

Saguache County Board of Commissioners met in regular session Monday, March 11, 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 9:09 A.M.

**Employee Appreciation:**

Bert Garcia- 5 years

Robin Kochera- 5 years

Ronald Gilbertson- 5 years

James Felmlee- 10 years

Laura Taylor- 5 years

**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:**

1. Moved Road & Bridge time to 10 AM to have a conference call with Adam Green of Solar Reserve, who was unable to attend today's meeting to request a support letter to be sent to Governor Hickenlooper.

**Jason Anderson moved to approve the minutes of February 19, 2013 as amended. Ken Anderson seconded motion. The vote was three Ayes.**

**Reading and approval of minutes of February 19, 2013:**

**Review of Mail and other correspondence:**

1. **Upper Rio Grande Economic Development Council** sent the URGEDC 2013 Dues. (2/19/13)
2. **Upper Gunnison River Water Conservancy District** sent the Monday, February 25, 2013 Board of Directors Agenda in Gunnison, Colorado. (2/20/13)
3. **Leigh Mills** sent a thank you letter for supporting the 3<sup>rd</sup> Annual SLV Seed Exchange from the Tourism Board. (2/20/13)
4. **The Saguache County Republicans Executive Committee** submitted a letter in regards to recording the BOCC Minutes. (2/20/13)
5. **Friends of the SLV National Wildlife Refuges** sent the February 2013, Volume 21, No. 1 Newsletter. (2/19/13)
6. **Rio Grande Water Conservation District** sent the February 2013 Ground Water Table Measurements. (2/21/13)
7. **Sandra Montoya** sent a Notice for the Rio Grande Compact Commission Meeting on March 21<sup>st</sup> beginning at 10:00a.m. at the Inn of the Rio Grande. (2/21/13)
8. **National Association of Counties** sent the April 2013 Newsletter. (3/6/13)

9. **Andy Karsian** sent an email in regards to the Sequester Impacts on June 2013 County PILT Payments. (3/6/13)
10. **Rio Grande Land Use** sent an email in regards to the Public Meeting for the County Road 66 Drill Site Proposal in Rio Grande County on March 15, 2013 at 1:30p.m. Please RSVP by Tuesday, March 11, 2013 @ email [rgclanduse@riograndecounty.org](mailto:rgclanduse@riograndecounty.org) . (3/6/13)
11. **Jenny Nehring**, with Poncha Pass Gunnison Sage-Grouse sent an email in regards to GuGS comment period extension official. (3/6/13)
12. **Todd Stewart** sent an email in regards to the County Solar Garden. (3/7/13)
13. **Erin Minks** sent an email in regards to Hispanic Heritage. Senator Udall Introduces Grassroots Bill to Establish Sangre De Cristo National Historic Park. (3/7/13)
14. **Pearl Brewer, Mountain Valley School** sent a letter asking for Grant funds to be split between 7 kids not the 9 kids that were projected. (3/7/13) BoCC discussed and decided to leave the grant at \$600.00 per student.
15. **Scott G. Armentrout, USFS** – sent a letter discussing the proposed land exchange between the Homestake Mining Company of California and the US Forest Service.

#### **Introduction of Guests:**

Matie Belle Lakish- Crestone Eagle  
 Travis Smith- SLVID  
 Paul Tigan- BLM  
 Trevor Klein- Kerber Creek Restoration

George Zetzsche  
 Julie Mach- ScSEED/ SW Conservation  
 Jim Pitts- Forest Service  
 Liza Marron- ScSEED

#### **Public Comment:**

None at this time

#### **Commissioners Report:**

##### **Linda Joseph** reported:

1. Clerk Gomez's draft of new Agenda and Minutes format was distributed for comments and test implementation in March. Clerk Gomez and Attorney Ben Gibbons are discussing policy clarifications for Open Records and public access of information. Attorney Gibbons would like to start with written requests to have documentation of requests. Joseph forwarded Gunnison County's policy as an example.
2. Joseph had a phone consultation February 21 with Kenny Bertin, WSB regarding website analytics, to assist in the Commissioners' review of venues, quality and formats for minutes and other public information. Subsequently adjusted webpages, to elicit information we're most specifically seeking. Analytics will be reviewed for what they tell about what the public is interested in, for priority attention.
3. Joseph assisted Tourism Council in adapting the State Internet Portal Authority (SIPA - denied) grant application, for a Sales Tax request. Funds are needed to update the County Tourism website technology and content.
4. Joseph had a phone conference with Mark Talbot, XPlore and Julie Mach, ScSEED February 23, regarding receiving the State Internet Portal Authority (SIPA) grant award for further development of the County Economic Development website: [choose-saguache.com](http://choose-saguache.com), This site is designed particularly for "Site Selectors" who scope out locations for businesses seeking new

