

Saguache County Board of Commissioners met in regular session Tuesday, February 3, 2009 with the following present:

Linda Joseph, Chair
Mike Spearman, Co-Vice Chairman
Sam Pace Co-Vice Chairman
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 Chair Joseph at 9:05 A.M.

Under Additions or Deletions to the Agenda:

1. Cancel Gunnison Basin Travel at 2:30 PM
2. Add response to letter of support for SLVREC transmission lines at 3:00.
3. Add stimulus package discussion after 3:00.

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

Reading and approval of minutes

Pace moved to approve the minutes of January 20, 2008 as amended. Spearman seconded motion. The vote was three Ayes.

Review of Mail and other correspondence:

1. Rio Grande Water Conservation District sent the ground water table results. (1/20/09)
2. Upper Gunnison River Water Conservancy District sent the Board of Directors Agenda and the Upper Gunnison River Water Activity Enterprise both to be on Jan. 26. 09 in Gunnison starting at 5:30 pm. (1/20/09)
3. Natural Energy Resources Company sent a letter regarding comments on flawed Southern Delivery System Final Environmental Impact Statement. (1/20/09)
4. Center Conservation District has sent the 2008 Grant Funding Report for the Educational Outreach Program. (1/26/09)
5. George Whitten Jr. Saguache County representative for the Rio Grande Water Conservation District sent a letter explaining that his term on the Board will expire soon. Maez & Zimmer will advertise the position. (1/27/09)
6. San Luis Valley Fair Board would like to thank the Commissioners for the generous support of there endeavor to produce a quality Fair. (1/27/09)
7. Town of Crestone sent a letter to inform the board that they are applying for a grant with USDA Rural Development to purchase a historic building in a commercial district for provision of public & social services and would like you to comment prior to the Rural Development Decision. (1/27/09)

8. Scanga Ranch, LLC sent a letter with 2008 Tax Notice received and would like to see about getting it discontinued because they do not have a significant incident of private ownership. (1/22/09) Scanga's allotment is on the list from the USFS and the BOCC has no jurisdiction, and Assessor Stephens has notified Scanga Ranch that the assessment cannot be removed by Saguache County. US Forest Service/BLM must remove assessments.
9. Rio Grande Watershed Association of Conservation Districts would like to take the time to say thank you for your support of the Rio Grande Watershed Conservation Educational Program. (1/29/09)
10. Colorado Small Business Development Center would like to thank you for the support in the past year, and has enclosed a summary of the year end statistics. (1/28/09)
11. USDA Forest Service is beginning an Environmental Analysis to access permitted livestock grazing on the following Cattle & Horse (C&H) allotments: California Gulch, Canero, Cave Creek, Cave Creek, Cottonwood, Houselog, Mill Creek Pasture, San Juan Creek areas.

Introduction of Guests: Matie Bell Lakish - Crestone Eagle; Terry Balsler and Ben Wolfe – Ben & Terry's Auto; Don Geddes; Andrew Archuleta – USFS; Erin Minks – Congressman John Salazar's representative.

Commissioners Reports

Linda Joseph reported:

- January 21 - Attended the SLV RETAC meeting in Monte Vista.
- January 23 - Attended the ScSEED Board meeting. Julio Paez was elected to the Board of Directors. El Pomar has approved two grants to ScSEED - one in full for economic development project, and one partial (3/4) for the Ranching Video project. This will allow the Video to go into schools Valley wide and beyond.
- January 26 - Attended the SLV County Commissioners meeting with Pace, Spearman, Maez and Zimmer.
- January 27 - Attended Emergency Services Day at the Capitol, in Denver, with displays of all Colorado RETACs and information on the EMS funding bill SB09-02.
- January 28 - Attended the quarterly meeting of the State Emergency Medical and Trauma Advisory Council (SEMTAC) - Committee meetings.
- January 29 - Attended the hearing on SB09-02, by the Transportation Committee.
- January 30 - Received a call from Art Hutchinson to follow-up after his meeting with R&B Supervisor Randy Arredondo. The planning for the road in the Park needs to be done and ready to hit the ground running when the stimulus package comes through.
- Talked to Kathryn Van Note on the timing of Renewable Energy Regulations.
- February 2 - Received a call from Donna Wehe, on the Small Business consulting activities she is launching in Saguache County, with support of the El Pomar economic development grant to ScSEED. She has local liaisons in the Crestone area, and is looking for some in Saguache, whom she can stipend.

