

SAGUACHE COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION MEETING
SAGUACHE COUNTY ROAD & BRIDGE MEETING ROOM
9:00 A.M. OCTOBER 7, 2014

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 Burkhart, Acting Secretary to the Board

II. ADDITIONS/DELETIONS TO AGENDA

MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE AGENDA AS PRESENTED

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

III. READING AND APPROVAL OF MINUTES – SEPTEMBER 2, 2014 & SEPTEMBER 16, 2014

MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE REGULAR SESSION MINUTES OF SEPTEMBER 2, 2014 AND SEPTEMBER 16, 2014 AS AMENDED

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

IV. REVIEW OF MAIL AND OTHER CORRESPONDENCE

1. **Colorado State University Extension** sent the October 2014 SLV Newsletter. (10/7/14)
2. **Tom Spezze** sent an email in regards to the RGCT Status and Updates. (9/17/14)
3. **State of Colorado Board of Equalization** sent a Public Service Announcement, Notice of Public Hearing on October 7th, 2014, 1:30p.m., in Denver. (9/25/14)
4. **La Vereda del Norte Chapter** sent the Trail Tales October 2014, Vol. 4, No. 4 Newsletter. (10/7/14)

5. **Rio Grande Water Conservation District** sent a letter asking for support for the Western Yellow-Billed Cuckoo. (9/29/14)
6. **Save the Date**, for Saguache Counties 4th Annual Chocolate Festival October 11th, 2014 6:00-9:00p.m. (9/17/14)
7. **Wildrose Appraisals, LLC** sent the 2014 Saguache County Property Assessment Study. (9/16/14)
8. **Susan Wolfrey** sent a letter in regards to Saguache County Grand Jury, Lex Naturalis- Dei Gratia. (9/17/14)
9. **Hew Hallock** sent an email in regards to SLV Regional Transit Plan: Available for a 30-day review period. (10/7/14)
10. **Steven Firestein** sent an email in regards to Saguache County: Childhood Cancer Awareness Week. (10/7/14)
11. **Charlotte Bobicki** sent an email in regards to Western Yellow- Billed Cuckoo Receives Federal Protection under the Endangered Species Act. (10/7/14)

V. INTRODUCTION OF GUESTS

Sandy Belgrade– Crestone Eagle	Janet Nelson-Cox	Teresea Benns – Center Post
Deanna Huggins	Jacquelina Filangi	Dominica Filangi
Frances Welson	David Shipwash	Tim Lovato
Bill McClure	Rebie Hazard	Martha Lock
Greg Terrell – Town of Saguache	Jim Pitts – USFS	Andrew Archuleta – BLM
Jon Billingsley – The Pot Shop LLC	Nancy Billingsley – The Pot Shop LLC	

VI. COMMISSIONERS REPORT

Commissioner Joseph:

1. Sept. 17 Property Tax Abatement requests - review and decisions session.
2. Connected with Jenny Nehring on scheduling of the next Gunnison Sage Grouse (GuSG) Poncha Pass Working Group, which is Oct. 9 at 1pm, in the Road & Bridge meeting room. The BLM Cooperating Agency call on their Management Plan changes for GuSG will be at 2pm that day, as well.
3. Sept. 18 - Attended the 2nd Veteran's Coalition of the San Luis Valley meeting. Saguache County Veterans Services Officer spoke about our participation in a 5 County grant to support the Veterans with special needs and homelessness. Connected with Matthew Martinez the contact for Veterans Affairs at Adam State U. There may be an opportunity for the Veteran Student to work time coordinating the Coalition and related Veteran activities.
4. GuSG Coalition email received from Jim Cochran regarding the final updates to County Actions needed from Counties, to be included in a final comment submittal to US Fish & Wildlife.
5. Was invited to be a Judge at this year's Chocolate Festival, benefitting The Children's Advocacy Center of the SLV. It will be on OCT 11, 6-9pm at the Saguache Community Building.
6. Sept. 19 -Teleconference work session with Mark Talbot, XPlore to finish technical tweaking, and set-up content management assignments for Amber Wilson, on the County Tourism website, now live in its start-up form.
7. Worked on the OCT Eye on the County, providing information about the Landfill and upcoming ballot questions.
8. Sept. 23 -Teleconference work session with Mark Talbot, XPlore regarding development of County main site. Will have a work session this Friday with Amber and Mark to see if it's ready to go live, or identify final work to do so.

