

SAGUACHE COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION MEETING
TUESDAY SEPTEMBER 20, 2016

MINUTES

CALL TO ORDER:

The Meeting was called to order by Board Chair, Jason Anderson, at 9:00 A.M., with the following members present:

Jason Anderson, Commissioner, Board Chair
Ken Anderson, Commissioner
Tim Lovato, Commissioner
Wendi Maez, County Co-Administrator/Land Use Administrator
Lyn Lambert, County Co-Administrator
Ben Gibbons, County Attorney
Rhiannon Curry for 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:

1. Executive session with Attorney Ben Gibbons for legal counsel during his time.

**MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE AGENDA
WITH THE ADDITION OF AN EXECUTIVE SESSION.
SECOND BY COMMISSIONER TIM LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

Reading and Approval of Minutes:

**MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE MINUTES
AS CORRECTED FOR THE SEPTEMBER 06, 2016 REGULAR SESSION
MEETING.
SECOND BY COMMISSIONER LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

Review of Mail and Other Correspondence: Mail 09/20/2016

1. **Amanda Pearson, Saguache County Court Judge**, hand delivered an invitation to her retirement dinner to be held on Friday October 7, 2016 at ASU Student Union Building. RSVP is needed by September 26, 2016 with the cost of dinner being \$22.00 per person.
2. **Colorado Department of Regulatory Agencies** sent a notice that the Staff of the Rail/Transit Safety Section will be hosting a workshop at the Commission Offices in Denver on September 29, 2016 to get stakeholder input on some proposed railroad rule changes prior to initiating a rulemaking later this year. The workshop will be webcast at <https://www.colorado.gov/pacific/dora/puc> under the Online Services section for Webcasts of PUC Proceedings.
3. **Wildrose Appraisal Inc. – Audit Division**, has completed the Property Assessment Study for 2016 and is pleased to report its findings for Saguache County. Saguache County is compliant in almost all areas and they do not have any recommendations.
4. **The Rio Grande Water Conservation District** sent the September Ground Water Table Measurements.

Introduction of Guests:

Sandia Belgrade – Crestone Eagle
Clem Dossling– Baca Resident
Ron McClure – Architect
Teresa Benns – Center Post-Dispatch

Connie Trujillo – Saguache County Treasurer
Ammi Kohn – Living Wisdom
Theo Boudreaux – Joyful Journey Hot Springs

Public Comments: None

SERVICE PIN PRESENTATION – Congratulations Claude Maez on 10 years of service with Saguache County in the Road and Bridge department.
Congratulations to Ilene Rivale. The BOCC presented her with a plaque to thank her for all she has done with the youth of the County. Her service to the County has been invaluable.

Connie Trujillo, County Treasurer – presented the BOCC with two memorandums to be signed.

MOTION BY COMMISSIONER KEN ANDERSON TO SIGN A MEMORANDUM OF UNDERSTANDING FOR CONTROL OF CONFIDENTIAL DATA FOR STATE RETAIL MARIJUANA SALES TAX AND A MEMORANDUM OF UNDERSTANDING FOR CONTROL OF CONFIDENTIAL DATA FOR SAGUACHE COUNTY LODGING TAX.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

COMMISSIONER REPORTS:

Commissioner Jason Anderson:

September 6th – Attended the Saguache Chamber of Commerce meeting. There were questions in regards to the excise tax, so spoke some in regards to that.

September 9th – Attended the CCI Southern Region District meeting for County Commissioners in Walsenburg. It was run very well.

September 12th – Conducted office hours in Center. There were not many people who came by, but was visited by the town manager, and had a good discussion with her.

September 13th – attended the BOCC Work Session in Saguache County.

September 14th – conducted interviews with the other BOCC board members for the Public Health Director position.

September 15th – attended the Commissioners Work Session for sales tax grant requests and cooked at the Employee Appreciation Picnic. That evening, tried to give a presentation to the Baca POA, however they ran late and I was unable to stay late enough to present. Would like to comment how proud I am to be on such a professional and efficient board.

