

Saguache County Board of Commissioners met in regular session Tuesday, February 5, 2013 with the following present:

Linda Joseph, Chair
Ken Anderson, Co-Vice Chair
Jason Anderson, Co-Vice Chair
Wendi Maez, 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.

Carla Gomez- County Clerk & Recorder:

1. Discussion on the format of the written minutes and how to include more information for the public. Also a discussion on electronically recording the BoCC meetings. Statutory requirement of the Clerk is to take and keep the minutes for the BoCC in visual text form. Attorney Gibbons stated that the official minutes would be the written action minutes. Attorney Gibbons reported that statutorily it is up to the BoCC to determine, and if they want to record meetings a motion would be needed. He provided a sample policy. Executive sessions would be recorded in accordance with applicable law. CRS 30-10-405.
2. Clerk Gomez feels that recording the meetings would be good practice, and would provide more information to the public than the written minutes.
3. Commissioner Joseph noted that minutes are one part of the larger topic of communications, and providing the public with good County information. Other aspects the County is working on are improvements and updates to information available on the County webpages, and publishing a monthly news column, offering more than is typically reported on or captured in minutes. Joseph noted that Clerk Gomez is working on improvements to the format of the BoCC meeting agenda and minutes, to enhance readability.
4. Commissioner Jason Anderson had a concern about the accessibility to the BoCC meetings and how to make it easier on the public to attend or get the meeting information on line possibly.
5. Commissioner Ken Anderson would like the actions to be the main focus. Stated that not everyone has access to the website or internet. Ken Anderson stated we need to tweak the minutes a little and if BoCC is going to change anything then research needs to be done.
6. Clerk Gomez provided the BoCC with a recording procedure she had presented to the BoCC last year.
7. Commissioner Joseph stated after research and web statistics from WSB, and, other areas Commissioners identified the BoCC will continue discussion of the minutes and other County information channels.

Employee Appreciation:

No employee anniversaries at this time.

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:

Jason Anderson moved to approve the minutes of January 15, 2013 as amended. Ken Anderson seconded motion. The vote was three Ayes.

Reading and approval of minutes of January 15, 2013:

Review of Mail and other correspondence:

1. **Steve Carlson** sent a letter resigning from the Saguache County Planning Commission. (1/18/13)
2. **Upper Gunnison River Water Conservancy District** sent the Board of Directors Regular Meeting Agenda for Monday, January 28, 2013 starting at 5:30p.m. (1/22/13)
3. **Baca Grande Water & Sanitation District** sent the Official Notice that Vicki Matthews is the new Chairman & contact person. (1/18/13)
4. **Rio Grande Water Conservation District** sent the January 2013 Ground Water Table Measurements. (1/18/13)
5. **Upper Rio Grande Animal Society** sent a letter in regards to the 2013 Shelter Contract Fees. (1/18/13)
6. **La Vereda Del Norte Chapter** sent the Trail Tales January 2013 Vol. 3 No.1 Newsletter. (1/16/13)
7. **Colorado State University Extension** sent the 2013 Southern Rocky Mountain Agriculture Conference & Fair for February 5-7. (1/23/13)
8. **US Dept. of Agriculture** sent a letter the Rio Grande National Forest needs conformation concerning the communication equipment on Saguache Peak. Copy of letter was given to Sheriff's Office & Road and Bridge. (1/16/13)
9. **Town of Crestone, Board of Trustees** sent a copy of the adopted Resolution 001-2013 in regards to Corporate Personhood. (1/25/13)
10. **Barbara Tidd** sent a support email in regards to recording the BOCC Meeting. (1/27/13)
11. **Colorado Counties, CCI** sent a letter asking please vote yes on HB 13-1064 for Publication of County Notices. (2/4/13)
12. **Gunnison Sage-Grouse Festival** to be held on April 13, 2013, if Saguache County would like to set up Booth please notify Courtney Chism cchism@blm.gov by April 3rd. (1/30/13)
13. **State of Colorado Dept. of Public Health** sent the Notice of Meeting & Agenda on Air Quality Control Commission for February 21, 2013 10:00a.m. (1/30/13)
14. **Saguache County Museum** sent a request for assistance with 2013 operating funds. (1/29/13)

Introduction of Guests:

Matie Belle Lakish- Crestone Eagle
Andrew Archuleta- BLM
Jim Pitts- Forest Service

Teresa Benns- Center Post-Dispatch
Alyssa Radcliff- BLM
Paul William- BELLA Energy

