

SAGUACHE COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION MEETING
TUESDAY, AUGUST 20, 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, Arrived at 9:35 A.M.
Tim Lovato, Commissioner
Ben Gibbons, County Attorney
Wendi Maez, Acting County Administrator
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. Ben Gibbons requested an Executive Session for personnel
2. Anthony Jennings will be in this afternoon for Land Use
3. Wendi Maez requested an Executive Session for personnel

**MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE AGENDA AS AMENDED
SECOND BY COMMISSIONER KEN ANDERSON**

VOTES IN FAVOR: 2

VOTES AGAINST: 0

MOTION CARRIED

Reading and Approval of Minutes:

**MOTION BY COMMISSIONER TIM LOVATO TO ACCEPT THE MINUTES OF THE AUGUST
6, 2019, REGULAR SESSION MEETING AS PRESENTED**

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 2

VOTES AGAINST: 0

MOTION CARRIED

**MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE MINUTES OF THE
AUGUST 15, 2019, SPECIAL SESSION MEETING AS PRESENTED**

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 2

VOTES AGAINST: 0

MOTION CARRIED

Review of Mail and Other Correspondence: 08/20/2019

1. **Colorado Department of Local Affairs** sent a letter with the 2019 Final County Notice of Valuation for the State Assessed Properties. (Received August 5, 2019)
2. **San Luis Valley Extension Service Newsletter** sent a letter with news and updates about events happening in the San Luis Valley. (Received August 5, 2019)
3. **The National Parks Service** sent an invitation for August 24, 2019, certifying the National Sand Dunes Park. (Received August 5, 2019)
4. **Saguache County Landfill** sent a Tonnage Report: April - 244.25 tons, May - 221.57 tons and June – 260.73 tons. Total tons – 726.55. (Received August 7, 2019)
5. **County Technical Services Inc** sent a Thank You Letter for letting CTSI present the Civil Rights Discrimination Harassment Prevention Training Class. (Received August 7, 2019)
6. **H.E.A.R.T of Saguache/ KV** sent an invitation to attend the 2019 Family Leadership Training Institute Graduation on Saturday, August 24, 2019, at 11:00 A.M., at the Heart of Saguache/ KV, 210 5th Street, Saguache Colorado. (received August 8, 2019)
7. **Upper Arkansas Water Conservancy District** sent a letter with the Thursday, June 13, 2019, Meeting Agenda. (Received August 9, 2019)
8. **State of Colorado Division of Property Taxation** sent a Notice of Forfeiture. (Received August 12, 2019)
9. **San Luis Valley Extension Service Newsletter** sent a letter with news and updates about events happening in the San Luis Valley. (Received August 12, 2019)
10. **United States Forest Service** sent a letter in response to the recent questions and comments concerning National Environmental Policy Act Regulation Form. (Received August 12, 2019)
11. **Clayton Bonn** sent a letter requesting an exhaust brake restriction sign be put on Highway 285 in Villa Grove. (Received August 12, 2019)
12. **San Luis Valley Hazardous Substance Board, Inc** sent a letter informing that Jim Clare has been elected as the new President of the SLV Hazardous Substance Board Inc. (Received August 13, 2019)
13. **Rio Grande Water Conservation District** sent the Groundwater Table Measurements for August 2019. (Received August 15, 2019)

Introduction of Guests:

Sandia Belgrade
Robert Tafoya
Anthony Jennings
Cody Taylor
Richard Drake
Matthew Maka
Maria Paunescu
Tristram Post
Michael Biggeo

Public Comment:

Sandia stated that residents are concerned about the stability of the county with another administrator leaving.

COMMISSIONER REPORTS:

Jason Anderson:

8/7 – Met with Mae Enquist, from Saguache. She was inquiring about possible help with economic development for a project in the Town of Saguache. She was curious as to why the commissioners don't do some kind of tax relief to help develop the economy. I told her that most of those taxes have been mill levied though the vote of the people and we don't have access to relieve them.

8/8 – Attended the meeting with the Board of County Commissioners and XCEL Energy, mostly concerning future energy plans for Colorado and Saguache County.

8/12 – Met with Holly Hossner of Crestone, concerning ideas of using Saguache County for filming movies.

8/13 – Attended the Saguache County Board of County Commissioners work session for the purpose of Department Head Evaluations.

8/15 – Attended the Saguache County Board Commissioners Department Head Evaluations. Attended the Emergency Meeting to accept the resignation of the Saguache County Administrator and to appoint an interim administrator.

Attended the annual barbeque in Sargents.

