



3. **Upper Gunnison River Water Conservancy District** sent an agenda for the Board of Directors Regular Meeting, Monday July 27, 2020 at 6:00 P.M. taking place at 210 West Spencer Avenue, suite B, Gunnison Colorado. (Received August 6,2020)
4. **The Colorado Department of Local Affairs** sent the 2020 Final County Notice of Valuation for State Assessed Properties. (Received August 6, 2020)
5. **San Luis Valley Hazardous Substance Board, Inc.** sent a letter informing the Board that Jim Clare is now president of the SLV Hazardous Substance Board. (August 11, 2020)

Introduction of Guests:

Deb Grubbs  
Renee Hill  
Kyle Denardo  
Marcus Catlin  
Richard Drake  
Bill McClure  
George Jackson  
Edward Reinhardt  
Robert Day  
Kelly Oldroyd  
Brent Toepper  
Osraldo Peregrino  
Dora Peregrino

Public Comment:

Employee Service Pin Presentation:

The Board presented Service pins to the following employees for their years of service:

Deb Grubbs – 5 years  
Rene Hill – 5 years  
Ana Aguilera – 15 years  
James Knight – 5 years  
Kaye Maez – 40 years

**COMMISSIONER REPORTS:**

**Jason Anderson:**

**7/22** – Sat in via zoom on the weekly COVID update with the US Department of Health.

Attended via zoom the Colorado Department of Health COVID call

Attended the DOLA call

**7/23** – Reviewed the estimate of work for the SRTS planning phase.

**7/28** – Received word from Melissa Garcia, Director of the SLVBLM. notifying the removal of fire restrictions.

**8/6** – Met with Sean Magnum of GSC2 Inc. Mr. Mangum is exploring the possibility of purchasing the White Eagle Property and had questions as to the extent of control the county has of the back taxes.

8/7 – Attended via zoom the CCI committee meeting to review proposed legislation put forth by Counties for the 2021 session.

8/11 – Attended the Commissioners work session topics included meeting with the Baca POA concerning problem property. Also interviewed for the County code enforcement officer.

Made a field inspection of property in the Baca Grande.

8/12 – Spoke with Claudia Wolfe representing the Neighbors surrounding the Beaver Trail property inquiring as to if the county had decided if they would give assistance, and in what form.

Was notified by the USFS that the Saguache/Upper Rio Grande RAC was accepting proposals for the title 2 funds for 2020. The RAC is scheduled to review proposals at a September 15th meeting.

#### **Tim Lovato:**

8/5 – I was contacted by Dave Freese, Interim Emergency Manager, about the pellets of hand sanitizer. Saguache County is only able to get two pallets, we had requested two. Freese distributed the hand sanitizer to various groups. The rest of the hand sanitizer is stored in the old Road and Bridge shop.

8/6 – Spoke with Commissioner Gene Glover, from Rio Grande County about the interest of sharing a public health director.

8/8 – Spoke with Erin Minks on the upcoming meeting with Senator Bennet on August 18<sup>th</sup>.

8/10 – Attended the San Luis Valley Stakeholders Meeting update.

8/11 – Attended the Commissioners Work Session, we held interviews for Code Enforcement Officers. The Commissioners did a sight visit of the Baca Grande subdivision. On that day we also had a report from Kathleen Curry from the Gunnison Round Table.

8/13 – Received an update from Housing Director, Evan Samora, on the status of the apartment that is being cleaned. I spoke with Dave Osborn of Homeland Security, about the proposed working group policy. I spoke with Chelsie Ball on the request for a support letter from the commissioners about placing Helen Ashely camper home on the endangered places list for 2021 in an attempt to save it and the surrounding cabins.

8/14 – Attended the Courthouse Security Commissioner Meeting, we discussed the 25% shortfall of revenue. Single point Security could be impacted with around a quarter of a million shortfall. We will be meeting again in November.

#### **Ken Anderson:**

Maez and I had a meeting with SRTS in Center; we discussed the misunderstanding of the bridge across the canal.

After, I cruised around the Town of Center, Road and Bridge was almost done paving.

Attended the Work Session and interviewed for the Code Enforcement Officer, we went to Baca to look at the house that they wanted to take down.

Went to the 4-H Fair and spoke with Rio Grande Commissioners about a public health director.

Baca Grande Property Owners Association – 1190 Beaver Trail

Commissioner Lovato stated that after the sight visit, he felt it can be done with smaller equipment and the POA should have more skin in the game. The building should be burned then there will be less debris that is taken to the landfill.

Commissioner Ken Anderson stated that the Board can waive the fees for the land use. The POA has the equipment to get it done and haul it out.

