

Saguache County Board of Commissioners met in regular session Tuesday, February 21, 2012 with the following present:

Mike Spearman, Chair  
Sam Pace, Co-Vice Chair  
Linda Joseph, Co-Vice Chair  
Wendi Maez, Co-Administrator  
Lyn Lambert, Co- Administrator  
Carla Gomez, Clerk and Secretary to the Board  
Staci Morfitt, Acting Secretary to the Board

Meeting called to order by Chair Spearman at 9:01 A.M.

**Additions or Deletions to the Agenda:**

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

**Joseph moved to approve the minutes of February 2, 2012 as amended. Spearman seconded motion. The vote was three Ayes.**

**Reading and approval of minutes of February 2, 2012:**

**Review of Mail and other correspondence:**

1. **State of Colorado Dept. of Transportation** sent a letter regarding the Transportation Planning Region Boundary Revision Process. (2/6/12)
2. **State of Colorado Dept. of Public Health** sent the Notice of Meeting & Agenda for the Air Quality Control Commission on February 16, 2012 9:00a.m. in Denver. (2/10/12)
3. **Friends of the SLV National Wildlife Refuges** sent The Avocet Volume 19, no. 1 February 2012 Newsletter. (2/10/12)
4. **State of Colorado Office of the State Auditor** sent a letter regarding the Housing Accounts, that it has been moved from Saguache County Credit Union to First Southwest Bank. (2/10/12)
5. **The Rio Grande Water Users Assn.** sent the Notice of Annual Membership Meeting on March 7, 2012. (2/10/12)
6. **Marilyn Marks** sent an email in regards to the mail ballots and the BOCC meeting recordings. (2/9/12)
7. **Gunnison Forest Service** District Ranger is considering, conducting watershed improvements to Marshall Pass Road. (2/13/12)
8. **Diane Dunlap** sent an email requesting Material Modification Petition, Service Plan Compliance, and Modification Enforcement for the Fire District. (Time Sensitive) (2/13/12)
9. **Akia Tanara, Crestone Town Clerk** sent an email asking for a support letter for a GOCO Grant the Town is applying for concerning the newly acquired land south of Crestone. The grant request is for a Master Plan for the land. (2/10/12)
10. **Ron Garcia, USFWS** sent an email concerning "Wolf Reintroduction Rumors". (2/13/12)

11. **Yahaira Lopez, NRCS – Washington, DC** sent an email inviting the Board to a “White House Round Table” with USDA Deputy Under Secretary for Natural Resources and the Environment, Arthur “Butch” Blazer, and Assistant Chief for the USDA Natural Resources Conservation Service, James Gore to discuss current issues, accomplishments and challenges related to the Administration’s energy, environment and conservation portfolio. The meeting will be Saturday February 18, 2012, Inn of the Rio Grande, Alamosa, 1pm to 3pm. (2/10/12)
12. **Colorado Parks & Wildlife** sent a letter following up on the meeting with Secretary Salazar hosted in Alamosa on January 4<sup>th</sup> regarding the initiatives in the San Luis Valley. (2/15/12)

**Introduction of Guests:**

Mattie Belle Lakish, Crestone Eagle,  
 Glen Gassby,  
 Teresa Benns, Center Post,  
 Marianne Olsson,  
 Jose Alves,  
 Claudia B Wolfe,  
 Wooddora Eisenhauer,  
 Gregory Griffon,

Brook McDonald,  
 Kim Smoyer, ScSeed,  
 Jason Anderson,  
 Tom Blunt, VSO,  
 Lauren Krizansky, Valley Courier,  
 John&Erica Keyes,  
 Hamilton Brannon, CRESO,  
 Frederick J Duneto, CRESO

**Commissioners Reports:**

**Mike Spearman** reported:

1. Attended the Valley Wide Governors Blue Print meeting on February 9<sup>th</sup>.
2. Attended the Commissioner work session on February 14<sup>th</sup> in Saguache.
3. Attended the Agricultural Days in Monte Vista sponsored by the Extension Services.
4. February 15<sup>th</sup> met with a representative from Trout Unlimited.
5. Working on getting information for Reclamation Bonds and costs for Solar Reserve application.

**Linda Joseph** reported:

1. Worked with Jim Felmler, OEM on current and upcoming grants, and also emergency communications issues on Highways 114 and 50. Provided contact info for Bill Voges who manages emergency communications at the State level.
2. RETAC Task Force update - Lew Gaiter talked with Chip and Andy at CCI and they are going to put the CCI Commissioner appointments to the Task Force in the April General Govt. agenda as a presentation.
3. Worked on the working draft Sage Grouse conservation plan; to date no comments from Dario Archuleta or Randy Arredondo on the invasive weed and road measures in the current draft.
4. Forwarded a request for a support letter for Express Scripts/Medco merger.
5. Received eminent domain question from Charlotte Bobicki.
6. Attended the Commissioner work session on February 14<sup>th</sup> in Saguache.