9. Check in regarding scheduling of follow-up meeting with Town of Crestone reps, after hearing from the State on the status of current property tax actions.
10. Sept. 25 - Baca Wildlife Refuge Tour with USWS staff, representatives of the Rio Grande Water Conservation District, and the US Board of Reclamations.
11. Sept. 27 - Met up with Kairina Danforth at YaktoberFest, and discussed needs and directions for the Crestone Creative District project.
12. Was contacted by Tess Beneduce, ScSEED VISTA, who has received requests for information about seeking GMO ordinances.
13. Sept. 29 - Attended the SLV County Commissioners Association budget meetings. BoCC needs to discuss Valley budget allocations, and the Rio Grande Cutthroat Trout Coalition cost share. The USFWS determination was released on Sept 29, as "Not Warranted" for listing.
14. Stayed on for the Colorado Space Business Roundtable (CSBR) Net-working session that evening. CO is the #3 State in the aerospace industry, #1 per capita. Industry leaders presented about the work of Lockheed, Boeing, Ball, NASA and many others in CO. Unmanned Aircraft Systems (UAS) displayed several craft, used in firefighting, agricultural and accident/law enforcement purposes. Aerospace industries are seeking suppliers and manufacture workforce, and interested in testing, training and education in the Valley. Representatives from CO Office of Economic Development, and Dept. of Labor were present. As well as representatives of STEM - supporting Science, Technology, Engineering and Math curricula and students.
15. Oct. 1 - Attended the 2015 Budget Work Session with Dept. Heads. Had a presentation by Jeff Wood and University of Colorado Denver | College of Architecture and Planning students working on the needs and options for a County "Annex" building, for County or Judicial facilities.
16. Oct. 4 - Ongoing work with Tess Beneduce, ScSEED VISTA, who is helping organize the return tour of the Byway Commission, tentatively scheduled for Oct. 24. Will be out of town at that time - who can attend for Saguache County? BLM is providing for the bus and driver. The County or Tourism Council has been asked if they would contribute for food on the tour day. BoCC discussion, requesting Tourism Council contribute food for tour day and Commissioner Jason Anderson will attend.
17. Oct. 6 - Spoke with Jim Felmlee, who's following up to get a clean copy of the EMPG contract, and fill in the budget, so it can be signed. He reports that he has organized a briefing, following a fatal accident in the Poncha Pass vicinity. Accidents there have been up recently, as well as on the West side of the Valley.

Commissioner Ken Anderson:

1. September 17 – Attended the Property Tax Abatement requests, review and decision session.
2. September 18 – Attended the Senior Citizens meeting in Alamosa. Discussions on budget and the raising of rent due to utilities.
3. September 25 – Attended the Baca Wildlife Refuge Tour with USWS staff, Reps. of the Rio Grande Water Conservation District, and the US Board of Reclamations.
4. October 1 – Attended budget work session with Department Heads and Annex Presentation.
5. October 6 – Leach Airport, checked on progress.

Commissioner Jason Anderson:

1. September 17 - Met with BOCC to render Abatement decisions.
2. September 17 - Communicated with Eric Bergman of CCI via e-mail on his requested survey on marijuana impact.
3. September 17 - Spoke with Deborah Cox from NACO about a "Dear Colleges" letter from Reps. Beutler (R-Washington) and Garcia (D-Florida) urging house leaders to fund PILT. We were asked to send a letter to our rep. encouraging this, however Rep. Tipton has made it clear he is going to support PILT in any way possible.

