

SAGUACHE COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION MEETING
TUESDAY, MAY 5, 2020

MINUTES

CALL TO ORDER:

The Meeting was called to order by Board Chair, Jason Anderson, at 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. Commissioner 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 APRIL 21, 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: 05/05/2020

1. **Upper Gunnison River Water Conservancy District** sent an agenda for their April 27, 2020 Board of Directors Meeting taking place on Monday at 6:00 PM at 210 West Spencer Avenue, Suite B, Gunnison CO 81230. (Received April 22, 2020)
2. **Rio Grande Water Conservation District** sent the 2020 Ground Water Table Measurements. (Received April 22, 2020)
3. **Kathy & Bill Strathearn** sent a letter regarding an invitation to the Fire Wise team members to come by and advise them on fire prevention measures on their property. (Received April 27, 2020)

4. **San Luis Valley Area Extension** sent an email with the SLV Extension First Quarter 2020 Report Attached. (Received April 30, 2020)
5. **Xcel Energy** sent an email regarding the steps they are taking during the COVID-19 pandemic. (Received May, 1 2020)
6. **Father Donald P Marlin, Dean of the Alamosa Deanery and Pastor of the San Juan Catholic Church Communities** sent an email asking that Saguache County consider making specific plans for houses of worship to open within the Valley. (Received May 3, 2020)

Public Comment:

Donnie Bautista with the Sand Dunes Recreation was wondering if there has been any consideration with opening the Hot Springs in Saguache County. Donnie stated they have submitted a plan to their health officials and they liked the plan, and are ready to fire on all cylinders. He believes he can keep his public safe while opening up the hot springs.

Commissioner Jason Anderson stated all the Counties in the valley had a meeting and it looks like each county is on their own. One thing that is concerning us is that up to this point the Governor and Health want to see is that we have adequate hospitals and testing. Saguache County will not have adequate hospital or testing. The Board agreed to discuss it today and see where they get with it.

Donnie stated he would love for the board to discuss it. They have been open for 25 years and have kept the public safe and are just asking for the opportunity to prove that they can continue to operate in a safe manner.

Lisa Cyriack stated she received a notice that there is a response from Moffat on the area 420 and was wondering if the board was going to discuss that today.

Ben Gibbons stated it's a response and it is in the courts jurisdiction to decide what they are going to do. We have no further action to take at the moment.

COMMISSIONER REPORTS:

Jason Anderson

4/ 24 – Attended via Zoom the CCI Southern District Meeting. The topic of discussion is the COVID number and timelines for state regulation.

Received a HUTF Report, the estimates are not what they actually are going to be.

4/28 – Attended the Commissioner Work Session to review the budget. Where we're really going to see it will be next year.

4/29 – Had a Zoom Meeting with Senator Gardner. They are trying to find out if there is any more relief coming.

4/28 – Spoke with the Colorado Secretary of State's Office to confirm a zoom meeting with the commissioners. That Meeting is on Thursday May 7, 2020, at 11:15 AM.

4/29 – Attended via zoom, the weekly DOLA check in meeting with the state epidemiologist, who seems to feel very cautious about the opening of the state. Their concern is that we bounce back up. They also spoke about the chances of there being a spike again in the fall.

5/1 – Attended via zoom the Valley wide Commissioners Meeting. The topic of discussion was the valley local governments questioning if they wanted to take action towards a variance.

5/1 – Spoke with Kevin Flewell, Director of Baca Grande POA, he is looking at starting to adapt some regulations.

Also spoke about the push for better law enforcement in the Baca.

5/2 – Received a Thank You note from the Baca Resiliency Group for the Sales Tax Grant, for their energy project.

Spoke with Commissioner Lawrence Pacheco of Costilla County, he was concerned that there was an idea that just because they want more restrictions that they don't support counties choosing what they want. Spoke with Melissa Evans from Tomichi Trading Post, she felt like she wasn't getting a good response from the county and being kept up to date.

Tim Lovato

4/22 – I met with Mr. Jose Chavez; Saguache County recently hired Veterans Service Officer. Mr. Chavez has a military background and his hours are from 8 A.M. to 3 P.M. Tuesday thru Thursday.