September 16th – made the same presentation to the Baca Water and Sanitation board. They are in a transition period, but overall the meeting went well.

September 19th – went to Denver and attended a HEMP International Conference. The conference spoke to local government issues. Literature in regards to HEMP, the industry, and the products were given and brought back to the BOCC for review. This is something the BOCC really needs to keep an eye on, as it could be profitable for the county. The HEMP organization does its homework, is very well organized, and is on top of research and development. They are looking at the SLV, as it is a great place for manufacturing. This could be great for the valley, especially if they bring the processing/infrastructure of the industry with it.

Commissioner Lovato: September

September 9th – Attended the CCI Southern Region District meeting for County Commissioners in Walsenburg.

September 12th – Conducted office hours in Saguache. Listened to several concerns from citizens and the Mayor of Saguache.

September 13th – Attended the Colorado Department of Health meeting on the landfill and went on a site visit of the landfill. In the afternoon, attended the presentation on the 2017 budget.

September 14th – Conducted interviews for the Public Health Director's position from 10:00A.M. - 3:00P.M.; four applicants were interviewed for the position.

September 15th – Attended the work session for the sales tax grant requests in the morning and in the afternoon, helped cook for the Employee Appreciation BBQ for the Saguache County employees.

September 19th – Attended the Saguache County Courthouse Security meeting in Saguache at 1:30P.M. At 3:30P.M., met with Mountain Valley Superintendent, Travis Garoutte, regarding the school district concerns with the conditions of the roads in the Lazy K V area and the number of grow operations in the area. Mr. Garoutte gave a brief description of

their plans on a “be fit” program using various stations for exercising on school grounds and various places throughout the Town of Saguache. Mr. Garoutte would like to give a presentation in October to the BOCC.

Commissioner Ken Anderson: September

September 9th – Attended the CCI Southern Region District meeting for County Commissioners in Walsenburg.

September 12th – Attended office hours in Crestone, stopped in Moffat and had some good conversations with those who came in.

September 13th – met with the people from Road and Bridge and the Landfill, and took a tour of the Landfill.

September 14th – conducted interviews for the Public Health Director position. Had some good interviews. There are some great candidates.

September 15th – attended the BOCC Work Session, and then cooked for the Employee Appreciation picnic. Was unable to attend the seniors meeting, due to the aforementioned events.

September 17th – Attended the Fall Festival. It was a great turn out. Spoke with the Mayor in regards to the counter for sale and gave him the name of a man in Alamosa that could help with the burned house in town.

September 19th – attended the SLV BOCC meeting with Lynn Lambert. The budget was discussed. It was a fairly short meeting, lasting a little more than an hour. Attended the DRG Open House. Did not feel it was handled well. People were unsure of who had interviewed for the open position, however there was an offer that was sent out to one of the candidates.

**BOARD OF SOCIAL SERVICES MONTHLY REPORT, LINDA WARSH - DIRECTOR:
REPORT ATTACHED**

DSS has been working on business efficiencies and procedures and trying to get the timeliness up on all programs. They have currently met 6 out of 7 of their goals. They are continuing efforts that have shown proven success, and working on maintaining these new efficiencies. Overall they are looking to stabilize and improve progress on processes and procedures. Commissioner Chair Jason Anderson recognized and offered congratulations to Mrs. Warsh for noticing a need for change, and putting in the effort to improve it once recognized.

Mrs. Warsh let the BOCC know she would be sending over a core plan in the next week to prepare for the next meeting. Commissioner Lovato asks if she can do a main outline for the financials to make them easier to read and understand. Mrs. Warsh agrees. Mrs. Warsh expressed a need to work on MOU's with the different law enforcement agencies, so that DSS knows and has a defined protocol. They are also working on new TANIF contracts with the schools, and working on TANIF programs in Center. There are a lot of very exciting things happening within the department and the programs they are developing, and Mrs. Warsh is anxious to see them progress.

