

SAGUACHE COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION MEETING
TUESDAY, NOVEMBER 17, 2015

MINUTES

CALL TO ORDER

The meeting was Called to Order by Board Chair, Ken Anderson at 9:00 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. County Assessor, Peter Peterson – Lease Agreement with Municipal Leasing Consultants, LLC
2. Department of Social Services request for Executive Session.

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 – October 20, 2015:

MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE MINUTES OF THE OCTOBER 20, 2015, REGULAR MEETING.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

Review of Mail and Other Correspondence: **Mail 11/17/2015**

1. **The Saguache County Museum** sent a thank you card and an invite to their programs next year. (11/9/15)
2. **The Northern Saguache County Library District** sent a thank you card for the Sales Tax grant money to purchase children's and western books. (11/12/15)
3. **The Upper Gunnison River Water Conservation District** sent their agenda for the November 16, 2015 meeting. (11/9/15 forwarded to BOCC 11/9/15)
4. **Town of Saguache** sent a letter to the Board telling them that they have submitted a letter to the Department of the Air Force, 27th Special Operations Group, Cannon Air Force Base, New Mexico requesting a suspension of their low-altitude approach flights over the town. Copy of the letter was attached. (11/10/15)
5. **Sheila Murphy, RDH**, is interested in opening a dental hygiene clinic here in Saguache. (11/12/15)
6. **CDOT** sent a follow-up letter to the 2015 meeting. (11/6/15)
7. **Cindy Kent** sent an email regarding Billingsley having his pot shop in the works again. And would like to know what is going on with it. (11/5/15)
8. **Diane Dunlap and Charles Stewart** sent an email stating that they strongly oppose any further sale/diversion of water out of the San Luis Valley. (11/4/15)
9. **Dearing Fauntleroy** sent an email stating they was NOT in favor of shipping water out of the San Luis Valley.
10. **Swaha (aka Kathryn Van Note)** sent an email stating that she 100% opposes the water project and states it will have a negative impact or even a disastrous one. (11/3/15)
11. **The Colorado Open Lands** sent the Fall 2015 Newsletter. (11/10/15)
12. **Rio Grande National Forest** sent a letter to the Interested Public regarding the proposal to salvage approximately 1,000 acres of dead and dying Engelmann spruce trees near Hanson's Mill, approximately 11 miles east of Creede. (11/13/15)
13. **The Rio Grande Water Conservation District** sent the November 2015 Ground @ater Table Measurements. (11/13/15).

Additional Correspondence:

Speed limit in Sargents
Sale of SLV water
Various "Thank You" cards from people

Introduction of Guests:

Sandia Belgrade, Crestone Eagle

Public Comment: None

COMMISSIONER'S REPORTS:

Commissioner Jason Anderson:

Commissioners report Jason Anderson 11/4-11/16 2015

- 11/4 Attended the commissioners work session on the 2016 County budget.
- 11/4 Attended the Rio Grande National Forest Planning Meeting to review the upcoming Revised Forest Plan.
- 11/6 Spoke via phone with Andrew Freedman, head of the Governor's Marijuana taskforce.
- 11/9 Attended Crestone office hours, spoke with concerned citizens about law enforcement in the town, un-manned aircraft training and land use regulations.
- 11/10 Attended the Saguache County Commissioners budget workshop.
- 11/11 Had lunch with Dorthy Bandt, head of the woman's veterans coalition for the San Luis Valley, topics were about veterans aid.
- 11/11 Joined the NACO Public Lands Steering Committee via phone, discussion was focused on Senate hearings on wildfire response.
- 11/16 Attended a trails meeting at the Baca wildlife refuge.

Commissioner Tim Lovato: November 17, 2015

District III Commissioner's Report

- November 4th – Attended the budget work session at Road and Bridge.
- November 6th – Received a call from June Savage about possibility of having a meeting with the sheriff in regards to police coverage for the Town of Saguache.
- November 10th – Attended the budget work session at Road and Bridge.
- November 12th - Received a call from a Wolf a resident from Saguache and listened to his proposal on how he thought illegal grow operations could come in to compliance through a volunteer process. Also how he felt that revenue could be generated from that effort.
- November 16th – Held office hours in Center I had two department heads visit with me and the Town Manager from Center visit with me on how Center could help the county.
- Also on November 6th – Attended meeting with the Sheriff's office for the Town of Saguache

Commissioner Ken Anderson:

- November 4, 10, 11 – Budget meetings
- November 11 – Denver, UAS
- November 16 – DRG
- Town of Center
- Central Colorado Telecom
- December 11 – Advisory Board, UAS

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

1. November 10, 2015 - Maez and Lambert attended the Board Work Session working on the 2016 budget requests.
2. November 12, 2015 – Lambert and HR Director April Quintana met with Principal Finance to discuss our 2016 retirement year.

3. Veteran's office is in need of a laptop. No budget for laptop.
4. Resolution presented to move \$52,270 from the Public Health PCP budget to regular Public Health.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE RESOLUTION
OF SUPPLEMENTAL BUDGET FOR PUBLIC HEALTH
SECOND BY COMMISSIONER LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

5. Present 2016 Board meeting dates and holiday schedule for review and possible approval. Attached.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE HOLIDAY
SCHEDULE FOR 2016.
SECOND BY COMMISSIONER LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE MEETING
DATE SCHEDULE FOR 2016, AS PRESENTED.
SECOND BY COMMISSIONER LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

6. On December 4, there will be a skype demonstration on the elevator in Del Norte at 9:00 A.M.

LAND USE ADMINISTRATOR – WENDI MAEZ:

1. Jonathan and Nancy Billingsley – Conditional Use request for a parcel of land lying within Tract Section 45 in Township 48 – Range 4 containing 40.93 acres.

