

SAGUACHE COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION MEETING
TUESDAY, JULY 2, 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
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 an Executive Session for personnel during her time
2. Bobby Woelz will not be in attendance today

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

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Reading and Approval of Minutes:

**MOTION BY COMMISSIONER JASON ANDERSON TO ACCEPT THE MINUTES OF THE
JUNE 25, 2019, REGULAR SESSION MEETING AS AMENDED**

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Review of Mail and Other Correspondence: 07/02/2019

1. **Rio Grande Water Conservation** sent a letter regarding the Board of Directors meeting on July 16, 2019. The meeting will be held in the conference room of the Rio Grande Water Conservation District Building located at 8805 Independence Way, Alamosa CO 81101. It will begin at 8:00 A.M. (Received June 27, 2019)
2. **County Technical Services, Inc.** sent a Thank You Letter for the opportunity to present the First Aid with Stroke Briefing Training Class on 6/18/2019. (Received June 27, 2019)

3. **Colorado Solid and Hazardous Waste Commission** sent an invitation to meet the commission member, and to learn about their authority and processes. Monday, August 12, 2019, at the Alamosa Family Recreation Center Meeting Room 122; 2222 Old Sanford Road, Alamosa CO 8110, at 3:00 P.M. (Received June 27, 2019)
4. **Tristram S. Post, District Ranger** sent a notice of the Saguache Ranger District of the Rio Grande National Forest proposing to harvest approximately 722 acres of Lodgepole Pine, Engelmann Spruce, Douglas-Fir, Subalpine Fir and Aspen within the Lujan Pass Timber Management Project. (Received June 28, 2019)

Introduction of Guests:

Tom and Pat Brown
 Rebie Hazard
 Bill McClure
 Alyssa Reiner
 Kairina Danforth
 Carol Anne Robinson
 Justin Alberti
 Matie Belle Lakish
 Edie A Lee
 Shane Chattertan
 Roberto Cordeo

Public Comment:

Tom and Pat Brown presented their concern about the KV Subdivision and the Marijuana Variances. In their opinion the Home Owners Association doesn't seem to care. Tom stated that because of the blight problem, his property value dropped \$20,000. The Board of Commissioner's is going to attend the Property Owners Association Meeting on August 3, 2019.

COMMISSIONER REPORTS:

Jason Anderson:

6/25 – Attended the Saguache County Commissioner's Meeting.

6/26 – Testified on the White Eagle Hearing.

Attended the Eastern San Luis Valley Trails Meeting. Discussion included planning for the first public listening session and how to distribute funding more evenly.

Met as an Executive Board of CCI to appoint Tom Flowers, of Custer County, to the State Unfunded Courthouse Commission.

6/27 – Presented at the first SRS Public Scoping Meeting at the Crestone Charter School. The Proposed Trail Project was well received for both people with children, and those without.

6/28 – Met with the Living Wisdom Senior Housing Group to discuss their ongoing efforts to create affordable Senior Housing in the Crestone area.

Spoke with Alder Lakish; he thanked the Commissioners for testifying. He reported that he was acquitted.

7/1 – Received a call from Johnathan Houck, Commissioner of Gunnison County, concerning the meeting with Senator Gardner.

Tim Lovato:

6/26 – Testified in Saguache County District Court as a witness for Mr. Lakish on the White Eagle Village.

6/27 – Received a call from several constituents about the flows out of the Werner Arroyo. Attended the Saguache Creek Water Meeting and the Sub - District #5 Meeting in Saguache.

6/28 – Spoke with Administration in regards to the payment for Saguache Council on the Aging, the funds that came before the Board and requested during the 2019 Budget Workshop.

7/1 – Received a call from Ms. Smith about installing a culvert across County Road T between County Road 50 and 52.

Received a call from a constituent about a Division of Land that has a commercial business on it. I told them that I needed a legal address to do the research on the property.

Ken Anderson:

6/26 – Testified to the District Court for the White Eagle Hearing.

Received a call from Ms. Smith requesting a culvert across County Road T. I spoke with Mr. Arredondo about the policy about culverts.

Drove multiple roads; they are looking good. They are currently working on County Road L.

Had a meeting with CDPHE about the collecting of needles.

GLEN SIMPSON, COUNTY ADMINISTRATOR, ADMINISTRATIVE REPORT

1. John Baxter with Mountain Valley Lumber is asking for a letter of support from the Board of Commissioners. He owes a lot of money for IRS penalties as well as owes a lot of money in County taxes.
2. Presented the budget amendment for the mobile home.
3. Still getting bids for the courthouse roof.
4. Pete has finished removing the mold from the Center DSS office. There have not been any reports of mold smell.
5. The Courthouse building is having septic issues. Glen directed Pete to contact a plumber to see what needs to be done.

