

**SAGUACHE COUNTY BOARD OF COMMISSIONERS**  
**PUBLIC HEARING MEETING**  
**TUESDAY, March 19, 2019**

**MINUTES**

**CALL TO ORDER:**

The following board members were present:

Ken Anderson, Commissioner, Board Chair  
Jason Anderson, Commissioner  
Tim Lovato, Commissioner  
Wendi Maez, Co-County Administrator  
Glen Simpson, County Administrator  
Ben Gibbons, County Attorney  
Desiree Gerade for Trish Gilbert, Clerk to the Board

Introduction of Guests:

Elvie Samora  
Dee Greeman  
Teresa Benns

The wrong legal address was published to the public. Re-advertise the correct address and continue the public comments.

**MOTION BY COMMISSIONER JASON ANDERSON TO CONTINUE THE PUBLIC HEARING TO ON TUESDAY APRIL 2<sup>ND</sup> DURING PUBLIC COMMENT**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

Seeing no further business, Commissioner Ken Anderson adjourns the public hearing at 4:30 P.M.

RESPECTFULLY SUBMITTED:

D. White  
DOMINIQUE WHITE FOR  
TRISH GILBERT, CLERK & RECORDER

DATE MINUTES APPROVED: April 2, 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





**3. Upper Gunnison River Water Conservancy District**, sent the agenda for the Board of Directors Meeting on Monday, February 25, 2019. (Received 2/19/19)

**4. Anthony Lobato, Chairman of the San Luis Valley Area Extension Advisory Board**, sent letter regarding the importance of the Extension Program and its funding from local counties. (Received 2/20/19)

**5. Friends of the San Luis Valley National Wildlife Refugees**, sent their monthly newsletter The Avocet. (Received 2/20/19)

**6. Valley-Wide Health Systems, Inc.**, sent invite to CEO Welcome Reception on Thursday, March 7th, 2019 in Alamosa. (Received 2/22/19)

**7. Kirby Wynn, on behalf of Garfield County Commissioners**, sent registration information for the 7th Annual Energy and Environment Symposium in Rifle, Colorado on April 17-18. (Received 2/21/19)

**8. San Luis Valley Council of Governments**, sent invoice for the 2019 Council of Governments Dues \$8,337. (Received 2/20/19)

**9. Farm Credit of Southern Colorado**, sent letter in support for the 4-H/Colorado State University Extension program. (Received 2/25/19)

**10. Adams State University**, sent postcard to meet Adams State University's president, Dr. Cheryl D. Lovell, when she comes to Mountain Valley School on Thursday, March 14. (Received 2/25/19)

**11. William L. Swann, School of Public Affairs, University of Colorado Denver**, sent survey on local government's policy and programmatic activities to address the national opioid crisis. (Received 2/25/19)

**12. Bill McClure** submitted a letter of reappointment to the Rio Grande Water Conservation District Board appointment. (2/28/19)

**13. Chris Gibson, Wild West Land Company LLC** sent a letter of interest and a purchase agreement to purchase land in Saguache County, in response reference number 43157. (2/28/19)

**14. Chris Gibson, Wild West Land Company LLC** sent a letter of interest and a purchase agreement to purchase land in Saguache County, in response reference number 43525. (2/28/19)

**15. Patti Jackson, Co-Manager Crestone Food Bank**, sent letter stating their new location within the Crestone Mercantile Grocery is nearing completion. (Received 2/27/19)

**16. Upper Gunnison River Water Conservancy District**, sent reminder about their Annual Banquet on Thursday, March 7. (Received 2/26/19)

**17. Colorado Division of Homeland Security and Emergency Management**, sent reminder about San Luis Valley Access and Functional Needs Workshop on Tuesday, April 16th in Alamosa. (Received 2/27/19)

**18. Town of Moffat**, sent invite to the grand opening of the Moffat Community Center on Saturday, April 6th. (Received 2/28/19)

Introduction of Guests:

Sandia Belgrade  
Annette Archuleta  
Linda Warsh  
C. Sanchez  
Chris Canaly- SLVEC  
Alejandra Aldren

Michael Hazamy  
Jeremy Tidwell- Teajuana, LTD  
Cindy Hansen- Teajuana, LTD  
Ivan IochkoLousky  
Jonathan Hollister  
Blair Johnson

Mark Burke  
Wade Lockhart

Chris Dyona- Delta 2017, LLC  
Jenny Young

Public Comment:

Employee Service Pin Presentation:

The Board of County Commissioners presents Annette Archuleta with her 5 years of service appreciation pin.