DEPARTMENT HEAD REPORTS

BEN GIBBONS, COUNTY ATTORNEY:

**MOTION BY COMMISSIONER TIM LOVATO TO ENTER INTO EXECUTIVE
SESSION FOR LEGAL COUNSEL, PER C.R.S. 24-6-402(4)(B), AT
10:23A.M.**

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

**MOTION BY COMMISSIONER TIM LOVATO TO RETURN TO REGULAR
SESSION 10:40A.M.**

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

Ben Gibbons advised the BOCC that decisions were received from the BAA in regards to appeals. Blood of Christ appeal was dismissed for failure to appear. Tracy Benton was also dismissed for failure to appear. The Flickinger/McClure appeal reached a compromise at a value of \$45,685.00. This was previously offered and denied prior to the appeal, but was again offered and accepted at the Board of Assessment meeting. The Crestone Recreation order has not yet been received, however it should be coming within the next couple of weeks. There has been one new appeal received for Sterling Property Tax Specialists, but Mr. Gibbons will have to speak to Assessor Pete Peterson in regards to this. A hearing for this has not been set at this time. Mr. Peterson has given the BAA more information in regards to these appeals, so they have a better understanding of the impact these have on the county.

Mr. Gibbons spoke to the attorney in regards to the sale of the Town of Iris. He states he has hand delivered all of the paperwork necessary for this downstairs to Administration. Wendi Maez and Lynn Lambert will be checking on all of this. Mrs. Maez has done the voucher to be paid, and will follow up on paperwork after the meeting. Also spoke with Paul Motz, once paid this will be more or less resolved.

Mr. Gibbons emailed an article from the Denver Post in regards to a 12 plant count limit per parcel of land. There is a lawsuit coming out of Colorado Springs, who also adopted a 12 plant count per parcel, which could set precedent. The lawsuit states that in a 3 person household the 3rd person is losing their right to grow 6 plants based on the 12 plant cap. Commissioner Chair Jason Anderson wants clarification as to if they are speaking in terms of people or property, and if this will affect the marijuana regulations they are getting ready to adopt? Mr. Gibbons believes that the BOCC should proceed with the regulations as phrased, and if a challenge is presented, it can be addressed down the road. There is a pathway in the regulations being presented in Saguache County to allow for more than 12

plants. Mr. Gibbons just wanted the board to be aware of what is currently taking place in other counties.

Mr. Gibbons drafted two pros for the excise tax for the BOCC to review. He doesn't believe there needs to be a lot of filler, the initiative and how it benefits the county speaks for itself. It does need to be reviewed, approved, and sent to the Clerk and Recorder by the 23rd. Commissioner Chair Jason Anderson is happy with what Mr. Gibbons has presented, would like to put in comments about code enforcement, and wants to make sure there is a clear difference between the excise tax and the sales tax. Commissioner Ken Anderson also comments that there needs to be a clear difference between the excise tax and sales tax as we don't want citizens to confuse the two, and what each one will offer the county if passed. Commissioner Chair Jason Anderson would also like a dollar figure to show what the State makes each month on the sale of Marijuana vs. what the county is receiving. Commissioners Ken Anderson and Tim Lovato do not believe this is necessary for the blue book, but agree with Ben Gibbons that a blanket statement showing a difference in the percentages, could be just as effective.

RANDAL ARREDONDO, ROAD & BRIDGE SUPERVISOR:

Mr. Arredondo did not have much to report to the BOCC. Let them know that he has been chipping on Road C. This upset some of the farmers as they were harvesting, but the crew was able to speak to the farmers and get it worked out. They agreed they would be in communication earlier in the season next year, so the farmers will know about the road work in advance. Mr. Arredondo advised he has only one more chip seal left to do and then they will all be complete for this year.

