

SAGUACHE COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION MEETING
TUESDAY, DECEMBER 15, 2015

MINUTES

CALL TO ORDER

The meeting was Called to Order by Board Chair, Ken Anderson at 9:03 A.M., with the following members present:

Ken Anderson, Commissioner, Board Chairman
Jason Anderson, Commissioner, Vice Chairman
Tim Lovato, Commissioner
Wendi Maez, County Co-Administrator
Lyn Lambert, County Co-Administrator
Ben Gibbons, County Attorney
Carla Gomez, Clerk to the Board

Additions/Deletions to the Agenda:

Add: 1. Executive Session on Leach Airport Contract during Attorney Gibbons' time.

**MOTION BY COMMISSIONER JASON ANDERSON "APPROVE" THE AGENDA
AS AMENDED.**

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

Reading and Approval of MINUTES:

**MOTION BY COMMISSIONER JASON ANDERSON TO "APPROVE" THE MINUTES
OF THE NOVEMBER 3, 2015, REGULAR MEETING.**

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

**MOTION BY COMMISSIONER JASON ANDERSON TO "APPROVE" THE MINUTES
OF THE NOVEMBER 17, 2015, REGULAR MEETING.**

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

**MOTION BY COMMISSIONER JASON ANDERSON TO "APPROVE" THE MINUTES
OF THE DECEMBER 3, 2015, PROPOSED 2016 BUDGET PUBLIC HEARING.**

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

MOTION BY COMMISSIONER JASON ANDERSON TO “APPROVE” THE MINUTES OF THE DECEMBER 8, 2015, PROPOSED 2016 BUDGET CONTINUED PUBLIC HEARING.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

MOTION BY COMMISSIONER JASON ANDERSON TO “APPROVE” THE MINUTES OF THE JULY 30, 2015 BOARD OF EQUALIZATION, HEARING ON PETITIONS.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Review of Mail and Other Correspondence: **Mail 12/15/2015**

- 1. Kairina Danforth, Mayor of Crestone**, sent a letter on behalf of the Board of Trustees and the Town of Crestone, congratulation us on the drone testing program to begin at Leach Airport in Center. They also sent a copy of a Crestone Ordinance passed in 2014 regarding unmanned aircraft systems. (12/11/2015)
- 2. U.S. Board on Geographic Names**, sent a geographic name proposal recommendation with the proposed name of Katzler Peak for the Board to Approve or Reject. (12/10/15)
- 3. Mark A. Wildman**, sent a letter to the board regarding his property and Land Use issues. (copy emailed to board. 12/11/15)
- 4. Division of Water Resources**, sent a letter stating that the Form 6.1 (Water Use Data Submittal Form was not received by December 1, 2015 and needs to be received before December 22, 2015 or it will be referred to the Colorado Attorney General for legal enforcement including possible penalties of up to \$500 per day of violation. (12/14/15)
- 5. Lucien E. Smartt**, sent a letter addressed to the Better Business Bureau of Saguache County, stating that she would like to file a grievance against Quarterly Connections/Daniel Wharton for a refund that she is due. (12/14/15)
- 6. State of Colorado Division of Property Taxation/ Department of Local Affairs** sent a final determination regarding Blood of Christ Universal Truth Church’s property tax exemption stating that the exemption should be granted effective May 8, 2015. (12/14/15)
- 7. The Rio Grande Water Conservation District** sent the monthly ground water table measurements. (12/14/15)
- 8. Richard and Faye Davis** sent a letter asking for a respond regarding the July 15, 2015 letter requesting installation of cattle guards on County Rd XX. The Board previously acknowledged their

letter and stated that they would receive a response as of this date they have not received a response from Ms. Maez, the County Attorney or the Commissioners. (12/14/15).

