

SAGUACHE COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION MEETING
TUESDAY, OCTOBER 6, 2015

MINUTES

CALL TO ORDER

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

Ken Anderson, Commissioner, Board Chair
Jason Anderson, Commissioner, Vice Chair
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:

None

Reading and Approval of Minutes – September 15, 2015:

Correction to Road & Bridge Report, Item #2 – Annie Nielsen will remove the apricot trees “at her expense and with her equipment”

**MOTION BY COMMISSIONER LOVATO TO APPROVE THE REGULAR
SESSION MINUTES OF SEPTEMBER 15, 2015, AS AMENDED
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

Review of Mail and Other Correspondence:

1. Concern Mountain States Children’s Home sent their September 2015 newsletter. (9/21/15)
2. Saguache County Land Use sent a letter concerning Baca Grand Subdivision, Chalet Unit One, Lots 78, 79 and 80. And a lot consolidation request from Beverly Jean Olson. (9/15/15)
3. Natasha Torres sent a letter thanking the Board for funding the Solar Workshop that was taught by Paul Shippee. (9/15/15)
4. Colorado State University Extension sent the July/August Extension Report. (9/15/15)
5. Carol Smith, Carol Smith’s Asset Sales, LLC sent a letter regarding lot 2628 in Baca Grande, Chalet II asking the county if they may be interested in purchasing said property. (9/15/15)

6. The San Luis Valley Housing Coalition sent a letter requesting a letter of support for the Loan/Grant Assistance with the Department of Local Affairs for CDBG funds for the Down Payment Assistance Program. (9/21/15)
7. Allan D. Miller ADM, B.S. Business, sent a letter regarding Colorado's fatally flawed 2nd draft Colorado Water Plan. (9/25/15)
8. Colorado Commission of Higher Education sent a letter announcing a new way for scholarship programs in our community to obtain additional scholarship funds. Starting this fall, the Colorado Opportunity Scholarship Initiative (COSI) will make \$7 million in matching dollars available to communities with the intention of increasing the availability of scholarship dollars around our state. Saguache County is eligible for up to \$11,296 in matching scholarship funds this year. (9/25/15)
9. The Colorado BOE sent a Public Announcement Notice of Public Hearing. The hearings will begin on October 8, 2015 at 9:00 a.m. (9/28/15)
10. CCI Board of Directors submitted the proposed budget and dues schedule for 2016. Saguache County dues for 2016 will be \$10,000. (9/29/15)
11. Anna Marie Maestas sent an email thanking the board for the grant renewal for mitigation program in the Baca and states that Daniel did a great job. (9/30/15)
12. Greg Terrell submitted a letter for consideration, for appointment to the Tourism Council. (9/30/15)
13. The Rio Grande Water Conservation District sent their monthly agenda for the October 20th meeting and the minutes for the last meeting to review. ((10/2/2015)
14. Jayne Salisbury, Coalition Coordinator, sent the progress report for the Veterans Coalition of the San Luis Valley Sales Tax Grant Report for June 1-Sept. 30, 2015.

Introduction of Guests:

Lisa Cyriacks
 Ted Sheppard
 Connie Trujillo, County Treasurer
 Tina Slane
 Lito Tejeda-Flores
 Paul Tigan, BLM
 Amber Wilson, Tourism

Teresa Benns, Center Post Dispatch
 Dianne Sheppard
 Tuck Slane
 Martin MaCaulay
 Mikela Tarlow
 Shannon Fike, ScSEED
 Greg Terrell, Town of Saguache

Commissioner's Reports:

Commissioners report Jason Anderson

9/16-10/5 2015

9/16 Met with Tom Spezze of the Rio Grande watershed Initiative to discuss ongoing efforts of the County and the RWEACT to utilize bio-mass products within the County for Economic development.