Sam Pace reported:

- January 22 – Attended the USFS workshop on Title II Resource Advisory Council in Denver.
- January 23 – Attended the CCI Steering Committee meeting in Denver. Wildfire plans will soon be required for all counties and the one Saguache has seems adequate. A movement is afoot to challenge the Oil and Gas exemption from the Clean Water and Clean Air Acts. Pace said Saguache County would join La Plata County in this resolution. Game damage to crops was discussed.
- January 26 – Attended SLV County Commissioner meeting.

Mike Spearman reported:

- January 22 – Participated by teleconference the USFS SRS workshop. Explored methods of managing the RAC.
- January 26 – Attended SLV County Commissioner meeting. The funding for the District Attorney is still being negotiated; Feb 9 is a meeting to discuss the DA budget further.
- January 26 – Attended the DRG meeting in Alamosa.
- Has been working Rocky Hills seepage ditch issues again and will discuss during Road and Bridge report.

Lynn Zimmer and Wendi Maez – Co-administrator report:

Pace moved to sign the SLV Mass Transit Authority IGA with Costilla County. Spearman moved to table the motion until Social Services Report.

- Discussion on the IGA with Costilla County concerning the fiscal management of the SLV Mass Transit Authority.
- The letter to Colorado Rural Workforce designating John Sandoval of Conejos County to act as Chief Local Elected Official for the South Central Sub-Region representative was signed.

Pace moved to approve \$200.00 from the Commissioner Contribution line item to Land Use for Economic Development. Spearman seconded the motion. The vote was three Ayes.

- Administration has received a mileage request from Don Geddes for reimbursement to attend the SLV Economic Development “Team SLV” during December 2008. As there is no budget line item for Economic Development we need to know where to voucher this payment from.
- Administration has received the grant paperwork for Insulate Colorado, along with documents needed to get this project started; the email from the State with instructions has been forwarded to the Board.
- Review of the Saguache County Public Trustee report for 2008.
- Administration has received a call from “Ethics Colorado” asking if the BOCC has a conduct policy in place, and informed them that the Board follows any policies set by the State of Colorado.

- Maez and Zimmer will meet with all SLV County Administrators prior to the SLV BOCC meeting on Monday, February 9th to discuss the DA budget that will be presented to SLVBOCC at 10am.
- Discussion on Vacation Leave Policy, if an employee can buy out at a rate of 4 to 1. Board declined to change the policy.
- Email received from the Auditors – they will be here during the second week of June 2009.
- Zimmer has met with Melinda Myers and Chuck Tidd concerning Tourism dollars. The meeting went well.
- Ralph Abrams sent an email asking for a decision concerning the Town of Crestone's request for Commissioners to respond to the BLM request for comments triggered by their litigation with the BLM about Oil and Gas leased property.
- County Goals discussion has been scheduled for the March 10th meeting.
- Successor Policy will be discussed in the Attorney report.
- ScSEED MOU – Kim Smoyer has called requesting comments on the MOU with Saguache County. Joseph had subsequently connected with Stephanie Steffens on what input the State might have to offer regarding models for government / non-profit partnering for economic development. Steffens will consult with her counterpart, and get on a future agenda.
- RAC – Creation of committee – this can be discussed with Andrew Archuleta at 2pm.
- Roberts Rules of Order – Maez and Zimmer will look into obtaining a copy.

Break

Wendi Maez - Land Use Administrator report:

Pace moved to approve the Conditional Use Permit for John Stephen and Pamela L. Gripp for Tract A located within SW1/4 7-43-11, with the Planning Commissions recommendations with the following change, parking must be set back a minimum of 25 feet from County Road T. Spearman seconded the motion. The vote was three Ayes.