DAN WARWICK, SHERIFF: REPORT ATTACHED

Sheriff Warwick asked if there were any updates on the new justice center being built out at the airport location. Mr. Gibbons' advises Sheriff Warwick that a proposal would need to be done to submit to the FAA for approval. Wendi Maez also advises, the FAA per prior conversation would need to know square footage and a more detailed plan, before they would approve this. Sheriff Warwick informs the BOCC that he can do that for the shooting range he is asking for, but is not sure that he can provide the information needed for the justice center. Commissioner Ken Anderson requests a rough idea/plan of what the Sheriff is looking to do just for the jail portion of the building, not the court portion. He would like to see the basics set out as far as how many acres of land, what is going into it, i.e., jail, courthouse, etc. Commissioner Ken Anderson would also like a rough cost estimate. Sheriff Warwick informed Commissioners there will be an architecture firm coming from Denver to review the current jail and its state. Sheriff Warwick will discuss the plans for the new building with this firm, and see if they can put something together for him to present to the Commissioners for minimal cost. Sheriff Warwick also asks Mr. Gibbons if there is an issue with the jail sitting outside of the county seat. Mr. Gibbons does not believe this is an issue, but will have to do some further checking. Ken Anderson informs the Sheriff that he has received calls from Alamosa County stating they need room to house prisoners. Sheriff Warwick states Alamosa County knows they just need to

call him, as he is housing prisoners for them currently. Sheriff Warwick will have one of his jailers call Alamosa to confirm, and see how they can help.

Commissioner Tim Lovato advises Sheriff Warwick that talk about the town in regards to the sales tax has not been very positive. People in town have asked Commissioner Lovato, the sales tax passes for the new jail, how long before there is another one to actually pay for the jail. Sheriff Warwick understands the fear of taxes being raised. Commissioner Tim Lovato, comments that is one of the appeals of Saguache County is lower taxes than most counties. Sheriff Warwick explains, that most counties use sales tax as a way to improve and progress that county, and unfortunately due to the lower taxes, Saguache has been barely able to maintain what they have currently.

WENDI MAEZ, LAND USE ADMINISTRATOR, AIRPORT ADMINISTRATOR:

1. Scott Fitzpatrick Carlson – Lot Consolidation request for Baca Grande Chalet Unit II, Lots 3306, 3307, 3308, 3309, 3310, and 3311. Crestone/Baca Planning Commission has recommended approval of this request during their regular meeting on September 14, 2016

**MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE LOT
CONSOLIDATION OF BACA GRANDE CHALET UNIT II, LOTS 3306,
3307, 3308, 3309, 3310, AND 3311.**

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

2. T. Suomi – Lot Consolidation request for Baca Grande Grants, Lots 1436, 1437, 1438, 1441, and 1442. Crestone/Baca Planning Commission has recommended approval of this request during their regular meeting on September 14, 2016 with a vote of 2 ayes and 1 nay. The 1 nay vote is due to the board member feeling that this lot consolidation has several equestrian easements that will be effected.

Commissioner Chair Jason Anderson, clarifies that equestrian easements are not affected or vacated. Only the POA is able to vacate these easements. The POA currently lets anyone buying property know that these easements are there and must be subscribed to.

**MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE LOT
CONSOLIDATION OF BACA GRANDE GRANTS, LOTS 1436, 1437, 1438,
1441, AND 1442.**

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

3. Commissioner Chair opens bid received for 12 lots in the KV estates. Bidder is Michael Zaino from Massachusetts. Bid is for \$500 per lot for a total bid of \$6000 for all 12 lots. Wendi Maez informs the commissioners the minimum bid for all Lazy K V Estates lots is \$4000.00

with the exception of lot RR 9C for which the minimum bid is \$8200.00. Based on that information, Mr. Zaino is not even covering the minimum bid for these properties.

