

**SAGUACHE COUNTY BOARD OF COMMISSIONERS**  
**REGULAR SESSION MEETING**  
**TUESDAY, May 7, 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  
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:**

Ben Gibbons requested to go into Executive session during his time for Legal Counsel.

Wendi Maez: item #2 from the Land Use Report will not be heard today because not all of the information  
was provided.

**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 APPROVE THE MINUTES OF THE  
APRIL 16, 2019 REGULAR SESSION MEETING AS AMENDED**

**SECOND BY TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**Review of Mail and Other Correspondence: 05/07/2019**

- 1. Rose Marie DeHerrera, Deputy Clerk, Town of Center** sent Thank You letter for the approval of  
the Spring Sales Tax Grant to the Town of Center and the Center Police Department. (Received  
4/17/19)

2. **Upper Gunnison River Water Conservancy District** sent agenda for the Board of Directors meeting on Monday April 22, 2019. (Received 4/17/19)
3. **Old Spanish Trail Association, La Vereda del Norte Chapter** sent their monthly newsletter, Trail Tales. (Received 4/17/19)
4. **Upper Arkansas Water Conservancy District** sent agenda for the Enterprise Committee Meeting and Board of Directors Meeting on April 11, 2019. (Received 4/17/19)
5. **Crestone Food Bank** sent invitation to the Open House and Ribbon Cutting Saturday, May, 2019. Copy was emailed to BOCC as it is time sensitive. (Received 4/24/19)
6. **Jackie** sent a Thank You letter for the flowers. (Received 4/24/19)
7. **Sarah Koehn Fry, Director of Northern Saguache County Library District**, sent a Thank You letter for the approval of the Spring Sales Tax Grant. (Received 4/24/19)
8. **The Northern Saguache County Library District Board of Trustees** sent a Thank You letter for the approval of the Spring Sales Tax Grant. (Received 4/24/19)
9. **Pike National Historic Trail Annual Membership and Board Meeting** sent an invitation to attend their meeting in Canyon City on May 18, 2019. (Received 4/30/19)
10. **Valley Initiatives Partners** sent an invitation hosting a Ribbon Cutting to debut its new website on May 8, 2019 at 8:30 A.M. in McDaniel Hall 101. (Received 5/01/19)

Introduction of Guests:

Sandia Belgrade  
Cathy Garcia  
Bill McClure  
Alex Elozory  
Edward Haglin  
Taylor White  
Jerry Pacheco - USFS

Public Comment:

Cathy stated that she will be scheduling a longer reporting time for the senator, in the meantime the senator is working on permanent funding mechanism for the PILT Program as well as the SRS funding. Would like to also include Saguache County in a Farm Tour that the senator will do in August.

**COMMISSIONER REPORTS:**

**Jason Anderson:**

The last week of April, went on honeymoon.

5/3 - Attended the Rio Grande National Forest meeting concerning a Thinning Project above the town of Crestone.

Spoke about water meeting on website.

5/4 - Attended the Ribbon Cutting and official opening of the Crestone Food Bank.

Saw the new coolers purchased through the Sales Tax Grant.

Attended the Open House for the Baca/Crestone Fire Department and Search and Rescue.

Attended the Crestone Garden Festival.

5/6 - Met with the ESLV Trails Coalition about the SRTS Grant.

5/7 - Spoke with Montezuma Commissioner, Larry Don Sukula, concerning solar panels on county property.

**Tim Lovato:**

4/17 - Visited with several people about the Red Flag legislation and listened to their concerns.

4/19 - Received a call from a constituent about the Red Flag Bill and she expressed her concerns about the commissioners and it's her impression that the commissioners are against the Sheriff's Department. I responded with: We the elected officials have taken an oath to uphold the laws we do or do not enforce.

4/23 - Received a call from Land Use on inquiring about a well in the Town of Sargents and the lack of information and what are the possibilities of it not having a permit. No permit it could be a well drilled prior to 1972.

Visited with Richard Nagely from the Veterans Collation on attending a work session with the commissioner to give an update.

4/24 - Spoke with Commissioner Gene Glover on the MOU with Rio Grande County and the Weed District for Saguache County.

Received a call from Road and Bridge Supervisor Randy Arredondo about the paint truck and the warranty on the air compressor.

Participated in the SLV Flood Task Force call and listened to the updates from the Division of Water Resources.

4/25 - Drove County Road AA and GG also the third cattle guard on LL-56 has not been repaired and could cause damage to a vehicle's tires if it is not repaired.

4/29 - Spoke with Mr. Ron Garcia from the BACA Preserve on the possibility of having high water on North Crestone Creek.

5/1 - Spoke with Brianna the Weed coordinator from Rio Grande County about the MOU and having an agreement with Rio Grande County to do our weed spraying.