- 9/17 Attended the Saguache County Picnic
- 9/18 Attended the CCI Steering Committee meeting. At this time 28 resolutions were presented including the Saguache County Resolution on Marijuana tax. The Public lands budget was also presented.
- 9/21 Attended the Commissioners Work session on the fall Sales tax Grant in Center Colorado.
- 9/22 Attended the Valley-wide discussion on Marijuana issues with Eric Bergman of CCI and the water district.
- 9/23 Attended the Saguache County Dept. heads meeting for initial budget proposals.
- 9/24 Spoke with Lt. Justin ? about fly over of the town of Saguache by Cannon AFB. He agreed to bypass town.
- 9/24 Spoke with June Savage, Saguache town resident about AF flights.
- 9/24 Attended Philanthropy days in Creede Colorado.
- 9/25 Attended the "Building a better Colorado" workshop in Alamosa. Topics included ability to change the state Constitution, the State financial situation, and how to improve state-wide elections.
- 9/28-10/1 Attended meetings with Senators Micheal Bennet, and Cory Gardner, and Congressman Scott Tipton in Washington DC. Topics included Forestry reform, Wildfire funding, The Renewable energy on Public lands act, and Economic development through utilizing insect infested lumber. Also met with representatives from Congressman Gosar (R-AZ) Polis (D-CO) and Perlmutter (D-CO).
- 10/2 Attended the CCI Steering Committee meeting and Public lands Committee budget meeting.
- 10/2 Spoke with Lisa Cyriaks concerning the Aurora water project.
- 10/2 Spoke with Art ? A Marijuana Medical grower that is concerned for his right to grow marijuana.
- 10/3 Met with Health Services staff and Linda Warsh, Social Services Director about the new hire of a Health Services director and ideas for Health services.

Commissioner Tim Lovato:

September 17th – Attended the annual Saguache County Employee appreciation picnic.

September 21st – Attended the work session reviewing the grant applications for the fall cycle in Center. Once again applications exceeded the amount of revenue received. In the afternoon I attended the Prevention Collation meeting at Moffat School. It was well attended by representatives from all schools in Saguache County.

September 22nd – Attended the Emergency 402 training at the Saguache County Road & Bridge, presented by Dave Osborn from the office of Homeland Security and Emergency Management.

September 23rd – Attended work session with the county commissioner and department heads on the beginning proposed 2016 budget.

September 29th – Received a call and information from a concerned citizen about the illegal grow operations in the northern part of Saguache County.

October 2nd – Received a call from a concerned citizen about the amount of grow operations in and around Lazy K V Estates.

October 5th – Attended the DSS/Public Health work session at the Saguache County Commissioners room in the morning.

In the afternoon I attended the Prevention Collation at the Public Health building in Saguache. I met Arden Trewartha representing the Colorado Trust Foundation. Ms. Arden Trewartha gave a presentation on money available from their foundation that makes grants to help communities be healthy and thrive in shaping the future of their community. The foundation has money available to hire an individual for 15 hrs a week as a coordinator to help achieve this goal. **Report attached.**

Commissioner Ken Anderson:

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

1. Presentation of the Draft 2016 County Budget.
2. A Public Hearing for the Budget Supplemental will be held on October 13, 2015 at 1PM.
3. Veteran's report for September 2015 was presented for review and possible signature.
4. Leave Request form policy. How do you want Administration to handle the leave requests?
5. 9/30/2015 – Maez and Lambert met with the Department Insurance Committee and the consensus for the County Health Insurance is to change insurance carriers to Colorado Choice beginning January 1, 2015. Will scan the insurance rate packet to the Board.
6. 9/21/2015 – Maez and Lambert attended the Board Work Session held at the Center School Library.
7. 9/22/2015 - Lambert attended the 402 Training with Commissioners Ken Anderson and Tim Lovato.
8. 9/22/2015 – Maez attended the Valley Wide Marijuana discussion with Commissioner Jason Anderson.
9. 9/23/2015 – Lambert conducted a work session with the Commissioners and Department Head for the beginning discussions of the 2016 budget. Lambert has met with Housing, Public Health and the Assessor for further discussion on their 2016 budget.
10. 9/23/2015 – Maez attended the Unfunded Courthouse meeting held by DOLA and the State Court System employees. Saguache County can apply for grant funds for the possible installation of an elevator.
11. 9/25/2015 – Maez attended Rural Philanthropy Days in Creede, CO.
12. 9/28/2015 – Maez and Lambert attended the Valley BOCC meeting with Commissioner Ken Anderson. Valley funding requests were presented. Next meeting for Valley budget funding requests will be October 19, 2015.

13. 9/29/2015 – Maez and Lambert attended a meeting with Colorado Department of Transportation with Commissioner Ken Anderson. Discussed the decision made concerning the requested reduction of speed through the Town of Sargents. CDOT denied our request but is willing to replace old signs and possibly install new signs. Also, discussed the possible reduction of speed at the intersection of Highway 285 and Saguache County Road X, and the weed control at intersections.
14. Lambert met with Jim Felmlee on September 30, 2015 to continue funding review. Maez received a phone call from Staples Advantage concerning the possibility of Saguache County purchasing office supplies through Staples under a government purchasing contract.