Commissioner Jason Anderson stated in the end the Baca is still unincorporated Saguache County and even though the POA has their regulations, it's still a county. "I would like to see it done and think we can do more."

**MOTION BY COMMISSIONER TIM LOVATO TO WAIVE THE FEES FOR THE DEBRIS COMING FROM THE 1190 BEAVER TRAIL FOR THE DEMOLITION OF THE BUILDING BE PUT IN THE LANDFILL AFTER THEY BURN THE STRUCTURE AND HAUL IT SECOND BY COMMISSIONER KEN ANDERSON**

**VOTES IN FAVOR: 2**

**VOTES AGAINST: 1**

\*\*\*\*\*AMBER WILSON, LAND USE ADMINISTRATOR:

Gerald J. & Tammy S. George / Industrial Tower West – Viaero Wireless – Appeal – Wireless Communications Facility – 45481 County Road L – S2/2SW1/4 11-42-7

The Land Use Office has received an appeal from Industrial Tower West, LLC/Viaero Wireless, regarding the denial of the Communications Facility.

Kyle Denardo stated that they are here to appeal the decision that was made on July 21<sup>st</sup>. The appeal is based on two items.

1. The denial does not allow us to cover our gaps in coverage along the highway.
2. Discrimination against Viaero Wireless, due to other carriers being in the area.

**MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE TOWER AS PLANNED SECOND BY COMMISSIONER JASON ANDERSON COMMISSIONER KEN ANDERSON RESCINDED HIS MOTION AND POSTPONED DISCUSSION**

Hearing on County Personnel Grievance filed by Jarrod Helmick

"I filed a grievance against Pete Garcia on Wednesday after I was fired, I was asked to do someone else's job and when I said I was not paid enough to do someone else's job, Pete told me I was no longer employed with the county. An employee at Social Services defecated on the floor. When I brought this to Pete, I was told it was better to just sweep it under the rug. I never had a problem with doing the work that was asked of me, my job description said I was custodial but I was all over the board with the work I did. I want to give a heads up of what I've seen and witnessed in the county. The work being done is the cheapest work. I received a raise at evaluation time and if there was an issue then it should have been addressed."

Commissioner Tim Lovato read the text that was received from Jarrod "Hey Tim, one thing I'll tell you Pete said I'd been asking for sealed bids. He plans on looking at all the bids first then handing them to Wendi to seal for you. Don't you think that's the idea behind the request."

Pete Garcia stated that the day Jarrod was let go, Wendi asked to clean the building which only took 20 minutes to clean. Jarrod said he refused to clean. Pete stated he gave Jarrod multiple chances. "as far as the poop at Social Services, I told him to clean it and not to blame someone because if you do the cleaning will be harder for you. Jarrod was staying home 20 hours a week. He was not answering phone calls, they would call me while I was at home.

April stated that the day this happened Jarrod called and asked when his check would be ready. April called him when his check was ready and helped get the county equipment that was at his house.

**MOTION BY COMMISSIONER KEN ANDERSON TO TABLE THIS DISCUSSION UNTIL THIS AFTERNOON**  
**SECOND BY COMMISSIONER TIM LOVATO**  
**VOTES IN FAVOR: 3** **VOTES AGAINST: 0**  
**MOTION CARRIED**

**DEPARTMENT HEAD REPORTS:**

EVAN SAMORA, HOUSING AUTHORITY DIRECTOR, Report Attached:  
**MOTION BY COMMISSIONER JASON ANDERSON TO GO INTO 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 HOUSING BOARD**  
**SECOND BY COMMISSIONER KEN ANDERSON**  
**VOTES IN FAVOR: 3** **VOTES AGAINST: 0**  
**MOTION CARRIED**

Commissioner Tim Lovato left the meeting at 10:45 A.M.

DAN WARWICK, COUNTY SHERIFF:  
Warwick asked the Board to reinstate the fire ban order.  
**MOTION BY COMMISSIONER JASON ANDERSON THAT THE BOARD OF COUNTY COMMISSIONERS FOR THE NEXT 30 DAYS EMPOWER THE SHERIFF TO IMPOSE A FIRE BAN IF HE SEES APPROPRIATE**  
**SECOND BY COMMISSIONER KEN ANDERSON**  
**VOTES IN FAVOR: 2** **VOTES AGAINST: 0**  
**MOTION CARRIED**

RANDAL ARREDONDO, SUPERVISOR, ROAD AND BRIDGE:  
Public Health asked Arredondo to get bids on vehicles. The board asked Arredondo to get more bids. Arredondo received an email asking that the Chevy Colorado be transferred to Code Enforcement. The Board suggested looking into bids for a new truck for Road and Bridge.

