

SAGUACHE COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION MEETING
TUESDAY, January 21, 2020

MINUTES

CALL TO ORDER:

The Meeting was called to order by Board Chair, Jason Anderson, at 9:00 A.M., with the
Following members present:

Jason Anderson, Commissioner, Board Chair
Ken Anderson, Commissioner
Tim Lovato, Commissioner
Wendi Maez, County Administrator
Ben Gibbons, County Attorney
Dominique White for Trish Gilbert, Clerk to the Board

PLEDGE OF ALLEGIANCE:

Board Chair, Jason Anderson, invited those in attendance to join in reciting the Pledge of
Allegiance.

Additions/Deletions to the Agenda:

1. Lynette Grant will not be in attendance today.
2. Commissioner Tim Lovato requested an Executive Session for Legal Counsel.

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

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

Reading and Approval of Minutes:

**MOTION BY COMMISSIONER KEN ANDERSON TO ACCEPT THE MINUTES OF
THE JANUARY 7, 2020, 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: 01/21/2020

- 1. Adams State University** sent the 2019 winter "A Stater" Magazine. (Received January 10, 2020)
- 2. Upper Arkansas Water Conservancy District** sent an agenda for January 9, 2020 at 1:00 P.M. located at 339 E. Highway 50 Salida, Colorado 81201. (Received January 8, 2020)
- 3. Colorado River District** sent a schedule of seminars and conferences for the year 2020. (Received January 10, 2020)

4. **Upper Arkansas Water Conservancy District** sent minutes from the Board of Directors meeting held on October 10, 2019. (Received January 8, 2020)
5. **Upper Arkansas Water Conservancy District** sent minutes from the Water Activity Enterprise Committee dated October 10, 2019. (Received January 8, 2020)
6. **The United States Department of the Interior** sent a letter stating the Bureau of Land Management, Gunnison Field Office is announcing the availability of the Final Environmental Impact Statement for the Domestic Sheep Grazing Permit Renewals beginning January 3, 2020. (Received January 16, 2020)
7. **Rio Grande Water Conservation District** sent the 2020 Groundwater Table Measurements Report. (Received January 16, 2020)
8. **Colorado State University Extension** sent a schedule for their 38th Annual Southern Rocky Mountain Agriculture Conference & Trade Show taking place on Tuesday, February 4, 2020, Wednesday, February 5, 2020 and Thursday, February 6, 2020 at Ski Hi Park in Monte Vista, CO. (Received January 16, 2020)
9. **Colorado Workforce Development Council** sent an email with a newsletter attached. (Received January 17, 2020)

Introduction of Guests:

Sandia Belgrade
Tony Jennings
Robert Tafoya
Shawn Quick
Francisco Silva
Patricia Reigel
Brian Morgan
Whitney Justice
Teresa Benns
Sarah Koehn Frye
Jason Irwin

Public Comment:

Shawn Quick provided the commissioners with packets. Quick stated the purpose for the annexation meeting tonight in Moffat is to provide input from the County. There was an executive session meeting last night which was done illegal according to sunshine rules.

Francisco Silva stated the board knows his feelings about the Potch, LLC. The Town of Moffat is doing stuff to side step the law and county regulations.

Robert Tafoya stated he was there when the Town of Moffat first shared the proposal. Tafoya shared his concerns to the Town of Moffat. Tafoya stated the Town of Moffat has done violations on his property. Commissioner Jason Anderson read the letter that was drafted for CDOT in regards to Highway 17.

COMMISSIONER REPORTS:

Jason Anderson:

1/10 – Attended the meeting of the Saguache County Democratic Party.

1/14 – Attended the Work Session of the Saguache County BOCC, items included Public Housing (as the Housing board), Commissioners to-do list for 2020 and policy review and adjustment.

1/15 – Spoke with Burt Wadman from the Eastern San Luis Valley Trails Coalition seeking a letter of support for a Multi-Modal Grant.

Spoke with Kevin Fleewell, Director of the Baca Grande POA about a joint presentation on February 20th.

1/16 – Was contacted by Daniel Wheeler of Saguache County Search and Rescue with an article about the crisis of lack of Search and Rescue personnel in relation to emergency calls.

1/17 – Attended via phone the CCI Legislative Conference Call, topics included: county authority on plastics, substance abuse treatment in jails and an update on CDPHE landfill legislation.

1/20 – Held office hours in Crestone.

Spoke with Melissa Garcia, SLV director for the BLM concerning illegal camping on BLM land above the Town of Crestone.

Tim Lovato:

1/17 – Attended the Sub District 5 Meeting at the Road and Bridge, where several options were presented on how the district was going to replace their depletions.

1/9 – Drove several County Roads due to complaints on the snow pack that was left on the road causing slick conditions as well as the intersections that need sand.

1/12 – Attended the Museum Board Meeting in Saguache, discussion on the security system that is outdated and they are having issues with, topics for the parade theme was also discussed

1/13 – Met with Peggy Godfrey and worked on the information from well data and created several graphs showing the depletions from the pumping north of the Closed Basin Project.

