in his Subdivision Exemption resolution to read "Tract One will no longer fall under agricultural status...". The resolution now reads "All Tracts on the survey plat will no longer fall under the agricultural status". Since "all" tracts are listed on the resolution the Assessor's office has changed the use to vacant land and taken it out of agricultural use. The landowner has attached several cattle leases to his request.

**Pace moved to send a Certificate of Designation to Jeff Wilkinson pending comments from the State. Joseph seconded motion. The vote was three Ayes.**

5. Jeff Wilkinson owner of SLV Minerals, LLC had a "Certificate of Designation" done in December and now the State of Colorado procedures have changed, therefore we need to cancel the existing "Certificate of Designation" until the State of Colorado issues the certificate, at the time the certificate is issued to Saguache County, then the County can issue the certificate back to Mr. Wilkinson.
6. Set Land Development Code changes Public Hearing. Changes within the LDC and the 1041 Regulations will be discussed at the Board work session on February 14, 2012.

#### **Ben Gibbons- County Attorney**

1. Judge has ordered Clerks Office and Marks to do an additional mediation by March 1<sup>st</sup>.
2. Marks vs. Myers teleconference to set oral arguments for contempt action is set for March 19<sup>th</sup> at 2 P.M. here in Saguache. Deposition has not been rescheduled.
3. Modification of language on mediation with SRS funds looks like March completion.
4. Hollenbeck case judge issued case management order by February 15<sup>th</sup>.
5. HAVA complaint review order to S.O.S. by District Court in Denver.
6. 1041 Geothermal regulation development in consignment with Chaffee County.

**Jason Anderson:**

1. Discussion on an one day training for use and care of County Energy Audit Equipment that people can use.
2. Also waivers, deposits, and amount of time equipment can be kept.
3. Anderson will get some additional information from Gunnison County on how they train, lease/check out their equipment.

**Randy Arredondo – Road and Bridge Supervisor report:**

**Pace moved to approve Resolution for the CDOT Aeronautic Division on Grant and contract for the purchase of Leach Airfield, near Center. Joseph seconded the motion. The vote was three Ayes.**

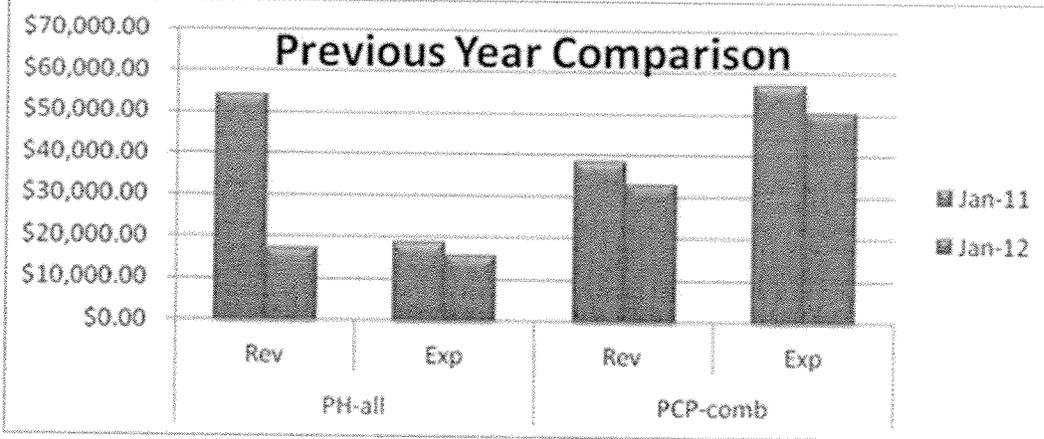
1. Grant and contract for the purchase of Leach Airfield near Center.
2. The Board decided there will be no fee schedule on use of Road and Bridge conference room for civic events.
3. Discussion on County maintained roads in Crestone.
4. Request by Tim Lovato for County to waive landfill fees for the debris of a resident's burned home. Commissioners agreed to the burnable debris being free of charge; other debris will need to be paid for.

**Pace moved to convene as Saguache County Board of Health at 1:39 P.M. Joseph seconded the motion. The vote was three Ayes.**

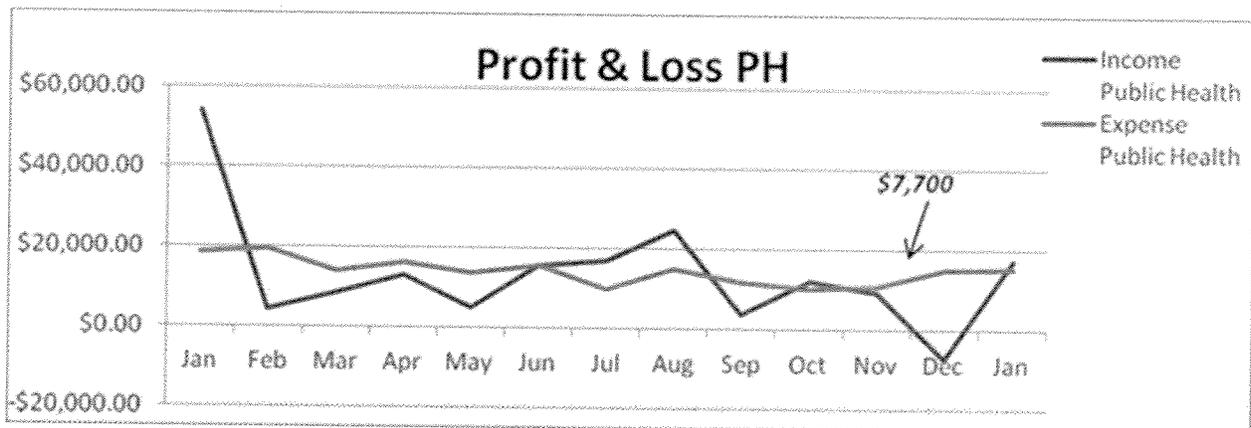
**Della Vieira- Public Health Director**