- place to be; an economic development tool to assist them in finding and considering Saguache County for businesses they represent.
5. The SIPA grant includes funding for training of staff in web design, navigation and content presentation skills, to maintain the ED and other County webpages in-house. Web analytics will again provide the facts on public interest and where to focus attention in providing user-friendly information.
  6. County Administration and Land Use are expanding the downloadable financial and permit documents.
  7. The first Eye on the County open letter was published in all three newspapers.  
**It is suggested that: -the next Eye on the County letter be on the minutes and other public information topic, to share more on the due diligence process in progress. Future letters can provide update news flashes, as improvements are implemented; and a comment box will be added to the County's Homepage, inviting comments on web improvements and access to County information.** These will assist in the web analytics review work session.
  8. February 20 - Forwarding voluminous emails and documents since the Gunnison Sage Grouse Strategic Committee meeting. Receiving documents ongoing, relating to the steps in the proposed US Fish & Wildlife listing of endangered, with expansive critical habitat protections proposed from south central Colorado into Utah.
  9. Meeting of the BoCC with the Saguache County Planning Commission, and Crestone Baca Planning Commission.
  10. March 6-7 - Attended the Regional Emergency Medical & Trauma Advisory Council (RETAC) Forum in Colorado Springs. Reviewed the scoring requirements and tools for EMTS education grants, we had developed on in February.
  11. Assisted in the completion of support letter previously approved by the Board for the GOCO grant application of the Towns of Saguache.

**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. Reviewed a letter of opposition to CDOT restructuring in ways that may compromise rural highway funding.
3. 2/9/13 Attended the restructuring meeting of the Saguache County GOP, spoke on a more unified County.
4. 2/10/13 attended the ranching celebration in Saguache.
5. 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.
6. 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-Pl'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- Pl'd  
HB13-1137 Lot restrictions for BOCC Auth. over weed removal- moving forward  
SB13-021 Right of way for Pipelines. - Pl'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- Pl'd (dead)

7. 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.

Beatle 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.  
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

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.

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.

-Region 8, Wednesday March 18<sup>th</sup> 9:00-12:00, Inn of the Rio Grande, Alamosa

Commissioner Jason Anderson requested a letter of support from the County for his candidacy to the Front Range Resource Advisory Council (RAC), to be completed for deadline March 14.

**Ken Anderson** reported:

1. February 25- Attended the San Luis Valley Development Resource Group. Discussions on alternative energy sources and the Ride the Rockies bike tour coming up in June.
2. February 28 - Attended the Budget and Finance BoCC Work Session, followed by the Joint Meeting of the BoCC with the Saguache County Planning Commission, and Crestone Baca Planning Commission.

3. March 1- National Farmers Union Convention in Massachusetts. Discussions on hemp and the different products that can be manufactured. Discussion on different policies and the issue of drought.
4. Attended the South Central Senior Citizens meeting in Alamosa.

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

1. Soil tests results from the Leach Airfield should be in at the end of this week.
2. Discussion on weed control, dying the spray to tell what entity and what has been sprayed, and scheduling a meeting for all entities who are involved.
3. Request to amend the 2013 budget for Road & Bridge. The 3% pay increase was not included in the Road & Bridge budget, so line item under professional services needs amended to cover the pay raises. BoCC directed administration to draw up a resolution.
4. Requested an executive session with Attorney Gibbons and the BoCC for personnel purposes.

**Jason Anderson moved to enter into Executive Session at 10:36 A. M. for personnel purposes under CRS 24-6-402(4) (f) (I) and for legal purposes under CRS 24-6-402(4) (b). Ken Anderson seconded the motion. The vote was three Ayes.**

**Ken Anderson moved to adjourn from executive session and return to regular meeting at 10:55 A.M. Jason Anderson seconded the motion. The vote was three Ayes.**

5. Arredondo and BoCC discussed not having Free Dump day this year at the Landfill due to the possible opening of another cell. It was deferred for consideration of a possible Fall date. Arredondo will run notices in local papers so people are aware it will not be in April this Year.
6. Construction Quality Assurance on the Landfill will be done this week.