1/14 – Attended the Work Session updating the Employee Handbook and recommendations from Housing Director Evan Samora.

1/15 – Spoke with Lynette Grant, Public Health Director on concerns I had with the budget and questions I had with Public Health and Policies.

1/16 – Spoke with several constituents on the proposal from the Town of Moffat and listened to their concerns.

Ken Anderson:

1/10 – Attended the Democratic Party Central Committee Meeting at Road and Bridge. We discussed the upcoming election.

1/13 – Wendi Maez and I attended the SRTS Meeting in Center.

1/14 – Attended the Commissioners Work Session, we reviewed and made changes to some policies.

1/16 – Went to Senior Citizens in Alamosa. There is always concern about money. It was misprinted on paper, instead of \$20,000 it was \$2,000.

Received a call from Carla Shriver about the Ski Hi Park renovation. They are asking for some more money. They want to tear down the building that was put up for the 4-H kids.

Received a call about a DSS employee.

Drove a couple of roads and they are in good condition.

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 KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Returned from Executive Session at 10:05 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 KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Warsh presented the report the state sends for expenditures on behalf of the programs. Warsh stated there are a couple of interims and one new employee that will start in February.

Wendi Maez will be scheduling to meet with all DSS staff on February 19th.

MOTION BY COMMISSIONER KEN ANDERSON TO COME OUT OF THE BOARD OF SOCIAL SERVICES

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

WENDI MAEZ, COUNTY ADMINISTRATOR, Report Attached

1. Review the letter for signature regarding CDOT reduction of speed in the Town of Moffat, Town of Sargents and Town of Saguache.
2. Update concerning the Saguache Clinic has been scheduled for Tuesday, January 28, 2020 at 9:30 A.M.
3. The first BOCC/ Department Head/ Elected Official quarterly luncheon has been scheduled for Tuesday, January 28, 2020 from 11 A.M. to 2 P.M. at the Road and Bridge Meeting Room.
4. Hinkle and Company were here the week of January 6th to work on the 2019 audit. I have spoken with Chris Parker and he has confirmed the Saguache County 2019 Audit will be completed for review by June 30, 2020. They will be here the first week in June to complete the audit will all departments.
5. SLV Eastern Trails Coalition/ SLVGO are requesting a letter of support for a grant from Colorado Multi Moto funds for additional funding to help with the SRTS grant in the Crestone/ Baca area.

MOTION BY COMMISSIONER TIM LOVATO TO SIGN THE LETTER OF SUPPORT FOR THE SLV TRAILS COALITION

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

6. Tristram Post with USFS has been informed of the change in Public Land discussion day and time with Commissioners.
7. The Employee Policy is being worked on; the commissioners will have it on February 11th for the board to review and forward to EO/DH for their review.
8. Board policy changes corrections are being worked on.

9. The camera in the commissioner's room has been replaced and is in working order. The camera in the admin and land use office has been freezing, that is being worked on by WSB.
10. The Clerk and Recorder's Office will be in during Administration time to request to request security lighting be installed in the basement by the ADA doors.

Jane Whitten, for Trish Gilbert requested security lighting be installed downstairs by the ADA doors. The Board agreed to direct Pete to install lighting downstairs.

11. When the Commissioners have completed installation for the new desks, Maez would like to request the possibility of installing a new carpet and a few new electrical outlets in the room.

DEPARTMENT HEAD REPORTS:

EVAN SAMORA, DIRECTOR, HOUSING AUTHORITY, Report Attached

**MOTION BY COMMISSIONER TIM LOVATO TO GO INTO THE BOARD OF HOUSING
SECOND BY COMMISSIONER KEN ANDERSON**

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

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

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

RANDAL ARREDONDO, SUPERVISOR, ROAD AND BRIDGE

Arredondo presented the yearly report for road updates.

Arredondo received a letter from Nikita, Manager of San Luis Valley Conservation District, stating she had applied for and received a grant for noxious weed control in the amount of \$10,626.00.

The school has asked to take debris to the landfill.

The board was told the school was going to take debris to the Regional Landfill. The landfill isn't equipped to take large projects, like the school.

DAN WARWICK, SHERIFF

Warwick is currently trying to get things caught up with year-end stuff, it has eased up because of the cold, but it is still very busy. Warwick is still working on the inventory.

Commissioner Jason Anderson stated that folks are really positive with the two officers that are in Crestone. Anderson also asked if he can put the desks together at the office in Crestone.

Returned from break at 11:16 A.M.

AMBER WILSON, INTERIM LAND USE ADMINISTRATOR, Report Attached

1. Planning Commissioner/ Master Plan Survey

The Land Use office has been busy folding, taping, labeling and putting on postage for 3,896 surveys that the Planning Commission created. This will allow them to get updated information for the Saguache County Master Plan. The deadline to get the surveys back to our office is February 28th. I will create a spreadsheet to input the information for every question, before we start receiving the surveys.

2. Marijuana Money

Attached reports showing excise tax money breakdown by who has paid and by month as well as all application fees for marijuana.