Introduction of Guests:

Teresa Benns, Center Post-Dispatch
Lisa Cyriacks, Citizen
Chason Geister, Foundation Diamond Way
Aruno Johnson, Foundation Diamond Way
Doris Johnson, Foundation Diamond Way

Mark Wildman, Citizen
Earl LeRoy, Citizen
Kristina Crowder, SLV Ecosystem Council
Christine Canaly, SLV Ecosystem Council

Public Comment: None

COMMISSIONER'S REPORTS:

Commissioner Jason Anderson: 12/9-12/14 2015

- 12/9 Spoke with Eric Bergman at CCI concerning abilities with pay raises for elected officials
- 12/10 Met with Mike Spearman , topics included Leach airport and Economic Development.
- 12/11 Spoke with Lisa Cyriacks (citizen) and Cindy Reinhardt (President, Baca Grande Water and Sanitation District) concerning a Mill Levy increase.
- 12/14 Attended Crestone Office hours with Ginger Stringert, Health Services Director.
- 12/15 Received a letter from Megan Strauss from the Americorps Program requesting a Commissioner to speak at a retreat January 11-13, 2016.

Commissioner Tim Lovato: December 15, 2015 Commissioner Report for District III

December 10th – Received an E-mail from Paige Wilson from Selex/Gallelio on the lease on Leach airfield.

Listened to the concerns of Mark Wildman about the property located at the end of County Road Z also referred to or known as the Santa Fe Schools.

December 11th – Submitted comments on Courthouse Security Grant, for additional funding from the sheriff's department to help pay for the overtime that has been paid and was spent for backfill at the single point entry at the Courthouse.

Commissioner Ken Anderson:

12/9 – Center High School, Christmas Dinner at the ARC

12/10 – Met at Road & Bridge with Constantin Diehl from Chaffee County and Mike Spearman.

12/14 – Met with Mike Spearman about cleanup of inside area and the oil spill. Also met with Page Wilson on the lease of the airport.

PETE GARCIA- MAINTENANCE SUPERVISOR:

Mr. Garcia informs the Board that the pickup with the snow plow is broken and not worth fixing, the only truck with a plow that works is the 1995 Ford. Discussion followed regarding

replacement of the truck. Mr. Garcia also inquired as to the buy-back of vacation time. Attorney Gibbons will check into the policy regarding this issue.

CO-ADMINISTRATORS' REPORT – WENDI MAEZ, LYN LAMBERT:

1. Adoption of Mill Levy Certifications.

MOTION BY COMMISSIONER JASON ANDERSON TO CERTIFY THE 2016 MILL LEVY CERTIFICATION AND REVIEW BY BOARD OF COUNTY COMMISSIONERS.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

2. 2015 Budget Amendments.

MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE RESOLUTION OF SUPPLEMENTARY BUDGET FOR ROAD & BRIDGE, PUBLIC HEALTH AND SALES TAX.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

3. Payroll and AP software for Administration discussion.

MOTION BY COMMISSIONER LOVATO TO FUND RESOURCES TO PURCHASE THE MOST REASONABLE OF THE THREE BIDS.

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

4. Ms. Maez has received word that the Underfunded Courthouse Grant applied for has been given approval in the amount of \$95,000. The additional \$20,000 are for Saguache County to engage professional architectural and engineering services to complete the project. Ms. Maez will do more research on the project.
5. Sheila Murphy, Dental Hygienist has visited the Saguache Clinic and would like to set up her business. We will need to discuss the amount of rent and get a contract written and submitted to her. Ms. Maez: Are excited about this, will amend the prior dental contract, will meet with Dr. Arnett and Attorney Gibbons for lunch.
6. Review and sign the Forest Service support letter for the Sargents Mesa area beetle kill tree removal
Ms. Maez: Letter drawn up, need to revise for local sawmills.

7. Received CCI Designation of CCI 2016 Steering Committee Proxy, Commissioner Jason Anderson appointed to represent Saguache County in 2015.

MOTION BY COMMISSIONER LOVATO TO APPOINT JASON ANDERSON TO REPRESENT THE BOARD AT ALL CCI FUNCTIONS.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

8. BOCC December schedule.

LAND USE ADMINISTRATOR – WENDI MAEZ:

Old Business:

1. Diamond Way Saguache Peak Ranch, Lots 1 thru 5 yearly review. At this time I have not received any complaints for the adjoining landowners for the last year. Directive: Set for Yearly Review in mid October.
2. Saguache County Road 67.5 resolution, deed review and signature.
3. Parvin J. and Patricia H. Johnson, Lot Consolidation request for Lots 161 and 162, Baca Grande Chalets Unit One, The Crestone/Baca Planning Commission recommended Unanimous approval of this request during their regular meeting on November 18, 2015.