Tim Lovato:

8/8 – Attended the Work Session with Excel Energy at Road and Bridge. The topics that were talked about were the possibility of increasing the capacity of the Sub Station for potential Solar Development in Saguache County and the need for an additional line to send out or receive power in case the single line has issues.

8/9 – Attended the 4-H Barbeque in Monte Vista; there were a lot of quality animals. What caught my interest was the three miniature Hereford Steers. The projects were down from previous years but were nice projects.

8/11 – Submitted two proposals for the Title II RAC Funding due on August 16th. One proposal is the maintenance of the Forest Service Road 880 along Flagstaff Mountains north of Saguache.

8/12 – Represented Saguache County for the upcoming 2020 Census in Alamosa. The census will largely be completed online. There will be census takers that will physically reach out to residents in isolated areas.

8/13 – The Commissioners met with the Commissioner from CDPHE at the Saguache County Landfill. The landfill was in great shape and received compliments. Saguache County has completed all of the compliance requirements.

Attended the Work Session on Department Evaluations.

Attended the Rio Grande Basin Roundtable Meeting; again Mr. Sean Tonner presented his proposal to the Board. Mr. Cleave Simpson, from the Rio Grande Conservation District, expressed his concerns during a question and answer session from the public. There were around 60 – 80 people in attendance.

8/14 – Attended the Sub District 5 Meeting in Saguache.

8/15 - Attended the Department Head Evaluations. A Special Meeting was held to accept the resignation of Glen Simpson. In the evening, the commissioners drove to Sargents for their annual barbeque with residents. Around 35 people participated in the Town Hall Meeting. The next meeting will be the Sargents Historical Society and Preservation Group held on August 5, 2020.

8/16 - Received a call from Public Health Director, Lynette Grant and a call from Michael Kline regarding blight in the Mineral Hot Springs Estates area.

Spoke with Acting Supervisor for GMUG; he was concerned that Saguache County hasn't submitted any comments.

8/19 – Received a call from Acting Administrator, Wendi Maez, about question on vouchers and duplications.

Ken Anderson:

8/13 – Attended the Meeting with CDPHE at the landfill. The new fence is going up and looks good.

8/14 – The meeting at the Abstract Office was canceled.

8/15 – Had Department Head Evaluations. Accepted the resignation from Glen Simpson. Went to Sargents for the barbeque.

8/16 – Went to the Abstract Office to sign papers for the road abandonment.

Attended my 55th Class Reunion in Del Norte.

Went to New Mexico.

8/19 – Spoke with a Hemp person.

BEN GIBBONS, COUNTY ATTORNEY

MOTION BY COMMISSIONER TIM LOVATO TO GO INTO EXECUTIVE SESSION FOR PERSONNEL PER C.R.S 24-6-402(4)(f)(I)

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Returned from Executive Session at 10:08 A.M.

LINDA WARSH, DIRECTOR, SOCIAL SERVICES, Report Attached

MOTION BY COMMISSIONER JASON ANDERSON TO GO INTO THE BOARD OF SOCIAL SERVICES

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Linda presented the reports the state pays on behalf of Saguache County for all the different programs.

MOTION BY COMMISSIONER JASON ANDERSON TO ACCEPT THE AGREEMENT FOR CORE SERVICES BETWEEN SAGUACHE COUNTY AND THE STATE OF COLORADO

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Linda stated that the state has been currently running our programs. We want to run our programs now.

MOTION COMMISSIONER TIM LOVATO TO ENTER INTO THE AGREEMENT BETWEEN THE COLORADO STATE OFFICE OF ECONOMICS SECURITY AND APPOINTMENT WITH SAGUACHE COUNTY EMPLOYMENT FIRST PLAN FROM OCTOBER 2019 TO SEPTEMBER 2020

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Linda presented two school contracts for the after-school programs and parent support.

MOTION BY COMMISSIONER JASON ANDERSON TO ENTER INTO THE CONTRACT WITH THE ALPINE ACHIEVER ORGANIZATION, WITH FUTURE CONTRACTS BEING BASED ON AN ANNUAL REPORT DUE TO THE BOARD OF COUNTY COMMISSIONERS
SECOND BY COMMISSIONER TIM LVOATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

MOTION BY COMMISSIONER TIM LOVATO TO ENTER INTO THE CONTRACT WITH CENTER CONSOLIDATED SCHOOLS FOR THE PREVENTION SPECIALIST THROUGH THE DEPARTMENT OF SOCIAL SERVICES AND AN ANNUAL REPORT DUE TO THE BOARD