BEN GIBBONS, COUNTY ATTORNEY:  
**MOTION BY COMMISSIONER JASON ANDERSON 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: 2** **VOTES AGAINST: 0**  
**MOTION CARRIED**

Gibbons stated that Matt Hobbs is resigned as Social Services attorney effective August 31<sup>st</sup>. Gibbons is willing to do DSS cases until a decision is made.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPOINT BEN GIBBONS AS  
TEMPORARY COUNTY ATTORNEY TO DSS PENDING A HIRING OF A NEW POSITION  
SECOND BY COMMISSIONER KEN ANDERSON  
VOTES IN FAVOR: 2 VOTES AGAINST: 0  
MOTION CARRIED**

CONNIE TRUJILLO, COUNTY TREASURER:  
**MOTION BY COMMISSIONER JASON ANDERSON 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: 2 VOTES AGAINST: 0  
MOTION CARRIED**

**MOTION BY COMMISSIONER KEN ANDERSON TO ACCEPT THE RAISES FOR THE  
TREASURERS EMPLOYEES AS REQUESTED  
SECOND BY COMMISSIONER JASON ANDERSON  
VOTES IN FAVOR: 2 VOTES AGAINST: 0  
MOTION CARRIED**

TRISH GILBERT, CLERK AND RECORDER, Report Attached:  
Gunbarrel Station Liquor License Renewal Hearing:  
**MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE LIQUOR LICENSE  
RENEWAL FOR THE GUNBARREL STATION  
SECOND BY COMMISSIONER JASON ANDERSON  
VOTES IN FAVOR: 2 VOTES AGAINST: 0  
MOTION CARRIED**

Grant Review and Approval:  
**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE CLERK AND  
RECORDER GRANT FOR A BALLOT DROP BOX IN THE TOWN OF CENTER  
SECOND BY COMMISSIONER KEN ANDERSON  
VOTES IN FAVOR: 2 VOTES AGAINST: 0  
MOTION CARRIED**

Sand Dunes Recreation Liquor License Renewal Hearing:  
**MOTION BY COMMISSIONER KEN ANDERSON TO APPROVE THE LIQUOR LICENSE  
RENEWAL FOR SAND DUNES RECREATION  
SECOND BY COMMISSIONER JASON ANDERSON  
VOTES IN FAVOR: 2 VOTES AGAINST: 0  
MOTION CARRIED**

Returned from Lunch at 12:58 P.M.

AMBER WILSON, LAND USE ADMINISTRATOR, Report Attached:

**1. Dayold, LLC – Huckleberry Farms, LLC – Conditional Use Modification request – Requesting to go forward with phase 2 of their buildout – 8833 Co. Rd. 59 – NW1/4NE1/4, NE1/4NE1/4 24-42-9**

In their first phase they wanted to have their Office Trailer and 1 Greenhouse up and fence in the area. Our office has done a site review and they have completed this phase.

They are now ready to start phase 2 of their buildout so that they can start their Tier 1 – 1800 plants to grow to their full potential, since they only currently have enough room to grow 450 plants.

- Present use of property is Agricultural/Commercial
- Proposed use will be Agricultural/Commercial – Retail Marijuana Cultivation.
- Physical Address is 8833 Co. Rd. 59
- Total amount of acreage to be used is approximately 1 acre
- Water Source has not changed and still has a current contract with Kelly Smith
- This Modification is to add (2) Greenhouses at 100'x 35' each, (1) clone house at 20'x 60'.
- Tier 1 – 1800 plants

Our office received one letter of concern and has been addressed.

The Saguache County Planning Commission reviewed this application on July 30<sup>th</sup>, 2020 and recommended approval for this Conditional Use request as presented, with a unanimous vote.

**MOTION BY COMMISSIONER KEN ANDERSON TO ACCEPT THE CONDITIONAL USE MODIFICATION FOR HUCKLEBERRY FARMS LLC  
SECOND BY COMMISSIONER JASON ANDERSON**

**VOTES IN FAVOR: 2**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**2. Rene & Rebecca Peregrino – Conditional Use request – Additional Residences – 60248 Co. Rd. H.25 – SW1/4SW1/4 29-42-10**

The Peregrino's originally requested to add 3 additional residences to their property. All three residences will be 800 square feet each and each residence will be for their three children when they stay to visit.

Since then, I contacted the Peregrino's and told them they are only allowed to have 3 residences on 1 domestic well and they are fine with only asking to have 2 additional residences rather than 3.

This request went to the Planning Commission and they made some changes at the meeting regarding the drawing and letter of intent. Please see attached for their updated information.

