

**SAGUACHE COUNTY BOARD OF COMMISSIONERS**  
**REGULAR SESSION MEETING**  
**TUESDAY, April 16, 2019**

**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 Chair  
Jason Anderson, Commissioner  
Tim Lovato, Commissioner  
Wendi Maez, Co-County Administrator/Land Use Administrator  
Glen Simpson, County Administrator  
Ben Gibbons, County Attorney  
Dominique White for Trish Gilbert, Clerk to the Board

**PLEDGE OF ALLEGIANCE:**

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

**Additions/Deletions to the Agenda:**

1. Wendi Maez requested to go into Executive Session for Personnel.

**MOTION BY COMMISSIONER JASON ANDERSON TO ACCEPT THE AGENDA AS AMENDED**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**Reading and Approval of Minutes:**

**MOTION BY COMMISSIONER TIM LOVATO TO ACCEPT THE MINUTES OF THE APRIL 2 2019, REGULAR SESSION MEETING AS AMENDED**

**SECOND BY COMMISSIONER JASON ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**Review of Mail and Other Correspondence: 04/16/2019**

1. **The Shuttle** sent a Thank You Card for the approval of the Spring Sales Tax Grant. (Received 4/8/2019)
2. **Colorado State University Extension Program** sent the San Luis Valley 4-H Newsletter for the month of April. (Received 4/2/2019)

3. **Jon Mugglestone and Bradley Wigginton, Gunnison County Weed Management Program Coordinators**, sent copies of the 2019 Intergovernmental Agreement. (Received 4/8/2019)
4. **Tu Casa, Inc.** sent an invitation and information on “Denim Day” to raise awareness about sexual violence. (Received 4/10/2019)

Introduction of Guests:

Sandia Belgrade	Henry Espinoza
Terry Gillette	Ben Walraven
Marty Lange	Riley Mclean
Robert Tafoya	Tanya Loddy
Wyoma Hansen	Robert Loddy
Richard Drake	Tristram Post
Steven Mondragon	Connie Trujillo
Toni Mondragon	Trish Gilbert
Ron Hansen	Pete Garcia
Stanley Murphy	Peter Peterson
Ernie Myers	Lenore Walraven
Evan Samora	Randy Mayor
Dennis Pfohl	Mark Smith
Shannon Phohl	Allen Jones
Anthony Jennings	Dottie Eichhorn

Public Comment:

Multiple people spoke on the Red Flag Bill.

Sheriff Dan Warwick stated that this bill is the most unconstitutional bill; it comes with a lot of problems. This bill was made for mental health but our mental health society is not reporting these people to the ‘no buy’ list. It is likely that we will make things worse with this bill. A car kills more people every year than guns. If we know that someone is driving drunk, we are not going to kick their door down and take their car.

Ernie Myers and Mark Smith spoke concerning County Road 53 and how it is getting dangerous to drive due to all of the potholes.

**COMMISSIONER REPORTS:**

**Jason Anderson:**

- 4/6- Spoke with a Baca resident that was curious about getting concrete debris out of a culvert.
- 4/6- Finished the edits on the Valley Wide Youth Project Proposal.
- 4/8- Attended the CCI Legislative Review Conference call.
- 4/8- Spoke with Mindy Vanderford of the Crestone Freedom Project; she is requesting a letter of support for the program that treats youth addiction issues in Saguache County.
- 4/9- Received a notice from CCI that the CDPHE was not going to continue to pursue legislation to give CDPHE unlimited authority over county landfills.

**4/11-** Attended the GMUG Planning Meeting with commissioners from Delta, Montrose, Gunnison, Hinsdale, San Miguel, and Ouray Counties. Preliminary Plan was presented for county comment. They are proposing a new thing, which is Wildlife Zones. For every square mile of land there can only be one mile of trail, because the recreation is getting too high that it is compromising wildlife.

**4/15-** Attended the valley wide commissioners meeting.

**Tim Lovato:**

**4/3-** Due to high snowpack and potential flooding this spring, San Luis Valley Office of Emergency Management will be having a phone conference every two weeks for the status of stream conditions in the San Luis Valley. All of the Emergency Managers from the six counties, Colorado Division of Homeland Security and Emergency Management, some county commissioners and personnel from the Colorado Division of Water Resources are part of the group.

**4/6-** Received a call from a constituent on the condition of County Road G, from County Road 53 to Highway 17, as it is rutted and in poor condition.

**4/8-** Met with the Road and Bridge Supervisor, Randy Arredondo, and discussed the request from Kit Hopkins on including her private road into the county road system. Ms. Hopkins feels that since the county receives HUFT funding that her road should be maintained by the county. Ms. Hopkins is requesting a map of all the county roads, which are maintained by the county; when the roads were included into the system; and the breakout of where the money goes from the funding.

**4/9-** Attended the Work Session in the afternoon and the evening attended a presentation from Renewable Water Resources that was given to the Saguache County Commissioners on their proposal to export 22,000-acre feet of water to the Front Range. There were over 89 people in attendance to listen to their presentation.