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

MOTION BY COMMISSIONER TIM LOVATO TO ALLOW THE INCREASE FOR THE ONE INDIVIDUAL PROPOSED BY THE DIRECTOR OF SOCIAL SERVICES

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

MOTION BY COMMISSIONER TIM LOVATO TO COME OUT OF THE BOARD OF SOCIAL SERVICES

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

DEPARTMENT HEAD REPORTS

EVAN SAMORA, HOUSING AUTHORITY, Report Attached

MOTION BY COMMISSIONER TIM LOVATO TO GO INTO THE BOARD OF HOUSING

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

MOTION BY COMMISSIONER KEN ANDERSON TO COME OUT OF THE BOARD OF HOUSING

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

ROBERT WOELZ, OEM, Report Attached

Woelz stated that OEM has been formally recognized as a NOAA Weather-Ready Nation Ambassador. Woelz has met with the Crestone Charter School and Center High School to discuss the Emergency Operations Plans. Woelz responded to the Baca Water District Water System Distribution Incident, he provided bottled water, planning, situational awareness and public information support to the Baca Water District, Saguache County Public Health and the SLV Region.

Woelz responded to a Search and Rescue Mission on Kit Carson/ Challenger Peak and responded to the Crestone roadway flooding.

Commissioner Jason Anderson expressed that Woelz goes above and beyond the call of duty.

RANDAL ARREDONDO, SUPERVISOR, ROAD AND BRIDGE

Arredondo presented a bid from Alcon Construction to work on the garage doors at the shop on Cochetopa. The board asked that Arredondo get a couple more bids.

One new person has been hired; he will start tomorrow.

The fence at the landfill has been completed.

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

SECOND BY COMMISSIONER

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Returned from Executive Session at 11:30 A.M.

CONNIE TRUJILLO, COUNTY TREASURER

Trujillo presented the Public Trustee Notice for the second quarter; there were only two new foreclosures in the second quarter. She stated there is currently not a lot going on.

PETER PETERSON, COUNTY ASSESSOR

Peterson stated that he attended the Colorado Assessor's Association Summer Conference in Steamboat. Sent two employees to training which will eventually lead to their appraisal license. One employee will be going to a class in Grand Junction. We had 47 protests and nine went to the BOE and one will to the BAA.

TRISH GILBERT, CLERK AND RECORDER, Report Attached

Gilbert stated she is pleased to announce Stage 2 of the 3-Stage process has been completed by US Imaging for the digitized records. All records dating back to the 1800's will be online in the future; however, it will take 1 to 2 years to get all records indexed. Persons from the Secretary of State's Office

and Dominion Voting Systems were here on August 8th and have upgraded the voting equipment to meet all new legislation. Due to having a Presidential Primary in 2020, the office will be closed September 10th for training in Pueblo. Notice is posted in the office, on the website and will be published in three local newspapers. 100% of staff is now Certified in Elections. The office will be participating in a state-wide Mock Election from August 12th through August 23rd to ensure the new upgrades and voting equipment is working properly.

Gilbert stated that she will be attending the Southern Colorado County Clerks Association meeting in Alamosa on September 18th. (that is also a budget meeting day)

WSB is in Crestone installing surveillance for the ballot drop boxes; they will be in Center on Friday. We then will place the actual ballot boxes.

Gilbert noticed when she received the budget packet, it shows the revenue was \$56,000 between January this year; we actually brought in nearly \$562,000.00 in revenue.

Back in session from lunch at 1:00 P.M.

WENDI MAEZ, LAND USE ADMINISTRATOR, Report Attached

1. Maria Paunescu, landowner; Matthew Daniel Maka (Green Paradox, LLC), applicant. Conditional Use Application Request for a Marijuana Cultivation Area, to include one greenhouse and one warehouse. Greenhouse to be 120'x96' and the warehouse to be 41.6'x96', with an outdoor grow area within the license premise area. This is a Tier 1 request with 1,800 plants allowed.
 - o Legal Description – NW1/4 19-44-10 except 5.353 acres
 - o Physical Address – 20520 County Road 59

Total acres to be used is 63.5.

Water will be supplied by Kelly Smith for drinking and sanitary use. All water compliance issues have been addressed and an email has been received from Keven Boyle, with DWR.

One letter of concern has been received with the possibility of the landowner attending the meeting.

The Saguache County Planning Commission recommended unanimous approval of this request during their regular meeting, held on June 27, 2019, with the following recommendations: Move license premise area to the south end of the property; meet the 300-foot setback requirements from property lines; supply a map showing the setbacks; follow all DWR requirements; address and complete all DWR compliance issues.

MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE CONDITIONAL USE PERMIT FOR GREEN PARADOX, LLC AS IT IS PLOTTED ON MAP #2 WITH THE CONDITION OF THE PLANNING COMMISSION'S RECOMMENDATIONS FOR WATER SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

2. Delta 17, LLC's State Retail/ Medical Marijuana License has been surrendered to the State of Colorado. Maez requested a motion of revocation of the Saguache County Conditional Use Permit issued.

MOTION BY COMMISSIONER JASON ANDERSON FOR SAGUACHE COUNTY TO REVOKE THE CONDITIONAL USE PERMIT ISSUED TO DELTA 17, LLC FOR THE STATE RETAIL AND MEDICAL MARIJUANA LICENSE

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

3. Discussion regarding Mr. Geddes concerns that were presented at the August 6th Meeting. Maez had completed site visits and the Code Enforcement Officer has completed site inspections of the properties in question.
 - o The property “south of County Road 55” is located south of County Road AA. County Road 55 does not run east and west, it runs north and south. This property is owned by Anthony Jennings, who has been in the office to discuss his property. He spoke with Commissioner Lovato concerning the blight violation he received. In 2013, Mr. Jennings applied for and received approval for a mechanic shop located on this property; after review and discussion, Mr. Jennings requested that the Conditional Use Permit not be completed with signatures. He has continued to work on vehicles, campers, and RV’s. Jennings has now asked that the Conditional Use Permit be reactivated.

MOTION BY COMMISSIONER TIM LOVATO TO RESEND THE BLIGHT LETTER THAT WAS GIVEN TO MR. JENNINGS AND GIVE HIM 45 DAYS FROM AUGUST 20, 2019, TO REMOVE THE BLIGHT CONCERNS AND TO BE REVIEWED IN 45 DAYS

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

- o The property north of the Town of Saguache lies practically within the Town and within the Saguache County Jurisdiction. The property within Saguache County jurisdiction is valued as Agricultural Property and blight regulations exclude blight from AG property.
- o The storage container located on the east side of Highway 285 will be painted an earth tone by September 15, 2019.
- o The camper and storage units located on the south side of Highway 285 have been issued blight violations, as there is a construction approved permit and an approved sewage disposal system on this property. There are three other campers that have been located on the farthest southeast of the property. The Code Enforcement Officer has been to those campers and left his card to contact the Land Use Office immediately. At this time, no one has responded; therefore, we will need to site this property into court.

WENDI MAEZ, ACTING COUNTY ADMINISTRATOR, Report Attached

H.E.A.R.T. of Saguache would like to use the lawn on October 19, 2019 for a Health and Safety Fair.

Board agreed to them using the lawn.

CCI sent the Legislature Community Member Appointment letter; Board agreed for Jason Anderson to continue is appointment

Christine Stoodard, accountant will be here in September for the audit.

Commissioner Jason Anderson feels that the Board has more on its plate then they have time for.

MOTION BY COMMISSIONER JASON ANDERSON TO INSTRUCT THE STAFF TO TAKE ITEMS FOR A SECOND WORK SESSIONS ON THE FOURTH TUESDAY OF THE MONTH AND THAT THE COMMISSIONERS PERMIT A FOURTH SESSION OF COUNTY COMMISSIONERS IN THE FORM OF A WORK SESSION FROM THIS DATE FORWARD SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0 MOTION CARRIED

The Board agreed to start the process of advertising for a new County Administrator.

LYNETTE GRANT, PUBLIC HEALTH DIRECTOR

Grant asked the board for a directive on re-advertising for a new generalist and financial person for Public Health.

PUBLIC LANDS MONTHLY DISCUSSION

Tristram Post stated that the Forest Plan is now out and the draft record of decision is out. Currently in the objection process now, which is 60 days. They are hosting a Forest Plan Meeting on August 28th at 5:30 P.M. at the Road and Bridge Office. The RAC projects were submitted. Post stated that she is very appreciative of Sheriff Warwick communicating so well with them. There has been a lot of trash in the North Crestone Campground, one rack of trash cans will be removed.

Back from Break at 2:37 P.M.

SAGUACHE COUNTY 4-H KIDS, PRESENTATION

The Saguache County/ Sangre de Cristo 4-H Club gave a small presentation on what they do and how they placed during the 4-H Fair.

Seeing no further business, Commissioner Ken Anderson adjourns the meeting at 3:20 P.M.

RESPECTFULLY SUBMITTED:

D White

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

DATE MINUTES APPROVED: September 3, 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**