

**SAGUACHE COUNTY BOARD OF COMMISSIONERS**  
**REGULAR SESSION MEETING**  
**TUESDAY, APRIL 7, 2020**

**MINUTES**

**CALL TO ORDER:**

The Meeting was called to order by Board Chair, Jason Anderson, at 9:02 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

**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. Ben Gibbon requested an Executive Session for Legal Counsel.
2. Tim Lovato requested an Executive Session for Personnel.

**MOTION BY COMMISSIONER KEN 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 TIM LOVATO TO ACCEPT THE MINUTES OF THE MARCH 24, 2020 REGULAR SESSION MEETING AS AMENDED**

**SECOND BY COMMISSIONER KEN ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**Review of Mail and Other Correspondence: 04/07/2020**

1. **San Luis Valley Health** sent a letter stating that they cannot test requested employees for COVID-19 due to limited supplies. (Received March 23, 2020)
2. **Pike National Historic Trail Association** sent a Newsletter for January March 2020. (Received April, 2020)
3. **Daniel S. Johnson** sent the March 2020 Saguache County Fire Mitigation Report. (Received April, 1 2020)

4. **La Puente** sent a newsletter for Spring 2020. (Received April 1, 2020)

**MOTION BY COMMISSIONER TIM LOVATO TO AMEND THE AGENDA TO ALLOW FOR PUBLIC COMMENT**

**SECOND BY COMMISSIONER KEN ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

Public Comment:

Lisa Cyriacks thanked the Commissioner's for setting things up so people are able to access the meeting through COVID19.

Teresa Benns also thanked the Commissioners.

**COMMISSIONER REPORTS:**

**Jason Anderson**

Sat in on two DOLA Conference calls. DOLA has established a recovery site to talk about the opportunities that businesses are going to have to recover. The Census in Colorado is running at about 44%. OEDIT loans are being opened for established businesses and on April 10<sup>th</sup>, independent businesses can apply.

Received a call about people illegally camping in the Baca area.

Getting supplies throughout the nation has become a bidding process. Register what you need as a County, though the emergency coordinator, because, if the state does successfully acquire these things, there need to be a record of who needs it.

**Tim Lovato**

**3/25** – Spoke with and received updates from Emergency Manager, Bobby Woelz in regards to the Corona Virus and information on HIPPA.

Spoke with Ben Gibbons on concerns constituents had with the Town of Moffat Annexation.

**3/26** – Spoke with Evan Samora, Saguache County Housing on the impact the order from the Governor's office might have on his department. Mr. Samora has ordered supplies in case of impact to him and housing.

**4/1** – Received a call from a resident about the amount of toilet paper and human waste that was left on the side of County Road U and Highway 285. They are requesting the Road and Bridge Department remove the rest of the willows on the south side County Road U so people will not be shielded from traffic, not only is it a health hazard but they are tired of cleaning the mess up.

**4/2** – Was questioned about the number of cases in the Lazy KV and what the County was going to do to ensure they were quarantined and not going to propose a threat to the rest of the County. I contacted Lynette Grant and asked what Public Health will do to ensure that positive cases are abiding by Public Health Orders. I was told public health is following up and calling on a daily basis.

**4/6** – Contacted by Evan Samora from Saguache County Housing about the restrictions that are put in place at the housing complex, he recommended residents use face masks when using the laundry room and Samora also made a schedule for residents to minimize the exposure and number using the facility at a time.

**Ken Anderson**

A lot of meetings have been canceled due to everything going on.

The meal side of senior citizen has been closed and they are just doing deliveries at this time, but the driver retired and they are looking for another one. There have been some requests for grab and go meals. Saguache County will receive \$35,860.00 for the improvement of Highway 285.

SRS has been postponed until May 4th. The Seniors also Thanked the Commissioners for the Sales Tax Grant they received.

Drove multiple roads, they are doing work on County Road 41G.

4/30 – Went to Road and Bridge and did interviews for the shop foreman. There were four interviewees.

### **Returned from break**

LINDA WARSH, DIRECTOR OF SOCIAL SERVICES

Warsh presented the report from February that shows all of the expenditures that the state has made on behalf of the clients.

Warsh stated her employees are working staggered schedules and the ones that work in Center stay in Center and the ones who are in Saguache stay in Saguache. They are continuing with the Commodities program and are not required to have signatures. Volunteers are also delivering to the more vulnerable, older people.

Warsh presented an MOU for the IOG.