3. Planning Commission Board Packets/ Agendas

The Land Use office has gotten packets out for the Saguache County Planning Commission for their meeting on January 30, 2020. We have sent out agendas for the Crestone/ Baca Planning Commission Work Session for January 27, 2020.

4. Applications

The Land Use office has received six Consolidation Requests and one Subdivision Exemption Request in the last week. We have got their certified mailing out and files are ready.

Wilson also got Alejandro Heredia; Code Enforcement officer signed up for septic inspector training.

Returned from break at 11:30 A.M.

Town of Moffat, Impact Report

Mayor Patricia Reigel stated the Town of Moffat is requesting Annexation 3 approval to go through. They have received from 'all' attorneys that there are no grounds for the annexation not to proceed.

Commissioner Tim Lovato stated that last time the Town was here the Board agreed to not give any right of way of County Road 59 and "I for one am still abiding by that." On the proposal for number 3 there were multiple metes and bounds on the back, is that the method you want the annexation of, and without the flagpole the town will not have the 1/2 contiguous to the property?

Commissioner Jason Anderson stated that as far as he knows the County can choose to give up its road or not.

Without the "flagpole" the annexation cannot proceed. The Town asked the county to withdraw its objection to the relinquishment of the county road.

Commissioner Tim Lovato asked if it would be beneficial to the town and the impact that it would cause to surrounding neighbors of annexing that 320 acres. Tim stated he doesn't see much benefit for the residents as far as housing.

Reigel answered by stating that it is being planned in the annexation and cannot be done until the annexation is approved.

Commissioner Jason asked if the Town is saying the County does not have the legal right to keep its own road.

Mayor Patricia Reigel stated that according to her attorneys, the county does not have the legal right to keep its own road.

Commissioner Jason Anderson replied by saying this has nothing to do with the Town of Moffat, but the County does not give up its roads. This is a road that a school bus drives on and it would be setting a very difficult prescience.

Attorney Ben Gibbons stated the county has the right to appeal the town's action. The County has to wait to see what happens with the annexation to see if any action needs to be taken.

Commissioner Ken Anderson asked if there has been any thought put into the health and safety of the town. There has already been one bad accident, it can happen again.

Commissioner Jason Anderson stated he wishes the Town's legal counsel was present, so we can see what legal ground they sight for the idea the county can be overridden on the use of their own road.

Commissioner Tim Lovato stated that in 2017, Saguache County went through and re-did the regulations. The County held hearings and listened to constituents, their concerns were with the entire commercial and medical grows coming in. On parcel #2, the 5-acre tract is a subdivision. There is a regulation that the County does not allow commercial or medical operations in a subdivision.

Michael Biggio, a resident stated the Town has put an ordinance as of January 1st, for no greenhouse lighting at night. He stated they are planning ahead beyond cannabis to provide housing and new business in the town.

Attorney Ben Gibbons stated there has been no communication from any of the town's attorneys for any negotiations

Commissioner Tim Lovato stated that he has not seen an impact study for the water that will be used for the 320 acres. There is only a study for a well that was done in 2018.

Whitney Justice stated that for the western portion it will be solar so it won't be a high-water usage. The well that is there is sufficient to service the eastern portion so at this time the town is not proposing any further connection to the Town of Moffat water. The annexation will bring housing, a Laundromat and eventually more population to the town.

Justice shared the Town of Moffat has hired an additional attorney that specializes in annexations. She stated this is now an issue of the law and should be handled by the attorneys.

Returned from lunch at 1:00 P.M.

Sarah Koehn Frye – Northern Saguache County Library District, Yearly Update

In 2019, the libraries of the Northern Saguache County welcomed 26,444 visitors to the libraries, and hosted over 100 meetings in the libraries. There were 4,148 computer uses on in-house desktop computers. The libraries have been approved for nearly \$23,000 in grants, and provided an average of 4 kids programs per week. The Town of Crestone donated 2 acres of their land in the Town of Crestone for the purpose of a new library. They are just currently having issues agreeing on a location. Nearly all of the projects and programs we offer would be impossible without the additional grant funding. We thank the county commissioners for their continued support of our libraries.

MOTION BY COMMISSIONER KEN ANDERSON TO SEND THE LETTERS TO CDOT FOR HIGHWAY 17 FOR MOFFAT AND HIGHWAY 50 FOR SARGENTS, AND HIGHWAY 285 THROUGH SAGUACHE

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Seeing no further business, Commissioner Jason Anderson adjourns the meeting at 1:24 P.M.

RESPECTFULLY SUBMITTED:

D Whit

DOMINIQUE WHITE FOR
TRISH GILBERT, CLERK & RECORDER

DATE MINUTES APPROVED: February 4, 2020

Jason Anderson
JASON ANDERSON, COMMISSIONER,
BOARD CHAIR

Ken Anderson
KEN ANDERSON, COMMISSIONER

Tim Lovato
TIM LOVATO, COMMISSIONER



Trish Gilbert

ATTEST
TRISH GILBERT
CLERK & RECORDER