### **COMMISSIONER REPORTS:**

#### **Jason Anderson:**

- 20<sup>th</sup>- Spoke with Sheriff Dan Warwick Concerning deputy housing and police coverage in the County.
  - 21<sup>st</sup>- Spoke with A Legal Cannabis grower in the county concerning numbers of local employment the industry may be providing.
  - 23<sup>rd</sup>- Attended "State of the Basin" conference at Adams state college concerning water in the SLV
  - 26<sup>th</sup> -Attended via phone, the Special meeting of the Saguache democrats to replace the secretary of the party. Rhiannon Curry was elected.
  - 27<sup>th</sup>-Attended the meeting of the Eastern SLV trails coalition, the coalition is pleased to announce that it has successfully received a \$600,000 grant from the safe routes to schools' program of CDOT.
  - 28<sup>th</sup>- Attended the SLV Great outdoors meeting
  - 28<sup>th</sup>- Attended a planning session with various youth group representatives to discuss a justice youth program with a service emphasis.
- Received both e-mails and phone calls concerning the state's "red flag" legislation.

#### **Tim Lovato:**

- 21<sup>st</sup>- Drove several roads on the northern part of the county assessing the conditions, they're being maintained well.
  - 23<sup>rd</sup>- Attended the San Luis Valley State of the Basin Symposium at Adams State College. There were several topics given from "why should I care about the valleys water" to "how the Rio Grande works in the State of the basin" former secretary Ken Salazar and attorney General Phil Weizer spoke on past and future fights to protect water. A statement was made that "There will not be any water exported out of the valley unless it's over my dead body" Attended a presentation on ground water and subdistricts. The symposium was sponsored by the Rio Grande Del Norte Center and the Rio Grande Water Conservation District. There were only 3 county commissioners from the valley in attendance, 2 from Saguache County and 1 from Alamosa County.
  - 25-28<sup>th</sup>- had several emails on the "red flag" proposed legislation. Class bill 19-1177
  - 28<sup>th</sup>- Rode the Eagle Transit, the committee is in process of having a study conducted on the needs for transit in the valley.
  - 4<sup>th</sup>- spoke with Jim Clair and Briana Brandon from the Rio Grande county weed district, there is grant money available to help offset the expenses for the noxious weed program from the state. They would like to come down and do a work session with the commissioners.
- Spoke with Jet Dethridge, from the Colorado water division of resources, he's from water quality section. We had a discussion on classification of water.

**Ken Anderson:**

21<sup>st</sup>- Attended the Senior Citizen meeting in Alamosa, not too much going on. Establish the salary for the head cook

26-27<sup>th</sup>- visited with Mr. Simpson. Went to AG Forum. Had a good key note speaker Damion Mason. Received calls about the red flag issue. Good program in Denver  
Had multiple calls from people about the red flag issue.

DAVID DABOLL, PUBLIC HEALTH DIRECTOR, Report Attached

**MOTION BY COMMISSIONER TIM LOVATO TO GO INTO THE BOARD OF PUBLIC HEALTH**

**SECOND BY COMMISSIONER JASON ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

David Daboll stated that public health's assessment planning's major goal is to make sure it's written well so it aids for future grants, to help fund public health. CDPHE has started their financial risk management audit review, Mr. Simpson has been working with Daboll to get questions answered properly for the audit. PCP is going the way it should. Daboll thinks that the public health department needs a strong fun balance/ cushion.

The Board of Commissioners thanked David Daboll for his service and hard work to the county.