**MOTION BY COMMISSIONER KEN ANDERSON TO ENTER INTO THE MANAGEMENT MOU FOR SFY 2020 AND 2021**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

Commissioner Lovato asked Warsh how the funds are holding up during this time. Warsh stated she has applied for multiple grants.

**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 KEN ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

### **Returned from Executive Session**

**MOTION BY COMMISSIONER TIM LOVATO TO AMEND THE AGENDA AND ADD AN EXECUTIVE SESSION FOR PERSONNEL WITH THE ROAD AND BRIDGE SUPERVISOR**

**SECOND BY COMMISSIONER KEN ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

LYNETTE GRANT, PUBLIC HEALTH DIRECTOR

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

**SECOND BY COMMISSIONER KEN ADNERSON**

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

**VOTES AGAINST: 0**

Saguache County Public Health is working with other local public health's to make sure the correct messaging is being provided. They are moving away from focusing on the number of tests because there are not enough supplies, and the true number aren't really there. Twelve Saguache County residents have been tested. There is a survey that was made to try to get a more accurate number of cases. There is a marijuana grow that has had people sick, public health followed up because of complaints. Employees stated they are not following social distance orders.

**MOTION BY COMMISSIONER TIM LOVATO TO GO INTO EXECUTIVE SESSION FOR  
LEGAL COUNCIL 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**

**MOTION BY COMMISSIONER TIM LOVATO TO COME OUT OF THE BOARD OF HEALTH  
SECOND BY COMMISSIONER KEN ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

AMBER WILSON, INTERIM LAND USE ADMINISTRATOR, Report Attached

1. Teajuana, LTD / Cynthia E. Hansen – Conditional Use Modification Request – 34093 Highway 285 – Villa Grove, Block 1, Lot 6

Teajuana, LTD has currently approved for THC infused products. They have been up and running since March 29, 2017.

They are now requesting to add CBD infused products to their business and split the building into two separate facilities. Both facilities will be completely separate with one side of the building being strictly THC infused products and the other side will be strictly CBD infused products. There will be a door inside the building that can access either facility that will have cameras on the THC side. They will be packaging each of the products on their own sides and will be separate businesses.

They had one letter of support that was received.

The Planning Commission recommended unanimous approval as presented at their February 27, 2020 meeting.

**MOTION BY COMMISSIONER TIM LOVATO TO POSTPONE A DECISION ON THIS  
APPLICATION UNTIL THE BOARD HAS A SECONDARY EMERGENCY DOOR TO  
SEPARATE EACH BUSINESS AND CLOSING THE DOOR CONNECTING THE TWO  
BUSINESSES**

**SECOND BY COMMISSIONER KEN ANDERSON**

**COMMISSIONER TIM LOVATO RESEND HIS MOTION**

**MOTION BY COMMISSIONER TIM LOVATO TO POSTPONE DECISION UNTIL THE APRIL 21<sup>ST</sup> MEETING AND A SITE VISIT IS COMPLETED ON APRIL 14, 2020**

**SECOND BY COMMISSIONER KEN ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

2. Dayold, LLC / Huckleberry Farms, LLC – Variance request – To Achieve the Reclamation Bond – 8833 Co. Rd. 59 – NW1/4NE1/4, NE1/4NE1/4 24-42-9

Dayold, LLC / Huckleberry Farms, LLC was currently approved by the County for a Retail Marijuana Cultivation but has not been able to achieve a Reclamation Bond due to it being for Marijuana and the amount we have required for the bond. They are requesting a reduction of the bond amount.

**MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE VARIANCE FOR DAYOLD LLC/ HUCKLEBERRY FARMS LLC FOR A RECLAMATION BOND REDUCTION IN THE AMOUNT OF \$10,000**

**SECOND BY COMMISSIONER KEN ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

3. Brenda Kasani, Lot Consolidation Request - Baca Grande, Chalet Unit Two, Lots 4274 and 4275C, that will be known as lot 4274CR, if approved.

Crestone/Baca Planning Commission recommended unanimous approval of this request during their regular meeting on February 24, 2020.

**MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE LOT CONSOLIDATION FOR BRENDA KASANI BACA GRANDE CHALET II LOTS 4274 AND 4275C TO BE NOW KNOWN AS LOT 4274C**

**SECOND BY COMMISSIONER KEN ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

3. Land Use Clerk Position discussion

The Land Use Office has been very busy within these last four months and it is only getting busier. It has been hectic with everything our office does with only two of us in here and usually it is a 3-and-a-half-person office (3 full time people and 1 part time person).

