

SAGUACHE COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION MEETING
TUESDAY, JULY 19, 2016

MINUTES

CALL TO ORDER:

The Meeting was called to order by Board Chair, Jason Anderson, at 9:02 A.M., with the following members present:

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

PLEDGE OF ALLEGIANCE:

Board Chair, Jason Anderson, invited those in attendance to join in reciting the Pledge of Allegiance.

Additions/Deletions to the Agenda:

MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE AGENDA AS PRESENTED.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

Reading and Approval of Minutes:

MOTION BY COMMISSIONER LOVATO TO APPROVE THE MINUTES OF THE JULY 5, 2016, REGULAR SESSION MEETING AS AMENDED.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

Review of Mail and Other Correspondence: 07/19/2016

- 1. Colorado Department of Local Affairs** sent a Memorandum regarding the 2016 state assessed Notice of Valuation consisting of a listing of state assessed companies with values for our county. (07/07/16)
- 2. The Friends of the San Luis valley Wildlife Refuge** sent The Avocet for July 2016.

3. **The Upper Gunnison River Water Conservation District** sent the agenda for the July 25th meeting.
4. **Ed and Terry Wagner** emailed a *request for support* for the Bonanza Fire Mitigation for the Bonanza Ranch.
5. **The Trail Tales July Newsletter** was received.
6. **The Informed Final Choice** sent a thank you letter for the \$2,500 Sales Tax Grant Funds.

Introduction of Guests:

Ammi Kohn, Living Wisdom	Del Groen, Valley Haven Lodge
Kirsten Schreiber, Living Wisdom	Joan Mobley, Town of Center
Robert Adler, Living Wisdom	Kevin Noland, Saguache Democrats
Taylor White	Lisa Cyriacks, Eagle
Ronald Cabrera, Cannospire	Teresa Bens, Center Post
David Sigman	Sandia Belgrade, Crestone Eagle
Richard Drake, Planning Commission Sales Tax Committee	

Public Comment:

Living Wisdom Senior Center thanked the Board for last year's Sales Tax Grant which allowed them to move forward substantially with their project, they state the grant has a return of 300%, and is an important first step for the County. It is not a Federally funded project. The Board commended for their thoroughness.

COMMISSIONER REPORTS:

Jason Anderson Commissioners report 7/6-7/18 2016:

- 7/6 Spoke with Brian Gabariou from CDPHE to clarify the State Waste Tire program.
- 7/7 Spoke with Ami Kohn from Living Wisdom in Crestone about revising a Sales Tax Grant to use funds.
- 7/11 Sent out a Memo to the members of the CCI Southern District about the fall meeting.
- Wendy Maez contacted 7/12 about requesting UAS support for use on local fires.
- 7/12 Work Session in Sargents Colorado.
- 7/14 Work session for Strategic Plan review and staff evaluations.
- 7/15 Attended the CCI Legislative Planning Session via Phone.
- 7/15 Contacted by Marty Asplin from the Upper Rio Grande Economic Development Council with an invite to attend the Rio Grande Basin Wood Utilization workshop on August 4th, 8:00am-4:00pm at the Rio Grande Water Conservation building.

Tim Lovato – July 18, 2016 District III Commissioner's Report:

- July 7th – Attended the Meet and greet in Alamosa, for Ms. Jean Borrego, the new Home Land Security Coordinator for the San Luis Valley. Ms. Borrego is replacing Jeff Babcock who has retired from that position.

- July 11th – Held office hours in Crestone from 10:15 to 2:00 p.m. I had four citizens visit with me during that time.
- July 12th – Attended the work session in the Town of Sargents.
- July 14th – Attended the work session at the Road and Bridge building helped work on the Strategic Plan and Department heads evaluations.
- July 18th – Met with the Human Resource person on the Department head evaluations.

Ken Anderson:

- 7/8 - Attended Seniors meeting in Alamosa
- 7/12 – Work Session in Sargents
- 7/14 – Work Session, Strategic Plan, Department Head evaluations
- 7/15 – Airport with Constantine Diehl and Odin Dean
- 7/18 - UAV Advisory Meeting
 - COG in Alamosa
 - DRG – new person

Question from Ms. Belgrade regarding the use of drones? Response: Can get better imaging and mapping, zero risk of life.

It was also noted that office times for the Commissioners will be as follows: The 2nd Monday of the Month, present in Crestone, Center and Saguache.

BOARD OF SOCIAL SERVICES MONTHLY REPORT – LINDA WARSH: REPORT ATTACHED:

Ms. Warsh also provided the Board with a report on the assistance and training they have received from the Pueblo County Department of Social Services. She included a “Memorandum of Understanding” for such services with that Department for Board signature. Training includes child welfare and screening and after hour referrals and supervision.

MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE AND SIGN THE MEMORANDUM OF UNDERSTANDING WITH THE PUEBLO DEPARTMENT OF SOCIAL SERVICES FOR THE PROVISION OF CHILD WELFARE SUPERVISION AND RED TEAM SERVICES

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

DEPARTMENT HEAD REPORTS:

RANDAL ARREDONDO, SUPERVISOR, ROAD AND BRIDGE DEPARTMENT:

Mr. Arredondo informed the Board that the Town of Saguache would like to update the Intergovernmental Agreement with the County for road maintenance services. County Attorney Gibbons will work with the Town Attorney on this issue.

Mr. Arredondo also discussed the ongoing issue of the cattle guard on Road 10XX.
Directive by the Board: Install a cattle guard on County Road VV9.2.

Alex Abeyta is requesting a warning light on Highway 285 – should send request to CDOT.

Department has completed paying on county roads, need to remove weeds
Need to do some work in Crestone
Evan Samora, Saguache County Housing Director, has requested paving of a parking lot

Landfill – receiving a lot of mattresses and boxsprings, also a lot of concrete. The loader at the landfill is in need of tire replacement, all 4 tires. Cost to replace: \$1972 each tire.
Directive by the Board: Replace all four tires on the landfill loader through Goodyear and apply any credit.

DAN WARWICK, SHERIFF, REPORT ATTACHED:

BEN GIBBONS, COUNTY ATTORNEY:

1. Has submitted an Order for Quiet Title for the Town of Iris to the District Court.
2. Hollenbeck and Millam cattle guard.
3. Saguache County Court Judge Amanda Pearson is retiring, the replacement process has begun.
4. Excise Tax Resolution
5. “Raising the Bar” Resolution
6. There have been five (5) property tax appeals submitted to the Board of Assessment Appeals. Hearing is scheduled for August 31, 2016. He plans to attend the Hearing.

CONNIE TRUJILLO, PUBLIC TRUSTEE INFORMATION:

Ms. Trujillo provided her Quarterly Report, including an audit letter regarding the Public Trustee. She will transfer about \$6000 into the County General Fund, which does not include quarterly fees.

WENDI MAEZ, LAND USE ADMINISTRATOR: Land Use report for Tuesday, July 19, 2016

1. Taylor White – Subdivision Exemption request for Lazy KV Estates Block BBB Lot 5C containing 3.75 acres. This request is to “unconsolidated” 3 previously consolidated lots into their previous lot size, each lot will contain 1.25 acres.
The lots will be used for residential use; Applicant has come in for a construction permit for storage containers on each property.

One letter of concern has been received – adjoining landowner feels un-consolidating these lots will increase density and future population near their property.

Saguache County Planning Commission has recommended approval of this request by a vote of 6 for and 2 against, with the following conditions: no commercial operations of any kind on these lots and no non-compliance operations allowed on these lots.

MOTION BY COMMISSIONER LOVATO TO DO A RECONSOLIDATION OF LOT 5C, BLOCK BBB, LAZY KV ESTATES, AS ORIGINALLY PLATTED, WITH RECOMMENDATION FROM THE SAGUACHE COUNTY PLANNING COMMISSION THAT NO COMMERCIAL BUSINESS OR NON-COMPLIANCE OPERATIONS BE ALLOWED ON THE PROPERTY.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

White will supply a final mylar for Board to sign.

2. Dick Blumenheim / Ron Cabrera – Conditional Use request for W1/2NW1/4 32-46-10 for retail marijuana cultivation facility.
Property Address – 60063 Co. Rd. GG
Total acreage to be used is 5 acres
Present use of property is Alfalfa
Intended use of the property is an outdoor retail marijuana cultivation.
There will be a residence on the property, 2011 Keystone Outback 280RS that is self-contained.
Will have a Drying Structure on the property if approved, 100ftx100ft
Utilities will be provided by SLVREC
Reservoir will be water use. Will email comments from CDOW when received.
The State will have access to the cameras.
2 adjoining landowner comments received.
Saguache County Planning Commission has recommended approval of this request by a vote of 7 for and 1 against, with the following conditions: letters of concern must be addressed prior to Commissioners review of the application, a report of the operation after one year of operation to include violence, production and any concerns from surrounding property owners, to carpool during harvest season and to work on the road to access point and no light pollution.