- Present use of property is Agricultural/Residential
- Proposed use will be Agricultural/Residential.
- Physical Address is 60248 Co. Rd. H.25

- Total amount of acreage is 40 Acres
- Water Source is domestic well – Permit # 175296
- Currently have a septic contractor and drawings waiting for approval

Our office has not received any letters of concern

The Saguache County Planning Commission reviewed this application on July 30<sup>th</sup>, 2020 and recommended approval for this Conditional Use request with the conditions that the property layout map shows one of the three residences to be x-ed out before going to the Board of County Commissioners and to have the updated letter of intent stating the two residences being approved will not exceed 2400 square feet combined, with a unanimous vote.

**MOTION BY COMMISSIONER JASON ANDERSON TO APPROVE THE CONDITIONAL USE REQUEST FOR RENE AND REBECCA PERRIGINO FOR TWO ADDITIONAL RESIDENCES TO NOT EXCEED 2,400 SQ FT**

**SECOND BY COMMISSIONER KEN ANDERSON**

**VOTES IN FAVOR: 2**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**3. George Jackson / Agricultural Farms, LLC – Conditional Use Modification request – Modifying fenced in area – 47878 Co. Rd. U – Lot 1 6-43-8**

The Planning Commission met with Mr. Jackson first on July 9<sup>th</sup>, 2020 and motioned to table the Conditional Use Modification request so that the applicant must update a drawing to show where the bathroom facility, septic and leach field will be, water well information to be straightened out with the Division of Water Resources and their vault and product storage not to be in a hoop house.

The applicant emailed all that he needed to change and update. He gave 3 new drawings of his updated site plan that were updated after packets were sent out for the second Planning Commission hearing (please see attached), got in contact with the Division of Water Resources and he currently has a Domestic Well on the property and a monitoring well that needs to be capped. If he wants to change the use of that well, he needs to go through a process to apply to convert the monitoring well but currently they are on a moratorium and will not accept new applications.

- Present use of property is Residential/Agricultural/Commercial
- Proposed use will be Residential/Agricultural/Commercial – Retail Marijuana Cultivation.
- Physical Address is 47898 Co. Rd. U
- Total amount of acreage to be used is approximately 2.07 acres
- Water Source is Kelly Smith, they have a domestic well on the property to use for the residence and **there is also a monitoring well on the property that will need capped**. Please see updated information in the packet.
- They currently have their “residence” on the property which is a 70’x 60’ metal building. They were investigated by the State of Colorado and had starting plants in this building/residence and they had to destroy the plants. Since then, they have come into compliance with the State. This building is outside of their perimeter fenced area.



- This Modification is to change the interior fenced area which will now consist of (1) Greenhouses at 100'x 30', (3) Greenhouses at 100'x20', (1) Office/Bathroom at 10'x20' and a Storage Vault at 10'x20'.
- They plan to have their DVR as "cloud based". The question the Planning Commission asked is if the County and State could access their cameras while on site and yes, it is possible.
- They will also have a "mobile" office that will be with tablets and laptops.

The Saguache County Planning Commission reviewed this application for the second time on July 30<sup>th</sup>, 2020 and recommended unanimous approval for this Conditional Use Modification request with the conditions that the current updated drawings be followed, greenhouses must have blackout curtains and that the monitoring water well must be locked until it is converted and approved to commercial status.

**MOTION BY COMMISSIONER KEN ANDERSON TO ACCEPT THE CONDITIONAL USE MODIFICATION FOR GEORGE JACKSON AND THAT CODE ENFORCEMENT CHECKS THE PROPERTY WITHIN 6 MONTHS**

**SECOND BY COMMISSIONER JASON ANDERSON**

**VOTES IN FAVOR: 2**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**4. Tall Bird Investments, LLC / Happy Land Farms, LLC - Change of Ownership request - NW1/4 8-43-8 - 48254 Co. Rd. T**

Paul O'Connor who is the current owner of Tall Bird Investments, LLC and Happy Land Farms, LLC is selling 100% of their business to Brent Toepper and business name to change to Happy Land Farms, Inc.

Commissioner Tim Lovato Returned at 1:30 P.M.

The Board notified Brent Toepper of the surety bond that will be to be paid to the treasurer's office.

