

Saguache County Board of Commissioners met in regular session Thursday, September 13, 2012 with the following present:

Mike Spearman, Chair
Sam Pace, Co-Vice Chair
Linda Joseph, Co-Vice Chair
Wendi Maez, Co-Administrator
Lyn Lambert, Co-Administrator
Ben Gibbons, County Attorney

Meeting called to order by Chair Spearman at 1:03 P.M.

Introduction of Guests:

Jarrod Biggs- DOLA	Kim Temple- WSB Auditors
Jim Pitts- NFS	Elvie Samora- self
Ken Anderson-Bocc candidate	Kurt Barnhart- Moffat School
Brenda Felmlee- Senator Tipton's office	Teressa Benns- Center Post Dispatch
Mattie Belle Lakish- Crestone Eagle	Randy Arredondo- Road & Bridge Dept.
Jackie Stephens- County Assessor	Lauren Krizansky- Valley Courier

Jarrod Biggs gave an explanation of the funding available for SRS (forest payments) and PILT. Forest Payments (25% or SRS)

Forest payments were traditionally made by taking 25% of the Forest Services Timber Receipts and paying that amount forward to the county (quarterly).

When the Secure Rural Schools Act was passed (2000), counties could select the traditional "25% method" or elect to receive the "SRS" payment method in January. The county would make their election in the fall and then would receive payment the following January.

This is one of the first and most difficult points of confusion as, for example, the "2008 Forest Payment" was elected by the county in late 2008 and received by the same in January of 2009.

Subsequently that 2008 Forest Payment, paid to the county in January of 2009, is then utilized and impacts the 2010 PILT payment. The decision made September 2011 will affect PILT funds for 2013.

Payment in Lieu of Taxes

The PILT payment takes into consideration the acreage, population, and other payments a county has received in the previous Federal Fiscal Year (FFY) to develop an amount each county is compensated in PILT each year. Payments are made in June and take into consideration the information collected from the previous FFY.

An example of this is the 2009 PILT payment took the acreage, population, and other lands payments that a county received from Oct. 1, 2007 through Sept. 30, 2008. This would include the 2007 Forest Payment that a county would have received in January of 2008.

2008 SRS Reauthorization and Full PILT funding

In late 2008 the Emergency Economic Stabilization Act (EESA) was passed which, among other things, changed the Forest Payment Programs calculation methodology, funded Forest payments for a number of years, and authorized full funding of PILT for a number of years as well.

The Forest Payment Program changes altered the 25% payment from each county receiving 25% of the Timber receipts on a quarterly basis, to one annual 25% payment based on a 7 year rolling average of Timber receipts in each county. In addition the Secure Rural Schools methodology was changed to include the Per Capita Personal Income of the counties and limited eligible Title III expenditures. This was when Saguache County in particular saw a significant increase in Forest Payment dollars through the Secure Rural Schools calculation methodology. This authorization was made for the 2008 through 2011 years (paid to counties in January of 2009, 2010, 2011, and 2012).

The EESA also provided for full funding of PILT instead of the partial appropriation congress had made on a year to year basis. This funding was authorized for each of the years 2008 through 2012 (paid to counties in June of 2008 [supplemental payment was made in Nov/Dec of 2008], 2009, 2010, 2011, and 2012).

It is notable that the 2008 re-authorization of SRS and full funding of PILT did not recognize the interaction between forest payments and PILT payments as the 2008 PILT payment was impacted by the 2006 Forest Payment; 2009 PILT impacted by 2007 Forest; and so on. So the last year of the 2008 Forest payment authorization (2011 paid to counties in 2012) corresponds with the 2013 PILT year which was fully funded (PILT was fully funded 2008-2012).

2012 One-year Reauthorization

In the summer of 2012, within the federal transportation bill both of the programs were extended one year each (Forest payments through 2012, paid in Jan 2013; PILT payments in 2013). This still has no regard for the interaction between both programs, as the 2012 Forest Payment will impact the 2014 PILT payment, which is not currently funded.

SRS split 50/50 of the second 50% (less 15% in Title II) was discussed. Next year's board has the option of whether or not to give additional to the schools by September 30th. If the board elected to give the schools \$500,000.00 from Road & Bridge the PILT would increase by \$45,000.00. If the board elected to give the schools \$789,688.00 from Road & Bridge PILT would increase by \$334,954.00.

Pace made a motion to revisit the decision to give the school districts \$500,000 made on September 4th, and agree to give the schools \$789,688.00 (all of Title I funds) of the payment given in January 2012 to be paid by September 30, 2012. Joseph seconded the motion. The vote was three Ayes.

Discussion with Arredondo, \$789,688.00 to be paid by September 30, 2012 will reduce Road & Bridge fund balance by \$1.2 million. Jarrod Biggs will ensure that the fund report is reported correctly. Jarrod Biggs advised the BOCC to see if Treasure Trujillo has sent the report to the State about the funds.

Pace moved to revise the decision to take the 25% method instead of SRS, and moved to approve taking the SRS payment method with 15% going towards Title II funds. Joseph seconded the motion. The vote was three Ayes.

Superintendent Banghart thanked the Bocc for revisiting last week's decision to help with school funds.

Break

Arredondo asked for clarification of Landfill rates. Bocc agreed to clarification as presented by Arredondo.

Joseph moved to bid out the Waste Tire Grant for clean up on Hwy 17 Pace seconded the motion. The vote was three Ayes.

Board approved the request for Solar Reserve to move the work force local discussion to the week of October 8, 2012.

Authorized Carla Gomez, Clerk & Recorder to order one book to be used for BOCC minutes.

Joseph moved to enter into Executive Session at 2:37 P. M. for legal purposes under CRS 24-6-402(4) (b). Pace seconded the motion. The vote was three Ayes.

Pace moved to adjourn Executive Session and return to regular meeting at 3:02 P .M. Joseph seconded the motion. The vote was three Ayes.

Mediation will be held with Attorney Gibbons and Commissioner Spearman on Friday, September 14, 2012 concerning the Hollenbeck law suit.

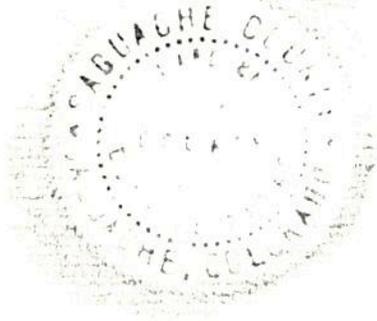
Pace moved to adjourn at 3:13 P.M. Joseph seconded the motion. The vote was three Ayes.

Adjourn

Respectfully Submitted,

Wendi A. Maez
Wendi Maez Co-County Administrator

Minutes Approved September 18, 2012



Michael J. Williams
Chairman of the Board

Steve Wright
Attest

Sam F...
Commissioner

Wanda Joseph
Commissioner