

SAGUACHE COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION MEETING
TUESDAY, JUNE 2, 2020

MINUTES

CALL TO ORDER:

The Meeting was called to order by Board Chair, Jason Anderson, at 9:06 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.
- 2.

MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE AGENDA AS PRESENTED

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Reading and Approval of Minutes:

MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE MINUTES OF THE MAY 19, 2020 REGULAR SESSION MEETING AS AMENDED

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE MINUTES OF THE MAY 23, 2020 SPECIAL MEETING AS PRESENTED

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Review of Mail and Other Correspondence: 06/02/2020

1. **Tristram Post, with the Rio Grande National Forest** sent an email with the 2020 Land Management Plan. (Received May 15, 2020)
2. **The State of Colorado** sent the 2019 Report on the Health of Colorado's Forests. (Received May 18, 2020)
3. **The Upper Gunnison River Water Conservancy District** sent the agenda for Tuesday, May 26, 2020. (Received May 18, 2020)
4. **The Baca Grande WSD 2020** sent the Drinking Water Quality report covering data for calendar year 2019. (Received May 18, 2020)
5. **The Rio Grande Water Table Measurements** for 2020 were received. (Received May 18, 2020)
6. **Daniel S. Johnson** sent the April 2020 report for Saguache County Fire Mitigation program. (Received May 18, 2020)

Public Comment:

Ralph Abrams asked questions and explained the Opportunity Zone. Saguache County is listed as an Enterprise Zone not as an Opportunity Zone. Abrams requested the commissioners look into becoming an Opportunity Zone. The Opportunity Zone is a federal program but supported by Colorado. It is a tax investment strategy.

Commissioner Ken Anderson stated once they have a DRG Meeting and get more information he will let Abrams know information he has available.

Robert Tafoya asked the Commissioners if they had gotten a response from CDOT about Highway 17. The Board agreed to send CDOT another letter and see if they can give a reply for their requested speed reduction through the Town of Moffat.

COMMISSIONER REPORTS:

Jason Anderson

5/20 – Spoke with Jill Hunsaker Ryan head of CDPHE concerning the unique situation with Saguache County in relation to the Variance Request.

5/21 – Met in Crestone with BLM and Crestone Government to discuss the situation above the town of Crestone concerning long term camping.

5/22 – Attended the DOLA COVID update.

5/26 – Attended the Saguache County Commissioners work session to discuss the COVID outbreak in Center.

5/26 – Spoke with Jill Hunsaker Ryan, head of CDPHE and requested additional help with tracking and testing for the Center outbreak.

5/27 – Attended the CCI legislative hearing to review bills, 12 bills discussed.

5/27 – Attended the Center/Saguache County conference call.

5/29 – Attended the CCI legislative meeting – see agenda attached to the minutes.

6/1 – Spoke with Jill Hunsaker Ryan about Saguache County's variance.

Notified by Ron Garcia that the Breasis property on the south side of County Road T was purchased by the Baca Wildlife Refuge.

6/2 – Spoke with Emmy Savage concerning the Commissioner letter to the Rio Grande Water Conservation Board.

Tim Lovato

5/22 – I attended the Center COVID outreach planning meeting at 1:00 P.M., to help inform the residents in the Town of Center.

5/23 – I attended the special meeting to hire and contract with Mona Lovato, to do contact tracing and help in imputing the information on positive cases.

5/26 – I attended the work session with department heads and listened to their presentation on the salary scale and pay increase. The recommendations from department heads and elected officials for the employees hand book.

5/28 – I met with the county administrator and the staff from the Public Health Department as to the status of the various programs and where the grants stood at this time. During the meeting it was brought to our attention that a couple employees had not received their pay increases for the start of 2020. After the meeting, I delivered some masks to the Center School Superintendent for the children and adults for the summer programs. The cloth masks were donated and the paper masks were given by Saguache County Commissioners. Overall, 500 masks were donated by Saguache County.