MOTION BY COMMISSIONER LOVATO TO ACCEPT THE CONDITIONAL USE REQUEST FOR W ½ NW ¼ 32-46-10 WITH CONDITIONS AS SPECIFIED BY THE COUNTY PLANNING COMMISSION INCLUDING REPORTING, BE WITHIN COMPLIANCE OF WATER RESOURCES AND WITH 6 MONTH REVIEW, BY APRIL 1ST.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 2

VOTES AGAINST: 1

MOTION CARRIED

3. The Town of Crestone has recommended the appointment of Terry Goergen as an alternate for the Town of Crestone.

MOTION BY COMMISSIONER KEN ANDERSON TO APPOINT TERRY GOERGEN AS AN ALTERNATE TO THE CRESTONE/BACA PLANNING COMMISSION, ALTERNATE FOR THE TOWN OF CRESTONE

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

4. Lot Consolidation request by Kelvin Lee and Donna Lynn Heitmann for Lots 3766C and 3768C, Baca Grande Chalet Unit Two.

MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE LOT CONSOLIDATION OF LOTS 3766C AND 2768c, NOW NAMES BACA GRANDE CHALETS UNIT TWO, LOT 3766CR.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

5. Lot Consolidation request by Mark Rose and Catrina Mianecki for lots 1927C and 1929C, Baca Grande Chalets Unit One.

MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE LOT CONSOLIDATION OF LOTS 1927C AND 1929C, CHALETS UNIT ONE, NOW NAMED BACA GRANDE CHALETS UNIT ONE, LOT 1927CR.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

WENDI MAEZ, SAGUACHE COUNTY AIRPORT MANAGER REPORT:

Airport Manager report

1. A letter was sent to Alamosa County to request support of the use of UAS for the possibility of the use unmanned aircraft during the Hayden Pass Fire. No response has been received from Alamosa County as of the date of this report.
2. Discussion concerning the installation of wireless internet access to the Leach Airport hangar. The cost would be cheaper than what we have now which is the amount of \$105 for internet service with SLVREC and \$30 for phone service. SLVREC would be a cost of \$89.00 per month. **Directive by the Board: Work with SLVREC for the installation of wireless internet at Leach Airport.**
3. Also, replaced beacon light at the airport.

4. Discussion concerning the possibility of purchasing jet fuel at Leach Airport when the remainder of the fuel is gone in one tank.
5. Notification has been received that a grant of \$40,000 was awarded for the Saguache County Airport Feasibility Study.

SAND DUNES RECREATION, LLC LIQUOR LICENSE RENEWAL:

MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE LIQUOR LICENSE RENEWAL FOR SAND DUNES RECREATION LLC.

SECOND BY COMMISSIONER LOVATO

VOTE IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

VILLA GROVE TRADE, LIQUOR LICENSE RENEWAL :

MOTION BY COMMISSIONER LOVATO TO APPROVE THE LIQUOR LICENSE RENEWAL FOR VILLA GROVE TRADE.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

LYN LAMBERT AND WENDI MAEZ, CO-ADMINISTRATORS – ADMINISTRATIVE REPORT: Administration report for Tuesday, July 19, 2016

1. Wall, Smith and Bateman have been conducting the audit for the last few weeks but the audit will not be complete before the deadline of July 31, 2016, therefore we will need to file for an extension with the State of Colorado. Board approval and signature will be required to file for this extension.

MOTION BY COMMISSIONER LOVATO TO REQUEST AN EXTENSION FROM THE STATE OF COLORADO.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

2. Strategic Plan review approval for July 19, 2016.

3. RE: Tires for the Landfill loader:

MOTION BY COMMISSIONER KEN ANDERSON TO PURCHASE FOUR (4) TIRES FOR THE LANDFILL LOADER FROM THE GUNBARREL STATION AT \$1500 PER TIRE.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

4. Jim Felmlee, Emergency Management, approved grants and agreements to sign.
5. 2 notices from USDA re surveys for commissioners and admin for Housing.
6. Letter from Living Well in Crestone regarding the refund of unspent funds from their Sales Tax Grant. They provided a breakdown of how the funds used were spent. The returned funds will be put into the Sales Tax Grant Emergency Fund.
7. Ginger Stringer, Director, Public Health, Letter of Resignation effective July 29, 2016:

MOTION BY COMMISSIONER KEN ANDERSON TO ACCEPT THE RESIGNATION OF GINGER STRINGER, DIRECTOR, PUBLIC HEALTH DEPARTMENT, EFFECTIE JULY 29, 2016.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

9. Moffat School Sales Tax Grant:
Request to reallocate the grant funds for the purchase of exercise and fitness equipment for the school grounds.

