

Saguache County Board of Commissioners met in regular session Tuesday, February 19, 2013 with the following present:

Linda Joseph, Chair
Jason Anderson, Co-Vice Chair
Ken Anderson, Co-Vice Chair
Wendi Maez, Co-Administrator
Lyn Lambert, Co-Administrator
Ben Gibbons, County Attorney
Staci Morfitt, Acting Secretary to the Board

Meeting called to order by Chair Joseph at 9:05 A.M.

Employee Appreciation:

No employee anniversaries today.

Ken Anderson moved to approve the agenda as amended. Jason Anderson seconded the motion. The vote was three Ayes.

Additions or Deletions to the Agenda:

No additions or deletions.

Jason Anderson moved to approve the minutes of February 5, 2013 as amended. Ken Anderson seconded motion. The vote was three Ayes.

Reading and approval of minutes of February 5, 2013:

Review of Mail and other correspondence:

1. **Daniel Johnson** sent the 2012 Final Saguache County Fire Mitigation Program Report. Also there was funds left over in 2012 and Daniel would like to see if the funds can get rolled over to 2013 to go help Gold Basin Area. (1/30/13)
2. **Katherine Faz Coordinator** for the SLV Great Outdoors sent a thank you card for submitting a support letter on behalf of Saguache County for the GOCO Application to fund the SLV Master plan. (2/7/13)
3. **Gunnison Conservation District** sent the 2013 annual Meeting Wednesday, March 6, 2013. Dinner starts at 6:30, Program starts at 7:30. Please RSVP for dinner by March 1st. at nicki.anderson@co.usda.gov . (2/12/13)
4. **The Rio Grande Water Users Association** sent the Notice of Annual Membership Meeting for March 6th @ 1:30 pm to be held at the Monte Vista Coop Hospitality Room. (2/7/13)
5. **Sand Dunes Swimming Pool** sent a letter asking for help from Road & Bridge to repair the Potholes on the Corner of County Road 63 and B. (2/12/13)
6. **Donna Wehe, Director** of Small Business Development Center sent an email in regards to SBDC house bill and talking points to forward to SLV COG or CCA or URGEDC. (2/14/13)

7. **James Montoya, Veteran** delivered a letter of concern about his missing files from the Veterans Office. (2/16/13)

Introduction of Guests:

Matie Belle Lakish- Crestone Eagle	Rio de la Vista- Rio Grande Headwaters Land Trust
Todd Stewart- Solar Power Finance	Ed Gonzalez- Viaero Wireless
Tom McCracken- Green Earth	Sam Pace- Self
Teresa Benns- Center Post-Dispatch	Curtis Belcher- Division of Property Taxation

Public Comment:

Rio de la Vista- Rio Grande Water Conservation Trust (RIGHT) attended the meeting asking for a letter of support for a GOCO grant application for the Hutchinson Ranch by Villa Grove. The Grant will be for Open Space on the ranch. The board will review later in the day for a decision on the support letter.

Commissioners Report:

Linda Joseph reported:

1. February 7 - Attended the Leaders' Luncheon hosted at the Moffat School. Work session on fire ban planning requested in advance of fire season.
2. February 8 - Attended the Colorado Counties Inc., Southern District meeting with Commissioner Jason Anderson, in Walsenburg. Resolution of opposition to CDOT restructuring and any negative impacts on rural funding was approved. Resolution of support was prepared for the conversion of Fort Lyons correctional facility in Bent County to a service center for homeless veterans - needs approval/signature today.
3. February 9-13 - Assisted Office of Emergency Management in final review and completion of the annual State Emergency Provider grant application.
4. February 11 - Attended the SLV County Commissioners Association meeting in Alamosa. Action items:
 - District attorney David Mahonee funding request, \$10,000 Valley-wide;
 - CO Oil & Gas Commission letter supporting mitigations Rio Grande County requested, based on their hydrology report;
 - Legislator letter regarding the Farm Bill - will be drafted by sub-committee.
5. February 12 - Attended the BoCC work session on orientation topics, Housing complexes tour, and Sage Grouse Work Session, with representatives from the Gunnison Sage Grouse Strategic Committee, Stockgrowers, Poncha Working Group, Forest Service, Saguache County Planning Commission and BoCC.
6. February 13 - Attended the Tourism Council meeting, assisting with Bylaws, communications and fundraising.
7. February 15 - Worked on improvements to Agenda and Minutes templates with Clerk Carla Gomez, and Staci Morfitt. Prepared draft County newsletter: Eye on the County, for approval today.
8. February 16 - Attended the Annual Seed Exchange event, hosted this year at Joyful Journey Hot Springs meeting room.
9. February 18 - Scheduled phone appointment with WSB regarding website statistics for public information analysis, for FEB 21. This is to gain background on the question of meeting minutes format, and, improvements in all modes of providing public information.