4/23 – Met with administration and signed the letter for Senator Gardner, Senator Bennett and Representative Tipton. I spoke with Kent at Highland Cabinets and asked them if they have seen the ad in the Valley Courier from Saguache County requesting bids for the Commissioner's Desks. He had not and I asked him if he was interested; to submit a bid, and it would need to be in by Friday May 1st.

4/24 – I signed the resolution for the moratorium on applications for Land Use.

I attended the SLV COVID-19 Meeting by phone. I received several phone calls from business owners inquiring when Saguache County will be lifting part of the Stay at Home Order. I told them that some businesses will be able to open with best practices. I also spoke with the Public Health Director for clarity on the Safer at Home Order.

4/27 – I attended the SLV COVID-19 Meeting update by phone and I drove several roads.

4/28 – I attended the Work Session we discussed the budget and possible shortfalls that economists are predicting due to the shutdowns of businesses.

4/29 – I spoke with Christine Stauder from CBS Accounting on the information that I sent her to get a better number for our Fund Balance that is not obligated. I also received a call from a business owner inquiring when B&B's would be able to open.

4/30 – I attended the SLV COVID-19 Meeting by phone and in the afternoon, I participated in the Court Security Commission Meeting. This Meeting was also held by telephone, the commission members were made aware that around \$150,000 will be cut from the \$300,000 equipment line item in order for the state to try to balance the budget. Personnel budget will not be impacted due to the fact that it is cash funded. Third quarter projections are very disturbing.

5/1 – I attended the SLV Commissioner's Meeting by phone. The topic of the meeting was seeing how many counties would be interested in requesting a variance on the Safer at Home from the Governor. In the morning I attended the SLV COVID Meeting update.

5/4 – I attended the SLV COVID-19 Meeting by phone and after the meeting I visited with Bobby Woelz, Saguache County Emergency Manager.

In the afternoon I attended the Census Meeting update by phone.

Ken Anderson

4/28 – Attended the Work Session. After the meeting there was an emergency landing of a jet on the Mesa that is probably a Korean War Year.

Went to WSB in Alamosa to pick up my laptop.

4/30 – Went to Pueblo to the foundation Meeting at Hudson Ranch. There were six people at the meeting. Found out information about the Conservation Trust for putting land in the trust.

They are going to be doing construction on Highway 50, from now until June.

Received phone calls about meetings going on, one is tomorrow with Senator Bennet.
The SLV is in bad shape right now with drought.
Received calls about opening restaurants.
Otherwise, I've just been staying home.

Returned from break at 10:07 A.M.

LYNETTE GRANT, PUBLIC HEALTH DIRECTOR, Report Attached

Grant stated they have received a letter from Colorado Health Foundation, stating they are giving us \$37,500 to be used for COVID-19 Response.

There are no new cases as of 5/1/2020. Saguache County is following Saguache Counties orders and helping businesses with their soft reopening. Grant is working with Mountain Valley for their graduation ceremony, it will be held on May 16th. All other schools in the county are holding off for now.

Grant has concerns about a variance. Grant can only handle possibly two positives at one time; Grant doesn't want to commit to something she can't handle.

Commissioner Tim Lovato stated he would like to see some kind of variance to get some of the businesses opened up.

Commissioner Jason Anderson stated he is concerned for the counties businesses. People are adapting and private businesses are finding ways to put in safe guards. That kind of adaptation can be used to help us keep our businesses a flow.

Donnie stated that he can feel the pain in everyone's voice, it is a ridiculously trying time and it's hard to make decisions. COVID is never going away, but there has to be an opportunity where we can operate safely. Look at the small businesses that are the heart of this valley, you have entrusted us to put our best food forward to benefit our customers and staff. Give us a chance to show you we can operate safely.

This business has been there for 25 years and I have about one month left and 60 employees that have been laid off, I'm getting scared as a business owner of losing everything I have

Sandia stated the problem is that people are still not wearing masks who are going to spread the virus.

Commissioner Jason Anderson that if the county were to seek some kind of variance, our public health has to be on board 100%.

Grant stated she will consider a variance; she would like to revisit it in two weeks.

The board agreed to schedule a work session to talk about it.

Commissioner Tim Lovato stated he spoke with Gloria yesterday and she feels she can get the CTC program running again using zoom.

The Board agreed to get the program running.

DEPARTMENT HEAD REPORTS:

RANDAL ARREDONDO, ROAD & BRIDGE SUPERVISOR, Report Attached

Arredondo presented the paving schedule for 2020 and the IGA from the Town of Center.