**MOTION BY COMMISSIONER KEN ANDERSON TO REJECT THE BID FOR
LAZY K V ESTATES LOTS K12, RR 9C, BB 16, SS14, UU18, YY9, YY10,
ZZ8, VV21, JJ12, HH6, and CCC19, FROM MICHAEL ZAINO OF
MASSACHUSETTS AS IT IS BELOW THE MINIMUM BID AMOUNT.
SECOND BY COMMISSIONER TIM LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

4. Marijuana regulations discussion and possible meeting date set.

Wendi Maez sent the marijuana regulations as proposed to the BOCC for review. With the exception of a few format changes, they are complete and ready to be put out for public comment. Commissioner Chair Jason Anderson asks that all be fully complete and sent back to the Commissioners by end of day if possible, so that it can be enacted and put in place. Mr. Gibbons advises they are changing the format to include an index and to put the definitions at the top so as to bring further clarity to the document. Mr. Gibbons would also like to add a definition for facility, as this word is used frequently throughout the document, however there is no definition for it. Mr. Gibbons would also like to remove the definition of Industrial HEMP as this documents is only in regards to Marijuana. Commissioner Chair Jason Anderson would also like to take out the state statute verbiage as this document only relates to marijuana in the County of Saguache. Does not want state verbiage to confuse the counties position in regards to retail marijuana ordinance. Maez would like to set a public meeting date for this. Commissioner Chair Jason Anderson agrees to gather public comment one more time as stated in the last public forum. A public meeting will be scheduled on October 19th at 1:00P.M., at the Road and Bridge meeting room. It will then be placed on the November 1st agenda to adopt the regulations.

**MOTION BY COMMISSIONER KEN ANDERSON TO ADOPT THE DRAFT
MARIJUANA REGULATIONS TO BE SENT FOR PUBLIC COMMENT.
SECOND BY COMMISSIONER TIM LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

SAGUACHE COUNTY AIRPORT MANAGER'S REPORT – WENDI MAEZ:

1. Met with a landowner on the possibility of the rental of Leach Airport hangar. At this time Maez is working with SLV Rural Electric Co-op on the price of electricity to be included in the lease amount. Hangar area will need to be cleaned out and water installed to the restroom and water spigot.
Lease of this hangar would be for Industrial HEMP at a proposed rent amount of \$500-\$750 per month. Final rent amount would depend on the electricity, etc.

Mr. Ben Gibbons' County Attorney would like to double check that there would not be a conflict of interest with a lease for a HEMP grow. Doesn't believe there would be as we have not received federal funds for the airport, but wants to double check before an agreement is reached.

2. Spoke with Vemco Electric about re-connecting 2/3 phase electrical service and waiting for an amount for the service.
3. Internet line has been dug and installed up to the hangar and will be connected in the next 2-3 weeks.
4. More information is being gathered to determine what is needed to sell water out of the airport. Wendi Maez has spoken with a credit card company to get a machine installed for ease of use, once water is available for purchase. The electric and internet will need to be installed and running to be able to use the credit card machine.

LUNCH

LYN LAMBERT, WENDI MAEZ, CO-ADMINISTRATORS ADMINISTRATIVE REPORT: Administration Report for September 20, 2016

1. Ron McClure, Architect presented his proposal for the location and installation of the elevator. Mr. McClure brought in plans for the new elevator site placement, and construction necessary to have it installed. Based on building review, taking into account the ease or complication of construction, placement for the elevator has been decided at the west entrance between the two staircases. Any other placement would call for construction within concrete. This placement would allow for construction on wooden stairs only and turning one stair case to face the opposite direction. The plans call for a door on both sides of the elevator, and it would stop at each floor and each landing. Tyson Krupp would be the suggested vendor for the elevator itself. Not only does Mr. McClure believe they have a great product, but he says their customer service is impeccable. Tyson Krupp has given Mr. McClure an estimate at \$135,000.00 for the elevator unit itself. At the request of Maez, Mr. McClure gave an estimate for the full project at approximately \$175,000.00. Most elevators require a pit that the elevator would rest in to be able to work on it. This particular unit would not require a pit, which cuts the cost of construction. Maez asks if Mr. McClure can get a proposal together for the full scope of the project as the county will need this to solicit bids for the construction portion of the project. Mr. McClure agrees to put this proposal together and have completed and returned to Maez by October 14th, 2016. Mr. McClure asks the BOCC for their approval of the placement as shown in the plans, so he can draw up the proposal requested by Maez.

