

Saguache County Board of Commissioners met in regular session Tuesday, January 13, 2009 with the following present:

Sam Pace, Chairman
Mike Spearman, Vice Chairman
Linda Joseph, Commissioner
Ben Gibbons, County Attorney
Wendi Maez, Co-Administrator
Lyn Zimmer, Co-Administrator
Melinda Myers, Secretary and Clerk to the Board

Meeting called to order by Chairman Pace at 9:00 A.M.

Commissioner swearing in ceremony 9:05A.M.by Judge Swift.

Board Re-organization

Pace moved to nominate Linda Joseph for Board Chair. Joseph seconded the motion. The vote was three Ayes.

Pace moved to nominate Pace and Spearman as co-vice chairs to the Board. Spearman seconded the motion. The vote was three Ayes.

Under Additions or Deletions to the Agenda:

1. Add executive session for legal and personnel issues during Land Use.
2. Add Division of Water Resources discussion during Attorney report.

Pace moved to approve the agenda as amended. Spearman seconded the motion. The vote was three Ayes.

Reading and approval of minutes

Joseph moved to approve the minutes of January 6, 2008 as amended. Spearman seconded motion. The vote was three Ayes.

Review of Mail and other correspondence:

1. Upper Arkansas Water Conservancy District sent their Tentative Agenda for their meeting to be held in Salida on January 8, 2009 at 1:30pm. (1/6/09)
2. Veteran Service of Alamosa County sent a spread sheet by month for the number of trips made to Denver, Colorado Springs, Pueblo, & Alamosa. (1/6/09)
3. Colorado Central Workforce Center sent a notice that they are having a special meeting VIA Phone Conference on Monday Jan. 12, 2009 at 1:30pm. (1/7/09)
4. Keno Menechino emailed the BOCC about a need on Warning signs on County Road T in regards to the Elk crossing. (1/12/09)
5. Colorado River Water Conservation District has sent a Notice of the First Regular Quarterly Meeting of the Board of Directors on January 20-21, 2009 at 9am in Glenwood Springs, Colorado. (1/12/09)

6. State of Colorado has sent the Agenda for the State of Colorado Board of Health on January 21, 2009 at 10am in Denver. (1/12/09)

Introduction of Guests: Matie Bell Lakish - Crestone Eagle; Jerry Burton; Ceal Smith –Water Protection Coalition.

Commissioners Reports

Sam Pace reported:

- Jan 8 – Attended the CCI reception for new legislators in Denver.
- Jan 12 – Phone conference call with Colorado Work Force meeting.
- Visited with Keno Menechino about road signs and mountain peak renaming.

Linda Joseph reported:

- January 7 - Attended the BOCC work session reviewing County complaint and violation procedures.
- January 9 - Received call from Patty La Taille to clarify next steps with regard to the property ownership issues.

Spearman moved to change the sign back to a stop sign on County Road T and Camino Baca Grande. Joseph seconded the motion. The vote was three Ayes.

- Received calls from Road & Bridge and Sheriff's Depts. regarding safety protocols in sign changes on County Road T. The sign has already been changed to a yield sign. The SO wants a Traffic Safety Study done to see if the change is warranted. . Arredondo will look into what this entails and report back to the Board. Arredondo was instructed to replace the yield signs that were installed on Jan. 7th back to stop signs.
- Corresponded with Virginia Sutherland to get further information on Museum needs for Conservation Trust Funds, and forwarded to the Board.

Mike Spearman reported:

- Contacted by Division of Water Resources about water advisory committee.
- Jan 7 – Attended BOCC work session at courthouse.
- Jan 8- Attended a Division of Wildlife meeting on grazing permits. Local permit holders need to monitor their allocations to have record of the condition of the land under their care. A group called Western Watershed has come into the state to protest the permits.
- Jan 10 - Attended the Annual Cattleman's Association meeting.
- Jan 10 – Attended Congressman John Salazar forum.
- Jan 12 – Attended the SLV Transit Authority meeting. Organization has not moved forward.
- Was contacted by an Attorney representing a solar development company wanted to know how receptive the Saguache County BOCC would be to a large scale solar installation. Spearman let them know that the Board would look favorably on such a project.

