

**SAGUACHE COUNTY BOARD OF COMMISSIONERS**  
**REGULAR SESSION MEETING**  
**TUESDAY, NOVEMBER 19, 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, Acting 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. Ben Gibbons requested an Executive Session for Personnel and Legal Counsel.
2. Trish Gilbert and Pete Peterson will not be in attendance today.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE 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 JASON ANDERSON TO ACCEPT THE MINUTES OF THE NOVEMBER 5, 2019 REGULAR SESSION MEETING AS PRESENTED**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**MOTION BY COMMISSIONER JASON ANDERSON TO ACCEPT THE MINUTES OF THE NOVEMBER 12, 2019 REGULAR SESSION MEETING AS PRESENTED**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

Review of Mail and Other Correspondence: 11/19/2019

1. **The Colorado State Land Board** sent a request for comment in regards to the Alder Property that is being nominated for the State Land Board’s Stewardship Trust. Email comments are preferred and requested to be sent to [lindsey.brandt@state.co.us](mailto:lindsey.brandt@state.co.us). (Received November 3, 2019)
2. **Daniel Johnson** sent the October 2019 Fire Mitigation Report. (Received November 6, 2019)
3. **Virgil and Susan Tafoya** sent an email commenting on the Town of Moffat’s “Annexation Impact Survey”. (Received November 8, 2019)
4. **Jon Wagner, CTSI Loss Prevention Leader** sent class evaluations for the Emergency Response Training Class held on October 29, 2019. (Received November 7, 2019)
5. **Colorado River District** sent the November Board News Summary. (Received November 6, 2019)
6. **Phil Brink** sent notice of the Colorado Cattlemen’s Ag Water NetWORK Capstone Event on Monday, December 2, 2019. (Received November 7, 2019)
7. **The Rio Grande Water Conservation District** sent the November 2019 Ground Water Table measurements. (Received November 13, 2019)
8. **Azarel Madrigal with SLV Behavioral Health Group** sent an email requesting a discussion with the Board concerning CCI proposed new legislation regarding Behavioral Health System Transparency. (Received November 15, 2019)
9. **Janet Beiriger with Saguache County Public Health** delivered a letter from Chaffee County Youth Alliance concerning “opting-out of the Marijuana Hospitality Establishment Bill” (HB-19-1230). (Received November 15, 2019)
10. **Rio de la Vista, Director of Salazar Rio Grande Del Norte Center, Adams State University** sent a Thank You Card for the use of Leach Airport Lounge for the “Rio Grande Basin School”. (Received November 15, 2019)
11. **The Upper Gunnison River Water Conservancy District** sent an agenda for a Regular Public Budget Hearing on Monday November 15, 2019. (Received November 18, 2019)
12. **Upper Arkansas Water Conservancy District** sent the Tentative Agenda for November 14, 2019. (Received November 18, 2019)

Introduction of Guests:

Sandia Belgrade  
 Tony Jennings  
 Robert Tafoya  
 Shawn Quick  
 Marty Lange  
 Francisco Silva  
 Carrie Zimmerman – Center School District  
 Carlos Silva  
 Hank Day  
 Robin Durrance  
 Ellen E. Cox

Artie Wilsdorf  
 John N. Hoffman  
 Faith O’Reilly  
 Theo Bondurant  
 Burt Wadman  
 Tristram Post  
 Kristen Schreiber  
 Mick Daniel

Public Comment:

Robert Tafoya stated his concerns on the Moffat Annexation. Tafoya stated he didn’t think it was fair that Tony Jennings is the only person he has seen that has to clean up his blight. He presented his concerns with Highway 17 and the speeding.

Carrie Zimmerman gave an update on the Center School District. She thanked the commissioners for the SRS funding. The money is going to multiple projects. This week they are repairing the Academic Recovery Center roof. Zimmerman stated they will also be using that money toward transportation needs within the county. They will also be using that money for the instrumental program and for recruitment of quality staff. Carrie stated that the sales tax grants are going to an after-school program.

Francisco Silva requested the Board send the Area 420 Expansion to the Planning Commission.

Shawn Quick presented her concerns with the Moffat Annexation and the safety issues that will rise if it is approved. The fire that recently occurred in Moffat was from a THC extraction facility and 11 of the 33 already approved areas are extracting facilities. Quick stated that if and when there is a fire at on the extracting facilities, they are going to need fire hydrants. Quick thanked the Commissioners for doing a site visit of the 420 Area.

Two more constituents presented their concerns of the “flagpole” annexation, as well as their concerns for all the marijuana grows within the county.