10. Worked on the grant application for funding by the San Luis Valley Council of Governments in cooperation with the Colorado Department of Local Affairs, Energy and Mineral Impact Assistance Program. SLVCOG will be soliciting proposals for economic development projects from its membership. A total of \$30,000 is available to fund 2013 economic development projects for SLVCOG members only.

Jason Anderson reported:

1. 2/7/13 Leaders lunch, Moffat School: Discussed the status of the drought, upcoming fire season and heard reports from the Representatives from both Sen. Udall and Sen. Bennett.
2. 2/8/13 Southern district commissioners meeting, Walsenburg: Reviewed a letter of support for the conversion of Fort Lyons correctional facility in Bent County to a service center for homeless veterans.
3. Reviewed a letter of opposition to CDOT restructuring in ways that may compromise rural highway funding.
4. 2/9/13 Attended the restructuring meeting of the Saguache county GOP, spoke on a more unified County.
5. 2/10/13 Attended the Ranching Celebration in Saguache.
6. 2/11/13 Valley wide commissioners meeting: District attorney David Mahonee spoke of funding for his office. Public lands introductions and update on title 2 projects pending, update on forest health. Donna Wehe and an update on the SBDC. DHS Training opportunity. Letter of support to the Colorado Oil and Gas conservation commission on behalf of Rio Grande County.
7. 2/14-15/13 CCI steering Committee. Reviewed progress of bills of interest:
 - SB13-128 Bill that exempts license plate fee for fire fighters- oppose
 - HB13-1004 Funding to bring workforce centers, higher education, non-profits and the private sector together- Monitor
 - HB13-1122 Exempts oil and gas that begins production during the exemption period from severance tax- Oppose-PI'd
 - HB13-1041 Under CORA all fees must be paid and received before documents are sent unless info. is electronic, then no fees. – Monitor
 - HB13-1067 Cancel primaries if there is no same party contest. - Support with amendments.
 - HB13-1096 Waste tire recycling Agricultural & Beneficial use- PI'd
 - HB13-1137 Lot restrictions for BOCC Auth. over weed removal- moving forward
 - SB13-021 Right of way for Pipelines. - PI'd but new bill coming. Determined that oil and gas is exempt from 1041s
 - SB13-041 Protect water storage Long-term use (fire suppression) - passed senate.
 - SB13-083 prescribed burning act, puts state requirements on burns- Support W/ amendments that keep local control.
 - SB13-111 requires reports of elder abuse and Exploitation – Support
 - Self driving cars- PI'd (dead)
8. CCI steering committee discussion topics
 - Child welfare hotline: Proposal for a statewide hotline to alert abuses in child welfare. Questions were brought up about if the hotline is a direct routing to local social services agencies, or if there would be a beginning questioning at the state level. There are also concerns around the funding in that it seems low and could become an unfunded mandate in the future.
 - Beetle Kill products: Public lands agencies looking at "Stewardship Contracts" with private enterprise to remove dead material and develop markets for their products. There is \$10,000,000 DNR money available for mitigation in urban/ wildlands interface areas.

9. Water: Jennifer Gimbel, Director Colorado Water conservation Board. Colorado faces a large water shortfall in 2050 projections. Will require a mix of new projects, conservation, reuse, agricultural transfers, and the development of new water supplies. Agriculture is projected to drop from 86% to 82% of overall consumptive use. Colorado's population is projected to double, with the Front Range being the largest (70% growth) and the Western slope being the fastest growing (240% growth) Colorado will need another 600,000 to 1 million acre feet for population by 2050. Oil and gas will become major water consumers. Price tag: \$5 to 9 billion
10. Marijuana: Est. 80% of counties and Municipalities considering opting out of retail. If undecided it is recommended to get regulations in Draft. Trying to separate Industrial Hemp.
11. Colorado Office for Workforce Development: Promoting the Colorado Blueprint through regional sector partnerships. Announcing regional development dates to give key Industry and legislative updates and a report from the sector Summit.
12. Region 8- Wednesday march 18th 9:00-12:00 Inn of the Rio Grande Alamosa

Ken Anderson reported:

1. February 6-8- Attended the Rocky Mountain Farmers Union (RMFU) in Denver.
2. February 11- Attended the Valley Wide Commissioners Meeting in Alamosa.
3. February 12- Attended the BoCC work session and Sage-Grouse work session.
4. February 13- Attended the Colorado Water Alliance (CAWA) meeting in Loveland.
5. February 14- Attended the Governors' Ag Forum (GAF) in Denver.
6. February 16- Attended the National Farmers Union Policy meeting.