4. September 18 - Attended the Colorado Broadband meeting, discussion includes funding options and possible broadband implementation plans.
5. September 19 - Met with Heidi Sherk from the Nature Conservancy concerning conservancy property in Saguache County, future plans for the area, and an invite for the Commissioners to come visit the property.
6. September 19 - reviewed and edited the "Eye on the County" article with Commissioner Joseph.
7. September 20 - Attended the Saguache Fall Festival.
8. September 22 - Attended the SLV Broadband Coalition and chose a proposal for an assessment and strategic plan on the broadband in the SLV.
9. September 24 - Received notice of the CCI Winter Conference, Dec. 1-3, 2014
10. September 25 - Attended the tour of the Baca Wildlife Refuge.
11. September 27 - Attended the Yaktobberfest celebration in Crestone
12. September 29 - Attended the Valley Wide Commissioners meeting to review funding requests.
13. September 30 Attended the Colorado Aerospace breakfast and discussed opportunities in the SLV for aerospace.
14. October 1 - Attended the County Dept. Heads budget meeting.
15. October 1 - Attended the Baca Wildlife Refuge Master Plan scoping meeting. Will draft a letter in favor of Plan D

BREAK

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

1. The Anrac Farm Grant that Saguache County was going to be the financial agent for in 2013 did not go through, need to cancel the CDBG Infrastructure Contract with CDBG grant do to the project not getting the additional funding. To de-obligate the funds in the amount of \$135,000 BoCC signed a letter of release.
2. Reviewed and approved the September 2014 Veteran's report.
3. Veteran's computer has to up-graded due to the outdated programing. The Veteran's does not have new computer funding in the budget. Directed to apply for a Sales Tax Grant.
4. Discussion on BoCC scheduling, agendas, and registering for the CCI Winter Conference.

VIII. LAND USE ADMINISTRATOR – WENDI MAEZ

1. Frances Wilson, Kerber Creek Subdivision #1 Lot 2 - Subdivision Exemption request to divide a tract of land containing 5.0 acres into 2 tracts each to contain 2.5 acres. Mr. Wilson is requesting this division because of the County Road that runs through the property.
 - a. Access – County Road 46AA
 - b. Utilities – Xcel
 - c. Water – Water well permit #216143
 - d. Sewage - #737

Three letters of concern have been received from adjoining landowners. A previous request to subdivide a tract within this subdivision was denied in October of 2012. The SCPC recommended to deny the subdivision exemption request for Mr. Wilson with a vote of 5 ayes and one nay.

Bill McClure stated he voted for the Subdivision. Neighbors had complaints but the neighbors do not live on property and there are other 2.5 acre lots with buildings.

Tim Lovato stated he voted against the Subdivision due to other denials of 2.5 acre lots.

Rebie Hazard stated she voted against due to the fact that the landowner wanted to put a well and hydrant on property and wells are in-house use only. Additional information by Mr. Wilson wasn't what she heard at the PC meeting.

Discussion between Attorney Gibbons and BoCC about County Road 46-AA running through property being an example of Hardship in the Land Development Code.

Neighbors stated additional development would negatively affect the community. County Road has not been a hardship for 20 years.

BoCC scheduled a site visit for 9am on October 17, 2014 and back on agenda October 21, 2014.

2. Dotty's Towing and Repair, LLC – John Billingsley - Retail Marijuana shop in the Town of Sargents. The SCPC conducted their September 25, 2014 meeting in Sargents and voted to recommend denial of the request with a vote of 4 ayes and 3 nays. The motion to deny was to deny until the applicant and the community could work out their differences, a letter from CDOT about the access off of Hwy 50 and Sheriff Response time issues can be addressed. At this time need to discuss if BoCC would like to have the applicant present on October 21st or what date and what location for the discussion to be held, Saguache or Sargents. BoCC set Public Hearing on Wednesday October 29th in Sargents at 5pm.
3. Paul Kemintzer has requested a refund of \$21.60 for an expired Construction Permit that was not built to the square footage he proposed on his Construction Permit in July. Maez told Mr. Kemintzer that she would not do a refund until the Assessor's office had confirmed the sq. footage built. Maez would like to recommend that his request be denied due to the fact that the Land Use staff, the Assessor staff and the Administration staff time to handle the refund will cost more than the amount of the refund.

**MOTION BY COMMISSIONER KEN ANDERSON TO DENY THE REFUND REQUEST OF \$21.60 FROM PAUL KEMINTZER ON AN EXPIRED CONSTRUCTION PERMIT
SECOND BY COMMISSIONER JASON ANDERSON**

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

4. In June 2014 Maez asked that the Commissioners adopt the Gunnison Sage Grouse Mitigation Policy and Procedure. The minutes did not show a motion to adopt the policy and procedure. Need a motion to adopt the policy and procedure for the Sage Grouse working group.