### **COMMISSIONER REPORTS:**

#### **Jason Anderson**

**11/7** – Went to the site visit of the proposed annexation site for the Town of Moffat, was met by folks from the Town.

**11/12** – Attended the Commissioners Work Session where we worked on the budget.

**11/ 13** – Received a call regarding speeding in the Baca. We should consider more of the speed signs.

**11/15** – Attended the final check in for the fire up north. It is fairly out but there are still places in that fire zone that are going to burn all winter long.

**11/18** – Held office hours in Crestone, had other people talk about how people drive in the Baca.

Received seven calls from concerned citizens regarding the proposed 420 Expansion project in Moffat.

#### **Tim Lovato**

**11/7** – Went to the site visit for the proposed Annexation of #2 and #3 for the Town of Moffat. Met with Mayor Patricia Reigal, Whitney Justice, Ken Skogland and Mike Bisio. At the site the Commissioners were told how the town would acquire a portion of County Road 59 to make the FlagPole Annexation possible. We were also given a site visit of the 420 Grow Operations, which was the first annexation for the Town of Moffat.

**11/10** – Attended the Saguache County Museum Board Meeting. They gave their annual report for the summer 2019 and the attendance was down. Discussion of what theme for the 2020 Memorial Day Parade should be. It was discussed and the parade will be on Sunday May 24<sup>th</sup>.

**11/11** – Attended the dedication of the Veterans Memorial Wall in Center. The Town of Center was given a Sales Tax Grant for the completion of the wall.

Visited with several residents from the Center area as well as drove multiple roads south of County Road G.

**11/12** – Attended the special meeting for the Saguache County Audit given by Mr. Jim Hinkle. Mr. Hinkle made the corrections that were brought to his attention. After the presentation the Board of County Commissioners accepted and approved the audit.

After the special meeting the commissioners were given the revised budget and the Commissioners presented their cuts to the budget.

11/13 – Made copies of the map that shows the survey pins at Saguache County Airport and delivered a copy to the Sheriff, Dan Warwick and Wendi Maez. In 2015 Commissioner Ken Anderson, LUA Wendi Maez and I located the pins and GPS'd the locations. There were several items that needed to be corrected on the airport site, such as building new fences defining our property and moving the old fences that are not on the property line.

11/14 – Received several calls and visited with several residents in the Town of Moffat, stating their objections to the proposed annexation.

11/5 – 11/18 – Have received nine phone calls from residents and visited with residents about their concerns and objection to the proposed annexation.

**Ken Anderson**

11/ 6 – Attended the SRTS Meeting in Center

11/ 7 – Attended TPR Meeting in Alamosa. Met with CDOT, they brought in the plans they have for the San Luis Valley. Brought up the concerns in Moffat regarding speed. They are planning on doing shoulder work on Highway 17 over the summer.

Attended the Moffat site visit.

11/12 – Attended the Special Session for the audit, the figures were okay. We also had a presentation about the new jail.

11/18 – Attended the DRG Meeting in Alamosa. They are wanting to expand the mushroom farm in Alamosa.

**Returned from break at 10:00 A.M.**

LINDA WARSH, DIRECTOR OF SOCIAL SERVICES, Report Attached

**MOTION BY COMMISSIONER TIM LOVATO TO GO INTO THE BOARD OF SOCIAL SERVICES**

**SECOND BY COMMISSIONER JASON ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

Linda presented the report that shows how much the state has spent on behalf of Saguache County. Warsh presented a Merit Letter that is signed annually. It's the certification with the state stating we will hire and maintain people that are qualified to do the state jobs.

**MOTION BY COMMISSIONER JASON ANDERSON TO SIGN THE CDHS CERTIFICATION OF COMPLIANCE FOR THE YEAR 2020 ON COUNTY PERSONNEL MERIT SYSTEM**

**SECOND BY TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**MOTION BY COMMISSIONER JASON ANDERSON TO GO INTO EXECUTIVE SESSION FOR PERSONNEL PER C.R.S. 24-6-402(4)(f)(I) AS THE BOARD OF DEPARTMENT OF SOCIAL SERVICES**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**Returned from Executive Session at 10:35 A.M.**

**DEPARTMENT HEAD REPORTS:**

EVAN SAMORA, HOUSING DIRECTORS, 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 TO KEN ANDERSON COME OUT OF THE BOARD OF  
HOUSING**

**SECOND BY COMMISSIONER JASON ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

RANDAL ARREDONDO, SUPERVISOR, ROAD AND BRIDGE

Arredondo requested that a section of County Road 31XX, Town of Sargents (Means Ave) be closed seasonally because it is problematic during the winter. It gets to the point where there is no place for snow removal. There is only one home located on this road and the landowner can access property from Highway 50. Commissioner Jason Anderson stated that he would like to see a posted proposal in Sargents for the residences who are there in the winter, and ask the locals.

