

SAGUACHE COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION MEETING
9:00 A.M. TUESDAY, JUNE 18, 2013

MINUTES

I. CALL TO ORDER

The meeting was called to order by Board Chair Joseph at 9:04 a.m., with the following members present:

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

II. ADDITIONS/DELETIONS TO AGENDA

MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE AGENDA AS AMENDED

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

III. READING AND APPROVAL OF MINUTES – June 10, 2013

1. Moved approval of the June 10, 2013 minutes to July 2, 2013.

IV. REVIEW OF MAIL AND OTHER CORRESPONDENCE

1. **Whitney Strong** sent an email concerning Division of Property Taxation. (6/10/13)
2. **Colorado Open Landscapes** sent the Spring 2013, Volume 13, Number 1 Newsletter. (6/11/13)
3. **State of Colorado Dept. of Public Health** sent the Notice of Meeting & Agendas for the Air Quality Control Commission Annual Retreat in Grand Junction, CO, June 20 & 21, 2013. (6/12/13)
4. **Town of Moffat** sent a copy of the letter they received from the Town Attorney, Matt Hobbs, in regards to the Saguache County Road IGA. (6/11/13)

V. INTRODUCTION OF GUESTS

Matie Belle Lakish, Crestone Eagle
Peggy Godfrey
Rob Phillips, RGWCD
Peter Ampe, Hill & Robbins

Earl W. Sutherland, Nature Conservancy
Kent Palmgren, RGWCD
George Whitten Jr., RGWCD
Steve Vandiver, RGWCD

VI. PUBLIC COMMENT

VII. COMMISSIONERS REPORT

Commissioner Joseph:

1. June 11 - Attended the weed tour with reps from BLM, Center Soil Conservation, Road & Bridge Dept. Saguache stands out statewide in occurrence of invasive species, both because we report well, and, because we are a crossroads area in southern Colorado. Some action items identified include - contact CDOT regarding use of the gravel piles in the vicinity of Old Cow Town, which is infested with Black Henbane seed; discussion regarding collaboration and encouragement for private property owners with known and expanding invasive species issues; further discussion of use of non-herbicidal weed management methods with regard in particular to the Baca Grande. Other discussion - the incomplete status of the Cochetope Scenic Byway designation. BLM has a representative on that Commission and can look into it. A letter from the BoCC could help.
2. June 13 - Attended by teleconference the meeting of the County Coalition regarding Sage Grouse (MOU group). Two action items: counties joining as signers on a request for a 6 mo. extension of the USFWS process; and, on an "umbrella" conservation plan including CO and UT and the 11 counties with Gunnison Sage Grouse and habitat. These were forwarded for review, and consideration of approval today. Phone reception was difficult, but other key points heard included, recommitment to their stated position the listing is not warranted, in complement to the MOU groups' position and work. It was stated that the "umbrella" Conservation Plan would move soiled outlier populations into a broad team approach for solutions, and the Poncha population/habitat was the specific sited. The fact that habitat issues are significant and need to be addressed in these areas was mentioned. US Fish & Wildlife Director Ashe is coming to Gunnison on July 16 to meet with the counties involved and see the bird and habitat. The Saguache County regular meeting on the 16th has been rescheduled to Monday, July 8, so that Saguache County is represented.
3. Have been in contact with Jenny Nehring, Ben Gibbons and Wendi Maez, for final language in the contract for Nehring's services in County Sage Grouse activities, also forwarded for review, and consideration of approval today. Joseph was authorized to complete contract with Nehring.
4. Made arrangements for the BoCC to attend the Gunnison Sage Grouse Strategic Committee regular meeting in Gunnison, June 19, followed by lunch with the Gunnison BoCC at the Gunnison County conference room. Meeting June 20th, with Marvin Weidner, of [Weidner, Inc.](#) - Managing for Results systems for local governments.
5. Corresponded with Sheriff Norris, when the US Forest Service declared Stage 1 Fire Restrictions. He will be bringing the ordinance for the County's declaration today.
6. June 14 - Attended the Incident Command System 402 training for elected official, responsibilities and channels of communications and command, in the event of an incident, such

as fire. Action items: follow-up with Office of Emergency Management - Jim Felmlee on a future tabletop exercise; identify BoCC roles in the event of an incident.

