

4. **Rio Grande Water Conservation District Board** sent a letter thanking Eric Harmon for taking the concerns of the people of the northern San Luis Valley seriously and his presentation. (Received June 4, 2020)
5. **Upper Arkansas Water Conservancy District** sent an agenda for their May 14, 2020 Enterprise Committee Meeting taking place at 339 E Highway 50, Salida. (Received June 8, 2020)
6. **Colorado River District** sent this month's Colorado River District News Drop. (Received June 8, 2020)
7. **The Colorado River District** sent the water news from the Colorado River District. (Received June 11, 2020)
8. **CTSI** sent the County Technical Services, Inc. 2020 County Salary Survey. (Received June 11, 2020)
9. **Upper Gunnison River Water Conservancy District** sent their Monday, June 22, 2020 Meeting agenda. (Received June 16, 2020)

Introduction of Guests:

Ernest Gonzalez

Public Comment:

Mr. Gonzales stated he came to this county four years ago to grow cannabis.

Gonzalez's concern today is with the Town of Moffat and Potch, LLC. POTCH, LLC is not a licensed developer, it is illegal. There is a big liability not only to the Town of Moffat but also to the constituents, if we allow for another annexation. Gonzalez requested that the county look into this matter of her not being licensed, the county should intervene.

Commissioner Jason Anderson stated that the Board is concerned about anything that effect the county, but in the State of Colorado the boundary between the rights of the county and the rights of the municipality are extremely bright.

Employee Service Pin Presentation

The Board congratulated the following employees for their years of service to the county.

Anita Aguilar – 5 Years

Barbara Martinez – 30 Years

Trish Gilbert – 5 Years.

Commissioner Jason Anderson asked if the board feels like they should allow 11 people to be present. The Board agreed to allow the public to meet the capacity of 11 people.

COMMISSIONER REPORTS:

Jason Anderson:

6/3 – Had a discussion with Tristram Post, of the Forest Service. We continue to have issues with people camping around the Town of Crestone. We will be setting up a second meeting.

6/4 – Spoke with Daniel Johnson, he gave a rundown of what they are doing.

6/8 – Was present on a Zoom meeting with DOLA.

6/9 – Attended the Commissioner Work Session.

6/11 – Attended CCI to give rundowns on Legislation.

6/12 – Attended CCI meeting to vote.

6/12 – Took my kids to the Great Sand Dunes Hot Springs, they have a good system.

6/15 – Did the interviews and site visit.

Was invited to a meeting of the Crestone Guardians. It is a community group that is speaking to people squatting in the Baca and just responding because crime is getting worse.

Tim Lovato:

6/3 – I spoke with Commissioner Jarvis, Board Chair for SLV Commissioners, to be placed on the June 5th agenda with concerns that I had with the additional funds requested by the Regional Incident Command person, Linda Smith. Ms. Smith has a draft request in the amount of \$109,000 to help the region with the COVID Pandemic. The concerns I had are, the SLV Commissioners have not been given a presentation on where the money would come from and how it would be spent. Plus, getting involved in a Public Health Coach for Saguache County, which Saguache County had not been involved in that conversation.

6/5 – I attended the SLV Commissioners Meeting and we had discussion on the request submitted by Linda Smith and the formation of a policy group to help in getting clear accurate information to the valleys County Commissioners on the pandemic cases in the San Luis Valley. After much discussion on the policy proposal a draft MOA will be worked on and presented to the Commissioners. There was not a motion for Ms. Smith's request for additional funding.

6/9 – I attended the work session on the request for salary increases submitted by the elected officials and department heads. The Commissioners worked on the employee handbook as well.

6/10 – I spoke with Mr. Dave Osborn from the Regional Homeland Security about what the structure would look like with the formation of an Emergency Policy Group.

6/11 – I called Mr. Gerald Dahl on what the status was with the review of the 1041 Regs for Saguache County and if he needed any additional information from us. Mr. Dahl called me back in the evening and left a message stating there would be a draft completed and would be given to the commissioners and legal counsel for review by the end of the week.

I spoke with Diane Cole on the concerns she had with the Mineral Hot Springs subdivision.