- John Stephen and Pamela L. Gripp – Conditional Use request for Tract A located within the SW1/4 7-43-11. This request is for Ben and Terry's Auto Repair Shop. The SCPC reviewed the request during their January 29th meeting and recommended unanimous approval with the following conditions: only 2.5 acres within the South West corner of the property may be used, vehicles shall be stored close to the building, vehicles must be parked away from County Road T, there shall be containers for toxic waste under storage drums to contain any spills that may occur, the use will go with the business and will not be tied to the property, yearly review of request.
- Sign approved resolution for Crestone Peak Community Housing.
- Sign Saguache County Planning Commission appointment letters.

Spearman moved to approve the sale of Lot 3, Block N, Lazy KV Estates for \$1200 to Linda and Dewey Bese. Pace seconded the motion. The vote was three Ayes.

- During the December 16th meeting a bid request for Lazy KV Estates was awarded to David Boyd. At this time Mr. Boyd has withdrawn his bid. Linda and Dewey Bese have submitted a bid for the lot Mr. Boyd wanted to purchase (Lot 3 Block N – Lazy KV Estates) for the same amount. Money received with the Bid packet.
- Dan Gentile – submitted a bid for 4 Lazy KV Estates Lots at the last meeting. At that time you rejected Mr. Gentile’s bid. Mr. Gentile has sent a letter explaining the reasoning behind the low bid and request that you please review his bid a second time. The Board reviewed the bid, and affirmed that they are inadequate. It was noted that the amount offered was more consistent with a bid for one lot.
- Maez has received an email that concerned training to become a Certified Floodplain Manager, and would like to attend this training with Sue Gallegos in case we ever decide to go forward with adopting Floodplain regulations. The training will be on April 1st and 2nd in Denver.
- Joint meeting with BOCC and Planning Commission on is scheduled for February 26th at noon.

Pace moved to enter into Executive Session at 10:57 A. M. for personnel purposes under CRS 24-6-402(4)(f)(i). Spearman seconded the motion. The vote was three Ayes.

Pace moved to return to regular session at 11:20 A. M. Spearman seconded the motion. The vote was three Ayes.

Ben Gibbons, County Attorney report:

- Draft reply letter on the Gunnison Prairie Dog is ready for Board review.
- Continuity in government plan needs to be part of the Emergency Management Plan. The draft will be sent out for review soon.
- Request from Baca Grande Water and Sanitation District for P.I.L.T. funds for lots that might be eligible was discussed.
- Has not found any basis which would allow the County to impose a severance tax on renewable energy production. An impact fee can be assessed on facilities. Gibbons will continue to research the issue.

Adjourned for Lunch at 12:00 P. M.

Resumed meeting at 1:00 P. M.

Randal Arredondo – Supervisor Road & Bridge and Land fill report

- HUTF for 2008 came in over the estimate by \$15,334.
- The Secure Rural School Funds have come in at \$2,794,158, with \$155,231 for Title III.
- Purchased two vehicles for the county – a Ford Edge and a Ford Fusion. These will be available for county use.
- Invitations for bids on gravel crushing have been sent out. Board discussed building a stockpile for future use.
- Residents have been asking about upgrading roads with the new SRS money.
- Attended Gunnison Weed Meeting, Gunnison sprays that side of the pass and send a statement for reimbursement for weed control on Saguache County's side.
- Spoke to John Sandavol, Commissioner from Conejos County concerning SRS funding.
- Spoke to Marlene Crosby from Gunnison Public Lands Administrator about combining both counties into a RAC to manage the public lands that lie between the two counties.
- Met with Art Hutchinson from National Parks Service about the specs for the north entrance. There are things that need to happen before the grant for the construction of the road can be written. Andrew Archuleta stated the USFS has been putting together an estimate for the road and parking area.
- CR 43.5 has been experiencing ice flow issues – Arredondo will continue to monitor.
- An incident occurred when a driver ran into a rock on CR DD2 and may have ruined their car engine. The maintainer operator did not have his road repair warning signs out. The damage will have to be turned into the insurance company for their review.