I would like to ask and recommend that you allow me to advertise a position for a Land Use Clerk. It is well within the Land Use budget to allow this.

The Board agreed that with the current COVID situation, it's not the right time.

4. Zoom Meetings with the Planning Commissions or Moratorium on Applications

We have been brainstorming about possibly allowing the Land Use Office to still have Planning Commission meetings using "Zoom." It will allow our office to still do County business and not have to postpone any applications until our social distancing is no longer an issue. I have reached out to our Planning Commission members and some have replied back stating they would be willing to do this as they have been already using it with other organizations. Some have said they have never used it but would

be open to using it with some guidance. I think this is a great way to achieve our goals with this minor setback my office has with our applications and meetings within our office.

Our other option is to put a moratorium on all applications that require public hearings. We currently have 10 applications that have been postponed for the March meeting, 3 applications for the April meeting, 0 applications for the May meeting and 1 already in June. With Crestone/Baca Planning Commission we currently have 3 applications in March that were postponed, and we have 2 applications in April.

**MOTION BY COMMISSIONER TIM LOVATO TO PUT A MORATORIUM ON ALL LAND USE APPLICATIONS AND TO SUSPEND ALL PLANNING COMMISSION MEETINGS UNTIL AFTER MAY 1, 2020**

**SECOND BY KEN ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**MOTION BY COMMISSIONER JASON ANDERSON THAT THE COUNTY OFFER THE OPTION TO WITHDRAW ANY PENDING CONDITIONAL USE REQUESTS WITH FULL REFUND UNTIL THE END OF THE MORATORIUM**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**DAN WARWICK, COUNTY SHERIFF**

Warwick asked the commissioners if there is paperwork that needs to be filled out for hazard pay for his department.

**WENDI MAEZ, COUNTY ADMINISTRATOR, Report Attached**

1. Tourism Council appointment discussion. I have been in contact with the chairperson of the Tourism Council and I would like to relay her comments concerning the requested appointment to the Tourism Council. We have not received any requests to be appointed to the Tourism Council other than Kairina Danforth.
2. The Tourism Council applied for and received for three level II multi-port EVSE (car charging stations) in the amount of \$27,000 or 80% of the project cost, whichever is lower. The Colorado Energy Office is requesting formal acceptance of the award. The project will need to be completed by June 30<sup>th</sup>. It is being discussed to extend the June 30<sup>th</sup> date to a later date due to COVID19. From discussion there are companies that will be chosen to install the stations. The Board agreed to postpone this, as it is not essential.
3. Youth and Senior Sales Tax Grant request from HEART of Saguache/KV has requested a reallocation of their Cinco De Mayo approved grant due to the Cinco De Mayo celebration being canceled for this year. They are asking for the \$4,000 approved to be changed to be used toward COVID-19 relief to purchase food and necessary supplies to give out to the communities of Saguache and Lazy KV Estates.

**MOTION BY COMMISSIONER TIM LOVATO TO ALLOW HEART OF SAGUACHE/ KV  
REALLOCATE THEIR MONEY IN THE AMOUNT OF \$4,000 TO BE USED TO PURCHASE  
FOOD AND SUPPLIES TO GIVE OUT TO THE COMMUNITIES**

**SECOND BY COMMISSIONER KEN ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**RANDALL ARREDONDO, ROAD & BRIDGE SUPERVISOR**

**MOTION BY COMMISSIONER TIM LOVATO TO ENTER INTO THE IGA WITH GUNNISON  
COUNTY FOR THE WEED MANAGEMENT PROGRAM**

**SECOND BY COMMISSIONER KEN ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**MOTION BY COMMISSIONER TO GO INTO EXECUTIVE SESSION FOR PERSONNEL PER  
C.R.S. 24-6-402(4)(f)(I) FOR ROAD AND BRIDGE AND ADMINISTRATION, AND AFTER  
EXECUTIVE SESSION WE WILL ADJOURN THE MEETING**

**SECOND BY COMMISSIONER KEN ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

Seeing no further business, Commissioner Jason Anderson adjourns the meeting at 2:00 P.M.

RESPECTFULLY SUBMITTED:

*DWhite*

DOMINIQUE WHITE FOR  
TRISH GILBERT, CLERK & RECORDER

DATE MINUTES APPROVED: APRIL 21, 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