5/29 – I attended the SLV Coordination call with area stakeholders on how the messaging can be sent/ given to the residents of Center since there is a language barrier and there is a need for them to better understand about social distancing and stay at home if they have COVID symptoms.

At 3:00 I listened in on a call from the Center area key leaders on how best to get the message out. It appeared to me that certain individuals are reinventing the wheel when locals are working on the messaging.

I received an email from the Center School Superintendent that they had given out 750 masks to the area residents.

5/30 – I spoke with Linda Smith, San Luis Valley Region Public Health Incident Command Person, and shared some ideas on messaging.

6/1 – I participated in a COVID Meeting at 11:00 and another one at 1:00pm, on the outreach planning and update meeting with the Town of Center. I also spoke with Trevor Denny on how the State OEM can help the region in organization, planning and setting up an Incident Command Center.

Ken Anderson

5/21 – Attended a teleconference with the Seniors. The fiscal year will be coming to a close at the end of June, 4745 meals were served and 3,024 were served in Saguache County.

There is a Veteran’s program coming out of Pueblo to serve the veterans.

Zoom meeting and phone conversation with Center being a hot spot.

Missed the Safe Route to School meeting because the internet was down.

6/1 – Work session through zoom for public health and COVID.

Received a couple calls about livestock payments.

Returned from Break at 10:09 A.M.

Mona Lovato & Janet Beiriger, Public Health Report

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

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3
MOTION CARRIED

VOTES AGAINST: 0

Beiriger stated an area in the Baca Grande Subdivision is under a boil water advisory. DSS had a food distribution in the Center park on Thursday night with several people in attendance without mask and were not in cars as needed and were gathering in large groups. 750 masks were given out.

The COVID numbers have increased to 92.

It will take 2-3 weeks to get someone to come down from the State to help with testing and the investigation.

MOTION BY COMMISSIONER JASON ANDERSON TO ADJOURN FROM BOARD OF HEALTH

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

DEPARTMENT HEAD REPORTS:

RANDAL ARREDONDO, ROAD & BRIDGE SUPERVISOR

Presented an agreement from Center Soil Conservation for weed spraying.

Arredondo suggested having them come in and present their agreement to the Board.

Arredondo presented two bids for a small plow truck.

Commissioner Lovato asked Arredondo to have bids submitted to the Administrator in a sealed envelope.

The Board agreed to postpone the decision until the next meeting.

Clayton Bondurant, Division of Wildlife – Road Closure – County Road M-39

Bondurant did not attend the meeting, but the board directed Maez to set a public hearing once an official proposal is received.

BEN GIBBONS, COUNTY ATTORNEY

Gibbons stated he has an opening brief that is due to the Moffat matter on June 9th. After that the town has a time period to file their brief, we will see if the court rules on the briefs or if they will require oral arguments.

Gibbons forwarded two new bills that are being introduced to the Board. One bill is having to do with suspending any privilege or immunity to police officers. The other has to do with price gouging.

WENDI MAEZ, COUNTY ADMINISTRATOR, Report Attached

1. Presentation of Public Health Sales Tax Grant in the amount of \$3000 for COVID 19 expenses.

MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE GRANT REQUEST FOR \$3,000 TO HELP WITH THE TOWN OF CENTER

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 2

VOTES AGAINST: 0

COMMISSIONER TIM LOVATO ABSTAINED

MOTION CARRIED

2. Correction of motion made concerning Title I funds distributed to the county school district.

MOTION BY COMMISSIONER JASON ANDERSON THAT 100% OF SAGUACHE COUNTY TITLE I SHARES OF FEDERAL SRS BE DISTRIBUTED TO THE SCHOOLS OF SAGUACHE COUNTY

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

3. Revenues and expenditure through the month of April 2020 were presented to the Board.

4. Maez has been attending several meetings with valley and state public health directors. Everyone is willing to step in and help with COVID-19.

5. Commissioner Lovato and myself met with the Public Health staff on Thursday, May 28th.

6. Discussion concerning Public Health staff wages and increases. 2 PH employees were not given their 3% and 5% increases Board approval will be needed to retroactive them back to 1/1/2020.