Spearman moved to convene as the Saguache County Department of Social Services Board at 1:30 P.M. Pace seconded. The vote was three Ayes.

Jeannie Norris - Social Services Director:

- There were seven active TANF cases during December, with five cases pending. There continue to be nine child-only cases. Food assistance cases held steady at 368. There were 30 aid-to-the-needy disabled cases, and 114 old-age-pension cases. The CHEERS Training Center reported two TANF clients and two adult basic education students again in December. CHEERS reports having served 12 TANF participants during 2008, and report one client receiving their GED after completing the curriculum. The year showed a 13 percent decrease in revenue from the store, and a 58.3 percent decrease in expenses. Funds transferred to DSS show a 7.5 percent increase over the prior year, with \$14,400.48 having been paid.
- LEAP has now served 410 households, with 78 applications in process.
- The Child Protection Unit received 12 referrals in December, with 10 having been accepted for investigation. Ten children were in placement, with five open dependency and neglect cases. We had 171 children in open cases. There were three open adult protection cases, with two new referrals. Saguache County is in need of more foster homes, and would welcome the opportunity to visit with anyone who might be interested in serving in that capacity.
- The IV-D Unit is pleased to report an increase in collections both for the month as well as the year. The technicians are being inundated with requests for case review as economic circumstances change, and we anticipate that situation to continue for some time.

- The Judicial Team met on January 23 in Alamosa, with Judge Gonzales and representatives from DSS and Crossroads in attendance. The focus at this quarterly meeting targeted cooperation with all parties involved in cases, and presentation of treatment plans in order for judges to assess case progress. This is enormously helpful to our department in terms of knowing what expectations are.
- The daycare center equipment has been received, and renovation is to be completed during this week. It should be open within the month.
- Smart Solutions indicates that funding is assured for the pilot project, and the Town of Crestone called to say that space in the building is available, and checked to see if there is a Verizon signal so that laptop computers could be used. Mental Health and Options Nursing may be interested in shared space in order to save mileage.

Pace moved to approve the IGA with Costilla County for the SLV Transit Authority, contingent on approval by Attorney Gibbons. Spearman seconded the motion. The vote was three Ayes.

- SLV Transit Authority fiscal IGA was discussed. Administration will locate Exhibit A & B.

Spearman moved to adjourn the Saguache County Department of Social Services Board and return to regular meeting at 1:55 P.M. Pace seconded. The vote was two Ayes.

Andrew Archuleta – USFS/BLM monthly discussion

- The deed to the BLM land at the Saguache Airport has been signed and sent to the Justice Department for a final approval.
- Will be presenting a power point presentation in the future about the San Isabel fuels reduction project.
- Will be doing an EA on Weed treatment of the public lands.
- Anticipating the Governors Travel Plan to be finished by May.
- The SRS RAC could be just Saguache County, which could be hard to fill all 15 seats required. A multi – county RAC might also be considered. The Board would like to have a single County RAC and yet be open to work on multi – county projects across borders and be willing to hire a manager with some of the funds. Board will draft a letter to Dan Dallas requesting a single county RAC for Saguache SRS funding.
- It will be up to the Saguache County Attorney to determine whether or not Title III funds can be used for fuel reduction projects.

Break

Pace moved to approve the support letter to SLVREC for the power transmission lines into the Valley. Joseph seconded the motion. The vote was three Ayes.

SLVREC support letter was drafted and approved.

SRS Funding:

- Contact the School Superintendents and give them some dates to choose from to come in and discuss their proposals for projects and the Economic Development. Stimulus package.

Bill Paying

Spearman moved to adjourn at 4:15 P.M. Pace seconded. The vote was three Ayes.

Respectfully Submitted,

Melinda Myers Secretary to the Board of County Commissioners

Minutes Approved February 10, 2009

Chairman of the Board

Attest

Commissioner

Commissioner