6/15 – I participated in the interviews for the Land Use Administrator and the Code Enforcement positions. We had quality applicants and we hope to be able to make a decision by the end of June 16th. After the interviews the commissioners did a site visit on the Mammoth Farms requests for additional grow licenses.

Ken Anderson:

Received a call from the Chairman of the Upper Arkansas Round Table, they had a person they would like to put on the roundtable.

Had a zoom meeting for the enforcement.

6/9 – Had the salary scale discussion with the department heads

6/15 - We had interviews for the Land Use Administrator and Code Enforcement Officer.

We did a good tour of Mammoth Farms.

There was an issue with camping that was brought up.

Returned from break at 10:03 A.M.

LINDA WARSH, DIRECTOR OF SOCIAL SERVICES

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

Warsh presented the report that shows what the state has spent on behalf of the clients of Saguache County.

The auditor gave a call, they are ready to finalize everything.

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

DEPARTMENT HEAD REPORTS:

JOSE CHAVEZ, VETERANS SERVICE OFFICER

Chavez reported the month of May he received 86 phone calls, 17 office visits, six home visits, 11 people were contacted through the outreach program, 43 correspondences and responded to 24 of them, filled out four FS180, and a widow's pension.

EVAN SAMORA, HOUSING AUTHORITY DIRECTOR

MOTION BY COMMISSIONER JASON ANDERSON 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

Nikita Christensen with Center Conservation District presented a report and a service agreement between Saguache County and Center Soil Conservation District.

MOTION BY COMMISSIONER KEN ANDERSON TO CONTRACT AS PRESENTED WITH CENTER SOIL CONSERVATION DISTRICT

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Arredondo stated he has hired one new employee, and is hoping to hire one more by the end of the month. They are currently paving.

Sealed Snow Plow bid review

MOTION BY COMMISSIONER TIM LOVATO TO ACCEPT THE BID SUBMITTED BY WESTERN STAR TO PURCHASE THE WESTERN STAR PLOW IN THE AMOUNT OF \$180,362

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Land Use Administrator discussion and possible appointment

MOTION BY COMMISSIONER TIM LOVATO TO OFFER THE POSITION TO AMBER WILSON WHO IS THE INTERIM LAND USE ADMINISTRATOR AT THE AMOUNT OF \$52,000 A YEAR

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

MOTION BY COMMISSIONER TIM LOVATO TO GO INTO EXECUTIVE SESSION FOR CONTRACT NEGOTIATIONS PER C.R.S. 406-6-402(4)(e)(I)

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Returned from Executive Session at 11:37 A.M.

BEN GIBBONS, COUNTY ATTORNEY

Gibbons stated they have filed a brief on the 8th with the district court concerning the annexation with the Town of Moffat. The next step is for their attorney to file a brief.

Regarding the law enforcement bill, there is going to be a lot of interpretation from the courts on the language.

WENDI MAEZ, COUNTY ADMINISTRATOR, Report Attached

1. Decision concerning Robert Woelz, OEM – Exempt/Non-Exempt employee status. Overtime vs comp time carry over.

The board agreed that he would be a nonexempt employee.

2. Katrina Ruggles, Center Schools SRTS Grant funding request for the sidewalk from the south side of Highway 112 to the Center School. A discussion before was had to use some of the Marijuana Excise Tax money for this project but a dollar amount was never decided upon. The entire project amount is \$80,900. Breakout is sidewalk \$32,500, groundwork and prep \$10,000, fencing \$8,000, Lumicrosswalk \$22,400 Lumicrosswalk installation \$8,000. About half of the sidewalk will be installed on the Rio Grande County side and half of the fence will be on their side also. The crosswalk will be over highway 112. The school would like, if possible, to have this project either underway or completed when school begins mid-August.

MOTION BY COMMISSIONER KEN ANDERSON TO HOLD \$25,000 OF THE EXCISE TAX AND PUT INTO THE CENTER SCHOOL SRTS FOR THE NORTH SIDE OF 112 WITH A REQUEST FOR THEM TO CONSIDER CONSTRUCTING A BRIDGE OVER THE WEST/NORTH SIDE OF THE FARMERS UNION CANAL.

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

3. Saguache County Employee Handbook possible approval.

The Board agreed to discuss the Handbook at the next work session.