Wendi Maez & Lyn Lambert – Co-administrator report:

1. Lambert has received a complaint from James Montoya regarding the VSO office. He has been in to see the new VSO, but the new VSO cannot find 2 of his personal files. Attorney Gibbons advised the BoCC to send a reply letter to Mr. Montoya stating that the BoCC is reviewing the procedures in the Veterans Office. Also, stated that the answering machine should state the hours and a cell phone for the VSO so admin can contact Mr. Sheeran when not in the Office.
2. Saguache County Museum has requested funding for 2013. Need to know if we can process this. Deferred until after BoCC financial orientation.
3. Possible transfer of funds from General Fund to Public Health. End of January 2013 was in the red by \$-5587.82 even after the transfer of \$29,000 in January. With actual costs and estimated salaries, it looks like Public Health will need a transfer of funds of \$35,000 unless additional funding comes in between now and the end of the month. Lambert met with Della Vieira, Christy Fleming and Connie Trujillo on Jan. 28 to go over information. Vieira asked if Connie and Lambert could meet and go over PH books to reconcile. Lambert stated to Vieira that admin and the treasurer are reconciled. The bills that are paid are received from Public Health as well as payroll. Ledgers from Admin have been printed off and given to Public Health to go over to see why they are not reconciling to the treasurer and admin. Lambert stated that she would help in any way she can, but did not have the time to do the reconciliation for the 2012 calendar year. Lambert stated that she was under the understanding that they had been reconciling through out the year.

Break

Wendi Maez - Land Use Administrator:

Ken Anderson moved to approve the Subdivision Exemption Request to divide off a tract of land containing 2.0 acres from the NE ¼ Section 13 Township 41 Range 7 East less a tract of land containing 4.73 acres for Don and Trevor J Toews. Jason Anderson seconded motion. The vote was three Ayes.

1. Don and Trevor J. Toews – Subdivision Exemption request – to divide off a tract of land containing 2.0 acres from the NE1/4 Section 13-Township 41-Range7 East less a tract of land containing 4.73 acres. SCPC recommended unanimous approval of this request during their regular meeting on January 31, 2013.

Jason Anderson moved to approve the Conditional Use Request for Lot 1 Section 1 Township 44 Range 7 East and Lots 1 & 3 Section 24 Township 44 Range 7 East For Mountain Valley Lumber Co. Inc. to install a Solar Garden on 3 (+/-) acres on the northern edge of the Sawmill Property. Ken Anderson seconded motion. The vote was three Ayes.

Ken Anderson moved to waive the Road Access Application Fee. Jason Anderson seconded motion. The vote was three Ayes.

2. Mountain Valley Lumber Co. Inc. Conditional Use request for Lot 1 Section 1 – Township 44 – Range 7 East and Lots 1 & 3 Section 24 – Township 44 – Range 7 East to install a Solar Garden on 3 (+/-) acres on the northern edge of the Sawmill property. SCPC recommended approval of this request at their regular meeting on December 13, 2012 with the following conditions:
 - a. Applicant must supply a contract for water to wash panels.
 - b. Relocation of County Road X and that the taxpayers not charged for the relocation.
 - c. Easement from Cattleman’s Land Trust.
 - d. After consideration from the applicant the location of the project was moved to the west due to the fact that the relocation of the road and the easement requirement would take longer than Solar Garden is allowed for the use of the funds granted. The SCPC recommended that the project go ahead with the new location and the requirement that a contract for water be supplied to the Land Use Office at their regular meeting on January 31, 2013.
 - e. BoCC stressed that they would recommend use of local installers. Arredondo was concerned that since the use of the land is being changed and how to handle the access from the County Road and the fees associated with that. Arredondo recommended the BoCC waive those fees.

Jason Anderson moved to approve the request from Green Earth Inc./Viaero for the installation of a 75-foot cell phone tower within a portion of NW ¼ SW ¼ Section 6 Township 44 North Range 8 East with the Saguache County Planning Commission Conditions. Ken Anderson seconded motion. The vote was three Ayes.