Public Comment:

None at this time

Commissioners Report:

Linda Joseph reported:

1. Followed up with Colorado Counties Inc. (CCI) and Admin regarding payment of CCI Commissioner training fees. Also – am forwarding CCI and National Association of Counties

- (NaCo) mail to new Commissioners until they are receiving it directly. Have RSVP'd for Commissioners Joseph and Jason Anderson to attend the Special Meeting of the CCI Southern District on February 8 in Walsenburg.
2. January 17, attended the quarterly Regional Emergency Medical & Trauma Advisory Council (RETAC). State grant requests are due February 15, and both our OEM and the RETAC are requesting letters of support for their applications. Joseph will draft and send electronically to Commissioners for approval.
 3. January 22-24, attended the quarterly meetings of the SEMTAC – State Emergency Medical & Trauma Advisory Council.
 4. January 28, attended the SLV Council of Governments (COG) meeting in Alamosa. Worked before and since that meeting with Susan Banning of Center, Kairina Danforth – Crestone, and May Engquist – Saguache Town Councils. A proposal for representation of Saguache County municipalities on the COG was approved by Center and will be on the next agendas of Crestone and Saguache. Municipalities in good standing (with COG dues, and able to attend quarterly meetings) would rotate the position for two year terms. There will be an alternate. All towns would like to receive the agendas and minutes for COG meetings, and, the municipal rep on the COG Executive Board will send them notes of any issues relevant to them. One such item is a \$30,000 Energy Impact Assistance grant from DOLA for the Valley. It requires matching funds and it is envisioned that numerous smaller grants could be made, to benefit the Valley widely. Funding is available for main street and facade improvements, energy assessments/improvements, community assessments and mapping, brownfields projects, among others. Other news – the GoCo grant to update the SLV Trails and Recreation Master Plan was approved. Michael Wisdom summarized the areas of focus that came out of the SLV COG retreat that Co-Administrators Maez and Lambert attended. These included: pursuing the solar power authority; niche markets (such as high antioxidant crops); work force training.
 5. In talking with Mayor Banning, mentioned that the Tourism Council has not been able to attract a representative from Center/LaGarita on the Council. The Center Town Council discussed it and reported that John Faron will attend the County Tourism Council to see if this is of interest. Received email from Forrest Neuerburg, Center Town Manager expressing interest in the America's Great Outdoors/SLV Trails Coalition project. Referred him to Commissioner Jason Anderson for follow-up.
 6. January 28, met briefly on with Office of Emergency Management (OEM) – Jim Felmlee and Trish Watson. Connected with Sheriff Norris and Commissioner Jason Anderson regarding Commissioner Digital Trunk Radio (DTR) deployment.
 7. January 31, received notice that one of Saguache County's grant requests to the State Internet Portal Authority (SIPA) was approved, and the other denied. The grant awarded is for pilot development of the Economic Development site that went live last month at: choosesaguache.com
 8. Grant recipients are requested to attend an award ceremony in Denver on February 27. BoCC approved paying mileage for the recipients.
 9. Had numerous calls and emails with Maez, Land Use and a call on January 31 with Gunnison County Attorney David Baumgarten regarding actions and comment letter development in response to the proposed endangered listing of Gunnison Sage Grouse. Saguache County will host a Sage Grouse Work Session of the afternoon of February 12. An Invitation was received to a joint Gunnison/Saguache BoCC meeting on the afternoon of March 12, in Gunnison. Draft RSVP letter sent for approval.
 10. Contacted Charlotte Bobicki of Senator Bennet's office regarding the threat of rural post offices cutbacks that would affect the Saguache and Villa Grove Post Offices. Treasurer Trujillo

attended the meeting and it appears time will not be cut back in Saguache but will be in Villa Grove and some staff cutbacks.

11. Received a call from Gary Hostetter of Gunnison Abstract regarding how property tax reappraisal collections, if any, would be handled on properties that changed ownership during the appraisal period. Attorney Gibbons will work with Assessor Stephens and update the Local Board of Equalization. Also received a call from Frank Beltran, Pueblo County Assessor's Office. Mr. Beltran called to assure Saguache County Commissioners and Assessor that his staff is available for any assistance needed in the use of the computer system for assessments.

Ken Anderson reported:

1. 1-28-13: SLV Development Resource Group meeting in Alamosa. Re-organization of the Board. Next meeting is February 28th.
2. Abatement for the Center Consolidated School District.
3. Moved BoCC meeting to Monday March 4th instead of March 11th due to scheduling issues.