Randy stated they will put down roughly 1 million in paving this year.

MOTION BY COMMISSIONER KEN ANDERSON TO SIGN THE IGA WITH THE TOWN OF CENTER

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

DAN WARWICK, COUNTY SHERIFF

Warwick stated that they are behind. There have been a lot of burglaries in the county, ATV's are being taken.

Warwick spoke with the chief of justice for the 12th Judicial District, some of this is happening because when we were catching people were running them through the system and then kicking them right back out on PR bonds.

Dan is now going to hold them in jail, so his number will be going up.

Commissioner Tim Lovato stated he received a call from an individual about a lot of drug activity and their concern is there is not much coming from the sheriff's office.

Warwick stated that drugs are the hardest thing to work because they are in their own group when dealing. We do know that drugs are coming in and going out but for us to get enough information to get a search warrant is like pulling teeth.

AMBER WILSON, INTERIM LAND USE ADMINISTRATOR, Report Attached

1. Request to Lift the Moratorium

Previously, the Planning Commission was nervous about having a meeting because some members haven't used it, it was possible that it could be hacked and possible conflict with controversy issues. The majority of the members insisted on enacting a moratorium until the COVID-19 situation was better. Since then, Wilson has come up with a plan that the Planning Commission is comfortable with and all but one member is prepared to lift the moratorium.

The plan is to have 6 Planning Commission members, Wilson, Adams, one applicant at a time and one person to have a public comment on any applications they may want to comment on. The other 3 members would appear by Zoom and any member of the public could also join the meeting by Zoom. Rebie Hazard, Jeff Shook and Nick Huffman volunteered to appear by Zoom but any other Planning Commission members could join by Zoom if they felt more comfortable appearing in that manner.

Once it becomes public comment on an application, we would allow any person from the public to comment in person, one at a time. Once they have spoken their comment, they would leave and we would allow the next person to come in and speak, and also allow anyone from the public appearing on Zoom to make their comment.

Everyone would follow all of the COVID-19 guidelines that include staying 6 feet apart, wearing a mask, etc. That includes anyone appearing to make a comment that may be waiting outside.

If the moratorium gets lifted, the Land Use Office would notify all applicants and adjoining property owners from all applications that got previous certified letters for the March, April and May meetings, letting them know that the meeting will take place on May 28th at 1:00 p.m. Wilson will have the agenda and guidelines of what will take place during the meeting and if anything were to change, information will be updated on the County webpage.

MOTION BY COMMISSIONER KEN ANDERSON TO LIFT THE MORATORIUM FOR LAND USE APPLICATIONS

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

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 IN FAVOR: 0**
MOTION CARRIED

Vivia Lawson, Saguache County Tourism – Charging Station Grant Discussion
Lawson stated that Saguache County won the award for the electric charging stations. The grant presumes that each charging station cost \$11,250, the total project is \$33,750 of which 80% is reimbursed. The county contribution for three charging stations would be \$6,750. The stations will become responsible for the charging stations.
Ben Gibbons stated he would like to see an IGA stating that providing the charging stations, we have absolutely no reasonability, the town has to take full responsibility.

MOTION BY COMMISSIONER TIM LOVATO TO APPROPRIATE THE FUNDS IN THE AMOUNT OF \$33,750 FOR 3 CHARGING STATIONS TO BE REIMBURSED 80% FROM THE STATE INTO THE FUND BALANCE, THE BREAKOUT IS AS FOLLOWS: \$6,750 FROM EMERGENCY SALES TAX GRANT AND \$27,000 FROM THE FUND BALANCE, FOR A TOTAL OF \$33,750, WITH THE UNDERSTANDING THAT AN IGA WITH THE THREE MUNIPICAPLITES WOULD BE ENTERED INTO
SECOND BY COMMISSIONER KEN ANDERSON
VOTES IN FAVOR: 3 **VOTES AGAINST: 0**
MOTION CARRIED

EVAN SAMORA, HOUSING DIRECTOR
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 KEN ANDERSON TO GO INTO EXECUTIVE SESSION FOR LEGAL COUNCIL PER C.R.S. 24-4-402(4)(b)
SECOND BY COMMISSIONER JASON ANDERSON
VOTES IN FAVOR: 3 **VOTES AGAINST: 0**
MOTION CARRIED

Returned from lunch at 1:04 P.M.