**4/10-** Met with the new Public Health Director, giving her information and some history on the grants that Public Health receives.

**4/11-** Drove to Alamosa and attended the Spring Water Resource Group Meeting on the latest conditions of the snowpack and projections for the runoff and which areas should or might have the potential of some flooding.

**4/15-** Attended the San Luis Valley Commissioner's Meeting in Alamosa  
Attended the Single-Entry Point work session.

**Ken Anderson:**

Traveled County Road G and 53 and there are a lot of potholes. Went by the airport. There is a lot of trucking going on right now.

**4/9-** Attended the work session at the courthouse, spoke with the Saguache County Personnel Board about the 12<sup>th</sup> holiday and the mileage reimbursement.

**4/9-** Attended the listening Work Session at Road & Bridge on Renewable Water Resources.

**4/15-** Attended the San Luis Valley Board of Commissioners Meeting.

The DRG meeting was cancelled.

**Back from break at 10:10 A.M.**

LINDA WARSH, DIRECTOR OF SOCIAL SERVICES, Report Attached.

Linda presented the amounts the state has spent on behalf of the clients, based on the work that Social Services does for the month. Food Assistance is less in February because it was more in January; this

month it is not a lot. April is Child Abuse Prevention Month. Social Services is participating in a few job fairs.

**MOTION BY COMMISSIONER TIM LOVATO TO ENTER INTO THE PROCLAMATION OF THE CHILD ABUSE PREVENTION MONTH**

**SECOND BY COMMISSIONER JASON ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**DEPARTMENT HEAD REPORTS:**

EVAN SAMORA, HOUSING DIRECTOR, Report Attached.

**MOTION BY COMMISSIONER JASON ANDERSON TO GO INTO THE BOARD OF HOUSING**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**MOTION BY COMMISSIONER JASON ANDERSON TO COME OUT OF THE BOARD OF HOUSING**

**SECOND BY COMMISSIONER KEN ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

RANDAL ARREDONDO, SUPERVISOR, ROAD AND BRIDGE, Report Attached.

Arredondo stated that he received three bids to rebuild the transmission on the old Ford.

**MOTION BY COMMISSIONER TIM LOVATO TO ACCEPT THE BID FROM IAC PERFORMANCE TO REPAIR THE TRANSMISSION ON UNIT 123, PROVIDED THAT THERE IS A WARRANTY FOR WORK COMPLETED**

**SECOND BY COMMISSIONER JASON ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

Arredondo suggested that the county would be better off buying the used paint truck. None of the other counties want to stripe for the county. Randy talked to striping companies, and one year of contracting would pay for 60% of the striping truck. Road and Bridge can do 1/3 of roads every year, and save money for chip seal and other work that needs done.

**MOTION BY COMMISSIONER JASON ANDERSON TO PURCHASE THE USED PAINT TRUCK PRESENTED TO THE COMMISSIONERS**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 1**

**VOTES AGAINST: 2**

**MOTION FAILED UNTIL ARREDONDO CAN RESEARCH WARRANTY ON THE PAINT TRUCK**

Arredondo suggested that Saguache County continue to contract with BLM to spot spray the weeds on BLM roads in the county.

**MOTION BY COMMISSIONER JASON ANDERSON TO GO BACK INTO THE AGREEMENT WITH THE BLM FOR THIS SEASON FOR \$11,000**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

LYNETTE GRANT, PUBLIC HEALTH DIRECTOR

Lynette stated that the immunization contacts are ready to be signed.

**MOTION BY COMMISSIONER JASON ANDERSON TO ENTER INTO THE CONTRACT WITH COLORADO DEPARTMENT OF HEALTH AND ENVIRONMENT FOR IMMUNIZATION THROUGH THE PUBLIC HEALTH DEPARTMENT**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**MOTION BY COMMISSIONER JASON ANDERSON TO GO INTO EXECUTIVE SESSION PER C.R.S 24-6-402(4)(c) FOR PUBLIC HEALTH MATTERS**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**Back from lunch at 1:00 P.M.**

**WENDI MAEZ, LAND USE ADMINISTRATOR:**

1. Tanya Michelle Loddy – Marijuana Variance request – Lot 13C Block CCC Lazy KV Estates. Plant count of 60 is requested. Adjoining landowners have been notified. Information will be emailed. All permits required have been approved and issued.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE VARIANCE REQUEST FOR MICHELLE LODDY FOR 60 PLANTS**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

2. Robert Loddy – Marijuana Variance request – Lot 13C Block CCC Lazy KV Estates. This request is for Mr. Loddy to grow his 6 allowed plants. His plants are for medical use but he is only asking to grow 6 plants. This is the same location as Tanya Michelle Loddy.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE 6 PLANT COUNT FOR ROBERT LODDY**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**  
**MOTION CARRIED**

**VOTES AGAINST: 0**

3. Charisse White landowner/Riley McLean applicant – Marijuana Variance request – Lot 12 Block BBB Lazy KV Estates. Plant count of 75 requested. Adjoining landowners have been notified. All permits required have been approved and issued.

**MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE VARIANCE REQUEST FOR 55 PLANTS FOR RILEY MCLEAN**

**SECOND BY KEN ANDERSON**

**VOTES IN FAVOR: 1**

**VOTES AGAINST: 2**

**MOTION FAILED**

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE VARIANCE REQUEST OF 75 PLANTS FOR RILEY MCLEAN**

**SECOND BY COMMISSIONER KEN ANDERSON**

**VOTES IN FAVOR: 2**

**VOTES AGAINST: 1**

**MOTION CARRIED**

4. The Conditional Use Permit issued to Delta 17, LLC (County Road. B & Highway 17) has been suspended by the State of Colorado, also suspended is the Saguache County Conditional Use Permit approval until the license has had the suspension revoked and reinstated by the State of Colorado.
5. Request to waive part of the Conditional Use Permit fees for Valley to Valley Senior Care Center. The total fees are \$2,092.38, with the application fee being \$2000, mailing fee of \$54.08, Certificate of Taxes due \$20 and adjoining land owner map and list \$17.50.

**MOTION BY COMMISSIONER JASON ANDERSON TO WAIVE \$1000 OF THE CONDITIONAL USE APPLICATION FEES**

**SECOND BY COMMISSIONER KEN ANDERSON**

**VOTES IN FAVOR: 2**

**VOTES AGAINST: 1**

**MOTION CARRIED**

**WENDI MAEZ, SAGUACHE COUNTY AIRPORT MANAGER:**

Maez stated that she has been working with Todd Ficken and Dan Warwick to come up with a possible location for a new Saguache County Sheriff office and Jail Facility.

**GLEN SIMPSON, COUNTY ADMINISTRATOR:**

1. A request was made by a Center landowner and CDOT to perform a traffic study for study of the speed limit on Highway 112 east of Center where it goes from 35 MPH to 65 MPH right outside of the town by the sewage lagoon. Per Chairman Ken Anderson's signature, the request was sent to meet deadlines.

2. Commissioner Lovato has requested that the transit survey be placed onto the county website. Board agreed with this request.
3. Simpson is taking a survey on which departments are working 4-10-hour days per week or 5-8-hour days per week.
4. Simpson is researching the cost of a residential unit for a Sheriff Deputy in the Crestone area. Possible meeting area and food distribution area included.

**MOTION BY COMMISSIONER TIM LOVATO TO SIGN THE LETTER OF SUPPORT FOR THE CRESTONE FREEDOM PROJECT FOR THEIR RADICAL FREEDOM PROGRAM  
SECOND BY JASON ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**MOTION BY COMMISSIONER JASON ANDERSON FOR THE COUNTY TO ACCEPT THE PROPOSAL FROM BACA TECH FOR BACK-UP INTERNET WITH A \$100 INSTALLATION FEE AND \$50 A MONTH**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**PUBLIC LANDS MONTHLY DISCUSSION:**

Tristram Post discussed that the roads are still closed due to snowpack. Do have some timber sales that have sold. There will be a public meeting in Crestone on May 3<sup>rd</sup> at the Charter School concerning the proposed fuel treatment project. There are some seasonal employees that have been hired. The campgrounds will open around May 15<sup>th</sup> in time for Memorial Day.

**MOTION BY COMMISSIONER JASON ANDERSON TO GO INTO EXECUTIVE SESSION FOR PERSONNEL PER C.R.S 24-6-402(4)(f)**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**Back in session from Executive Session at 3:03 P.M.**

**SAGUACHE COUNTY PERSONNEL BOARD- ACTION ITEMS REQUESTED DECISION:**

**MOTION BY COMMISSIONER JASON ANDERSON FOR THE COMMISSIONER TO ADD A 12<sup>TH</sup> HOLIDAY TO THE COUNTY CALENDER TAKEN ON JULY 5TH FOR THE 2019 YEAR THE MILE PER RATE FOR COUNTY EMPLOYEES ON COUNTY BUSINESS BE \$.45 CENTS A MILE EFFECTIVE ON MAY 1<sup>ST</sup>, 2019.**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**MOTION BY COMMISSIONER TIM LOVATO TO ACCEPT THE REQUEST FOR 40 HOURS  
DUE TO HARDSHIP UNDER THE CURRENT POLICY  
SECOND BY COMMISSIONER JASON ANDERSON  
VOTES IN FAVOR: 3 VOTES AGAINST: 0  
MOTION CARRIED**

Seeing no further business, Commissioner Ken Anderson adjourns the meeting at 3:35 P.M.



**RESPECTFULLY SUBMITTED:**

*D White*

**DOMINIQUE WHITE FOR  
TRISH GILBERT, CLERK & RECORDER**

**DATE MINUTES APPROVED: May 7, 2019**



*Ken Anderson*

**KEN ANDERSON, COMMISSIONER,  
BOARD CHAIR**

*Jason Anderson*

**JASON ANDERSON, COMMISSIONER**

*Tim Lovato*

**TIM LOVATO, COMMISSIONER**

*Trish Gilbert*

**ATTEST  
TRISH GILBERT  
CLERK & RECORDER**