Jason Anderson reported:

1. 1/17/13- AGO/Trails (American Great Outdoors/Trails) coalition meeting: Update on projects, There are 24 recognized AGO projects moving forward in 2013. Sangre de Cristo National Historical Area (NHA) management plan is up for public comment on the PEPC website. Committee allocated \$20,000 from UFWs to support Archeology for BLM 20+ miles of trails so Southwest Conservation Corp (SCC) crews can begin work. This includes the Vista Grande trails system located in Saguache County.
2. 1/24-25 CCI steering committee meeting: Reviewed 59 house bills for consideration under the categories of General government, Tourism and economic development, Public lands, Agriculture, Wildfire and rural affairs, Health and Human services, Taxation and finance, Land use and natural resources, and Transportation and telecommunications.
3. Some noted bills that concern our county:
 - HB13-1044- Greywater usage
 - HB13-1096- waste tires
 - HB13-1137- Eliminates zoning and size from board authority for weed removal
 - SB13-021- Grants eminent domain for gas/oil pipelines much like electric wires
 - SB13-041- allows large water storage for fire suppression
 - HB13-1012- Continues income tax deduction for owners who perform wildfire mitigation in urban-wilderness interface areas.
 - HB13-1064- Repeals requirements of counties to use a local Newspaper, replacing it with the county website.
 - HB13-1067- Allows for the cancellation of a primary election if no competition is present.
 - SB13-016- Legislation for self-driving vehicles.
4. 1/28/13- Met with Mary Lark, Saguache County Court Clerk, and Richard Sutton, Courthouse security to review Building issues upstairs. Issues were discussed relating to both fire issues and general security.
These include:
 - An escape ladder that does not fit the windows
 - Improving the barrier in the county court office
 - Fire hoses
 - An unsecured fire extinguisher

Wendi Maez – Co-administrator report:

Ken Anderson moved to ratify the Resolution to transfer \$11,000.00 from the General Fund to Public Health. Jason Anderson seconded motion. The vote was three Ayes.

1. Review and sign Resolution to transfer \$11,000 from General Fund to Public Health to cover the shortage at the end of the year in 2012. Public Health, Administration and the Treasures Office trying to reconcile the books for Public Health.
2. Lambert and Maez attended the SLVCAA meeting on Thursday, January 17, 2013 to choose the sub-grantees and amount for the CSBG grant for 2013/2014.
3. Lambert will be attending a Blue Peaks Special Strategy Financial meeting on Wednesday, February 6, 2013.
4. Review and sign the request from Wall, Smith and Bateman that needs to be sent to CAT Financial for the exact amount owed on Road & Bridge Equipment for liability for the 2012 audit.
5. Review and sign the Dept. Head payroll for December and January.
6. Update on some of the issues concerning the safety of the courthouse. One window upstairs will be turned into a fire escape door with a fire escape stairwell. Going to have the fire extinguisher enclosed in a case, Court Clerk looking into grant to see if it covers protective glass for the office.
7. Maez gave new Commissioners their policy manuals and mileage sheets.

Break

Wendi Maez - Land Use Administrator:

Jason Anderson moved to sign the contract with IntraWest, Inc. for tire removal. Ken Anderson seconded motion. The vote was three Ayes.

1. Review and sign IntraWest, Inc. tire removal contract.
2. Solar Reserve has submitted their annual review paperwork. They would like to know when we would like the 2014 report submitted in February 2014. The report must be submitted no later than 30 days after February 1, 2014.

Jason Anderson moved to remove the condition in the Conditional Use Permit for David and Renee Hill, Nate Scarritt and Sharon Landrith, Lot 62 Baca Grande Grants, that “the permit is nontransferable and does not go with any land transfers. Ken Anderson seconded motion. The vote was three Ayes.

3. I have received a request from David and Renee Hill, Nate Scarritt and Sharon Landrith requesting that the Conditional Use Permit condition that was placed on their approved permit stating “that is conditional use permit is nontransferable and does not go with any land transfers” be removed so they can sell the property. We have had several of these types of requests due to prior boards requiring that this type of CUP condition is attached to the permit not the land.

Ken Anderson moved to approve the bid for Lazy KV Estates Lot 37C Block AAA from Sara LaValley for \$389.00. Jason Anderson seconded motion. The vote was three Ayes.