MOTION BY COMMISSIONER KEN ANDERSON TO HAVE THE FUNDS RETURNED TO THE COUNTY AND PLACED BACK INTO THE SALES TAX GRANT FUND. THE SCHOOL CAN REAPPLY IN THE NEXT CYCLE. FUNDS WERE ORIGINALLY REQUESTED FOR A GREENHOUSE.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

CRESTONE PERFORMANCES – SPECIAL EVENT LIQUOR LICENSE REQUEST:

MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE SPECIAL EVENT LIQUOR LICNSE REQUEST SUBMITTED BY CRESTONE PERFORMANCES, FOR THE CRESTONE MUSIC FESTIVAL SCHEDULED FOR AUGUST 12, 13, AND 14, 2016.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

JOAN MOBLEY, TOWN OF CENTER ADMINISTRATOR:

Ms. Mobley was present to discuss the replacement of the sidewalk at the Public Health building in Center. The job has been completed at the cost of \$4,135.88. The Town was not aware that the County had not approved the expenditure for the replacement before the work was completed. She

informed the Board that the Town Board had voted to approve “in kind” payment in the form of street paving by the County for this work and apologized for any confusion. Commissioner Ken Anderson inquired as to an estimate for such paving by the County. Any estimate will be provided by the Road & Bridge Department for work on Torres Street, the new Town park and the bridge on Fullenwider Street.

Another issue discussed by Ms.Mobley was the intent of the Town to annex the Consaul property into the Town. They have hired a consultant to assist them with this project. Land Use Administrator Maez noted that they will need an updated Comprehensive Plan.

BIPARTISAN CITIZENS – SALES TAX/EXCISE TAX DISCUSSION:

Richard Drake, speaking for the Bi-Partisan Citizens Group, addressed the Board regarding the issue of a County sales tax question for the 2016 General Election Ballot. Current sales tax rate is 1%. The proposed increase is for an additional 1%, resulting in a new County sales tax rate of 2%. Additional sales tax revenue would be used to supplement the County Sheriff’s budget and for the construction and maintenance of a County Justice Center. After further discussion, the following action was taken:

MOTION BY COMMISSIONER LOVATO TO APPROVE RESOLUTION NUMBER G-2016-4, WHICH WOULD APPROVE AND AUTHORIZE A BALLOT QUESTION FOR THE NOVEMBER 2016 GENERAL ELECTION BALLOT PROPOSING AN INCREASE TO THE EXISTING COUNTYWIDE SALES TAX OF 1%, RESULTING IN A TOTAL COUNTY SALES TAX OF 2%, TO PROVIDE SUPPLEMENTAL FUNDING FOR THE COUNTY SHERIFF’S DEPARTMENT AND CONSTRUCTION AND MAINTENANCE OF A COUNTY JUSTICE CENTER.

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 2

VOTES AGAINST: 0

MOTION CARRIED

SAGUACHE COUNTY EXCISE TAX:

Discussion followed regarding the issue of an Excise Tax on the sale or transfer of unprocessed retail marijuana by a retail marijuana cultivation facility located within the County. Treasurer, Connie Trujullo, advised the Board that they need to be aware that the Colorado Department of Revenue will not administer this tax for the County. The County will have to have its own means of administration, enforcement and collection of this tax. After further discussion, the following action was taken:

MOTION BY COMMISSIONER LOVATO TO APPROVE THE RECOMMENDED RESOLUTION NUMBER G-3, WHICH WOULD APPROVE AND AUTHORIZE A BALLOT QUESTION FOR THE NOVEMBER 2016 GENERAL ELECTION BALLOT REGARDING WHETHER THE COUNTY

MAY IMPOSE AN EXCISE TAX ON THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY LOCATED WITHIN SAGUACHE COUNTY.
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 2 VOTES AGAINST: 0
MOTION CARRIED

BILL PAYING:

ADJOURN: There being no further business, the meeting was Adjourned by Board Chair, Jason Anderson at 4:00 p.m.

RESPECTFULLY SUBMITTED:



CARLA GOMEZ, CLERK & RECORDER

DATE MINUTES APPROVED: August 1, 2016

SAGUACHE COUNTY
BOARD OF



JASON ANDERSON, COMMISSIONER,
BOARD CHAIR

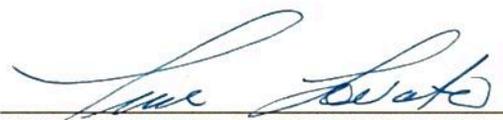
COUNTY
SAGUACHE COLORADO
COMMISSIONERS



ATTEST
CARLA GOMEZ
CLERK & RECORDER



KEN ANDERSON, COMMISSIONER



TIM LOVATO, COMMISSIONER