**Sam Pace** reported:

1. February 9<sup>th</sup> and 10<sup>th</sup> attended the CCI Steering Committee meetings in Denver.

2. February 14<sup>th</sup> attended the Commissioner work session in Saguache.
3. February 16<sup>th</sup> attended the Seniors meeting in Alamosa.

**Wendi Maez & Lyn Lambert – Co-administrator report:**

1. Follow up on the audio taping of the Commissioners Board meetings.
2. Report for the Saguache County Veteran's office was presented for signature.
3. Authorization for the Department Payroll was presented for signature.
4. Maez & Lambert met with Della Viera and Carla Gomez on Thursday, February 16 to go through the Center Public Health Facility to find office space for the Clerk and Recorder's Center office space. Discussion concerning the payment of rent.
5. The Town of Crestone has requested a letter of support of a GOCO grant to do a Master Plan for the newly acquired land south of town.

**Joseph made a motion to appoint Jim Swanson and Deanna Bartee to the SLV Fair Board. Pace seconded motion. The vote was three Ayes.**

6. Fair Board appointments.
7. Jason Anderson, Energy Audit training will be Saturday, March 17, 2012 from 9am to 4pm.

**Pace moved to transfer \$6,000.00 from the County General Fund into the Nursing Fund. Joseph seconded motion. The vote was three Ayes.**

**Carla Gomez – Clerk and Recorder:**

1. The Board decided to leave the primary election as a regular election and not change anything. Voting will be possible by mail-in ballots, and in polling places in the updated Precincts.

Break

**Wendi Maez - Land Use Administrator:**

**Joseph moved to approve the Lot Consolidation for Isadora Ann Storey, Lots 50C and 52, Baca Grande Chalets Unit One. Pace seconded motion. The vote was three Ayes.**

1. Isadora Ann Storey, Lot Consolidation request for Lots 50C and 52, Baca Grande Chalets Unit One. The CBPC recommended unanimous approval of this request during their regular meeting on February 8, 2012

**Joseph moved to approve the Resolution and Notice for the site visit in Tonopah Nevada. Pace seconded motion. The vote was three Ayes.**

2. Review and discussion of resolution and notice submitted by Solar Reserve concerning the site visit of the Tonopah, Nevada site.
3. Discussed 1041 regulation changes.

**Ben Gibbons- County Attorney**

Not present today due to family emergency, but did send an email to the BOCC. Discussion on CrESD, no action taken.

Commissioners:

I have reviewed the renewed request for the BOCC to ask the District to submit a petition for a modification of the service plan.

The applicable statute is Sec. 32-1-207(2)"material modifications of the service plan as originally approved may be made by the governing body of such special district only by petition to and approval by the board of county commissioners .....in substantially the same manner as is provided for the approval of the original service plan.

Such approval of modifications shall be required only with regard to changes of a basic or essential nature, including, BUT NOT LIMITED TO, the following:

- Any addition to the types of services provided by the special district;
- a decrease in the level of services;
- a decrease in the financial ability of the district to discharge the existing or proposed indebtedness;
- or a decrease in the existing or projected need for organized service in the area.

I would suggest that the change in the financing of the district as proposed in the approved service plan is a change of a "basic or essential" nature such as would require a modification of the service plan.

An alternative is found at 32-1-207(3)(a) which permits any interested party to seek an injunction, which could hypothetically include an attempt to avoid the election.

1. Request from Diane Dunlap for Material Modification of the CFPD Service Plan, Diane Dunlap was not present.
2. Major issues are Mill Levy was not passed, no funds, no equipment.
3. Hamilton Brannon, President of the CrESD, was present. Mr. Brannon produced a letter from the Baca Grande POA, noting that discussions are still in progress, currently between the POA and Fire District's attorneys. They will notify the Commissioners of the outcomes. They do intend to conduct a Mill Levy ballot for May 8<sup>th</sup>, 2012.
4. Discussion on a need for a Material Modification of the CrESD Service Plan, and the need for a hearing to do that. CFPD and the POA still in discussion mode.

**Mike Norris – Sheriff Report:**

No report at this time.