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

1. Commissioner Joseph reviewed and signed the Assessor's Colorado Park and Wildlife Impact Assistance Grant Application on February 26, 2013.
2. Adam Green with Solar Reserve will be in to talk about requesting a letter of support during Admin time today. Was unable to attend, phone conference scheduled for 1 PM today.
3. Discussion on the bid for the fire escape and the different insurances that will need to be carried by the contractor.

Break

**Wendi Maez - Land Use Administrator:**

**Ken Anderson moved to approve the Conditional Use Modification for a Salvage Yard on the SE ¼ Section 33 Township 41 Range 10 East, with the SCPC recommendations and also the Hazardous Materials will be handled with applicable laws and regulations and that any fencing will be painted in a uniform fashion. Jason Anderson seconded the motion. The vote was three Ayes.**

1. Lew and Tanya Inman – Conditional Use Modification to correct the violation on the SE1/4 Section 33- Township 41- Range 10 East, containing 8.50 acres. Present Use Consignment Yard – original CUP was issued in 1996 but was revoked due to landowner not following conditions

approved. The use has been continued and the landowner is trying to correct what the previous landowner did not follow. Attorney Gibbons and the BoCC discussed language for the modification and talked with Mr. Zetche on exactly what the operation of the property would be.

The SCPC recommended approval of this modification at their regular meeting on January 31, 2013, with the following conditions:

- a. Annual Review of project
- b. Time limit for completion set at June 1, 2013
- c. 250 feet length of fence to be installed on the north and east side of property by June 1, 2013
- d. Weeds must be controlled at all times
- e. Items must be in lines and not placed over the entire property

**Jason Anderson moved to approve the Subdivision Exemption request for Robert W and Bernice W Myers for NW ¼ 31-41-9. Ken Anderson seconded motion. The vote was three Ayes.**

2. Robert W. and Bernice W. Myers – Subdivision Exemption request for NW1/4 31-41-9.
  - a. This request is to subdivide a tract of land containing 162.41 acres into 3 tracts containing 153.82 acres, 5.10 acres and County Road right of way to contain 3.64 acres. The SCPC recommended unanimous approval of this request during their regular meeting on February 28, 2013.
3. In May of 2012 a request was made by Jennifer and Danush Dopierala to have their lot consolidation given approval prior to the June 1<sup>st</sup> cut-off date without going before the Crestone/Baca Planning Commission. The BOCC gave approval of this request if the taxes were paid on for the current year. The taxes were paid in September of 2012. Land Use staff was not notified that the landowners had paid the property taxes and now the landowner would like to know if you will review their application at this time. Board agreed to have the Lot Consolidation resolution recorded.
4. Todd Stewart with Solar Power Financial sent a request inviting the County to participate as a subscriber in the solar garden. An email was sent to the Board on February 25<sup>th</sup> with the letter. The letter was included in the mail for this meeting. BoCC directed Administration to get a watt use for the county buildings to evaluate.

**Jason Anderson moved to approve the Vacation/Consolidation request for Anne Lovely Lots 1216 and 1217 Baca Grande Chalets Unit One. Ken Anderson seconded the motion. The vote was three Ayes.**

5. Anne Lovely requested to Vacation/Consolidation of Lots 1216 and 1217 Baca Grande, Chalets Unit One containing 1.132 acres.

**Ben Gibbons- County Attorney:**

1. The date of the Hollenbeck hearing has been set for April 2, 2013. BoCC trip to view the road has been cancelled due to weather. Overview with BoCC next week.
2. Should have the soil samples from Leach Airfield back next week. Michael Spearman dropped off some leases on the hangers. Attorney Gibbons advised the BoCC to set a closing date next week.
3. Has a telephone conference with the Gunnison County Attorney to plan the legal side of the Gunnison Sage-Grouse procedures.