This request is for a Marijuana Cultivation area only no retail sales will be done on this property. The State of Colorado has approved the change in location from the Town of Sargents previous location to this location for cultivation only.

Acreage to be used – 2 acres

Access – 67085 Hwy 50 – Gunnison – CDOT Permit #598040

Utilities – Gunnison Electric – has been installed

Telephone – Quest Communications

Water – Well Permit #199109 and will be delivered from location of applicants business in Gunnison.

Sewage – New system will be installed

The new location is 4 miles west of the Town of Sargents, the grow area will be constructed in phases, and will incorporate the existing cabin on the property, 3 – 40 ft shipping containers will be used, greenhouses will be built into the ground and will not be seen from the road, all set backs are being met as they building/containers will be about 400 feet off of the road, a 2000 gallon cistern will be used, no sales will be done on the site, 2 to 3 employees will be employed. No comments from the adjoining landowners have been received.

The Saguache County Planning Commission recommended approval of this request as presented during their regular meeting on October 29, 2015.

Reasons for recommendation:

No concerns received from Colorado Division of Wildlife or adjoining landowners
Water use will allow for this usage
Will provide employment for Saguache County

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE
CONDITIONAL USE REQUEST FOR A POT SHOP, AS PRESENTED.
SECOND BY COMMISSIONER LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

2. Huminada T. Retuta was given approval to have a therapeutic massage teaching school on her property Lot 1689C, Baca Grande Chalet Unit one. At the time of approval there was a condition that the Conditional Use approved permit is non-transferable and does not go with any land transfers. At this time Ms. Retuta is in her later 80's and she would like to request that the "Land Transfer" clause be removed so the property can be transferred to her son.

**MOTION BY COMMISSIONER LOVATO TO REMOVE THE CONDITION OF.
"CONDITIONAL USE PERMIT GOES WITH THE LAND AND DOES NOT
TRANSFER WITH ANY PROPERTY TRANSFERS"
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

3. Land Use staff met with Lazy KV Homeowners Association concerning the problems with construction and sewage happening in the Subdivision, and we will be handling Permits in the Lazy KV Estates in a different way.

COUNTY ATTORNEY – BEN GIBBONS:

**MOTION BY COMMISSIONER JASON ANDERSON TO ENTER INTO EXECUTIVE
SESSION FOR LEGAL COUNSEL UNDER C.R.S. 24-6-402(4)(b) AT 11:00 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 11:30 A.M.**

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

CONNIE TRUJILLO – ELECTED OFFICIAL SALARY DISCUSSION:

Elected officials: Connie Trujillo, Treasurer; Peter Peterson, Assessor; Dan Warwick, Sheriff; Tom Perrin, Coroner; and Carla Gomez, Clerk & Recorder; discussion regarding salary increase as passed by the Legislature in 2015. Ms. Trujillo notes that it has been 13 years since the last salary increase for elected officials in this County, which is classified as Class V. There followed further discussion on the subject with the Commissioners indicating they will make a decision by December 8th, following their Commissioners' conference in early December. **REPORT ATTACHED.**

LUNCH

DAN WARWICK, COUNTY SHERIFF: REPORT ATTACHED.

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

Chip and Seal is now closed.
Will check on vacating some roads.
Plan for next year – paving.

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

**MOTION BY COMMISSIONER JASON ANDERSON TO ENTER INTO EXECUTIVE
SESSION AT 1:30 P.M. FOR PERSONNEL UNDER C.R.S. 24-6-402(4)(f)(I)**

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

**MOTION BY COMMISSIONER JASON ANDERSON TO RETURN TO REGULAR
SESSION AT 2:00 P.M.**

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

MOTION BY COMMISSIONER JASON ANDERSON TO MOVE THE MEDICAID HPF VOUCHER RECEIVED IN SEPTEMBER TO THE GENERAL FUND FOR SOCIAL SERVICES

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

MOTION BY COMMISSIONER JASON ANDERSON TO “AMEND” THE MOTION TO: MOVE THE “MEDICAID INCENTIVES, IN THE AMOUNT OF \$4,786.00” TO THE GENERAL FUND FOR SOCIAL SERVICES

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

EVAN SAMORA, HOUSING DIRECTOR MONTHLY UPDATE: REPORT ATTACHED

MOTION BY COMMISSIONER KEN ANDERSON TO CONVENE AS THE SAGUACHE COUNTY HOUSING AUTHORITY BOARD AT 2:00 P.M.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

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

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

TOWN OF SAGUACHE – GENERAL DISCUSSION:

Ms. June Savage, representing the Town of Saguache, addressed the Board with concerns regarding the Air Force fly-over training over the Town, requesting the presence of the Board at local meetings discussing this issue.

COUNTY BUDGET REVIEW – LYN LAMBERT, COUNTY CO-ADMINISTRATOR:

BILL PAYING: Payment of bills.

ADJOURN: There being no further business:

MOTION BY COMMISSIONER LOVATO TO ADJOURN AT 3:45 P.M.
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED

RESPECTFULLY SUBMITTED,



CARLA GOMEZ, CLERK & RECORDER

MINUTES APPROVED: December 15, 2015



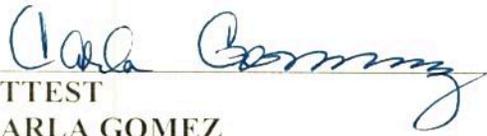
KEN ANDERSON, BOARD CHAIR



JASON ANDERSON, COMMISSIONER



TIM LOVATO, COMMISSIONER



ATTEST
CARLA GOMEZ
CLERK & RECORDER