7. Corresponded with:
 - a. Kimberley Bryant and Roni Wisdom, in arrangements for the PH Planning Partnership to present to the Valley Commissioners and Council of Governments in July.
 - b. Jarrod Biggs, DOLA regarding PILT amount discrepancy, noted in recent press release.
 - c. Curtis Belcher, DOLA to schedule the Local Board of Equalization Training.
 - d. Julie Mach, to schedule follow-up with her and Mark Talbot on the Tourism/Economic Development strategies.

Commissioner Ken Anderson:

1. 6-11-13- Attended the SLVREC (San Luis Valley Rural Electric Cooperative) meeting in Alamosa.
2. 6-12-13- Attended the HCP (Habitat Conservation Plan) meeting.
3. 6-13-13- Attended the Monte Vista Coop meeting.
4. 6-14-13- Attended the ICS Emergency Management meeting in Alamosa for elected official training.
5. 6-15-13- Attended the San Luis Valley DRG meeting (Development Resource Group)

Commissioner Jason Anderson:

1. 6/11- Attended Commissioner's Weed Tour of Saguache County.
2. 6/12- Spoke with Benjamin Byer of Crestone about tax assessment on commercial property in Crestone.
3. 6/13- Attended by phone the Gunnison Sage Grouse meeting.
4. 6/13- Spoke with Clay and Margaret Bridgford who were refused a reverse mortgage for their home in the Baca Grants as a result of Saguache County having an incomplete FEMA required NFIP or flood plain mapping effort. The BoCC will provide a letter for the Bridgford's to their financial institution.
5. 6/14- Spoke with Curtis Belcher with DOLA about the tax structure in the Crestone Commercial district. I expressed my concerns for the economic effects the sudden tax increase will have on the Crestone economy.
6. 6/14- Attended the Incident Command training in Alamosa.
7. 6/17- Office Hours: Met with May Engquist and discussed options for Solar Infrastructure for the Town of Saguache.

VIII. CO-ADMINISTRATOR REPORT- WENDI MAEZ & LYN LAMBERT

1. BOCC work session schedule discussion.
2. Auditors were in the County last week there are a few things we are going to get written up on concerning Housing and DSS.
 - a. The auditors are suggesting that an accountant be hired to do the book work at housing or require Evan Samora to take classes to learn how to do the book work needed.
 - b. Also, DSS has been doing very good reconciling to the CFMS State system but they have not reconciled to the County Treasurer as required all year.

BREAK

IX. LAND USE ADMINISTRATOR- WENDI MAEZ

1. Bid received for Tract 2A1 Mineral Hot Springs Estates from Christine Peterson.

MOTION BY COMMISSIONER JASON ANDERSON TO ACCEPT THE BID FROM CHRISTINE PETERSON FOR TRACT 2A1 MINERAL HOT SPRINGS ESTATES FOR \$300.00.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

2. Leach Airport – Dan Sanderson review and sign Mylar plat for Leach Airport property transfer. BoCC signed the Mylar plat, Mr. Sanderson has not signed as of right now.

MOTION BY COMMISSIONER KEN ANDERSON TO GIVE COMMISSIONER JOSEPH AUTHORITY TO SIGN THE AMENDED CONTACT ONCE THE FINAL FIGURES ARE COMPLETE AND THE AUTHORITY TO SIGN AT THE CLOSING.

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

3. Cottonwood Creek/Greenway access discussion. Commissioner Jason Anderson did a site visit and the rocks have been removed from the property. Maez asked the BoCC what the next step would be. Commissioner Jason Anderson stated he would like to go with the previous boards' determination and Commissioner Joseph recused herself from the decision.

MOTION BY COMMISSIONER JASON ANDERSON TO STAY WITH THE PREVIOUS BOARDS DETERMINATION THAT THERE IS NOT ENOUGH EVIDENCE TO DECLARE THE COTTONWOOD/GREENWAY ACCESS IS A PUBLIC ROAD.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 2

VOTES AGAINST: 0

MOTION CARRIED

4. Specialty Investors, LLC tire clean up update. Cannot clean up tires that have been buried. Tire count is still around 20,000.
5. Discussion on the flood plain map, the cost, and if the County will do it or not. Attorney Gibbons advised the BoCC not to do a resolution, unless a modified resolution to only include areas that are mapped.