MOTION BY COMMISSIONER JASON ANDERSON TO “APPROVE” THE LOT CONSOLIDATION REQUEST FOR PARVIN J. AND PATRICIA H. JOHNSON, LOTS 161 AND 162, BACA GRANDE CHALETS UNIT ONE.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

4. Joshua A. Hillman, Lot Consolidation request for Lots 1493 and 1494C, Baca Grande Chalets Unit One. The Crestone/Baca Planning Commission recommended Unanimous approval of this request during their regular meeting on November 18, 2015.

MOTION BY COMMISSIONER JASON ANDERSON TO “APPROVE” THE LOT CONSOLIDATION REQUEST FOR JOSHUA A. HILLMAN, LOTS 1493 AND 1494C, BACA GRANDE CHALETS UNIT ONE.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

5. Danilo T. Retuta, Lot Consolidation request for Lots 1691 and 1692, Baca Grande Chalets Unit One. The Crestone/Baca Planning Commission recommended Unanimous approval of this request during their regular meeting on December 7, 2015.

MOTION BY COMMISSIONER JASON ANDERSON TO “APPROVE” THE LOT CONSOLIDATION REQUEST FOR DANILO T. RETUTA, LOTS 1691 AND 1692, BACA GRANDE CHALETS UNIT ONE.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

6. Danilo T. Retuta, Lot Consolidation request for Lots 1693 and 1694, Baca Grande Chalets Unit One. The Crestone/Baca Planning Commission recommended Unanimous approval of this request during their regular meeting on December 7, 2015.

MOTION BY COMMISSIONER JASON ANDERSON TO “APPROVE” THE LOT CONSOLIDATION REQUEST FOR DANILO T. RETUTA, LOTS 1693 AND 1694, BACA GRANDE CHALETS UNIT ONE.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

7. Troxel Family Trust Dated January 23, 2003, Lot Consolidation request for Lots 800 and 801, Baca Grande Chalets Unit One. The Crestone/Baca Planning Commission recommended Unanimous approval of this request during their regular meeting on December 7, 2015.

MOTION BY COMMISSIONER JASON ANDERSON TO “APPROVE” THE LOT CONSOLIDATION REQUEST FOR TROXEL FAMILY TRUST, LOTS 800 AND 801, BACA GRANDE CHALETS UNIT ONE.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

8. James E. and Alisa Moore Copeland, Lots Consolidation request for Lots 4327, 4328 and 4329 Baca Grande Chalets Unit Two. The Crestone/Baca Planning Commission recommended Unanimous approval of this request during their regular meeting on December 7, 2015.

MOTION BY COMMISSIONER JASON ANDERSON TO “APPROVE” THE LOT CONSOLIDATION REQUEST FOR JAMES E. AND ALISA MOORE COPELAND, LOTS 4327, 4328 AND 4329, BACA GRANDE CHALETS UNIT TWO.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

9. Land Use would like to request that we do not accept any Lot Consolidation requests during the months of December and January. Our regulations require that all taxes be paid on the property prior to the BOCC review of the application and the tax notices will not be sent out in time for the taxes to be paid. Directive: Develop such policy.

Mark A. Wildman: Mr. Wildman was present to discuss the issue of the Santa Fe Schools property at the east end of County Road Z, that was bought by Nagel for a retreat. Mr. Wildman states that there issues with trash on the property and the number of people attending the retreat and their behavior, on land that does not have the resources for so many. He also states that he had an agreement with Mr. Nagel to run cattle on the property. He complains that the people on the property have filled in the cattle guard so his cattle get onto their land. Mr. Earl Leroy was present stating that the accusations are not true, they are following the rules with numbers of people and are acquiring necessary permits. Commissioner Lovato asked if the well drilled for the church was a commercial well, response "No". Ms. Maez will check into the matter and rules and regulations.

COUNTY ATTORNEY – BEN GIBBONS:

**MOTION BY COMISSIONER JASON ANDERSON TO ENTER INTO EXECUTIVE
SESSION FOR LEGAL COUNSEL UNDER C.R.S. 24-6-402(4)(b) AT 11:55 A.M.**

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

**MOTION BY COMMISSIONER JASON ANDERSON TO RETURN TO REGULAR
SESSION AT 12:06 P.M.**

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

LUNCH

DAN WARWICK, COUNTY SHERIFF: REPORT ATTACHED.