4. Road Vacation public hearing for County Road M39 is scheduled Tuesday, July 7th at 2pm. A letter has been received from Mr. Bondurant with Colorado Parks and Wildlife requesting the vacation of the last portion of the road.
5. Presentation of a letter to CDOT for signatures concerning review of letters sent to CDOT January 21,2020.
6. CARES ACT funding update – Maez met a second time with Town Managers and we are working on an IGA to present to our boards. We will probably need to have a work session with everyone to get all of the approval and signatures needed because this IGA has to be to DOLA no later than July 7th.

Public Health update

1. Public Health doctor – Doctor Walker will be done working with Saguache County on July 1, 2020.
2. The State of Colorado has made funding available to all of the public health departments in the state. Saguache County's share is \$250,000 (actual figure should be \$299,000). There will be a contract for 30 months and this is a reimbursable grant. Saguache County voted to request an upfront amount (if possible) which will be about \$27,000. I will know more in the near future.
3. There was a report of a possible outbreak in a warehouse in Center but after investigation there was not an outbreak. Mona Lovato, Janet Beiriger, Gloria Quintana and the Chief of Police met with the warehouse officials and a plan is in place to handle positive or asymptomatic employees.
4. The nurse and staff are doing an awesome job keeping the department up to date on testing, contact tracing etc., and keeping everything running as it should!

Returned from Lunch at 1:01 P.M.

AMBER WILSON, LAND USE ADMINISTRATOR, Report Attached

1. **JADA Holdings, LLC – Subdivision Exemption request – 53500 E. Highway 112 – Tract 2, Central Pump Replat, Located in the SE1/4 31-41-9**

They are Subdividing a parent parcel of land containing 150.33 acres and Tract 2A will contain 145.95 and will remain agricultural and tract 2B will contain 4.39 acres that will be residential.

- Present use of property is Residential/Agricultural
- Proposed use of property is Residential/Agricultural
- Physical Address is 53500 E. Highway 112
- Access is off of Highway 112
- Construction Permit # 2008005 for a Modular Home was issued in 2008

- Septic Permit # 1272
- Well Permit # 198577

The Saguache County Planning Commission recommended unanimous approval, as presented, of the request.

**MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE SUBDIVISION EXEMPTION REQUEST FOR JADA HOLDINGS LLC WITH THE UNDERSTANDING THAT THEY HAVE A RIGH OF WAY TO THE EAST OF THEIR PROPERTY
SECOND BY COMMISSIONER TIM LOVATO**

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

2 & 3. Mammoth Land Holdings, LLC / Mammoth Farms, LLC – Conditional Use Modification – Expanding Acreage – 17337 County Road 52 and 50562 County Road U – Lots 3, 4, 5, 8 N1/2SW1/4, N1/2SE1/4 2-43-8, Lots 1, 2, 6 3-43-8

These two requests are for Mammoth Farms, LLC, who have turned in 2 mirrored Modification applications, to expand their acreage for these two grows. Water has been previously approved but does have updated water letters from the Division of Water Resources and has a water backup plan agreement with Kelly Smith. We will need to have separate motions for each Modification. Our office has not received any letters of concern. The Saguache County Planning Commission recommended unanimous approval of the Conditional Use Modification request for 17337 County Road 52, with the conditions that the septic permit application be corrected regarding the residences and to add the missing page from the Division of Water Resources letter.

The Saguache County Planning Commission recommended unanimous approval of the Conditional Use Modification request for 50562 County Road U, with the conditions that the septic permit application be corrected regarding the residences and to add the missing page from the Division of Water Resources letter.

MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE CONDITIONAL USE MODIFICATION FOR MAMMOTH LAND HOLDING LLC/ MAMMOTH FARMS LLC FOR 17337 COUNTY ROAD 52

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

**MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE CONDITIONAL USE MODIFICATION FOR MAMMOTH FARMS LLC FOR 50562 COUNTY ROAD U
SECOND BY COMMISSIONER TIM LOVATO**

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

4, 5 & 6. Mammoth Land Holdings, LLC / Mammoth Farms, LLC – Conditional Use – Recreational Marijuana Cultivation –51202, 50764 and 50768 County Road U – Lots 3, 4, 5, 8, N1/2SW1/4, N1/2SE1/4 2-43-8, Lots 1, 2, 6 3-43-8

These 3 requests are mirrored applications but with different addresses for Mammoth Farms, LLC. They are for new cultivations for each of these addresses. Each cultivation will have their own separate zone. Water has been previously approved but does have updated water letters from the Division of Water Resources and has a water backup plan agreement with Kelly Smith.