X. COUNTY ATTORNEY- BEN GIBBONS

1. Attorney Gibbons presented a letter to the BoCC that the County Coalition for Gunnison Sage-Grouse (GuSG-MOU group) prepared to Fish and Wildlife, requesting a six month extension of the listing consideration process and public comment period. BoCC discussed if Saguache County will sign on asking for the extension. Attorney Gibbons advised the BoCC that the extension letter looks okay to him legally.

MOTION BY COMMISSIONER KEN ANDERSON TO SIGN THE LETTER TO THE FISH AND WILDLIFE REQUESTING A SIX MONTH EXTENSION.

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

2. Attorney Gibbons presented the Conservation Agreement for the Gunnison Sage-Grouse. Advised the BoCC that it is not binding, no financial responsibility, no requirements, more aspirational. Maez has a concern of the County not having the resources to commit like other Counties do.
3. Attorney Gibbons was approached by a concerned citizen from the Baca on recreational marijuana. The citizen is concerned that out of state renters that have not established residency in Colorado are growing and using marijuana. Citizen wanted to know if the County could do anything about it. Attorney Gibbons does not feel that there is.
4. Some minor changes to the CORA Policy in progress, and will be put on the next regular session agenda for approval.
5. The Saguache Solar Garden Lease contract is ready for Attorney Gibbons to review.

XI. SHERIFF'S REPORT- MIKE NORRIS

1. Fire on east side of County by Poncha called "Ox Cart" is up to 28 acres and is being watched and maintained by the Forest Service. Several lightning fires over the weekend.
2. Stage one Fire Ban will be in effect tomorrow at 8am. Gunnison County will have a Fire Ban in effect Monday June 24, 2013.

MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE AND SIGN THE STAGE ONE FIRE BAN.

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

JAIL TOUR

LUNCH

XII. DOLA- JARROD BIGGS

1. BoCC placed a phone call to Jarrod Biggs concerning the County's 2013 PILT amount discrepancy. The Schools did receive the full Secure Rural Schools funding, as documented by the Saguache County Treasurer. However, due to an error in processing / procedure this was not noted and reflected in the allocations for 2013. The result is a reduction by half in 2013 PILT for the Saguache County General Fund. The County will receive \$461,000 this year, and will be made whole, but not until 2014, with the balance approximately \$478,000.
2. Treasurer Trujillo presented her documents and the cover sheet that she had faxed to DOLA clearly stating the attachment that showed the correct adjustments.
3. Jarrod Biggs did give this report to the State auditors when he noticed the discrepancy. Department of Interior has no way of making a supplemental payment. It can be fixed but not right now, it would be a correction next year, unless there is an act by Congress.

4. Attorney Gibbons asked Mr. Biggs to get the County some kind of confirmation from the Department of Interior stating their acknowledgement of the error and that it would be corrected. Mr. Biggs stated he would help with letter from BoCC to the Department of Interior, stating the County would like a letter of acknowledgement of error.
5. Attorney Gibbons advised BoCC to write a letter and have all Department Heads and Elected Officials write their own letters to Congressional Representatives and Senators.

MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE SIGNING OF A LETTER TO CONGRESSIONAL REPRESENTATIVES AND SENATORS IN CASE LETTER IS FINISHED BEFORE NEXT REGULAR SESSION MEETING.

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

XIII. ROAD & BRIDGE SUPERVISOR- RANDY ARREDONDO

1. Presented a letter to the BoCC stating that the Landfill will be temporarily closing on June 30, 2013 to install the clay liner; not sure of time frame for closure. Arredondo gets the feeling that the State would rather see the Landfill turned into a Transfer Station, asked the BoCC to consider while the Landfill is closed.
2. The Town of Crestone and Baca have a lot of noxious weeds that need to be taken care of. Having an issue with people not wanting herbicide used, but Arredondo states he doesn't have the man power to not use herbicide. Needs to be addressed before fall.

MOTION BY COMMISSIONER KEN ANDERSON TO CONVENE AS SAGUACHE COUNTY BOARD OF SOCIAL SERVICES AT 1:55 P.M.