**MOTION BY COMMISSIONER TIM LOVATO TO ACCEPT THE
ELEVATOR FLOOR PLAN CONCEPT AS PRESENTED BY RON
MCCLURE ARCHITECT.**

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

2. Pros for the Ballot Incentive for the Excise Tax will need to be complete.
Commissioners agree the Pros given by Ben Gibbons are good and would like to use what he has prepared.
3. Proposed No Smoking policy – presented by Ilene Rivale.
Discussion at length in regards to this policy. Addressed complete prohibition on all county property. Per legal advice from Ben Gibbons, this would leave room for county designated smoking areas. Major concern of the BOCC was road and bridge vehicles, and lack of production if workers were mandated to leave county vehicles to smoke. Production and Safety could be a risk if workers had to leave road grates, etc. due to the smoking policy. BOCC agrees to adopt the smoking policy limiting the exception to county designated smoking areas. Sandia Belgrade with Crestone Eagle, questions what will happen if someone breaks this new policy. Ben Gibbons answers that there are already consequences in place when a policy or procedure is violated, so this would not require a separate consequence to be determined.

**MOTION BY COMMISSIONER CHAIR JASON ANDERSON TO ADOPT
REGULATIONS THAT PROHIBIT SMOKING ON COUNTY OWNED
PROPERTY EXCEPT IN COUNTY DESIGNATED SMOKING AREAS.**

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 2

VOTES AGAINST: 1

MOTION CARRIED

4. Presented resolution to transfer \$18,900.00 from General Fund to Public Health to cover cash flow.
Lynn Hammel in the Treasurer's office was contacted for all funds that had been received for Public Health for the month of September. Based on the response received from Mrs. Hammel the \$18,900.00 was determined for the amount of the transfer. When asked about the budget issues with Public Health, Commissioner Tim Lovato explained that grants and expenditures had been lumped together and really should be separated. With the lag time of spending vs. receiving funds, it often looks to be under in one area while over in another. Lambert prepared a budget amendment that will be advertised and a special hearing will be held in the first part of October. PILT funds will be advertised as more funds were received than originally budgeted for. Amendments will be done for the airport, Sheriff's department, and for Public Health. The advertising will be in this week's paper and the updated budget will be ready for review on September 23, 2016.

**MOTION BY COMMISSIONER KEN ANDERSON TO ACCEPT THE
RESOLUTION TO TRANSFER \$18,900.00 TO PUBLIC HEALTH FROM
THE GENERAL FUND.**

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

**MOTION BY COMMISSIONER TIM LOVATO TO PUT A FREEZE ON ANY
SPENDING INCLUDING DISCRETIONARY EXPEDITURES WITHOUT
APPROVAL FROM THE REPRESENTATIVE OF THE BOCC TO
PUBLIC HEALTH FIRST.**

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

5. Maez and Lambert attended the budget discussion meeting with Commissioners, Elected Officials and Department Heads on September 13, 2016.
6. Maez vouchered the amount of \$2500.00 agreed to Garth Cooke for the Town site of Iris. Land Use and Administration departments have not received the invoice for this item. Maez will get in contact with attorney to obtain what is needed to resolve this issue.

Financial report for August 2016

General Fund revenue year to date is \$3,196,000.31 and expenditures are \$2,058,604.59 through the end of August.

Extra revenue is coming from current property tax, additional PILT, Land Use retail marijuana, conditional use permits, jail revenue, sheriff traffic code, with all other revenue being close to budgeted. Current Property tax includes abatements that the treasurer had on their books for the last couple of years and were deposited into General Fund per auditors. However, we have not received any revenue from the State for the Emergency Management department. I have contacted Jim Felmlee to inquire why the fund is not coming in for his program. Also emailed Dave Osborn who informed me that we should be receiving funds from the department this quarter.