Ms. Lambert informed the Board that the preliminary Budget for 2016 contains all required documents and is available online. The Clerk & Recorder has been provided a copy for review, workshops will be scheduled with each Department.

Ms. Lambert informed the Board of the review of employee health insurance benefits. A notice of possibility has been sent to the insurer, a decision needs to be made by January 1. She would like a decision by the Board by October 13.

A Saguache County Public Forum on Marijuana has been scheduled for November 19, at 4:30 pm.

LAND USE ADMINISTRATOR'S REPORT – TUESDAY, OCTOBER 6, 2015:

1. Bruce Elaine Waltemyer – Conditional Use request for Baca Grande Grants Lot 1074 for a residence as well as Native American Ceremonies and culture.
 - a. Access – Camino Del Rey – North Stallion to Lariat Trail
 - b. Acreage – 1.86 acres
 - c. Present Use – Native American Ceremonies
 - d. Intended Use – Native American Ceremonies and Culture
 - e. Electricity – N/A
 - f. Telephone – N/A
 - g. Water – Well Permit #291080
 - h. Sewage – American Trash & Roll Service – Portable Toilet Service – Sewage Disposal System also applied for.

The Crestone/Baca Planning Commission heard from the Applicant and several neighbors and community members during their regular meeting on July 8, 2015. The CBPC voted unanimously to recommend denial of the request.

After discussion and public comment, the following action was taken:

**MOTION BY COMMISSIONER JASON ANDERSON TO INSTRUCT
MS. WALTEMYER TO PUT FORTH A PROPOSAL WHICH
ADDRESSES AND MITIGATES EFFORTS FOR NOISE,**

**TRAFFIC/DUST AND SEWAGE DISPOSAL. REQUEST WILL BE REFERRED BACK TO THE CBPC FOR ADDITIONAL REVIEW.
SECOND BY COMMISSIONER LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

2. William Myers – Subdivision Exemption request to divide a tract of land within the NW1/4 & NE1/4 Section 8 Township 41 North Range 9 east containing 7.902 acres into 2 parcels. Tract 1 to contain 3.442 acres to for the cultivation of marijuana (approval given in June 2015) and Tract 2 to contain 4.460 acres for residential use.
Saguache County Planning Commissioner voted unanimously to recommend approval of this request during their regular meeting on Thursday, October 24, 2015

After discussion and public comment the following action was taken:

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE
SUBDIVISION EXEMPTION REQUEST TO CREATE TWO (2)
PARCELS –TRACT 1 TO CONTAIN 3.442 ACRES AND TRACT 2 TO
CONTAIN 4.460 ACRES WITHIN THE NW1/4 & NE1/4 8-41-9.
SECOND BY COMMISSIONER LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

3. John W. and Tina J. Slane - Subdivision Exemption request to divide a tract of land within the NW1/4 Section 29 Township 41 North Range 10 East containing 159.73 acres into 3 tracts. Tract 1 to contain 150.47 acres, Tract 2 to contain 6.10 acres and the County Road Tract to contain 3.16 acres.

Saguache County Planning Commissioner voted unanimously to recommend approval of this request during their regular meeting on Thursday, October 24, 2015.

After discussion and public comment, the following action was taken:

**MOTION BY COMMISSIONER LOVATO TO APPROVE THE SLANE
SUBDIVISION EXEMPTION REQUEST FOR A TRACT OF LAND
CONTAINING 6.10 ACRES WITHIN THE NW1/4 29-41-10.
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

4. J. Kenneth and Dallas R. Anderson - Subdivision Exemption request to divide a tract of land within the SW1/4 Section 23 Township 42 North Range 7 East containing 163.19 acres into 3 parcels. Tract 1 to contain 154.05 acres, Tract 2 to contain 5.96 acres and the County Road Tract to contain 3.18 acres.

Saguache County Planning Commissioner voted unanimously to recommend approval of this request during their regular meeting on Thursday, October 24, 2015.

Commissioner Ken Anderson Recused from discussion.

MOTION BY COMMISSIONER LOVATO TO APPROVE THE SUBDIVISION EXEMPTION REQUEST FOR A TRACT OF LAND CONTAINING 5.96 ACRES WITHIN SW1/4 23-42-7.