**MOTION BY COMMISSIONER TIM LOVATO TO COME OUT OF THE BOARD OF PUBLIC HEALTH**

**SECOND BY COMMISSIONER JASON ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**DEPARTMENT HEAD REPORTS:**

**BEN GIBBONS, COUNTY ATTORNEY**

Nothing to Report

**DAN WARWICK, SHERIFF, Report Attached**

Warwick stated that he spoke with Castleberry's attorney and the sheriff's office will be issuing a summons for the regulatory side of his operation. The stolen road and bridge vehicle was found in Crowley County. Warwick brought up the idea of building housing in the east side of the county for some of the staff that can't find affordable housing.

Commissioner Jason Anderson stated that there is funding available, it needs to be acted on sooner than later.

Connie Trujillo stated that she went through and checked statute on the county owned land, the county can keep the lots if used for the county.

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

Christine Canaly stated that it is great that the commissioners have concerns for the tax payers of Saguache County, the decision that was made last Tuesday made people think otherwise when it comes to the county landfill. Many people have come to the commissioners and requested closing down the landfill and setting up transfer stations; and the BOCC approved a bid last week for \$438,000, in the general budget its been costing over \$80,000 a year in general funds.

Commissioner Tim Lovato stated that the commissioners do have common sense, the landfill is common sense, the board has not heard hard numbers for transfers stations. There are people that are that use the land fill.

Randal Arredondo stated that the BLM is asking for a response for the noxious weed control. Road and Bridge has been struggling with Cochetopa pass with wind and snow removal. There are 4 extra pieces of equipment up there. One of the new motor graders got damaged. They did find the stolen dodge pickup.

### **GLEN SIMPSON, COUNTY ADMINISTRATOR**

1. The Town of Saguache has presented a letter as part of their permitting process for the “French Drain” system they are installing. As part of the Town’s permitting process the Town must receive input from property owners of the existing wells within 600’ of the proposed French drain. Saguache County has a well located on the courthouse location property which is the reason the town must notify Saguache County.
2. Resolution of supplementary budget for the Adams State University and Saguache County COSI scholarship in the amount of \$14,472 to be paid from the Marijuana Excise Tax.
3. Approval of the Press Release concerning this scholarship that was sent to the Board.
4. Department Head leave sheets presented for signature.
5. Sales Tax Grant work session/Conservation Trust requests(?) – we need to set a time for the work session on March 12<sup>th</sup>.
6. Discussion concerning Tourism Council Liaison. She is going to have a baby and she would like to discontinue in July.
7. Rio Grande Water Conservation Board advertisement. It is time to advertise for the Rio Grande Water Conservation Board Saguache County Representative for the area south of County Road L.
8. Marijuana Excise Tax grant discussion. The veterans service did not get in for the sales tax.
9. Conservation Trust requests.
10. Present Sales Tax Grants.

### **WENDI MAEZ, AIRPORT MANAGER**

1. CTSI has approved the payment minus \$500 deductible, for the repair/replacement of the Core system runway light control at Leach Airport. The total amount of repairs will be \$12,184.84 with a payment from CTSI in the amount of \$11,684.84. We will need to pay \$500 of this repair. A voucher for \$10,689.56 is in the batch to pay to pay for the Core purchase.
2. The wind sensor at the Saguache Airport is in need of repair. Wendi is working on getting the repairs complete. When estimates come for the repairs Maez will report to the board.

### **WENDI MAEZ, LAND USE ADMINISTRATOR:**

1. Nancy Telos and LeAnne Stenberg, Consolidation request, Baca Grande, Chalet Unit Two, Lots 3401, 3402CR and 3405. Crestone/Baca Planning Commission recommended unanimous approval of this request during their regular meeting on February 25, 2019.