4. Working with Clerk Gomez on written policy for public information, and procedures, such as charges.

**Travis Smith-** Rio Grande Cooperative Project:

1. Rehabilitation of Rio Grande and Beaver Park Reservoirs.
2. Colorado Parks & Wildlife owns and uses a number of native and transmountain water rights in the Rio Grande Basin, including Beaver Reservoir.
3. Pre-compact reservoir.
4. Storage capacity of approximately 54,000 acre-feet.
5. Under a storage restriction due to dam safety issues.
6. Cost of repairing Beaver Reservoir is currently being investigated but is estimated to total \$16 million.
7. Rio Grande Reservoir only mainstem pre-compact reservoir in the basin.
8. 100 year-old dam has dam safety issues related to seepage, spillway capacity and outlet works.
9. Repair for the dam is estimated to cost \$20-\$25 million.
10. Colorado Parks & Wildlife stores and regulates many of its transmountain water rights in Rio Grande Reservoir.
11. Rio Grande Cooperative Project is a public-private partnership designed to ensure reliable water supplies to meet the future needs of multiple users in the Rio Grande basin.
12. Primarily a joint venture between the San Luis Valley Irrigation District and Colorado Parks & Wildlife.
13. The Cooperative Project received initial funding from the Colorado Water Conservation Board.

Lunch

**Adam Greene-** Solar Reserve conference call:

1. Asking the BoCC for a letter of support to take to Governor Hickenlooper to help with the political decision of this project.
2. Would like the letter to include why Saguache County is in support and how this project is important to the County, including creation of new jobs and water conservation.

**Jason Anderson moved to approve writing a letter of support to Governor Hickenlooper for the Solar Reserve Project. Ken Anderson seconded the motion. The vote was three Ayes.**

**Ken Anderson moved to convene as Saguache County Board of Health at 1:25 P.M. Jason Anderson seconded the motion. The vote was three Ayes.**

**Della Vieira-** Public Health Director:

1. Public Health Admin.
  - a. New Administrative Assistant for Saguache, Kristen Hansen, began today.
  - b. New Project Coordinator for RWJF grant, Kimberly Bryant, began today.
  - c. Health Fairs: Center, April 5, 7:30-11:30, Saguache, April 13, 7:30-11:30.
2. Public Health Planning.
  - a. Review of 2013 Public Health Improvement Plan
  - b. Approval of plan for forwarding to CDPHE
3. Communicable Disease & Immunization.

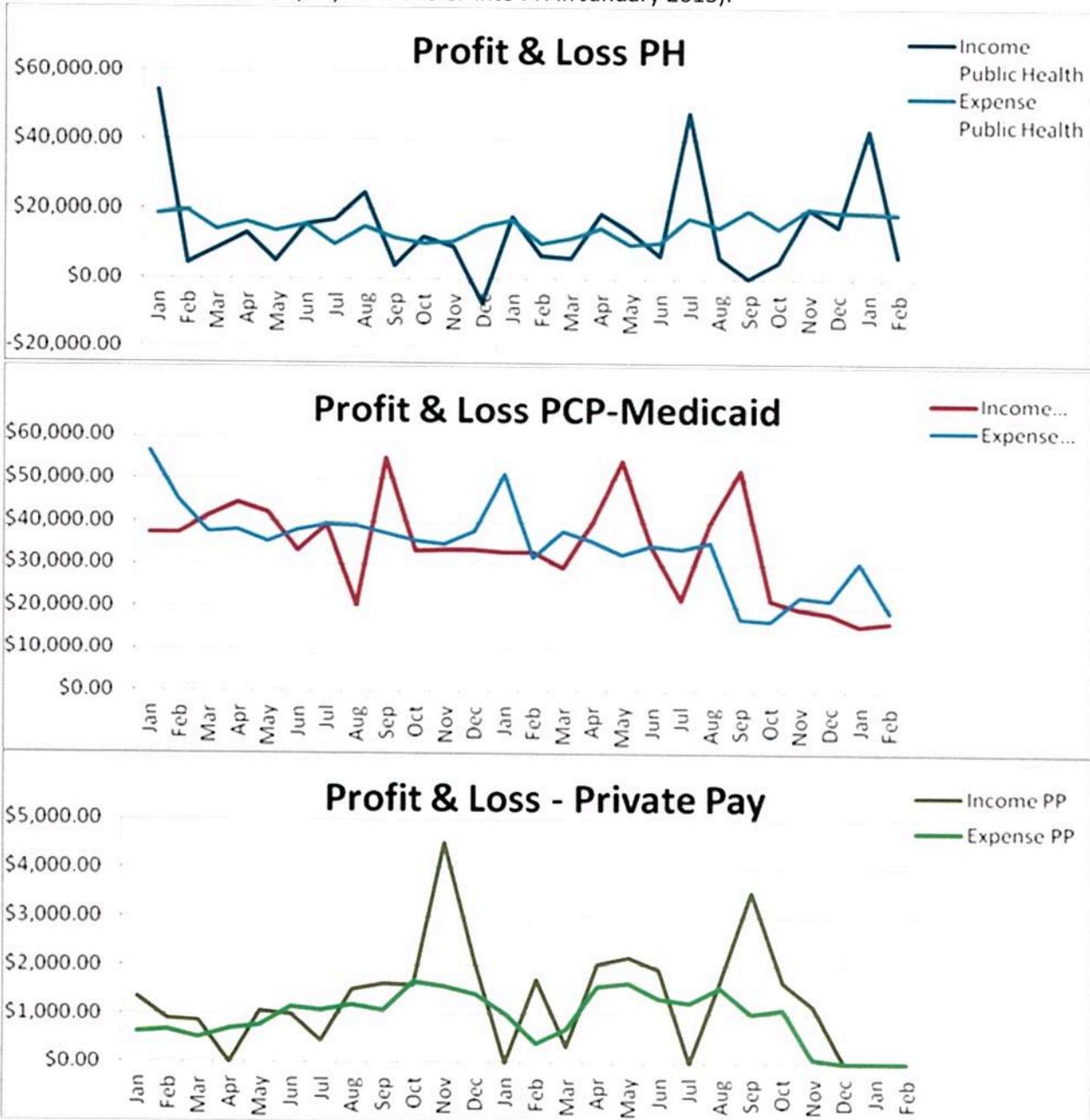
a. Pertussis cases in Colorado expected to dip below epidemic levels sometime over the next few months: this gives SCPH one more opportunity to outreach Tdap vaccination of adults at April Health Fairs.