Lynn Zimmer and Wendi Maez – Co-administrator report:

Pace moved to extend the free rent to the Dental Hygienist Susan Vogel at the Saguache Clinic until after the Health Fair in April. Spearman seconded the motion. The vote was three Ayes.

- Susan Vogel emailed a thank you for approving the rent extension for the Saguache Dental Clinic. She has requested a further extension so that she can rent a booth at the Health Fair to see if that would drum up some business.
- Great West Insurance has been reinstated with a back date of 1/1/2009.
- Kenneth Bell has emailed Administration and suggested that the county retain the Gap Insurance that was purchased to help offset the deductibles that are currently with Great West.
- Nursing has requested that the bonuses for nursing be deducted from the transfer amount they owe back to General Fund. Their understanding was that the bonuses would be paid from the PILT Grant. The bonus amount for nursing was \$18,226.
- Drawdown on DOLA Courthouse Renovation Grant has been submitted.
- W2's have been printed and issued.
- Veteran's Report from Tom Blunt was signed.
- Administration printer that prints checks has printed its last document. It is old enough that parts can only be purchased that are refurbished and WSB states that it will be a 50/50 chance that the parts will work. We did budget for a new printer, and we have them looking into a new printer. Checks have to have a special magnetic cartridge to print. We are on a crunch line right now with payroll to be started next Friday and checks to be printed on Monday. We are requesting permission to order a new printer that has the capability to print checks. Board approved request.

Break

Wendi Maez - Land Use Administrator report:

- Resolution for Greg Griffin's Setback Variance was signed.
- Will be meeting with Kimberly Bryant, OEM, concerning regulations in the Land Development Code for safety and emergency purposes on Wednesday January 14th.
- Maez will do site inspection of violation property on Co. Rd. LL56 and will give an updated report on 1/20/09. Have spoken with Attorney Gibbons concerning the county's further action – none is needed at this time unless someone tries to reside on the small tract.
- The Planning Commission has asked about the BOCC designating areas in Saguache County as "Unique and Irreplaceable", which would give the County more land use authority but put more restrictions on any development. The PC

would do the research to pick the sites. Maez will research the ramification of this designation.

Pace moved to nominate Commissioner Mike Spearman to sit on the Rio Grande Basin Advisory Committee. Joseph seconded the motion. The vote was three Ayes.

- Division of Water Resources is establishing an Advisory Committee for the Rio Grande Basin and want the Board to appoint a representative and alternate to sit on the Committee.

Pace moved to enter into Executive Session at 10:49 A. M. for legal purposes under CRS 24-6-402 (4)(b). Spearman seconded the motion. The vote was three Ayes.

Pace moved to return to regular session at 11:05 A. M. Spearman seconded the motion. The vote was three Ayes.

Ben Gibbons, County Attorney report:

- Gibbons has been contacted by the Attorney for Lexam for the road access permit. Gibbons does not see a reason to deny the permit. Arredondo will send the road access permit. Concerns were mentioned for adequate advance time to establish an emergency plan with local emergency services input.
- Sent letter to Genesis Insurance that they are no longer authorized to act as the County's Insurance Agent. They have not responded to Gibbons, but have emailed Administration about continuing the GAP insurance. Administration will clarify that all the policies with Genesis are terminated.
- Saguache County has been holding funds for the Town of Center until the State releases them. These funds have been earning interest. Gibbons has not found any statute which dictates how the interest should be disbursed. Gibbons recommends the County retain the interest.
- Gibbons will add Saguache County comments to the Colorado Gunnison and White-tailed Prairie Dog Conservation Plan. The deadline has been extended to February 15, 2009. Ceal Smith of Water Protection Coalition will share their comments with the County.
- The Board asked Gibbons to research what fees should be charged for land use applications on large solar projects and if any code changes are needed.
- Clerk Myers asked for clarification on Clerk's legal obligations on recording documents. A recent case in Montrose County has been settled in favor of the County. Gibbons stated that the Clerk is statutorily required to record documents presented and paid for and is not responsible for content of documents. The only exception is if the recording staff has personal knowledge that a document is spurious or fraudulent.

Spearman moved to adjourn at 11:59 A.M. Pace seconded. The vote was three Ayes.

Respectfully Submitted,

Melinda Myers Secretary to the Board of County Commissioners

Minutes Approved January 20, 2009

Chairman of the Board

Attest

Commissioner

Commissioner