4. At the January 15, 2013 meeting a bid was submitted to you from Sara LaValley and the lot that she bid on was not available. She has resubmitted her bid for \$389 for Lazy KV Estates Lot 37C Block AAA.

Jason Anderson moved to approve the bid for Lazy KV Estates Lot 22C Block AAA from Nathaniel Dagley for \$250.00. Ken Anderson seconded motion. The vote was three Ayes.

5. Nathaniel Dagley has submitted a bid in the amount of \$250 for Lazy KV Estates Lot 22C Block AAA. This lot is available.

Jason Anderson moved to approve the bid for Tract 10B1 and 10D2 Mineral Hot Springs Estates from Reginald Jensen for \$500.00. Ken Anderson seconded motion. The vote was three Ayes.

6. Reginald Jensen has submitted a bid in the amount of \$500 for Tract 10B1 and 10D2 Mineral Hot Springs Estates. These lots are available.

Ken Anderson moved to donate Lot 7 Block 22 Town of Moffat to the Northern Saguache County Fire Protection District. Jason Anderson seconded motion. The vote was three Ayes.

Ken Anderson moved to donate a Tract of Land located within NE1/4NW1/4 14-46-9 containing .165 acres AKA Parcel C within the Town of Villa Grove to the Northern Saguache County Fire Protection District. Jason Anderson seconded motion. The vote was three Ayes.

7. The Northern Saguache County Fire Protection District has submitted a request for the possibility of donation of Lot 7 Block 22 Town of Moffat and a Tract of Land Located within NE1/4NW1/4 14-46-9 containing .165 acres AKA Parcel C within the Town of Villa Grove. These lots adjoin the existing Fire Houses in Moffat and Villa Grove.

Ken Anderson moved to deny the request to waive the application fees for a Zoning Change to change the existing zoning from Residential to Open Space for Lot 4192 Baca Grande Chalet Unit Two and Lot 676 Baca Grande Grants. Jason Anderson seconded motion. The vote was three Ayes.

8. The Nature Conservancy has submitted a request to have the Application Fees in the amount of \$1300 for a Zoning Change to change the existing zoning from Residential to Open Space for Lot 4192 Baca Grande Chalet Unit Two and Lot 676 Baca Grande Grants waived. They are not requesting that the amount for postage or other fees be waived just the application fee.
9. Attorney Gibbons and Maez have been working with the family of Mary Osmond in the Town of Bonanza who has passed away and have had several complaints concerning the condition of her property. Maez has now been informed that bears are tearing the house apart. Attorney Gibbons is working with a relative to find a resolution.
10. Hollenbeck RS2477 Vacation of Road application has been received to vacate a small portion of County Road 10XX. Public hearing set for April 2nd at 3pm.

Ken Anderson moved to sign the Purchase Agreement For The Commercial Property Leach Airport. Jason Anderson seconded motion. The vote was three Ayes.

11. Mike Spearman and Maez have met with Dan Sanderson, Judy David and Jeannie Sanderson and have got all three signatures on the purchase contract for Leach Airport. Need to review and sign the contract to move forward with the purchase. The earnest money voucher is in the run for today's meeting.
 - a. Ms. Sanderson and Mrs. David have asked that the name of "Leach Airport" remain as the official name of the Airport. Board agreed to this request.
 - b. Ms. Sanderson has also asked if in this land purchase deal her driveway be cleared if need be during snow storms. BoCC stated it is not part of the deal or property.
12. Attended the Gunnison Sage grouse meeting between the USFWS, Gunnison County and Saguache County on January 23rd and 24th.

Ben Gibbons- County Attorney:

Ken Anderson moved to enter into Executive Session at 11:52 A.M. for determining positions related to matters that may be subject to negotiation under CRS 25-6-402 (e). Joseph seconded the motion. The vote was three Ayes.

Ken Anderson moved to return to regular session at 12:03 P.M. Jason Anderson seconded the motion. The vote was three Ayes.

1. Joseph requested an executive session.
2. Briggs litigation has been dismissed with prejudice.
3. Sent a sample recording policy to the BoCC, would like the BoCC to adopt a policy for official minutes.
4. Discussion on the BoCC putting a policy in place banning marijuana in County Buildings. Also the retail sale of it in the County.
5. BoCC asked Attorney Gibbons about disclaimers on the County websites, such as for links and information on the Office of Emergency Management website. Attorney Gibbons will review and get back to the BoCC.