The Christmas Dinner will be on the 13<sup>th</sup>.

Arredondo has hired one new operator and two more for CDL Training. They are still down four people. Arredondo received a no further action required compliance letter for the Landfill on consent 19-03-01.

CONNIE TRUJILLO, COUNTY TREASURER

Connie presented the Public Trustee Report for the 3<sup>rd</sup> quarter. It has been an extremely quiet 3<sup>rd</sup> quarter. There was only one new foreclosure. Trujillo took 618 properties to tax lien sale, she sold 359. \$13,215 was made in premium bids.

Connie provided the Commissioners the point's regarding the transition from the Pueblo System.

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**

**Returned from Executive Session & lunch at 1:00 P.M.**

Ellen Cox, Saguache County Sheriff's Office

Ellen presented the Victims Advocate Local Funding for Law Enforcement.

**MOTION BY COMMISSIONER TIM LOVATO TO ENTER INTO THE AGREEMENT FOR  
THE VAIL GRANT MONEY FOR VICTIMS ASSISTANT AND LAW ENFORCEMENT**

**SECOND BY COMMISSIONER JASON ANDERSON**

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

**VOTES AGAINST: 0**

WENDI MAEZ, LAND USE ADMINISTRATOR, Report Attached

1. Evan Marion Dusthimer and John Nicolas Huffman, Subdivision Exemption request for the SE1/4SW1/4 30-44N-10E. This request is to divide 5 acres that was previously approved for commercial use in 2016. The use will not be for marijuana commercial use but for storage use as intended in 2016. The Saguache County Planning Commission recommended unanimous use of this request during their regular meeting held on October 31, 2019 with the following condition – applicants must follow any water well restrictions put in place by the Division of Water Resources.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

2. Arthur W. Wilsdorf III, Variance Request for a 1992 Office Trailer, Lot 4 SW1/4NW1/4, W1/2SW1/4 1-44-10 – 23878 County Road 64.

This office trailer was brought onto the property in 2018 without a variance application as they did not have proof of age to know the structure was older than 20 years old. As of now this trailer is the only structure located on the property. Present use of property is assessed as vacant land. Proposed use of the property will be used as an office trailer for a construction business to be applied for in the future. This request is to bring the trailer into compliance. At this time there is no sewage disposal, electricity or telephone service to the property. Water well will be drilled by April 30<sup>th</sup>. See permit #308075 attached in the PC packet from the 4/25/19 meeting. The Saguache County Planning Commission recommended approval of the Variance request with the conditions that they pay Arapahoe County taxes for the structure or show proof that they have been paid if possible, shall go to the Assessor's office and have them prorate the property taxes for 2018 with the structure on there, a \$500.00 fine for moving it in illegally, provide the State permits showing the electrical and plumbing have been updated, septic must be applied for and approval given, the structure shall be on a permanent foundation, all of the outside of the structure shall be completed within 6 months of final approval and with the Division of Water Resources recommendations.

**MOTION BY COMMISSIONER TIM LOVATO TO ALLOW THE VARIANCE REQUEST TO ARTHUR W WILSDORF III AS RECOMMENED BY THE SAGUACHE COUNTY PLANNING, WITH THE \$500 FINE FOR THE MOVING THE STRUCTURE TO SAGUACHE COUNTY WITHOUT FIRST OBTAINING COUNTY APPROVAL**

**SECOND BY COMMISSIONER JASON ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

County Owned Lot Bids

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE LOT BID FOR PAUL KEMNITZER LOT 1322 BACA GRANDE GRANTS UNIT ONE IN THE AMOUNT OF \$4,100**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**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**

Lynette shared the qualifications of the top two people she has interviewed. She would like to do a second round of interviews. Grant asked for the allowable pay for the position. The Board suggested starting at the lower pay rate until the 90-day probationary period is over, then increasing the pay.