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 2 VOTES AGAINST: 0

MOTION CARRIED

5. Whitney Randolph and Bruce Leutwyler – Lot Consolidation request to consolidate Lots 1145, 1146C and 1150C, Baca Grande Chalets Unit One.

The Crestone/Baca Planning Commission recommended approval of this request with a vote of 3 ayes and 2 nays due to the fact that two members felt that the Greenbelt between the consolidated lots the landowner will feel they own the Greenbelt also.

MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE CONSOLIDATION OF LOTS 1145C, 1146C AND 1150C, BACA GRANDE CHALET UNIT ONE, AS REQUESTED.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

6. Whitney Randolph and Bruce Leutwyler – Lot Consolidation request to consolidate Lots 1172 and 1173C, Baca Grande Chalets Unit One.

The Crestone/Baca Planning Commission recommended approval of this request with a vote of 3 ayes and 2 nays due to the fact that two members felt that the Greenbelt between the consolidated lots the landowner will feel they own the Greenbelt also.

MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE CONSOLIDATION OF LOTS 1172 AND 1173C, BACA GRANDE CHALET UNIT ONE, AS REQUESTED.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

7. Nancy Egedy – Lot Consolidation request to consolidate Lots 3600C and 3606, Baca Grande Chalets Unit Two.

The Crestone/Baca Planning Commission recommended unanimous approval of this request during their regular meeting on September 9, 2015.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE
CONSOLIDATION OF LOTS 3600CC AND 3606, BACA GRANDE
CHALET UNIT TWO, AS REQUESTED.**

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

8. I Marsh Trust Dated March 1, 1996 Restated April 25, 2013 – Lot Consolidation request to consolidate Lots 233-CR and 308, Baca Grande Chalets Unit One.

The Crestone/Baca Planning Commission recommended unanimous approval of this request during their regular meeting on September 9, 2015.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE
CONSOLIDATION OF LOTS 233-CR AND 308, BACA GRANDE
CHALET UNIT ONE, AS REQUESTED.**

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

9. Crestone End of Life Project – Conditional Use request was originally approved in 2009 for the purpose of open air cremations. Each year for 3 years we did a yearly review of the project if there was any complaints, at that time an adjoining landowner did object. In 2013 we changed to conducting a review of the permit every 2 years.

It is time for the 2 year review of this Permit. I have had no objections, comments or complaints of any type of this project for the last 4 years. Therefore I would like to suggest we dis-continue the 2 year review of project permit and only conduct a review if there are any complaints but restrict the permit to 8 permits per year. If they need to conduct more than 8 burns per year we can then do a change in the amount at that time.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE
CRESTONE END OF LIFE PROJECT CONDITIONAL USE
PERMIT TO A "REVIEW UPON RECEIPT OF ANY COMPLAINTS
FILED" AND TO RESTRICT THE PROJECT TO EIGHT (8)
CREMATIONS PER YEAR, AS REQUESTED BY MS. MAEZ
SECOND BY COMISSIONER LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

10. In 1998 Elk Park Subdivision located just east of the BGPOA office building was approved. At that time the zoning that was placed on Lots 2-10 was C-2 which I have included a copy of our regulations. At this there is a buyer for Lot 7 and possibly Lots 8 & 9 that would like to construction a wood shop. I would like to suggest we change the zoning Lots 2-10 to C-3. A copy of the zoning for Elk Park is attached.

**MOTION BY COMMISSIONER LOVATO TO WAIVE THE FEES FOR THE
BACA GRANDE PROPERTY OWNER'S ASSOCIATION FOR A
ZONING CHANGE FOR ELK PARK SUBDIVISION.
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

Joint Commissioner/Planning Commission will be held on Thursday, October 29, 2015 at the Road & Bridge meeting room.

BEN GIBBONS, COUNTY ATTORNEY:

Alamosa IGAs COAs

UAV Advisory Board BoCC needs to review

Agreement with Dr. Arnett needs review

Adams County District Court decision on taxes

Airport well water needs change of use

PETITION FOR ABATEMENT OF PROPERTY TAXES – TRACY L. BENTON:

Parcel Number: 448929300031, Elk Mountain Springs, Parcel 6

Peter Peterson, County Assessor, present, recommended "Denial" of this Petition.