4. PCP Program.

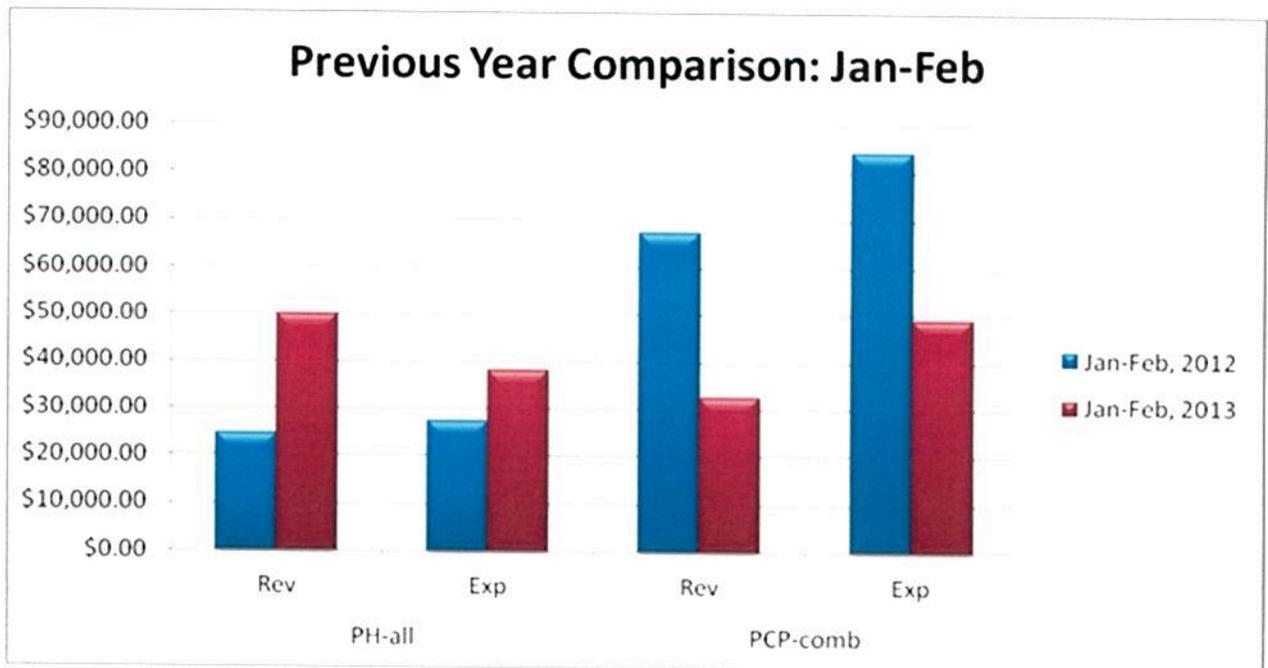
a. Total of 50 Medicaid clients and 0 Private Pay clients in at end of Feb.