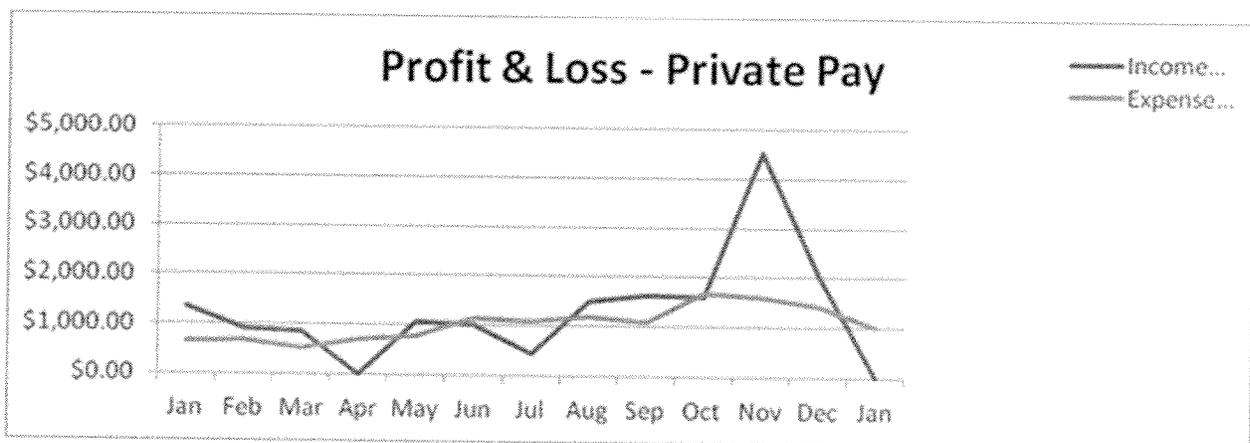
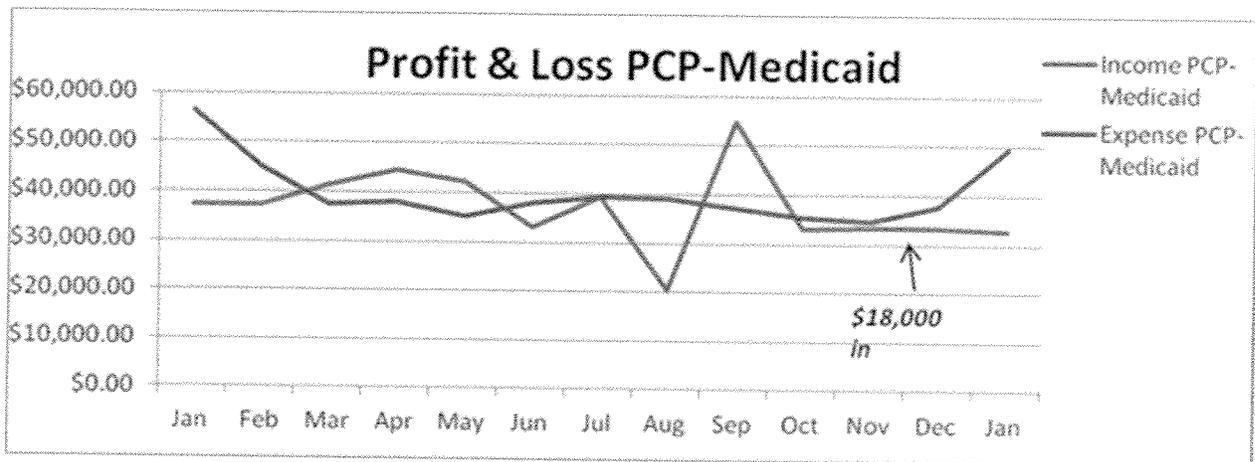
1. Public Health Admin.
  - a. MOA with SLVEC for CARE project for 2012 (BOCC Chair).
  - b. Review and sign master contract with CDPHE (BOCC Chair)
  - c. Community Health Assessment: stakeholder meeting in Center to review data and identify a list of potential priorities; final public health improvement plan due June 2012.
2. Emergency Preparedness.
  - a. Full set of PH emergency plans submitted to BOH, print & digital formats
3. HCP.
  - a. Current caseload = 22 children: 15 receiving active care coordination services; 7 self-sufficient at this time.
4. Communicable disease and epidemiology.
  - a. SCPH has received enough rabies vaccine via the Communicable Disease Program, CDPHE, to prophylax the Sheriff's deputies (8), the animal control staff in Center (2), and provide a booster to veterinary personnel in county. Vaccine will be provided free of charge, and was made available through collaboration from Rio Grande and Mesa Counties, as well as CDPHE.
  - b. School-located-vaccination-clinics beginning this month in all 3 districts to help students catch-up on required vaccines, prepare for next fall semester requirements, and offer recommended vaccines.
5. Prevention Coalition-with extra hours provided through STG. Coordinator is better able to coordinate with coalition partners, regional partners, and remain more actively involved in planning program activities.
  - a. Healthy Kids Colorado Surveys completed in all 3 school districts; reports should be available Feb-Mar.
  - b. Parent survey being coded now, should give us data on status of "readiness for change." We hope to see some movement upward in scale, at least within "denial" category.