- Present use of property is Commercial – Retail Marijuana Cultivation
- Proposed use will be Commercial – Retail Marijuana Cultivation.
- Physical Addresses are 51202, 50764 and 50768 County Road U
- Total amount of acreage to be used is 40 acres
- Water Source are Wells on Property, please see application and back up water source is Kelly Smith
- Transportation Access is County Road U
- Will have 25 or more employees
- Each address is for a Tier 1 Cultivation

These will have to have their own separate motions for each request.

Our Office has not received any letters of concern. The Saguache County Planning Commission recommended unanimous approval of the Conditional Use request for 51202 Co. Rd U, as presented, of the request. The Saguache County Planning Commission recommended unanimous approval of the Conditional Use request for 50764 Co. Rd. U, as presented, of the request. The Saguache County Planning Commission recommended unanimous approval of the Conditional Use request for 50768 Co. Rd. U, as presented, of the request.

MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE 51202 COUNTY ROAD U, MAMMOTH FARMS LLC FOR A RECREATIONAL MARIJUANA CULTIVATION
SECOND BY COMMISSIONER TIM LOVATO
VOTES IN FAVOR: 3 **VOTES AGAINST: 0**
MOTION CARRIED

MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE 50764 COUNTY ROAD U, MAMMOTH FARMS LLC, FOR A RECREATIONAL MARIJUANA CULTIVATION
SECOND BY COMMISSIONER TIM LOVATO
VOTES IN FAVOR: 3 **VOTES AGAINST: 0**
MOTION CARRIED

MOTION BY COMMISSIONER TIM LOVATO TO APPROVE APPLICATION 50768 COUNTY ROAD U FOR MAMMOTH FARMS LLC
SECOND BY COMMISSIONER KEN ANDERSON
VOTES IN FAVOR: 3 **VOTES AGAINST: 0**
MOTION CARRIED

7. David Jackson – Medical Marijuana Variance – 26159 Johnson Ave., Moffat – Lazy KV Estates, Block K, Lot 3

Request is for 24 plants. The applicant turned in the required paperwork.

MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE MEDICAL MARIJUANA VARIANCE FOR DAVID JACKSON FOR 26159 JOHNSON AVE, LAZY KV ESTATES, BLOCK K LOT 3 FOR A TOTAL OF 24 PLANTS

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

8. Michael Hazamy – Medical Marijuana Variance – 37386 Elkhorn Canyon Drive, Del Norte – Ghost Mine Ranch, Lot 19

Request is for 24 plants. The applicant turned in the required paperwork.

MOTION BY COMMISSIONER TIM LOVATO TO APPROVE THE MEDICAL MARIJUANA VARIANCE FOR MICHAEL HAZAMY LOCATED AT 37386 ELKHORN CANYON DRIVE, GHOST MINE RANCH LOT 19 DEL NORTE

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

9. Carrie Southerland – Medical Marijuana Variance – 61695 County Road EE, Moffat, SW1/4SE1/4 9-45-10

Request is for 24 plants. The applicant turned in the required paperwork.

MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE MEDICAL MARIJUANA VARIANCE FOR CARRIE SOUTHERLAND AT 61695 COUNTY ROAD EE, MOFFAT

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

10. Summitt Resources, LLC / OttoCanna, LLC – Yearly Review – 55252 Tava Road, Saguache – SE1/4SW1/4 28-43-9

- The possible new owner of the facility was the individual that met us for the yearly review inspection.
- Facility is not up; no construction has begun. There is a motorhome that has been brought onto the property and looks like it has been there for quite some time with plates that have been expired since 2018. They said it was just brought on to the property but I am skeptical about that. There was also a structure or fenced in area that looked to be 12-foot x 12-foot. We asked to look on the inside of the area and they said they didn't have the keys with them, so we were unable to examine the above mentioned. They said it was storage for their materials and I am also skeptical about that. There was also another RV in the distance on the property that was on the property before the new owners were looking to buy. The motorhome and structure/fenced area was brought on and built by the possible new owner. **They didn't pull any type of Construction permits from the Land Use Office.**
- There are no buildings for the facility to match the sketch plan but the septic system is in the wrong location according to the sketch plan. And technically the motorhome and