MOTION BY COMMISSIONER TIM LOVATO TO GIVE THE TWO EMPLOYEES THAT WERE EMITTED FROM RECEIVING THEIR INCREASE, ONE 3% AND ONE 5% THERE INCREASE RETROACTIVE TO JANUARY 1, 2020

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

7. Discussion concerning possible increases in salaries for Public Health department employees.

MOTION BY COMMISSIONER KEN ANDERSON TO GIVE A \$4.00 PER HOUR INCREASE TO THE PUBLIC HEALTH EMPLOYEES LESS THE ONE EMPLOYEE, UNTIL A PUBLIC HEALTH DIRECTOR IS HIRED

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

BOBBY WOELZ, OFFICE OF EMERGENCY MANAGEMENT

Woelz presented the board with a proposal for his hours.

Increase to 40 hours per week retroactive to January 2020 and use the remaining 87 hours of overtime to be used as comp time in August.

MOTION BY COMMISSIONER TIM LOVATO TO MOVE THE EMERGENCY MANAGER BOBBY WOELZ TO 40 HOURS PER WEEK RETROACTIVE TO MARCH 1ST, THRU THE REMAINDER OF THE YEAR

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

The Board agreed to look at policies before making a decision regarding the comp time.

EVAN SAMORA, HOUSING DIRECTOR

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 JASON ANDERSON TO GO INTO EXECUTIVE SESSION

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Returned from lunch at 1:01 P.M.

AMBER WILSON, LAND USE INTERIM ADMINISTRATOR, Report Attached

1. GHG, LLC / Academy of the Healing Arts, LLC – Yearly Review – 17505 Co. Rd. 52 – E1/2 Lot 7 2-43-8

- Facility has been up and running with them paying their Excise Tax once again
- Buildings are in the correct location according to the sketch plan
- The square footage of buildings matches the sketch plan
- Site plan is being followed with the current Conditional Use
- Water meters are installed
- Security and DVR Room is installed and up and running.
- Lighting (shading) is installed
- Parking was in the correct location according to the sketch plan.
- Septic has been installed and County approved.
- Does have adequate telephone and internet service

MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE YEARLY REVIEW FOR GHG/ ACADEMY OF HEALING ARTS, LLC

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

2. Ricardo Najera / Blooming Budz, LLC – 60396 Co. Rd. Q – E1/2NW1/4, NE1/4SW1/4 29-43-10
The applicant came to you on November 5, 2019. The Commissioners extended their yearly review to March 15, 2020 with the requirement that there be electricity, a greenhouse and one storage container on the property at that time to show forward progress and avoid termination of the Conditional Use permit. Since then, they haven't gotten any of this completed and they haven't made any progress. I received an email from Blooming Budz, LLC's lawyer, Nadav Aschner, that states it was out of Blooming Budz, LLC's hands and it was the Landlord's responsibility.

Blooming Budz is requesting that the BOCC grant a one-year extension of the Resolution, and to grant the Landlord the opportunity to complete phase one.

This is at the Commissioners digression on how you would like to proceed. This application has been approved since September 17, 2017.

MOTION BY COMMISSIONER TIM LOVATO TO GIVE A SIX-MONTH EXTENSION PROVIDED THAT THEY SHOW SIGNIFICANT PROGRESS SUCH AS 50% WHICH IS ELECTRICITY, TWO GREENHOUSES AND ONE STORAGE CONTAINER

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 2

VOTES AGAINST: 1

e. Baca Grande, Grants, 1527 – Minimum Bid is \$4,000.00

MOTION BY COMMISSIONER KEN ANDERSON TO ACCEPT THE BID FROM RYAN AND AMANDA MALNAR FOR BACA GRANDE GRANTS UNIT ONE LOT 1527 IN THE AMOUNT OF \$4,011.11

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 2:01 P.M.

RESPECTFULLY SUBMITTED:

D White

DOMINIQUE WHITE FOR
TRISH GILBERT, CLERK & RECORDER

DATE MINUTES APPROVED: June 16, 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