**MOTION BY COMMISSIONER JASON ANDERSON TO "DENY" THE BENTON
ABATEMENT PETITION.**

SECOND BY COMMISSIONER LOVATO
VOTES IN FAVOR: 3 **VOTES AGAINST: 0**
MOTION CARRIED

PETITION(S) FOR ABATEMENT OF PROPERTY TAXES – DAVE WENDLE:

1. Parcel Number: 433329400032 SW1/4SE1/4 29-45-6 Tax Year: 2012, 2013, 2014

Peter Peterson, County Assessor, recommended “Denial” of this Petition as it was submitted too late for consideration.

MOTION BY COMMISSIONER LOVATO TO “DENY” THE WENDLE
ABATEMENT PETITION.
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 3 **VOTES AGAINST: 0**
MOTION CARRIED

2. Parcel Number: 433329400033 NW1/4SE1/4 29-45-6 Tax Year: 2012, 2013, 2014

Peter Peterson, County Assessor, recommended “Denial” of this Petition as it was submitted too late for consideration.

MOTION BY COMMISSIONER LOVATO TO “DENY” THE WENDLE
ABATEMENT PETITION.
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 3 **VOTES AGAINST: 0**
MOTION CARRIED

LUNCH

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

Mr. Arredondo reports that he has received 2 bids for a 500 gallon fuel tank for the Road B site. One from Jones Oil in Center for \$1,641.34, and one from the Monte Vista CO-OP for \$1,888.84.

MOTION BY COMMISSIONER LOVATO TO PURCHASE THE 500 GALLON
FUEL TANK AND PUMP ON SKIDS FROM JONES OIL IN CENTER IN
THE AMOUNT OF \$1,641.34.
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 3 **VOTES AGAINST: 0**
MOTION CARRIED

Mr. Arredondo was reminded of the County’s Non Smoking policy, which will be enforced.

1. Mike Spearman – Leach Airport:

- The application was approved at the Leach and Saguache airports. There will be developing and testing at no cost to the County, we need to know what the capabilities are.
- Well work needs to be done, there is no water
- Does not know about needs for unmanned aircraft at this time
- Steve Coleman is an airline mechanic who can do inspections on electricity and propane, would take care of the fuel system, is highly recommended, and employ for a year for \$350/month
- Hangars there are for sale for about \$80,000
- Need to set the fuel price – keep low

PUBLIC HEALTH DIRECTOR MONTHLY UPDATE:

Alyssa Metzger reports that they are preparing a public service announcement that some bats have tested positive for rabies; that flu vaccine will be available in Saguache and Center by November 13th; and that they need a battery backup for their vaccine storage. **Report attached.**

Crowfox Christi Fleming reports that they are working on goals for the department; the budget has been reviewed; heroine has become a serious issue; and the PCP's want raises. **Report attached.**

Ileene Rivale – SLV Tobacco Initiative provided handouts for the Board and discussed the scope of the 3 year project, that the tobacco policy needs to be enforced. She requested support from the County, the Board agreed and reaffirmed the policy.

PUBLIC LANDS MONTHLY DISCUSSION:

Paul Tigan reported on the Penitente Canyon ride.

ScSEED - SHANNON FIKE:

Ms. Fike reports they have received a Letter of Intent for the Saguache Hotel property, which they will assess and are gathering information on small business possibilities. **Summary attached.**

TOURISM BOARD – AMBER WILSON: **Report Attached.**

2016 SALES TAX GRANT REQUESTS:

After review of the Sales Tax Grant requests for 2016, the following action was taken:

1. Youth & Seniors Category: \$162,512 requested

MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE SALES TAX GRANT REQUESTS – YOUTH AND SENIORS CATEGORY – IN THE AMOUNT OF \$25,400.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

2. Emergency Category: \$86,876 requested

MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE SALES TAX GRANT REQUESTS– EMERGENCY CATEGORY – IN THE AMOUNT OF \$32,500.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

2. Renewal Category: \$67,401 requested

MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE SALES TAX GRANT REQUESTS – RENEWAL CATEGORY – IN THE AMOUNT OF \$33,996.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

BILL PAYING

ADJOURN: There being no further business:

MOTION BY COMMISSIONER LOVATO TO ADJOURN AT 4:30 PM

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

RESPECTFULLY SUBMITTED,


CARLA GOMEZ, CLERK & RECORDER

MINUTES APPROVED: November 3, 2015

Ken Anderson
KEN ANDERSON, COMMISSIONER
BOARD CHAIR

Jason Anderson
JASON ANDERSON, COMMISSIONER

Tim Lovato
TIM LOVATO, COMMISSIONER

Carla Gomez
ATTEST
CARLA GOMEZ
CLERK & RECORDER