- c. Mountain Valley, Center, Moffat, and Crestone Charter Schools all implementing approved curricula in elementary, middle, and high schools per plan
- d. After-prom planning beginning with schools this month
- 6. Community Health Assessment: abbreviated data presentation to BOH.
  - 1. Possible priorities for improvement plan
  - 2. Match-up with Colorado's 10 winnable battles
  - 3. Possible regional collaborations
- 7. PCP Program-January enrollment: 80 Medicaid and 3 Private Pay clients. (average last 6 months=83 Medicaid & 3 PP clients enrolled, with clients receiving an average of 10.5 hrs care/week)
  - a. Unable to locate funding to assist with developing a self-study component to new staff training; we will move forward, nevertheless, and I hope to have a set of modules ready in summer.
  - b. Still hoping to coordinate with ASC for a student intern to help digitize the modules.
- 8. YTD Comparison: Jan 2012 vs Jan 2011.



- 9. Profit and Loss per program Jan, 2011-Jan, 2012.





**Joseph moved to adjourn as Saguache County Board of Health at 2:01 P.M. Spearman seconded the motion. The vote was three Ayes.**

**Public Lands Monthly Discussion:**

Andrew Archuleta with BLM and Jim Pitts new Director with USFS:

1. Solar EIS comment period is over and final document should be out in spring.
2. Local Geothermal Environmental Analysis on BLM lands draft available to the public in March.
3. Wildlife ACEC designation proposed for Baca National Wildlife Refuge and Russell lakes. Public Meeting in Alamosa on February 29<sup>th</sup>, landowners will be notified.
4. County can no longer be issued a free-use permit for the Nolan Gravel Pit.
5. RAC (Resource Advisory Council) grants are in progress.
6. Working on final budgets; positions vacated by attrition will not be filled.

Break

**Solar Reserve:**

1. Discussion on the Solar Reserve Development Agreement and 1041 permit application.
2. Addressed questions and concerns the public had at the public meeting with Nancy and Adam Green.

3. The Board directed Nancy Lauro with Russell Planning and Engineering to compile all of the comments and questions from the board and the public to get answers to the questions asked.
4. The Commissioners will be planning a site visit to Crescent Dunes tower in Tonopah, Nevada at the end of February, prior to the first meeting in March.

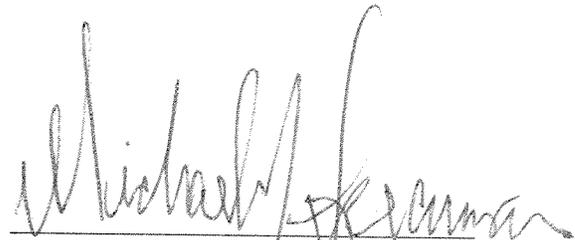
Bill Paying

**Spearman moved to adjourn at 4:35 P.M. Joseph seconded the motion. The vote was three Ayes.**

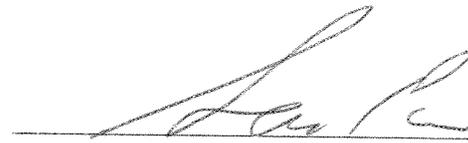
Respectfully Submitted,

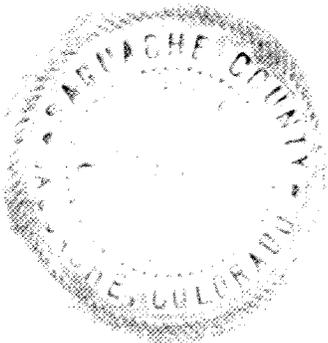
Staci Morfitt acting Secretary to the Board of County Commissioners

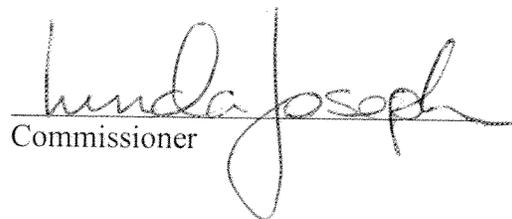
Minutes Approved February 21, 2012

  
Chairman of the Board

  
Attest

  
Commissioner



  
Commissioner