Sheriff Warwick was present to inform the Board that he had nominated three (3) employees from his office for Peace Office of the Year Award: Lyn Miles, Civilian Employee of the Year; Susan Collins for Detention Award of the Year; Steve Hansen for Peace Officer of the Year. He also states that he is not patrolling on county roads, is in need of a body camera system, and that the number of citations issued are up. He also informs the Board that he is in need of more internet storage space.

**MOTION BY COMMISSIONER JASON ANDERSON TO ASSIGN COMMISSIONER
LOVATO AS THE BOARD'S PROXY ON THE BUDGET AMENDMENT FOR
THE PURCHASE OF INTERNET STORAGE IN THE AMOUNT OF \$6,000.**

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

ROAD & BRIDGE AND LANDFILL REPORT – RANDAL ARREDONDO, SUPERVISOR:

Discussion regarding maintenance of County Road NN46, it is maintained 3 times per year, is 1.3 miles from Bonanza.

MOTION BY COMMISSIONER LOVATO TO INCORPORATE COUNTY ROAD NN46 FOR 1.3 MILES INTO THE COUNTY SYSTEM AS A MAINTAINED ROAD AS NEEDED, WITH SNOW REMOVAL OF 3" OR MORE.

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

Mr. Arredondo also reported on fuel bids he has received from the Monte Vista Coop, Jones Oil and Alta. He recommends going with the MV Coop. Directive: Go with the best price, MV Coop. He was asked if he has a truck Mr. Garcia can use with a plow - Response: yes.

BOARD OF SOCIAL SERVICES – LINDA WARSH, DIRECTOR: REPORT ATTACHED.

EVAN SAMORA, HOUSING DIRECTOR MONTHLY UPDATE:

MOTION BY COMMISSIONER LOVATO TO CONVENE AS THE SAGUACHE COUNTY HOUSING AUTHORITY BOARD AT 2:03 P.M.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

MOTION BY COMMISSIONER KEN ANDERSON TO ADJOURN AS THE SAGUACHE COUNTY HOUSING AUTHORITY BOARD AT 2:18 P.M.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

**SARAH KOEHN FREY – NORTHERN SAGUACHE COUNTY LIBRARY DISTRICT:
REPORT ATTACHED:**

Board Appointments:

MOTION BY COMMISSIONER JASON ANDERSON TO APPOINT DEBRA WESTRA AMY GROUTTE AND MICHAEL PACHECO TO THE NORTHERN SAGUACHE COUNTY LIBRARY DISTRICT FOR A TERM OF TWO (2) YEARS.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

Currently on the Board: Michael Hayes-Crestone, Kathy Geddes-Saguache, Debra Westra-At Large.

CHRISTINA CROWDER, ILLEGAL DUMPING PROBLEM WITHIN SAGUACHE COUNTY:

Ms. Crowder, representing the SLV Ecosystem Council, discussed the issue of mitigation of illegal dumping in Saguache and Alamosa Counties. The concern is air quality, solid waste management and illegal dumping. Discussion included failure of passage of sales tax for the Landfill, mapping of dumpsites, support from towns, possibility of citizen advisory group, purchase of a tire shredder, composting.

ELECTED OFFICIALS SALARY DISCUSSION WITH POSSIBLE DECISION:

Discussion continued on the issue with possible solutions, including lack of funding, and clarification that the subject will be addressed at a later time.

MOTION BY COMMISSIONER LOVATO TO ELECT TO TAKE THE "ZERO" CATEGORY ON THE ISSUE OF ELECTED OFFICIALS SALARY AS AUTHORIZED UNDER COLORADO REVISED STATUTES.

SECONDY BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

BILL PAYING: Payment of bills.

ADJOURN: There being no further business:

MOTION BY COMMISSIONER LOVATO TO ADJOURN AT 4:08 P.M.

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

RESPECTFULLY SUBMITTED,


CARLA GOMEZ, CLERK & RECORDER

MINUTES APPROVED: January 19, 2016

Ken Anderson
KEN ANDERSON, BOARD CHAIR

Jason Anderson
JASON ANDERSON, COMMISSIONER

Tim Lovato
TIM LOVATO, COMMISSIONER

Carla Gomez
ATTEST
CARLA GOMEZ
CLERK & RECORDER