**MOTION BY COMMISSIONER KEN ANDERSON TO ACCEPT THE CHANGE OF OWNERSHIP TO CHANGE THE OWNERSHIP TO HAPPY LANDS FARMS INC. UNDER THE NEW REGULATIONS**

**SECOND BY COMMISSIONER JASON ANDERSON**

**VOTES IN FAVOR: 2**

**VOTES AGAINST: 0**

**COMMISSIONER LOVATO ABSTAINED FROM VOTING AS HE DID NOT HEAR THE WHOLE DISCUSSION**

**MOTION CARRIED**

**5. Code Enforcement Officer appointment**

**MOTION BY COMMISSIONER KEN ANDERSON TO OFFER THE CODE ENFORCEMENT POSITION TO EDWARD REINHARDT AT A STARTING SALARY OF \$35,000**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

## 6. County Owned Lots - Updated List

The Land Use Office has received a few questions about some lots that are County Owned but are not on the current County Owned Lot List that could potentially be bid on. We are in the process of going through the County Owned Land to add lots that can potentially be on the list that was not on the current list.

Also, Connie Trujillo has some property with the Treasurer's Office that could potentially be County Owned Land and eventually be added to the County Owned Lot List. She will be attending the meeting to discuss this.

Once we get the County Owned Lot List updated, we will be able to re-advertise the County Owned Lot list.

### **MOTION BY COMMISSIONER TIM LOVATO TO START THE PROCESS OF LANDS THAT ARE OVER 6 YEARS DELINQUENT BE DEEDED OVER TO SAGUACHE COUNTY SECOND BY COMMISSIONER KEN ANDERSON**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**BOBBY WOELZ, EMERGENCY MANAGER:**

Woelz stated that doing a soft launch was great with Mr. Freese coming on. One incident happened which was the Stupa Fire. Woelz will be working for two weeks then stepping out again.

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

1. Courthouse generator bids have been received. Board directed Maez to re-bid as a scaled bid.
2. Review and discussion concerning the MOU between San Luis Valley Small Business Development Center and Saguache County for the support and partnership with the SBDC for eligible users to increase the ability to conduct or research business practices and provide a secure location for technological devices at a Saguache County location.
3. Building quotes for Public Health storage units have been received. The Board directed Maez to advertise for bids.
4. Alpine Achievers Contract

### **MOTION BY COMMISSIONER KEN ANDERSON TO ACCEPT THE CONTRACT FOR ALPINE ACHIEVERS INITIATIVE WITH FUNDS BEING TAKEN FROM TANIF SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

**SOCIAL SERVICES UPDATE:**

1. Working on financials with Christina Wilson to bring everything current.
2. Reviewing each contract for services to make sure they are up to date and all deliverables are being met. There are a few that are not current and need to be current, but the majority are up to date.
3. I have made some changes to the food program. I have appointed MaryAnn Martinez to oversee the program. At this time, we are working on the reports and making sure all the food we can receive is being ordered and distributed.

4. The satellite office in Crestone opened on August 12<sup>th</sup> and had 18 walk-ins, this included questions, applications, verification documents and inquiries. Great Success!
5. Quotes received for the broken window at the Center Office. Replacement of the existing window will be \$292. The cost to replace with bullet resistant glass will be \$996. We will need to choose what type of glass we want to put in so we can send the information to CTSI for insurance coverage payment.
6. Ordered panic buttons to be installed at each desk in both the Center and Saguache offices. The installation of these can be paid for with COVID-19 funds.

Hearing on County Personnel Grievance filed by Jarrod Helmick

**MOTION BY COMMISSIONER KEN ANDERSON TO GO INTO EXECUTIVE SESSION FOR PERSONNEL PER C.R.S. 24-6-402(4)(f)(I)**

**SECOND BY COMMISSIONER TIM LOVATO**

**VOTES IN FAVOR: 3**

**VOTES AGAINST: 0**

**MOTION CARRIED**

Commissioner Jason Anderson stated that looking at the fact that the job description is to clean county property and the unwillingness to do so, it is termination of subornation and the Board supports the termination.

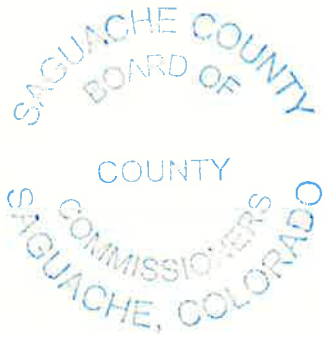
Seeing no further business, the Commissioner adjourns the meeting at 2:43 P.M.

RESPECTFULLY SUBMITTED:



DOMINIQUE WHITE FOR  
TRISH GILBERT, CLERK & RECORDER

DATE MINUTES APPROVED: September 1, 2020



JASON ANDERSON, COMMISSIONER,  
BOARD CHAIR



KEN ANDERSON, COMMISSIONER



TIM LOVATO, COMMISSIONER



ATTEST  
TRISH GILBERT  
CLERK & RECORDER