MOTION BY COMMISSIONER JOSEPH TO FORMALLY ADOPT THE GUNNISON SAGE GROUSE MITIGATION POLICY AND PROCEDURE, THAT WAS IMPLEMENTED IN JUNE 2014

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

- Bid received for Town of Moffat Lot 8 Block 109.

**MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE BID FOR THE TOWN OF MOFFAT LOT 8 BLOCK 109 IN THE AMOUNT OF \$250.00 FROM MARYBETH VANHORN
SECOND BY COMMISSIONER JASON ANDERSON**

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

- Bid received for Mineral Hot Springs Estates Lots 7-16 Block 5 and Town of Moffat Lots 6-13 Block 101.

MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE BID FOR MINERAL HOT SPRINGS ESTATES LOTS 7-16 BLOCK 5 IN THE AMOUNT OF \$550.00 AND THE BID FOR THE TOWN OF MOFFAT LOTS 6-13 BLOCK 101 IN THE AMOUNT OF \$350.00 FROM CLAY A RATCLIFF

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

- Attended the Board of Assessment Appeals Conference call with Attorney Gibbons and Assessor Stephens on Monday, September 29, 2014, concerning Ronald Biggs property.
- Discussion on scheduling meeting between BoCC and the Town of Crestone.
- Discussion on representation for the BLM Co-Operating Agency, Maez, Commissioner Ken Anderson and Commissioner Jason Anderson will try to attend the October 25, 2014 conference call.
- Rio Grande Water Conservation District has requested a letter of support for the Western Yellow-billed Cuckoo. Draft letter consideration will be put on Work Session agenda.
- Rio Grande Cutthroat Trout Coalition cost share between the ten counties is \$4,000.00. BoCC discussion on request and would like exact amount before approving.

IX. COUNTY ATTORNEY - BEN GIBBONS

- Presented the BoCC with a letter received from Lavine, Kochran, & Schultz with a complaint that the BoCC is not complying with Colorado Open Meetings Law regarding Executive Sessions not being recorded. Letter suggested recording all meetings. Attorney Gibbons stated the allegation is not correct as it relates to the exemption for specific legal consultation. Executive sessions are recorded and held by Attorney Gibbons for 90 days. When holding an Executive Session at a Work Session, the County will schedule and document it as a Special Meeting since minutes are not taken at Work Sessions. A bigger sign will be placed on the BoCC meeting door, so there is no confusion when in Open Meeting, but with the door closed for sound purposes. Attorney Gibbons is preparing a response letter.
- County Clerk & Recorders are not to issue Same Sex Marriage Licenses as of now.
- Lease of the hangar and repair shop at Leach Airport is delayed.
- Discussion with BoCC concerning the Town of Bonanza Public Hearing at the Community Building in Saguache on October 14, 2014 with the Secretary of States' Office.

5. Three abatements still being reviewed. Attorney Gibbons suggested getting them on the agenda for the first meeting in November, which was done.

LUNCH

X. ROAD & BRIDGE SUPERVISOR – RANDY ARREDONDO

1. Presented the BoCC with Tire Shredding Spreadsheet, 25,000 tires were shredded and baled. Road & Bridge will use some of the bales and offer remaining bales for sale. Many tires remain.
2. BoCC directed Arredondo to present a budget for Leach Airport of what needs done and cost. Discussion on another vendor for the credit card machine for fuel. Last vendor only took fleet cards.

MOTION BY COMMISSIONER JASON ANDERSON TO CONVENE AS THE SAGUACHE COUNTY BOARD OF HEALTH AT 1:26 PM

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

XI. PUBLIC HEALTH DIRECTOR-MARCY GARDUNIO

1. Core Services Update:
 - A. Assessment, Planning, and Communication:
 - completed Cancer, Cardiovascular, Chronic Pulmonary Disease Grant (CCPD) application. Asked for \$75,000.00 per year for 3 years; obesity prevention, active lifestyle promotion, healthy food/beverage choices, increase Human Papillomavirus Vaccine administration for youth.
 - Director and PH nurse attended Health Care in the Rockies Conference in Ft. Collins.
 - Director gave in-service to PCPs regarding geriatric behaviors
 - Public Health will offer a chair exercise class for disabled and Seniors every Tuesday afternoon
 - clean needle exchange/Narcan administration classes
 - Hepatitis C testing
 - All staff meeting September 29th
 - Tobacco grant (Rio Grande)
 - cross training within department
 - Safe Routes to School in Center
 - Kimberly Bryant reports in final year of 2 year Robert Wood Johnson Grant; on-track for making all deliverables, will continue work if funding for paid coordinator is approved by State
 - September 10th, Center Open House, PH gave immunizations
 - Bulletin board for PH with food recalls, vaccine information, Health alerts, PH hours, etc.; in Courthouse will change at least weekly.
 - B. Vital records/Statistics:
 - Nothing significant to report
 - C. Communicable Disease Investigation, Prevention, and Control