5. Financial reports.

a. P & L through end February for PH and PCP Programs (please note that these figures include the \$29,000 transfer-into PH in January 2013).



6. Previous Year comparison PH and PCP combined (please note that these figures include an \$8,500 transfer-into PCP in Feb 2012, and \$29,000 transfer-into PH in Jan 2013).



**Ken Anderson moved to adjourn as Saguache County Board of Health at 2:28 P.M. Jason Anderson seconded the motion. The vote was three Ayes.**

**Public Lands report:**

1. New Assistant Field Manager Paul D Tigan for the BLM was introduced to the BoCC.
2. BLM and Public Lands put in internal comments on the Sage-Grouse.
3. Solar Energy Zones in the San Luis Valley waiting to go through rule making processes before entertaining any applications. Competitive process.
4. Xcel Energy and the BLM are working together on a power pole replacement project on Poncha Pass.
5. First fire on public lands this year was in Penitente Canyon caused by a lighting strike.
6. The annual aerial forest health survey in Colorado was released and indicates that the spread of the mountain pine beetle epidemic has slowed dramatically, while the spruce beetle outbreak is expanding.
7. USFS will be holding a public meeting on beetles the first part of April.
8. Discussion on the after math of the beetles and what uses the dead timber can have.
9. Went over the Volunteers for Outdoor Colorado (VOC) volunteer crew summer programs.
10. Homestake Mining Company is wanting to trade out 700 acres of land that runs adjacent to an old uranium mine for public lands that are along the Gunnison National Forest.
11. Kerber Creek Restoration Project update was presented by Trevor Kline.
12. Mining was from the 1880's – 1970's, largely ceased by 1930s. Dozens of silver mines with tailings deposited in streams and behind dams, carried downstream by events and dam failure.
13. The Kerber Creek watershed begins just northeast of Villa Grove and extends north of Bonanza.
14. The effects on the watershed from tailings leads to plant death, instability of stream lands due to greater erosion, and poor fishery and macroinvertebrate habitats.

15. Restoration strategies include in-stream rock structures, and re-shaping of stream and bank slopes. Treatment of mine waste deposits and re-vegetation. Monitoring and evaluating the watershed. Along with Community Development & Environmental Education.

**Julie Mach-** ScSeed Coordinator & Southwest Conservation Corps:

1. ScSEED has four main strategies for preserving our heritage and designing our future in Saguache County; Civic & Social Connections, Compatible Economic Development, Agriculture & Environment Conservation, and Education & Enrichment.

Projects:

Saguache County Economic Development website.

Kerber Creek-Trevor Kline new Vista, working with Northern SLV Conservation Roundtable.

Ranching Celebration was held in Saguache.

Crestone Redevelopment Project

Mountain Money recall

Colorado Office of Economic Development & International Trade (OEDIT) meeting in Alamosa

Sales Tax Grants; Economic Development Website, Saguache Walking Tour, and Saguache works

2. Southwest Conservation Corps Saguache County Community Corps, 2012 Program report. Program Dates were May 30- June 8 and June 11- July 6. Program Partners were the Saguache County Road & Bridge, Town of Saguache, Town of Center, Town of Moffat, and the BLM. Participants were ten local youth ages 14-18 and two adult crew leaders. Southwest Conservation Corp partnered with Volunteers for Outdoor Colorado and USFS to organize the two week leader training. The crew spent four weeks completing conservation projects throughout Saguache County, including 1,000 sq. ft. of restoration work. Each week the crew also participated in 8 hours of educational activities and discussions on topics such as: local history, ecology, Leave No Trace, sustainable farming, volunteer opportunities, and career development. The total program cost for 2012 was \$26,370.00

Bill Paying

**Ken Anderson moved to adjourn at 4:00 P.M. Jason Anderson seconded the motion. The vote was three Ayes.**

Adjourn

Respectfully Submitted,

Staci Morfitt Acting Secretary to the Board of County Commissioners

Minutes Approved April 2, 2013



*Steve M. [Signature]*  
Attest

*Kevin Joseph [Signature]*  
Chairman of the Board

*Jason Anderson [Signature]*  
Commissioner

*Ken Anderson [Signature]*  
Commissioner