- structure/fenced area is currently on their facility location or where their fence may be placed. Their driveway is also in the wrong location according to the sketch plan.
- Septic has been installed and County approved but in the wrong location.
 - There was no water well on the property but the possible new owner stated that they plan to get a domestic well. I told them they wouldn't be able to use that well for the grow and he questioned that he could cultivate 1 acre of crop. I stated he wouldn't be able to use the well for that use and he needed to contact the Division of Water Resources.
 - Also, this application has been approved since June 19, 2018. They planned to start construction by October 2018, pull power to the facility by October/November 2018, greenhouse buildout and parking/gravel drive by October 2018, vegetative buildings built by November 2018, security compliance fencing and recording by December 2018, begin growing by 2019. The only thing they have completed was installing septic.
 - They also came to the Board of County Commissioners with a Variance request on December 18, 2018, to allow them to build a home on the property and not to exceed 2 years. I let them know that that time period will expire on December 18, 2020.

**MOTION BY COMMISSIONER KEN ANDERSON TO REVOKE THE CONDITIONAL USE PERMIT FOR SUMMITT RESOURCES LLC/ OTTOCANNA LLC
 SECOND BY COMMISSIONER TIM LOVATO
 VOTES IN FAVOR: 3 VOTES AGAINST: 0
 MOTION CARRIED**

11. Summitt Resources, LLC / OttoCanna, LLC – Change of Ownership Request – 55252 Tava Road, Saguache – SE1/4SW1/4 28-43-9

OttoCanna, LLC has one current license with the County and State. They are selling 100% of their business to Guillermo Rotella / P & G, LLC

Due to the revocation of the Summitt Resources, LLC Conditional Use Permit, the change of ownership request was not heard. The change of ownership will require a new conditional use permit.

12. County Owned Lots

The Land Use Office received 3 County Owned Lot bids. Both envelopes do not have a legal description on them. I will bring the full County Owned Lot List to the meeting to make sure they are County Owned and available to bid on.

**MOTION BY COMMISSIONER TIM LOVATO TO ACCEPT THE BID FROM BENJAMIN LESTAK LIEBERMAN FOR BACA GRANDE CHALET UNIT TWO LOT 3497 IN THE AMOUNT OF \$4,050
 SECOND BY COMMISSIONER KEN ANDERSON
 VOTES IN FAVOR: 3 VOTES AGAINST: 0
 MOTION CARRIED**

**MOTION BY COMMISSIONER KEN ANDERSON TO ACCEPT THE BID FROM JAMES LIEBERMAN FOR BACA GRANDE CHALET UNIT TWO LOT 3496 IN THE AMOUNT OF \$4,050
 SECOND BY COMMISSIONER TIM LOVATO**

VOTES IN FAVOR: 3
MOTION CARRIED

VOTES AGAINST: 0

MOTION BY COMMISSIONER KEN ANDERSON TO ACCEPT THE BID FROM DAVID FREEMAN FOR MINERAL HOT SPRINGS AREA B, LOT 1, BLOCK 1 IN THE AMOUNT OF \$425.00

SECOND BY COMMISSIONER TIM LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

Jason Medina with SBDC Small Business Developmental Center, Tom Monico with Oedit, discussion for how they can help support Saguache County

The Board agreed to meet with Mr. Medina in person at the next work session.

Old Business

The Board directed Wendi to re-advertise for the Code Enforcement Officer.

Seeing no further business, Commissioner Jason Anderson adjourns the meeting at 2:17 P.M.

RESPECTFULLY SUBMITTED:



DOMINIQUE WHITE FOR
TRISH GILBERT, CLERK & RECORDER

DATE MINUTES APPROVED: July 7, 2020



JASON ANDERSON, COMMISSIONER,
BOARD CHAIR






KEN ANDERSON, COMMISSIONER



TIM LOVATO, COMMISSIONER



ATTEST
TRISH GILBERT
CLERK & RECORDER