3. Green Earth Inc. /Viaero Wireless. This request is for the installation of a 75 foot cell phone tower within a portion of NW1/4SW1/4 Section 6 Township 44North –Range 8 East. The proposed location of the tower will be at the top of the mountain where the Town of Saguache

has their water tower located. The location of the tower will be installed on Green Earth, Inc. property that adjoins the water tower property. All information is provided in the packet provided by Viaero wireless. The SCPC recommended approval of this request during their regular meeting on January 31, 2013 with the following conditions:

- a. Re-vegetation of the road and around the new construction when project is complete.
- b. Color of building to match the surround area.
- c. Should the site be abandoned for one year the tower and any structures MUST be removed by applicant.

Jason Anderson moved to approve the Lot Consolidation for John R and Leslie J McMenemy Lots 1357 and 1360 Baca Grande Grants Unit One. Ken Anderson seconded motion. The vote was three Ayes.

4. John R. and Leslie J. McMenemy – Lot Consolidation request to consolidate Lots 1357 and 1360 Baca Grande Grants Unit One. CBPC recommended unanimous approval of this request during their regular meeting on February 6, 2013.

Ken Anderson moved to approve the adoption of the Colorado Floodplain Damage Prevention Ordinance. Jason Anderson seconded motion. The vote was three Ayes.

5. Colorado Floodplain Damage Prevention Ordinance review for signature and adoption.
6. Review and sign support letter for the Town of Crestone for a GOCO Grant for planning for the property between the Town and the Charter School and south of the Charter School.

Jason Anderson moved to approve the setting of a Public Hearing date on April 16th, 2013 for Title III funds requested to be used by Saguache County Land Use to fund mailing an updated survey for the CBPC Master Plan re-write, and, to help pay a coordinator for the Gunnison Sage-Grouse Poncha Pass area. Ken Anderson seconded motion. The vote was three Ayes.

7. Maez would like to request the remainder of \$10,400.02 of Old Title III funds to complete the CB (Crestone/Baca) Master Plan and the Poncha Pass Working Group. It would require a 45 day Public Hearing Comment Period. This would also clear up the remainder of that fund.

Ben Gibbons- County Attorney:

Jason Anderson moved to approve requesting a Public Hearing: Designation of Critical Habitat for Gunnison Sage-Grouse; Proposed Rule; Docket No: FWS-R6-ES-2011-01111; 4500030114, 48 Fed. Reg. 8, 2540 (January 11, 2013). Ken Anderson seconded motion. The vote was three Ayes.

1. Attorney Gibbons asked the BoCC to approve a request for a Public hearing locally for the proposed listing of the Gunnison Sage-Grouse.
2. Attorney Gibbons asked Gunnison County Attorney to send a copy of the letter they sent out asking for a Public Hearing on the proposed listing of the Gunnison Sage-Grouse. Attorney Gibbons feels the format is fine and Gunnison's' Attorney suggests that the BoCC send a letter out that addresses both matters, endangered/ threatened listing, and, the critical habitat designation.

3. Attorney Gibbons suggests that the BoCC include in the letter the fact that Saguache County is working on regulations.

Ken Anderson moved to approve a Letter Requesting an Extension of the Comment Period on the proposed USFWS listing and critical habitat designations for Gunnison Sage-Grouse, due to an Incomplete Record. Jason Anderson seconded motion. The vote was three Ayes.

4. Attorney Gibbons advised the BoCC to ask for an extension of the Comment Period based on the incomplete record. Attorney Gibbons will work with David Baumgarten, Gunnison County Attorney, on Comment Letters.
5. Requested an Executive Session.

Ken Anderson moved to enter into Executive Session at 11:46 A. M. for legal purposes under CRS 24-6-402(4) (b). Jason Anderson seconded the motion. The vote was three Ayes.

Joseph moved to return to regular session at 11:48 A.M. Jason Anderson seconded motion. The vote was three Ayes.

Mike Norris- Sheriff report:
No new report at this time.

Jail Tour

Lunch

Randy Arredondo- Road and Bridge Supervisor report:

1. Discussion on the IGA's with Crestone and Moffat and the amounts billed, spending, and what is being paid. April 16th meeting the BoCC, Arredondo, and Town Representatives for Crestone and Moffat will attend.
2. Crack filling will start the first of March. No chip sealing will be done this year. BoCC will receive the paving schedule next month.
3. Inspected grounds at the Leach Airport and found no evidence of a spill or indication of a need for soil testing. Mr. Sanderson will need to get tanks inspected. Discussion on the commercial well and when it was last running.
4. Issues with the firewall on the computer systems in the Road & Bridge Office. Having a hard time accessing certain sites for ordering or researching, etc. BoCC approved that two computers at the office be opened up and directed Arredondo to contact WSB Computer Service.
5. Landfill was approved for the water monitoring plan. Permeability testing found a couple of clay layers that could help with the double liner situation.
6. Discussed mail item number 5 concerning the potholes on the corner of County Road 63 and B. Re-shouldered the intersection to define the intersection better and should take care of the issue.