MOTION BY COMMISSIONER KEN ANDERSON TO ADJOURN AS SAGUACHE COUNTY BOARD OF HEALTH AT 2:35 P.M.

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

XII. PUBLIC LANDS

BLM

1. Discussion on the Cochetopa Scenic By-Way tour and proposal. Geologist Holden has not been reached about the tour. ScSEED VISTA Tess Beneduce is reaching out to other geologists. Archuleta is going to gather more information on putting proposal forward or withdrawing. Discussion on the need for an entity to oversee long term maintenance and care of by-way, if it proceeds. Coordination help is needed.
2. Rio Grande Cutthroat Trout was determined to be "not warranted" for listing under the Endangered Species Act, the Western Yellow-Billed Cuckoo was listed, as Threatened.

USFS

1. The Rio Grande National Forest and the National Forest Foundation are holding back-to-back public meetings to kick off updating the Rio Grande National Forest Plan, on October 15, 2014 at the Road & Bridge Building starting at 5pm. The forest plan will guide all future management decisions including activities such as grazing, timber production, recreation, wildlife management and firewood cutting. Meetings will be held on-line as well. Funding runs on 4 year cycles so plan should be done in 4 years.
2. Prescribed Fire Season.
3. The Colorado Great Divide Trail re-route, Gunnison side did not agree to have mountain bike use on trail, pedestrian and equestrian use only. No unit plan in place as of now. Trail will have same design parameters with or without bike use.

BREAK

XIII. CLERK & RECORDER – CARLA GOMEZ

1. Liquor License renewal for Gunbarrel Station

MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE LIQUOR LICENSE RENEWAL FOR THE GUNBARREL STATION

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

4. Liquor License renewal for the Steel Horse Grill

**MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE LIQUOR
LICENSE RENEWAL FOR THE STEEL HORSE GRILL
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

XIV. TOWN OF SAGUACHE VISTA GRANDE UPDATE

1. Planning Process at a stand-still. GoCo helped purchase the land and does not allow for motorized vehicle use on trails, BLM wants motorized use on trails. Meeting scheduled for next week to address the issue and move forward. Master Plan beginning 2015. Some trail plans will be complete by end of this month.
2. Discussion on joint meetings between the BoCC and Town of Saguache. Discussion on DOLA conference Mr. Terrell attended about Towns and County having same vision.

XV. BILL PAYING

XVI. ADJOURN

**MOTION BY COMMISSIONER JOSEPH TO ADJOURN AT 4:03 PM
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

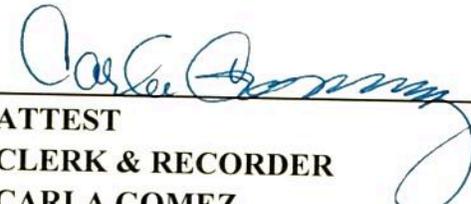
RESPECTFULLY SUBMITTED,

STACI BURKHART ACTING SECRETARY TO THE BOARD OF COUNTY COMMISSIONERS

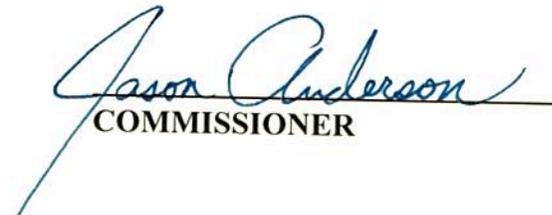
MINUTES APPROVED OCTOBER 21, 2014




CHAIRMAN OF THE BOARD


ATTEST
CLERK & RECORDER
CARLA GOMEZ


COMMISSIONER


COMMISSIONER