Lunch

Randy Arredondo- Road and Bridge Supervisor report:

Ken Anderson moved to approve the CDOT report on the H.U.T. roads. Jason Anderson seconded motion. The vote was three Ayes.

1. Review of IGA's for the Town of Moffat and the Town of Crestone. Arredondo would like the BoCC to think about getting away from the IGA's with Moffat and Crestone because of the uncertainty of funds over the next few years and the complexities of working with the Towns. The Town requests are starting to deviate from the agreements, and, the County is losing significant funds, in costs for the work done.

Ken Anderson moved to allow Treasurer Trujillo to disperse the 25% of SRS monies to the school districts upon receipt of information in accordance with applicable regulations under HB 091250. Jason Anderson seconded motion. The vote was three Ayes.

2. Treasurer Trujillo received the 2012 SRS monies. Arredondo stated that the Center Schools have asked that the school district 25% be released. The County has to wait on the enrollment count for each school district from the State of Colorado before the monies can be released.

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

Della Vieira- Public Health Director:

1. Presented a slide show to the BoCC on Public Health Development in Saguache County over the last five years. Please see Public Health Office for hard copies.
2. Public Health Act of 2008: Formation of a Board of Health, Designation of a Medical Officer, Board of Health shall hold meetings at least every three months per 25-1-508(4)(b)(I), Encourages a statewide basic level of public health services.

Ken Anderson moved to adjourn as Saguache County Board of Health at 2:00P.M. Jason Anderson seconded the motion. The vote was three Ayes.

Public Lands report:

1. Saguache County is ahead of their invasive weeds.
2. Multi-State Solar EIS, 4 zones in Colorado, all 4 in Saguache County.
3. Geo-thermal EA, how to develop geo-thermal energy on BLM land, was complete in October, going through with UFWS.
4. Closed roads possible change to bike trails. World-class trails around Penitente Canyon. Working on signage for Penitente Canyon.
5. Gunnison Sage Grouse, joint meeting next week.
6. Poncha Pass working group did get funding for 2013, but next year may not be the case.
7. Blanca ACEC, BLM designation for an area of concern, proposing to expand the Blanca wetlands area into Saguache County.
8. RAC Projects for 2013: Rio Grande NF will receive \$167,857.00, Gunnison NF will receive \$86,509.00, and San Isabel NF will receive \$6,845.00
9. The following projects were approved: SCC Silver Creek Trail Maintenance, Los Pinos Watershed improvement, Gunnison Ranger District, Carnero 41G Rd., Luders Creek, LaGarita Wilderness, Willow Lake, Spanish Creek, Mosquito Lake, Saguache Park, Saguache Conservation Corp, Erosion Mitigation Workshop, Poncha Loop, Bear resistant trash cans, and M.V.P. products.
10. Continental Divide Scenic Trail still in process.
11. Drought is hurting the range permits.
12. In process of getting a La Garita Hills project.

Paul Williams, BELLA Energy:

1. Bella Energy working with Xcel Energy is seeking to install solar gardens for commercial and municipal customers. Community Solar Gardens is a dedicated solar array that allows all members of the community access to solar power through subscriptions to the Solar Provider Organization.

2. All members of the community are eligible: Governmental, Municipalities, Non-Profit Organizations, Commercial business owners, and Residential home owners.
3. As a subscriber you can purchase power at a reduced cost of electricity or you have the option to purchase shares and acquire ownership in the solar array.

Bill Paying

Joseph moved to approve Jason Anderson as the Saguache County Prevention Partners Coalition (SCPP), Commissioner representative. Ken Anderson seconded motion. The vote was three Ayes.

Joseph moved to adjourn at 3:11 P.M. Jason Anderson seconded motion. The vote was three Ayes.

Adjourn

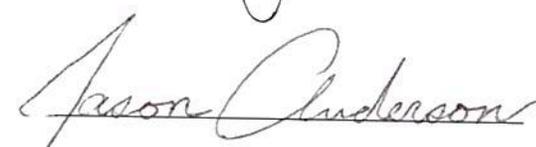
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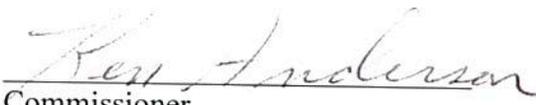
Staci Morfitt Acting Secretary to the Board of County Commissioners

Minutes Approved February 19, 2013


Chairman of the Board


Attest


Commissioner


Commissioner