Commissioner Tim Lovato requested that all bid requests go through administration.

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

Back in session from Executive Session at 10:34 A.M.

WENDI MAEZ, LAND USE ADMINISTRATOR:

Lot Consolidation Requests.

1. Terence and Sharon Corcoran, Lot Consolidation request for Lots 1042 and 1043, Baca Grande Chalet, Unit One. Crestone/Baca Planning Commission recommended unanimous approval of this request during their Regular Meeting on June 24, 2019.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE CONSOLIDATION OF LOTS 1042 AND 1043, BACA GRANDE CHALET, UNIT I
SECOND BY COMMISSIONER TIM LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

2. Cynthia Marie Nelson, Lot Consolidation request for Lots 350 and 351, Baca Grande Chalet Unit One. Crestone/Baca Planning Commission recommended unanimous approval of this request during their Regular Meeting on June 24, 2019.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE LOT CONSOLIDATION OF LOTS 350 AND 351 BACA GRANDE CHALET, UNIT I
SECOND BY COMMISSIONER TIM LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

County Owned Lot Bids.

**MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE BID SUBMITTED FROM REGIONAL D. JENSON FOR MINERAL HOT SPRINGS ESTATES AREA B, LOT 16 BLOCK 27, IN THE AMOUNT OF \$420
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE BID FROM BOYD KUGLER FOR MOBILE HOME ESTATES, LOT 293, BACA GRANDE SUBDIVISION, IN THE AMOUNT OF \$1,501.00
SECOND BY COMMISSIONER TIM LOVATO
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

**MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE BID FROM MYRON C. TURNER FOR MINERAL HOT SPRINGS ESTATES, LOT 14 BLOCK 21, IN THE AMOUNT OF \$400
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE BID SUBMITTED BY JOE TURNER MOATS FOR LOTS 15 AND 16, BLOCK 21, MINERAL HOT SPRINGS ESTATES, IN THE AMOUNT OF \$800
VOTES IN FAVOR: 3 VOTES AGAINST: 0
MOTION CARRIED**

Senator Gardner Round Table Discussion at Road & Bridge

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

WENDI MAEZ, LAND USE ADMINISTRATOR:

Marijuana Variance Requests.

1. James Fox, landowner; Shane Chatterton, applicant, Marijuana Variance Request. Lazy KV Estates, Block FF Lot 15; 75 plants are being requested for the making of edibles. All surrounding landowners have been notified by certified mail. All permits required are approved with the Land Use Office.

**MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE VARIANCE REQUEST FOR SHANE CHATTERTON FOR 75 PLANTS, LAZY KV ESTATES, LOT 15 BLOCK FF
SECOND BY COMMISSIONER JASON ANDERSON**

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

2. Justin Alberti, landowner, Marijuana Variance Request. Tract C in NE1/4 11-43-7. This request is for 75 plants. The paperwork indicates that Mr. Alberti has PTSD. All surrounding landowners have been notified by certified mail. All permits are approved by the Land Use Office.

**MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE VARIANCE FOR JUSTIN ALBERTI FOR 75 PLANTS, TRACT C
SECOND BY COMMISSIONER JASON ANDERSON**

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

3. Justin Alberti, landowner; Alyssa L. Reiner, applicant, Marijuana Variance Request. Tract C in NE1/4 11-43-7. This request is for 24 pants but will be on the same property location as Mr. Alberti. All surrounding landowners have been notified by certified mail. All required permits are approved by the Land Use Office.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE REQUEST FOR ALYSSA L. REINER FOR A PLANT COUNT OF 24 ON AN 80 ACRE TRACT
SECOND BY COMMISSIONER TIM LOVATO**

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

4. Roberto Cordeo, landowner, Marijuana Variance Request. Lazy KV Estates, Lot 6 Block R. This is a request for 75 plants to grow for edibles, topical and concentrates. All surrounding landowners have been notified by certified mail. All required permits are approved by the Land Use Office.

MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE REQUEST FOR ROBERTO CORDEO, LOT 6 BLOCK R, LAZY KV, PLANTS FOR A MAXIMUM OF 75 PLANTS

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

5. Roberto Cordeo, landowner; Osbely Sarmiento, applicant, Marijuana Variance Request. 75 plants requested for edibles, topicals, and concentrates. All surrounding owners have been notified by certified mail. All required permits are approved by the Land Use Office.