Ken Anderson moved to convene as Saguache County Social Services Board at 1:30 P.M. Jason Anderson seconded the motion. The vote was three Ayes.

Jeannie Norris- Social Services Director:

Ken Anderson moved to approve signing the signature cards on the First Southwest Bank account for Child Welfare Social Security. Jason Anderson seconded the motion. The vote was three Ayes.

1. TANF cases decreased from the December total of 34, to 29 in January. Food assistance cases continue to climb, from 677 to 683 for the month of January. There were 19 aid-to-the-needy-disabled cases, and old-age pension cases decreased from 93 in December to 88 cases in January.
2. The Child and Adult Protection Unit had 10 referrals during January, 8 of which were accepted for investigation. The Unit has 6 children in placement, and currently has 42 open child protection cases. Adult Protection has four cases ongoing, and did five assessments on new referrals during the month. There continue to be 5 dependency and neglect cases in court, and the Department has 42 open child protection cases.
3. The third LEAP payroll of the season was released. A total of \$110,550.93 was released to Saguache County recipients.
4. Saguache County DSS is exploring the possibility of becoming part of the H.B. 1451 inter-operational agreement to provide wraparound services for our clients. Rio Grande, Conejos and Alamosa Counties currently cooperate with law enforcement, probation, the judiciary, Crossroads, Mental Health and school systems. There is funding available through the initiative and the three counties have expressed their willingness to allow Saguache County to participate at the same level of reimbursement currently afforded to those counties.
5. The Saguache Emergency Food Bank served 17 persons during January. There were no regular commodity distributions during January, as deliveries were not received until early February
6. Colorado State Office of Economic Security for Food Distribution Programs performed an audit of the Saguache County facilities and practices on February 12. They had a number of suggestions regarding the need for expanding our storage capability, and will be working with us for the next few months as to how this can be accomplished.

Ken Anderson moved to adjourn as Saguache County Social Services Board at 2:02 P.M. Jason Anderson seconded the motion. The vote was three Ayes.

Ken Anderson moved to convene as the Housing Authority Board at 2:03 P.M. Jason Anderson seconded the motion. The vote was three Ayes.

Evan Samora-Housing Director monthly report:

Ken Anderson moved to return to regular session at 2:16 P.M. Jason Anderson seconded the motion. The vote was three Ayes.

Break

Jackie Stephens- County Assessor:

1. Working on the first of the two reappraisal plans.
2. More than half way through picking up improvements that were omitted.

3. 1300 vacant parcels have been processed.
4. Some struggles with the Pueblo computer system, and getting to properties during the winter season, but working through it and on budget.
5. Assessor Stephens has been providing a weekly expense report.
6. Working with two, two person teams.

Daniel Johnson- Firewise Update:

1. Most important educational tool used is the instructional DVD Mr. Johnson created, detailing how fire spreads and what a homeowner can do to increase the survival of their homes.
2. In 2012, 25 assessments were completed along with 18 homes mitigated.
3. 2013 Firewise action plan:
 - Renew liability insurance
 - Create Evacuation DVD to educate homeowners and distribute
 - Hang posters in Saguache, Villa Grove, La Garita, Crestone, Monte Vista and Alamosa
 - Contact Homeowners with unresolved issues from last year
 - Make PSAs and articles and fit with different media outlets
 - Place ads in newspapers

Jason Anderson moved to reallocate funding for the Saguache County Firewise Program totaling \$13,782.91. Ken Anderson seconded the motion. The vote was three Ayes.

Ken Anderson moved to adjourn at 3:37 P. M. Jason Anderson seconded the motion. The vote was three Ayes.

The BoCC approved the writing of a support letter for RIGHT/Hutchinson Ranch GOCO Grant.

Joseph noted that the Town of Saguache was submitting a GOCO Planning Grant and would need a letter of support before the next BoCC meeting. Commissioners agreed to support this request for the next steps for the Vista Grande project. Letter to be composed for approval electronically.

Bill Paying

Adjourn

Respectfully Submitted,

Staci Morfitt Acting Secretary to the Board of County Commissioners

Minutes Approved March 11, 2013



Steve M. Wright
Attest

Ken Anderson
Chairman of the Board

Jason Anderson
Commissioner

Ken Anderson
Commissioner