**MOTION BY COMMISSIONER JASON ANDERSON TO ACCEPT THE CONSOLIDATION REQUEST FOR NANCY TELOS 3401, 3402CR, 3405 BACA GRANDE CHALET UNIT 2  
SECOND BY COMMISSIONER TIM LOVATO  
VOTES IN FAVOR: 3 VOTES AGAINST: 0  
MOTION CARRIED**

2. Eagle Holdings, LLC., Consolidation request, Baca Grande, Chalet Unit One, Lots 2104 and 2105. Crestone/Baca Planning Commission recommended unanimous approval of this request during their regular meeting on February 25, 2019.

**MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE LOT CONSOLIDATION FOR EAGLE HOLDINGS, LLC LOTS 2104 AND 2105 CHALET UNIT I BACA GRANDE  
SECOND BY JASON ANDERSON  
VOTES IN FAVOR: 3 VOTES AGAINST: 0  
MOTION CARRIED**

3. Peggy A. Borden, Consolidation request, Baca Grande, Chalet Unit One, Lots 1621 and 1622. Crestone/Baca Planning Commission recommended unanimous approval of this request during their regular meeting on February 25, 2019.

**MOTION BY COMMISSIONER JASON TO APPROVE THE LOT CONSOLIDATION OF LOTS 1621 AND 1622 FOR PEGGY BORDUN CHALET I BACA GRANDE  
SECOND BY COMMISSIONER TIM LOVATO  
VOTES IN FAVOR: 3 VOTES AGAINST: 0  
MOTION CARRIED**

4. Dixilyn K. Gloystein, Consolidation request, Baca Grande, Chalets Unit Two, Lots 3949C and 3950C. Crestone/Baca Planning Commission recommended unanimous approval of this request during their regular meeting on February 25, 2019.

**MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE LOT CONSOLIDATION FOR DIXILY K. GLOYSTEIN LOTS 3949C AND 3950C BACA GRANDE CHALET UNIT II  
SECOND BY COMMISSIONER JASON ANDERSON  
VOTES IN FAVOR: 3 VOTES AGAINST: 0  
MOTION CARRIED**

5. Cindy Reinhardt, Consolidation request, Baca Grande, Chalets Unit Two, Lots 4113 and 4114C. Crestone/Baca Planning Commission recommended unanimous approval of this request during their regular meeting on February 25, 2019.



**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE LOT CONSOLIDATION FOR LOT 4113 AND 4114C BACA GRANDE CHALETS UNIT II FOR CINDY REINHARDT**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

6. Charles Scott Smith and Christina Dawne Smith, Consolidation request, Baca Grande, Chalet Unit Two, Lots 3860 and 3861. Crestone/Baca Planning Commission recommended unanimous approval of this request during their regular meeting on February 25, 2019.

**MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE LOT CONSOLIDATION FOR CHARLES SCOTT AND CHRISTINA DAWNE SMITH FOR BACA GRANDE CHALET UNIT II LOTS 3860 AND 3861**

**SECOND BY COMMISSIONER JASON ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

7. Justin Van Wart, Consolidation request, Baca Grande, Chalets Unit one, Lots 532, 533 and 534. Crestone/Baca Planning Commission recommended unanimous approval of this request during their regular meeting on February 25, 2019.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE LOT CONSOLIDATION FOR JUSTIN VANWART FOR BACA GRANDE CHALET UNIT I LOTS 532, 533, AND 534**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**MOTION BY COMMISSIONER JASON ANDERSON TO ACCEPT THE BID FOR MINERAL HOTSPRINGS LOT 14 BLOCK 26 AREA B IN THE AMOUNT OF \$420**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**Back in Session from Lunch at 1:00PM**

8. Delta 2017, LLC – Conditional Use Modification – Additional bay area to existing greenhouse - SE1/4SW1/4 28-41-10 – This request was on the agenda for the February 19<sup>th</sup> meeting with applicant not appearing for discussion.

**MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE REQUEST FOR DELTA 2017 FOR AN ADDITIONAL BAY AREA TO THE EXISTING GREENHOUSE**

**SECOND BY COMMISSIONER JASON ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

9. Tule Inc./Ikar, LLC – Conditional Use Modification – SW1/4SW1/4 20-43-10 – Additional 5000 sq. ft structure. This request was on the agenda for the February 19<sup>th</sup> meeting with applicant not appearing for discussion.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE ADDITIONAL 5000 SQUARE FEET STRUCTURE  
SECOND BY COMMISSIONER TIM LOVATO  
VOTES IN FAVOR: 3 VOTES AGAINST: 0  
MOTION CARRIED**

10. Cynthia E. Hansen/Teajuana Ltd – Structure of Ownership change request – Lot 6 Block 1 Villa Grove. The ownership change will go from Cynthia Hansen 40%; Jeremy Tidwell 30% and Clayton Bonn 30% ownership to Cynthia Hansen 51% and Jeremy Tidwell 49% ownership.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE STRUCTURE OWNERSHIP CHANGE FOR TEAJUANA LTD  
SECOND BY COMMISSIONER TIM LOVATO  
VOTES IN FAVOR: 3 VOTES AGAINST: 0  
MOTION CARRIED**

11. Benjamin Dietrich/Karey Evans – Marijuana Variance request – N1/2N1/2SE1/4 & S1/2S1/2S1/2SE1/4NE1/4 3-44-9 East. Request for 75 plants. All permits required all final and approved.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE, CONTIGENT ON PROOF OF COMMUNICATIONS WITH NEIGHBORS  
SECOND BY COMMISSIONER TIM LOVATO  
VOTES IN FAVOR: 2 VOTES AGAINST: 1  
MOTION CARRIED**

12. Benjamin Dietrich/George Evans – Marijuana Variance request - N1/2N1/2SE1/4 & S1/2S1/2S1/2SE1/4NE1/4 3-44-9 East. Request for 75 plants. All permits required all final and approved.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE PENDING PROOF OF NOTIFICATION TO NEIGHBORS  
SECOND BY COMMISSIONER TIM LOVATO  
VOTES IN FAVOR: 3 VOTES AGAINST: 0  
MOTION CARRIED**

13. Jonathan Hollister/Blair Johnson – Marijuana Variance request – Lot 4 Block TT, Lazy KV Estates. Request for 75 plants. All permits required all final and approved.

**MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE REQUEST FOR JONATHAN HOLLISTER/ BLAIR JOHNSON FOR 75 PLANTS IN LAZY KV LOT 4 BLOCK TT**

**SECOND BY COMMISSIONER JASON ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

14. Jonathan Hollister – Marijuana Variance request – Lot 3 Block TT, Lazy KV Estates. Request for 75 plants. All permits required all final and approved.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE VARIENCE REQUEST FOR LOT 3 BLOCK TT, LAZY KV ESTATES**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

15. Michael Hazemy – Marijuana Variance request – Parcel 19, Ghost Mine Ranches. Request for 70 plants. All permits required all final and approved.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE VARIENCE REQUEST FOR MICHAEL HAZEMY FOR 70 PLANTS**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

Jenny Young came before the board to talk about the red flag bill. She stated that this bill is one of the most unconstitutional bills. It is going to put the veterans in harm, they are not going to seek as much treatment because they may feel that they are under more scrutiny. This is America where everyone is innocent until proven guilty. On a county level we still have a voice and a right.

Greg Peterson, Gunnison Basin Round Table Update

Peterson stated that the group is still giving out grant money for projects. The arch ditch received \$21,000 for a project. A lot of money goes to the irrigation projects. With 2018 being so dry it caused a lot of problems.

Seeing no further business, Commissioner Ken Anderson adjourns the meeting at 2:24PM

RESPECTFULLY SUBMITTED:

D Whit

DOMINIQUE WHITE FOR  
TRISH GILBERT, CLERK & RECORDER

DATE MINUTES APPROVED: March 19, 2019



Ken Anderson  
KEN ANDERSON, COMMISSIONER,  
BOARD CHAIR

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Tim Lovato  
TIM LOVATO, COMMISSIONER

Trish Gilbert

ATTEST  
TRISH GILBERT  
CLERK & RECORDER