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

XIV. DIRECTOR SOCIAL SERVICES- JEANNIE NORRIS

1. There were 28 TANF cases during the Month of May, representing a decrease of 3 cases. Food assistance cases continued at 687. There were 17 aid-to-needy-disabled cases, and 95 old-age-pension cases.
2. The Child and Adult Protection Unit had 13 referrals during May, 7 of which were accepted for investigation. There were 6 dependency and neglect cases, 7 children in placement, and 41 open child protection cases. Adult protection had 4 open cases.
3. The most recent Financial Sub-Pac meeting dealt with proposals from the various program allocation committees. It appears that child welfare funding will be adequate, along with benefit delivery programs. Of concern is County administration, as for the second year will be reduced by the maximum 5 percent. Funding for issues specifically dedicated to adult protection issues will be tracked and funded separately, and in order to make that possible, 8.5 million has been carved out of County administration.
4. The April financial report shows expenditures overall at 20 percent, and anticipated revenue at 32 percent.

5. The Emergency Food Bank served 42 persons during the month of April. TEFAP commodities were distributed in the month of May to 65 households in Saguache, 61 in Center, and 52 in Crestone/Moffat. The Department did a supplemental distribution to 48 households in Center, and 49 households in Saguache/Moffat area due to having received frozen meat, potatoes and peaches which could not be stored. The senior double issuance during the prior month. Commodities will be moved into the new facility prior to receiving the next shipment of food.
6. The grant application from SLVCOG was approved, however \$4,100.00 had already been awarded to Saguache County, and there is a \$5,000.00 limit. There is a possibility of receiving funds on October, if we can spend the money before the end of the year.

MOTION BY COMMISSIONER KEN ANDERSON TO ADJOURN AS SAGUACHE COUNTY BOARD OF SOCIAL SERVICES AT 2:11 P.M.

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

MOTION BY COMMISSIONER KEN ANDERSON TO CONVENE AS SAGUACHE COUNTY HOUSING AUTHORITY AT 2:12 P.M.

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

XV. HOUSING AUTHORITY- EVAN SAMORA

MOTION BY COMMISSIONER JASON ANDERSON TO ADJOURN AS SAGUACHE COUNTY HOUSING AUTHORITY AT 2:30 P.M.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

BREAK

XVI. RIO GRANDE WATER CONSERVATION DISTRICT – GEORGE WHITTEN

1. Here for the BoCC to ask any questions they may have and are here to make sure the new Commissioners know how the Rio Grande Water Conservation District works.
2. Each district is put in place to work for that area, the water rights, and impacts. The Saguache Creek district has to work with the Division of Wildlife, the Baca, and individual water rights of Saguache Creek.
3. Commissioner Jason Anderson relayed to Mr. Whitten that the Conservation District should inform the general public of what they do, why, and how. Better education for the general public. Was informed of the literature and meetings made available and open to the public.

**MOTION BY COMMISSIONER JOSEPH TO ENTER INTO PUBLIC HEARING AT 3:15 P.M.
FOR MOUNTAIN VALLEY LIQUOR
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

XVII. LIQUOR LICENSES

1. Mountain Valley Liquor – Public Hearing - David Jackman

**MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE MOUNTAIN VALLEY
LIQUORS NEW LIQUOR LICENSE FOR DAVID JACKMAN
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

2. Tomichi Creek Liquor License Renewal

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE
TOMICHI CREEK LIQUOR LICENSE RENEWAL
SECOND BY COMMISSIONER KEN ANDERSON
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

3. Villa Grove Trade Liquor License Renewal

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE VILLA
GROVE TRADE LIQUOR LICENSE RENEWAL
SECOND BY COMMISSIONER KEN ANDERSON
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

4. Crestone Music Festival Special Events Liquor License

**MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE
CRESTONE MUSIC FESTIVAL SPECIAL EVENTS LIQUOR LICENSE
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

**MOTION BY COMMISSIONER KEN ANDERSON TO ADJOURN FROM THE LIQUOR
LICENSING PUBLIC HEARING AND RETURN TO REGULAR SESSION AT 3:40 P.M.
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 3 VOTES AGAINST: 0**