5/6 - Spoke with Gene Glover about the MOU on weed spraying.

Visited with Tim Coleman from Coleman Ranches on possible exchange of property for the jail facility.

**Ken Anderson:**

4/22-24 - Attended a board meeting at Black Hawk, went through Leadville; they have a lot of snow. Talked about PILT and SRS, good conversation about energy and charges of electricity.

Drove some roads, some need to be worked on.

Visited with Wendi and Glen about a greenhouse that is going up.

Highway 285 to Highway 17 is looking good and getting done fast.

The seniors are going to be doing all the cooking in Monte Vista, they will transfer it out all over the valley.

**Back in session from break at 10:00 A.M.**

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**

Lynette shared that they are seeing an increase in dog/cat bites. Lynette is finishing up the advertisement for the Generalist, needs to get some help to focus more on the director's side. Public Health got the extra money for immunization.

**MOTION BY COMMISSIONER TIM LOVATO TO SIGN THE CONTRACT FOR THE COLORADO DEPARTMENT OF HEALTH AND ENVIRONMENT FOR IMMUNIZATION  
SECOND BY COMMISSIONER JASON ANDERSON  
VOTES IN FAVOR: 3 VOTES AGAINST: 0  
MOTION CARRIED**

There are currently 25 clients for PCP, they did do their CPR training and got their certifications.

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

**DEPARTMENT HEAD REPORTS:**

DAN WARWICK, SHERRIFF, Report Attached

Warwick requested that the Board of County Commissioners release 25% of the 1.5% Sales Tax Funds. This would be used for staff retention and to replace a weapon at the Sheriff's Office that has been in use for 20 plus years and is having problems. The sheriff's office has recently had one staff member resign and another has turned in applications to go elsewhere. The staff is leaving to go to other Law Enforcement Agencies for higher pay and better benefits. With all the openings in Law Enforcement, Warwick would like to be able to keep the staff he has. The cost in training personnel to have them leave for other agencies is high. Saguache County cannot keep up with Alamosa and some of the other agencies but Warwick would like to at least be able to make an offer to the staff members that are considering resigning.

The average number of inmates housed per day throughout the year is 15. As of 5/02/2019 there are 15 inmates including housing 2 inmates from other agencies. There are currently 3 mental health inmates in the jail and at present time, are not acting out.

The Kiosks that were damaged a few months ago have been replaced.

The transfer switch for the backup generator has failed and a new one has been ordered and will be installed as soon as it arrives.

Undersheriff McCloskey is covering for the Town of Center since their Chief has resigned. The town has mentioned contracting with the county for Law Enforcement but now seems that they are not wanting to do that. McCloskey will start to remove himself from Center and only go by to check on the department from time to time until they hire a Chief or other arrangements are made.

Warwick received a plan for a new jail facility. Warwick is needing to know the exact location that the facility will be.

RANDAL ARREDONDO, SUPERVISOR, ROAD AND BRIDGE, Report Attached

Arredondo emailed a copy of the financials. Road and Bridge is having problems with County Road 42 because it's been flooded 3 times. It's going to need a plate hauled onto the top.

**MOTION BY COMMISSIONER JASON ANDERSON TO RELEASE \$100,000 TO ABSMEIER LANDSCAPING AND CONSTRUCTION REFLECTIVE OF 37% OF THE TOTAL COST OF PAYMENT**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**Back in Session from Lunch at 1:00 P.M.**

BEN GIBBONS, COUNTY ATTORNEY

**MOTION BY COMMISSIONER TIM LOVATO TO GO INTO EXECUTIVE SESSION FOR LEGAL COUNSEL PER C.R.S 24-6-402(4)(b)**

**SECOND BY COMMISSIONER JASON ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**WENDI MAEZ, LAND USE ADMINISTRATOR:**

1. R. Orville Diss/ Central Pump Company, LLC Lot Line Adjustment Request. This request is to expand the tract location of where Central Pump is located on Highway 112.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE REPLAT FOR CENTRAL PUMP AND ORVILLE DISS**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

2. Louis J De Innocentes, Marijuana Variance Request. SW1/4SE1/4 19-44-10. Plant count of 75 is requested. Adjoining landowners have been notified. All permits required have been approved and issued.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE VARIANCE REQUEST FOR LOUIS DE INNOCENTES FOR 75 PLANTS WITH CONDITION THAT THERE IS NO VISIBILITY OF THE PLANTS**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

3. Edward S. Haglin - Marijuana Variance Request for Lot 5 Block XX, Lazy KV Estates. Plant count requested is 48. Adjoining landowners have been notified. All permits required have been approved and issued.

**MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE REQUEST FOR EDWARD S HAGLIN LOT 5 BLOCK XX, LAZY KV ESTATES FOR 48 PLANTS  
SECOND BY COMMISSIONER JASON ANDERSON  
VOTES IN FAVOR: 3 VOTES AGAINST: 0  
MOTION CARRIED**

4. Alexander Elozory - Marijuana Variance Request for Lot 3 Block GG, Lazy KV Estates. Plant count of 34 is requested. Adjoining landowners have been notified. All permits required have been approved and issued.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE VARIANCE REQUEST FOR 10 OVER 24 PLANTS FOR THE AMOUNT OF 34 PLANTS FOR ALEXANDER ELOZORY  
SECOND BY COMMISSIONER TIM LOVATO  
VOTES IN FAVOR: 3 VOTES AGAINST: 0  
MOTION CARRIED**

5. Charisse White/ Landowner - Taylor White/Applicant, Marijuana Variance Request for Lot 5 Block BBB, Lazy KV Estates. Plant count requested is 75 plants. Adjoining landowners have been notified. All permits required have been approved and issued.

**MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE VARIANCE REQUEST FOR TAYLOR WHITE/ CHARISSE WHITE (LANDOWNER) LOT 5 BLOCK BBB LAZY KV ESTATES FOR 75 PLANTS  
SECOND BY COMMISSIONER JASON ANDERSON  
VOTES IN FAVOR: 3 VOTES AGAINST: 0  
MOTION CARRIED**

6. Jonathan Richard Cunha, Lot Consolidation Request for Baca Grande Chalet Unit II, Lot 3801 and 3802. Crestone/ Baca Planning Commission recommended unanimous approval of this request during their regular meeting held on April 22, 2019.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE LOT CONSOLIDATION FOR BACA GRANDE CHALET UNIT II, LOT 3801 AND 3802 NOW KNOWN AS 3801C  
SECOND BY COMMISSIONER TIM LOVATO  
VOTES IN FAVOR: 3 VOTES AGAINST: 0  
MOTION CARRIED**

County Owned Lot Bids

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE BID FROM JUSTIN VANWART CHALET I, BACA GRANDE LOT 600 IN THE AMOUNT OF \$4,001  
SECOND BY COMMISSIONER TIM LOVATO  
VOTES IN FAVOR: 3 VOTES AGAINST: 0**

**MOTION CARRIED**

**MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE BID FROM SHAWN P HEANY IN THE AMOUNT OF \$4,003 FOR LOT 8 BLOCK TT, LAZY KV ESTATES  
SECOND BY COMMISSIONER JASON ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**WENDI MAEZ AIRPORT MANAGER REPORT**

Airport Fly In was held on April 20<sup>th</sup> at Leach Airport. Several airplanes flew into Leach.

**GLEN SIMPSON COUNTY ADMINISTRATOR, ADMINISTRATIVE REPORT**

- 1.** Board of County Commissioners Resolution on mileage, do we change the wording of ½ rate if a county vehicle is available? Do we exempt to the 45-cent mileage rate for Public Health PCP?
- 2.** A Cargo Trailer for DSS Commodities will cost \$5,995. DSS could ask for a sales tax grant in the fall or the Board can fund it. Not 100% sure the old DSS vehicle could pull a 20' trailer.
- 3.** Wendi and Glen have confirmed the cost to provide housing for a Sheriff Deputy in Crestone.
- 4.** Courthouse basement storage area (County Treasurer and County Assessor). The Board chose to tear down the wall in the basement and give that room to the Assessor, as well as for Glen to provide a sketch of what rooms belong to which department.

**OLD BUSINESS**

**BEN GIBBONS, COUNTY ATTORNEY**

Gibbons spoke on people requesting the county commissioner meeting minutes and recordings. There is a policy that states that the official minutes are the ones signed by the Board and approved at the following meeting. There is not a reason legally, not to release the minutes. The board agreed to charge for both USB and email copies of the recordings with no circumstance of the fees being waived.

**MOTION BY COMMISSIONER JASON ANDERSON THAT THE COUNTY CHARGE A FEE OF \$15.00 FOR ANY COPIES OF THE RECORDINGS  
SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 2**

**VOTES AGAINST: 1**

**MOTION CARRIED**

Seeing no further business, Commissioner Ken Anderson adjourns the meeting at 3:04 P.M.

RESPECTFULLY SUBMITTED:



DOMINIQUE WHITE FOR  
TRISH GILBERT, CLERK & RECORDER

DATE MINUTES APPROVED: May 21, 2019



KEN ANDERSON, COMMISSIONER,  
BOARD CHAIR



JASON ANDERSON, COMMISSIONER



TIM LOVATO, COMMISSIONER



ATTEST  
TRISH GILBERT  
CLERK & RECORDER