Jail Tour

**Spearman moved to convene as Saguache County Social Services Board at 1:02 P.M. Joseph seconded the motion. The vote was three Ayes.**

**Jeannie Norris – Director**

**Pace moved to approve the Saguache County Department of Social Services agreement for legal services. Joseph seconded motion. The vote was three Ayes.**

1. There were 37 TANF cases during the month of January, 2012. Food assistance cases rose by 9 cases to 624 for the month. There continued to be 26 aid-to-the-needy-disabled cases, and 89 old-age pension cases.
2. The Child and Adult Protection Unit had 13 referrals during January, 10 of which were accepted for investigation. The Unit has 7 dependency and neglect court cases and 4 children in placement. There were 3 open adult protection cases during January. The department has 70 open child protection cases.
3. The LEAP program has now served 431 households, with 53 applications currently being processed. A total of \$135,417.35 has been paid to date for this season.
4. The IV-D Unit met their paternity establishment percentage and cases with orders goals for 2011, as well as raising their compliance and performance score for the year. Collections for the month of January were running slightly ahead of 2011, with \$37,299.56 having been collected.
5. The food bank served 39 people during January. We have our new refrigerator/freezer in place, and have continued to be able to serve adequately with private donations. We would welcome a visit to see the facility.
6. Colorado Department of Human Services recently did an on-site annual visit to review foster care cases and case files. The Child Protection Unit completed all required items satisfactorily, and the review specialist gave a special acknowledgement to Susie Jordan for her efforts to improve and consolidate reporting forms and requirements. The State Administrative Review Division has issued commendation certificates to Susie Jordan, Julian Stollmeyer and Meryl Tolsma for their foster care case reviews.
7. The San Luis Valley Directors Association has reorganized its representation on State Policy Action Committees, as well as CHSDA committees, by combining with the Southeast Directors Association. The goal for this action is to give input on the policy committees, while minimizing travel whenever possible.

**Spearman moved to adjourn as Saguache County Social Services Board at 1:44 P.M. Joseph seconded the motion. The vote was three Ayes.**

#### **Kim Smoyer, ScSeed Economic Development**

1. Attended the Governors Blue Print meeting in Alamosa on February 9<sup>th</sup>.
2. E.D. (Economic Development) website is being created and has demographics section, knowledge based section, and a quality of life section.
3. Crestone redevelopment project is moving ahead very smoothly, committee of about 15 people.
4. Saguache Downtown revitalization is just about complete, pocket park and the finishing touches like banners, and trashcans to be completed this spring.
5. ScSEEd Board meeting in Moffat on February 21, 2012.

**Pace moved to convene as the Housing Authority Board at 2:03 P.M. Joseph seconded the motion. The vote was three Ayes.**

**Evan Samora – Housing Director**

**Pace moved to convene as the Housing Authority Board at 2:15 P.M. Joseph seconded the motion. The vote was three Ayes.**

**Denise Witherspoon – SLV Fair Board**

Denise was not present.

Break

**Solar Reserve:**

In depth discussion between Commissioners, addressing questions and details of potential permit conditions, Reclamation and Decommissioning requirements, and Development agreements.

Following the Crescent Dunes site visit, by Commissioners Spearman and Joseph and Land Use Director Maez,

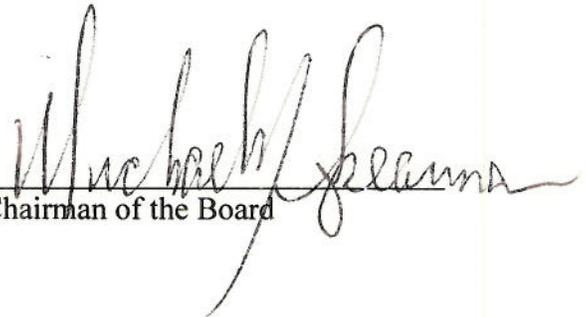
Bill Paying

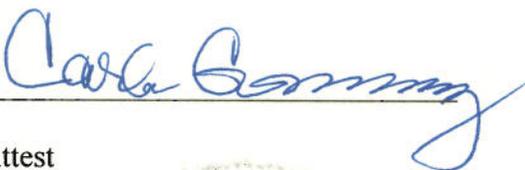
**Joseph moved to adjourn at 3:54 P.M. Pace seconded the motion. The vote was three Ayes.**

Respectfully Submitted,

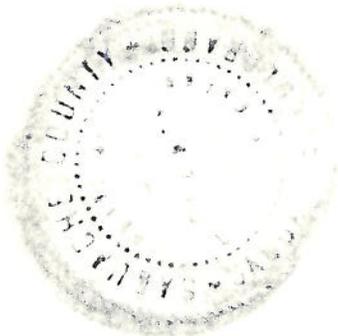
Staci Morfitt Acting Secretary to the Board of County Commissioners

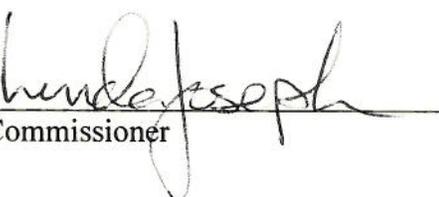
Minutes Approved March 6, 2012

  
Chairman of the Board

  
Attest

  
Commissioner



  
Commissioner