**MOTION BY COMMISSIONER JASON ANDERSON TO DENY SARMIENTO RAMIREZ
REQUEST FOR 75 PLANTS ON LOT 6 BLOCK R DUE TO DENSITY ON PROPERTY
SECOND BY COMMISSIONER TIM LOVATO**

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

6. Request from William Miller, Lazy KV Estates Lot 12 Block VV to reside in a camper that will be enclosed by a 44-foot structure.

The Board directed Maez to inform Mr. Miller that this request goes against regulation.

County Owned Lot Bids.

**MOTION BY COMMISSIONER JASON ANDERSON TO ACCEPT THE BID FROM
GENEVIEVE DAME IN THE AMOUNT OF \$4,125 FOR LOT 3540, BACA GRANDE CHALET,
UNIT II**

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE BID FROM
GENEVIEVE DAME, LOT 3541, BACA GRANDE CHALET, UNIT II, IN THE AMOUNT OF
\$4,125**

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

**MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE BID SUBMITTED BY
REGIONAL JENSON IN THE AMOUNT OF \$420 FOR MINERAL HOT SPRINGS, LOT 6
BLOCK 12, AND TO ACCEPT THE BID FROM REGIONAL JENSON FOR LOT 15 BLOCK 12,
MINERAL HOT SPRINGS, IN THE AMOUNT OF \$420 FOR A TOTAL OF \$840**

SECOND BY JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

BEN GIBBONS, COUNTY ATTORNEY

Discussion concerning the possibility of placing a moratorium on Marijuana Variances.

**MOTION BY COMMISSIONER TIM LVOATO TO ENACT A TEMPORARY MORATORIUM
ON THE ACCEPTANCE, PROCESSING OR ISSUANCE OF MEDICAL VARIANCES FOR
EXCEEDING A MEDICAL MARIJUANA PLANT COUNT OF TWENTY-FOUR (24) ON
PROPERTY PARCELS LOCATED IN UNINCORPORATED SAGUACHE COUNTY FOR A
PERIOD OF SIX MONTHS**

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Ben presented the Red Willow Contract

MOTION BY COMMISSIONER TIM LOVATO TO ENTER INTO THE CONTRACT WITH RED WILLOW
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 3 **VOTES AGAINST: 0**
MOTION CARRIED

The Crestone Living Alliance presented the Board an update on the Baca Grande Mobile Home Estates lots that were held out from auction.

LYNETTE GRANT, PUBLIC HEALTH DIRECTOR, Report Attached
MOTION BY COMMISSIONER TIM LOVATO TO GO INTO THE BOARD OF HEALTH
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 3 **VOTES AGAINST: 0**
MOTION CARRIED

Communities that Care is doing an invoice review and an onsite visit to review policies.
Grant Received a Memorandum of Agreement
The Core Public Health Assessment is due in June.
Grant has hired a generalist. There has been one additional dog bite and another bat bite, which tested negative for rabies.
Mountain Valley School requested Public Health handle their drug screening.

MOTION BY COMMISSIONER TIM LOVATO TO COME OUT OF THE BOARD OF HEALTH
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 3 **VOTES AGAINST: 0**
MOTION CARRIED

Back in session from break at 2:46 P.M.

DEPARTMENT HEAD REPORTS:

RANDAL ARREDONDO, SUPERVISOR, ROAD AND BRIDGE, Report Attached
Arredondo presented the quarterly finances.
The extension for the landfill was approved for August 31, 2019, and the fence will be completed by August 23rd. The Construction Quality Report was sent back with minor changes but the new cell will be ready for use by the end of July.

WENDI MAEZ, SAGUACHE COUNTY AIRPORT

1. Scope of work received for Leach Airport fuel pump in the amount of \$6,105.10, for the replacement of the existing submersible turbine pump in fuel tank #1. Due to failure of the submersible pump, we have not been able to sell fuel from the airport tanks. This is an expense that is not covered in the contract with Jed Ellithorpe.

MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE \$6,105.10 FOR THE PURCHASE OF A TURBINE PUMP TO BE PAID OUT OF THE AIRPORT GENERAL FUND
SECOND BY COMMISSIONER KEN ANDERSON
VOTES IN FAVOR: 2 **VOTES AGAINST: 1**
MOTION CARRIED

Seeing no further business, Commissioner Ken Anderson adjourns the meeting at 4:02 P.M.

RESPECTFULLY SUBMITTED:

DW

DOMINIQUE WHITE FOR
TRISH GILBERT, CLERK & RECORDER

DATE MINUTES APPROVED: July 16, 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