**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**

WENDI MAEZ, ACTING COUNTY ADMINISTRATOR, Report Attached

1. 2018 Audit has been submitted to the State of Colorado and the freeze on funds has been released
2. Veteran's Service officer Jim Sheeran has submitted an Emergency Sales Tax Grant Request for \$2,000 for the purpose of helping veterans in need of firewood, propane, electric/water and rent. I would propose to the board that this grant amount be increased to \$5000 for the remainder of the winter so the grants are not requested as frequent.
3. A request from Azarel Madrigal with Mobile Health Unit-MAT Services has been received to discuss the need to identify parking locations in Saguache County. This service was discussed during a Valley BOCC meeting.
4. Discussion concerning Motor Home in Baca area for Sheriff deputy.
5. 2020 Saguache County dates review.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE FOLLOWING DATES FOR HOLIDAYS: JANUARY 1 NEW YEAR'S DAY, JANUARY 20 MARTIN LUTHER KING'S BIRTHDAY, FEBRUARY 17 PRESIDENTS DAY, MAY 25 MEMORIAL DAY, JULY 3 4<sup>TH</sup> OF JULY, SEPTEMBER 7 LABOR DAY, NOVEMBER 11 VETERANS DAY, NOVEMBER 26 - 27 THANKSGIVING, 24 - 25 CHRISTMAS AND APRIL 10 SPRING HOLIDAY**

**MOTION DIES DUE TO LACK OF SECOND**

**MOTION BY COMMISSIONER TIM LOVATO TO CHANGE THE PERSONNEL POLICY AND GO BACK TO 11 HOLIDAYS AS THE STATE HAS**

**SECOND BY COMMISSIONER JASON ANDERSON**

**VOTES IN FAVOR: 1**

**VOTES AGAINST: 2**

**MOTION FAILED**

**MOTION BY COMMISSIONER JASON ANDERSON TO KEEP THE 12 HOLIDAYS AS LISTED**

**SECOND BY COMMISSIONER KEN ANDERSON**

**VOTES IN FAVOR: 2**

**VOTES AGAINST: 1**

**MOTION CARRIED**

6. Brian Hillier, County insurance broker will be here at 3:00 P.M. to discuss health insurance benefits. Meredith with CTSI will also be available by phone for questions. The rate for employee out of pocket in 2020 has changed and the most the employee can pay is \$150.54. The federal rate has changed to 9.65% from 9.5 in 2019.

Tourism Council Update (Faith O'Reilly & Theo Bondurant)

The Tourism Council has given out \$6,320 in grant funding for different activities and festivals. They have taken down the Bounty Hunter Project, as well as have updated the website.

Tourism Council proposed purchasing charging stations for the Town of Crestone, Saguache and Center. They will reimburse 80% of the cost.

Mick Daniel, SLV Great Outdoors Colorado

Daniel stated they were awarded \$7,500 between both sales tax grants. That money supports the full time Ameri-Core Vista. They are working with Laura Archuleta for a trail. Valley wide, for every dollar brought in to SLV GO there are six additional. They were awarded one million dollars for a capital campaign which will begin in 2020.

Commissioner Jason Anderson stated that Del Norte's economy is doing really well because of the trails. Saguache can compete with them but we have to get that first trail.

Tristram Post, Public Lands Discussion

Post stated that the two timber sales that went for bid last month did not sell. The cabins are closed for the winter. There are Christmas tree tags for sale. Fire wood tags will expire 12/31/19.

Brian Hillier, County Health Insurance Presentation

Brian presented the multiple options of insurance plans for the County.

**MOTION BY COMMISSIONER JASON ANDERSON TO ACCEPT THE RECOMMENDATION FROM THE COUNTY INSURANCE BOARD AND ACCEPT THE POLICY THROUGH ANTHEM BLUE SHIELD FOR THE 2020 YEAR**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 2**

**VOTES AGAINST: 1**

**MOTION CARRIED**

County Administration Discussion

**MOTION BY COMMISSIONER TIM LOVATO TO ADVERTISE THE THREE FINALISTS TO MEET THE 14 – DAY REQUIREMENT**

**SECOND BY COMMISSIONER JASON ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

1. BOBBY WOELZ
2. WENDI MAEZ
3. TINA WILSON

Seeing no further business, Commissioner Ken Anderson adjourns the meeting at 4:44 P.M.



**RESPECTFULLY SUBMITTED:**

A handwritten signature in cursive script, appearing to read "D White", written in black ink.

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

DATE MINUTES APPROVED: December 10, 2019



**KEN ANDERSON, COMMISSIONER,  
BOARD CHAIR**



**JASON ANDERSON, COMMISSIONER**



**TIM LOVATO, COMMISSIONER**



**ATTEST  
TRISH GILBERT  
CLERK & RECORDER**