BEN GIBBONS, COUNTY ATTORNEY
Gibbons stated they did a BAA hearing yesterday on the Abercrombie appeal, but we don't know what is happening with it.
There has been an answer filed for the Town of Moffat, it is now up to the judge.
Land Use Violation and Penalty – Ben has drafted out what the penalties would be. Gibbons asked how the board wants the procedure to go for enforcing the violation.
The board agreed to look it over during a work session.

WENDI MAEZ, COUNTY ADMINISTRATOR, Report Attached

1. Discussion – possible decision concerning Title I funding division. We have received \$1,246,180.68 in Title I funds. The first 50% of the funds which is \$623,090.34 of which \$311,545.17, will be divided to the Saguache County schools and Saguache County Road and Bridge. The school amount is divided to the schools by the number of students in the school. The remaining \$623,090.34 amount is the amount needed for the decision.

Randy Arredondo presented a proposal to the board.

MOTION BY COMMISSIONER KEN ANDERSON TO TAKE THE TITLE I FUNDS AND GIVE IT 100% TO SCHOOLS

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

2. Boardroom desk bids will be given to the commissioners in a sealed envelope. The bid was re-advertised through May 1st at 3PM.

MOTION BY COMMISSIONER KEN ANDERSON TO GO WITH BLUE EARTH BID FOR THE DESKS FOR THE COUNTY COMMISSIONERS

SECOND BY COMMISSIONER JASON ANDERSON

VOTES IN FAVOR: 2

VOTES AGAINST: 0

COMMISSIONER TIM LOVATO ABSTAINED

MOTION CARRIED

3. The work session on May 12th has been confirmed with Christine Stouder with CBS Accounting Services to discuss the fund balances. This will be handled by Zoom.
4. There is an old dental chair in Saguache Clinic that Pete Garcia would like to see if we can find a new home. Would the Board be okay with Pete asking the Saguache Museum if they would like the chair, or does the Board have any ideas for the chair?

The Board suggested putting it for bid.

5. An email letter has been received from Megan Fraser, Colorado Division of Veterans Affairs explaining that Counties are reimbursed \$14,700 per year for part time VSO's and \$29,400 per year for full time VSO's. Would the Board like to increase the VSO to a full-time position at this time?

The Board agreed to ask Mr. Chavez if he would consider working full time.

6. Maez has received a request for Saguache County to apply for a matching DOLA Mini Grant through DRG from Mick Daniel of SLVGO. The amount of the grant is \$11,000 with \$5,000 from the DOLA Mini Grant and \$6,000 as a matching amount. The matching funds would come from SLVGO. The DOLA Mini Grants have to come from a Government agency therefore SLVGO is asking for Saguache County to apply for this grant as fiscal agent for SLVGO. This request will be used to complete the work on the Baca Refuge Trail that began in 2019.

MOTION BY COMMISSIONER TIM LOVATO TO INSTRUCT WENDI TO APPLY FOR THE MATCHING MINI DOLA GRANT WITH DRG FOR THE BACA REFUGE

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3
MOTION CARRIED

VOTES AGAINST: 0

7. Tristram Post with USFS sent an email update which Maez emailed to the Board. The Saguache County RD hopes to open roads the week of May 4th. The free firewood is being extended until March 31st. There are two active sales right now.

8. Gigi Dennis, Alamosa County Administrator has requested a letter of support sent to David Short, Deputy Assistant Secretary for Aviation and International Affairs to support the SLV Regional Airport in their bid on the possibility of having United fly into Alamosa. Maez will forward the email received from Ms. Dennis with all of the details.

The Board agreed to say out of it.

9. On my "to do list" I have the comments on the Forest Revision Plan. Are the comments complete yet?

MOTION BY COMMISSIONER TIM LOVATO TO GO INTO EXECUTIVE SESSION FOR PERSONNEL PER C.R.S 24-6-402(4)(f)(I) AND ADJOURN THE MEETING RIGHT AFTER SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3
MOTION CARRIED

VOTES AGAINST: 0

Seeing no further business, Commissioner Jason Anderson adjourns the meeting at 2:44 P.M.

RESPECTFULLY SUBMITTED:

D. White

DOMINIQUE WHITE FOR
TRISH GILBERT, CLERK & RECORDER

DATE MINUTES APPROVED: May 19, 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