Expenditures within the General Fund are mostly on track, with a few areas over and a few being under.

Road and Bridge revenue year to date is \$1,662,771.59 and expenditures of \$1,607,327.69 through the end of August.

Revenues are at 57% and expenditures are at 55%

Public Health revenue year to date is \$235,058.76 and expenditures are \$290,596.25 through the end of August. Public Health was in the red with the County Treasurer by \$9272.06 on August 31, 2016. Lambert will present a transfer of funds from General Fund to Public Health to offset the shortfall. Lambert spoke with Public Health and they stated that billing was late for August but was up to date as of September 14, 2016.

Small funds are ok. TV fund will be closed, there are no remaining funds in that fund as of 2016.

Sales tax collected year to date is \$161,849.96. This is the total amount collected for all three funds.

SRS FUNDING DISCUSSION

There is a balance of 17% that needs to be taken care of as the 83% has already been given to the schools. There was some discussion as to if part of the remaining 17% would also be given to the schools but the BOCC has decided against previous discussions in regards to this. Treasurer Connie Trujillo was consulted as to the actual amounts already disbursed and what dollar figure would be associated with the remaining 17%. Per County Treasurer Trujillo the full amount of funds received was \$1,109,211.89. 83% at \$920,645.87 was already applied to the schools. This leaves a remainder 17% at \$188,566.02 that still needs to be disbursed by the Board of County Commissioners. Commissioner Chair Jason Anderson comments that typically \$200,000.00 is allotted to the Road and Bridge department, so he is of the belief the remainder of the SRS funds should be allotted in that direction.

MOTION BY COMMISSIONER KEN ANDERSON TO GIVE THE REMAINING 17% AT \$188,566.02 OF SRS FUNDS TO THE ROAD AND BRIDGE DEPARTMENT SEEING AS 83% AT \$920,645.87 HAS ALREADY BEEN ALOTTED TO THE SCHOOLS.

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Commissioner Lovato addresses that there will need to be a review of the applications received for the CTC coordinator position. They need to get someone hired into that position as soon as possible as training for the position is in October. It is decided based on this information that interviews will be conducted on Friday September 23, 2016, as part of the already scheduled work session. Budget items can be reviewed in the afternoon as previously scheduled. Interviews will start at 10:00A.M., with 45 minute intervals between candidates.

JOYFUL JOURNEY SPECIAL EVENT LIQUOR LICENSE

Clerk and Recorder Carla Gomez presented a special event liquor permit. Theo Boudreaux was present to answer questions or concerns in regards to this request. Per Mrs. Gomez all applications and required fees had been received, and notices posted. All is in order for the one-day event on October 8th from 1:00P.M.-8:00P.M.

MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE SPECIAL EVENT LIQUOR PERMIT FOR A ONE TIME EVENT TO JOYFUL JOURNEY HOT SPRINGS.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

SALES TAX GRANT DECISION

A Sales Tax Grant fund distribution request has been given in the following order: Under Emergency, Baca Grande Library- \$1270.00, Center Interfaith Alliance - \$5000.00, Crestone End of Life Project - \$1000.00, Neighbors Helping Neighbors - \$2500.00, Northern Saguache County Ambulance District - \$2350.00, Saguache County Search and Rescue, Dan Wheeler Team Leader - \$3000.00, Saguache County Sheriff's Office(1) Steven Hansen, Deputy - \$3000.00, San Luis Valley Ecosystem Council - \$4000.00, Town of Center - \$4000.00, and Town of Center Police Department - \$2500.00. Under Economic Development, Crestone Youth Plaza Inc - \$5000.00, Living Wisdom, A Community of Elders (Ammi Kohn, Chair) - \$5000.00, Saguache Chamber of Commerce - \$2600.00, Saguache County-Leach Airport (Mike Spearman) - \$5000.00, Saguache Public Library - \$3000.00, Saguache Works(Home Again Totes) - \$5000.00, Town of Crestone - \$5000.00, and Saguache Museum - \$400.00. Under Youth and Senior, Center Conservation District - \$2500.00, Crestone Performance, Inc. Tom Dessain, Executive Director - \$4000.00, Moffat Consolidated School - \$4000.00, Mountain Valley School (1) Amy Garoutte - \$3000.00, Rio Grande Watershed Conservation and Education Initiative - \$1500.00, Saguache and KV Health Equity Senior Team - \$4000.00, Saguache County Museum - \$1000.00, Saguache Theater Group - \$1500.00, Saguache Works(4th Street Store Senior Discount) - \$4000.00, Saguache Works (Be Fit) - \$4000.00, and Telluride Fire Festival, Erin Ries, Executive Director - \$1500.00

MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE SALES TAX GRANT FUNDS BE ISSUED AS FOREMENTIONED.

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Teresa Benns – from the Center Post-Dispatch was in the audience. She commented that she has received several comments in regards to the K V Estates. She would like to inquire about further information, as she has had enough complaints she now feels the need to address them. She would like assistance as to what can possibly be done, or what reaction to these complaints would be warranted. Commissioner Chair Jason Anderson explains that the K V Estates subdivision is under the authority of an HOA, and this limits the BOCC authority of what can be done. The HOA has a broader range to be able to control that subdivision than the county does per state statute. The Land Use department is able to regulate land use issues, such as septic permits and building permits. Commissioner Chair Jason Anderson also commented that the BOCC has made public the 2nd draft of the marijuana regulations. With the help of this regulation, and the excise tax passing on the November ballot, allowing for monies to be used for code enforcement, the BOCC is hopeful these two initiatives will help with the K V Estates situation.

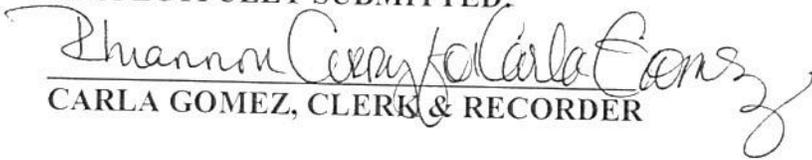
County Treasurer Connie Trujillo came back into the meeting to discuss the sales tax committee and advertising being put together in regards to this. Commissioner Ken Anderson addressed the excise tax verbiage on the letter received. There was verbiage in regards to the excise tax being received from the State of Colorado, and this was incorrect. He, as well as the other two County Commissioners would like to see the excise tax verbiage and the sales tax verbiage completely separate on anything handed out to the general public. Treasurer Trujillo expressed her understanding of what the Commissioners were looking for, and let them know two separate flyers would not be possible due to budget constraints, as all funds for the advertising were received by donation. She also suggested to the BOCC that if it would please them, she could remove any and all excise tax verbiage all together. She was really in the meeting today to

button down what the BOCC would like put out to the public as the election is only six weeks away. Commissioner Lovato indicated that he would very much like the advertising for both taxes, he would just like to see a clear separation of the two on any documents released.

BILL PAYING:

ADJOURN: There being no further business: Commissioner Chair Jason Anderson adjourns the meeting at 3:25P.M.

RESPECTFULLY SUBMITTED:


CARLA GOMEZ, CLERK & RECORDER

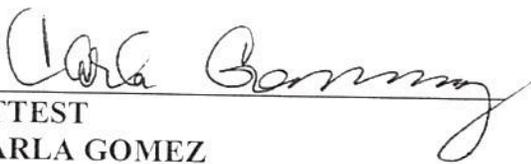
DATE MINUTES APPROVED: Oct 4, 2016




JASON ANDERSON, COMMISSIONER,
BOARD CHAIR


KEN ANDERSON, COMMISSIONER


TIM LOVATO, COMMISSIONER


ATTEST
CARLA GOMEZ
CLERK & RECORDER