

Saguache County Board of Commissioners met in regular session Tuesday, April 2, 2013 with the following present:

Linda Joseph, Chair  
Ken Anderson, Co-Vice Chair  
Jason Anderson, Co-Vice Chair  
Wendi Maez, Co-Administrator  
Lyn Lambert, Co-Administrator  
Ben Gibbons, County Attorney  
Staci Morfitt, Acting Secretary to the Board

Meeting called to order by Chair Joseph at 9:04 A.M.

**Ken Anderson moved to approve the agenda as amended. Jason Anderson seconded the motion. The vote was three Ayes.**

**Additions or Deletions to the Agenda:**

1. Kathryn Bailey, Rio Grande Headwaters Land Trust had to cancel and will reschedule when able.

**Jason Anderson moved to approve the minutes of March 11, 2013 as amended. Ken Anderson seconded motion. The vote was three Ayes.**

**Jason Anderson moved to approve the minutes of March 19, 2013 as amended. Ken Anderson seconded motion. The vote was three Ayes.**

**Reading and approval of minutes of March 11, 2013 and March 19, 2013:**

**Review of Mail and other correspondence:**

1. **Saguache County District Court** sent the Report of Election results and Motion for dismissal of petition for dissolution and award cash bond to the Crestone Fire Protection District. (3/15/13)
2. **US Dept. of Agriculture** - sent a letter to try and finalize an Environmental Assessment for cave & mine abandonment concerning the White-nose syndrome. (3/26/13)
3. **Colorado Wildland Fire & Incident Management Academy** sent the Summer 2013 Training in Olathe, CO on June 1-7. Pre-register at [www.cwfima.com](http://www.cwfima.com). (3/26/13)
4. **USDA Forest Service** sent the January 2013 Decision Notice & Finding of No Significant Impact for Willow Lake Trail Head Improvement Project. (3/26/13)
5. **Wade Lockhart** sent a thank you letter for funding Daniel Johnson for the Fire Mitigation program. (3/26/13)
6. **Mike Horan** sent a letter asking what Sequestration cuts are being made in Saguache County. (3/27/13)
7. **La Vereda Del Norte Chapter** sent the April 2013, Volume 3, NO. 2 Newsletter. (3/28/13)
8. **State of Colorado Dept. of Public Health** sent a Notice regarding the Air Quality Control Commission Meeting to be held on April 18<sup>th</sup>, 2013. (3/28/13)

9. **Town of Crestone, Akia Tanara** sent an email to the BOCC in regards to Bridge Damage in Crestone. (4/1/13)
10. **Erin Minks with US Senator Mark Udall's office** sent an email that she will be holding office hours in the Saguache County Courthouse on Wednesday – April 10, 2013 from 9:30am to 11am.
11. **Commissioner Joseph** forwarded an email for a “live chat” with Secretary Salazar on Wednesday, April 3, 2013 at 2pm.

**Introduction of Guests:**

Matie Belle Lakish- Crestone Eagle  
 Tamar Ellenstuck- personal  
 Ted Lindtveit- CTSI  
 Akia Tanara- Town of Crestone  
 Brian St. George- BLM  
 Jim Pitts- FS  
 Jimmy Milam- public  
 Eric Karlstrom- public

Jeannie Ewing- Tourism Council  
 Kairina Danforth- Tourism/bridge  
 Doug Bishop- personal  
 Clera Gasseleog-Baca  
 Stuart Schneider- BLM  
 Marshall Milam- public  
 Gary Milam- public  
 Mike Spearman

**Public Comment:**

None at this time

**Commissioners Report:**

**Linda Joseph** reported:

1. March 20, attended much of the monthly Gunnison Sage Grouse Strategic Conservation Committee meeting by teleconference. Learned that USFWS will be doing public hearings, on the proposed endangered listing for Sage Grouse, and their critical habitat designation in Gunnison, and Monticello or Dove Creek, and not in Saguache County.
2. Participated in Sage Grouse comments development for US Fish & Wildlife, this weekend. Related upcoming event: **Thursday, May 9, 2013 • 10:00 A.M. to 2:00 PM Information Network • Western Counties Meeting - Montrose County Fairgrounds & Event Center, Friendship Hall, 1001 North Second Street, Montrose.**

**Ken Anderson moved to approve a letter of support for Tom Goodwin, for reappointment to the Board as the Director at Large on the Upper Arkansas Water Conservation District. Joseph seconded motion. The vote was three Ayes.**

3. Received a call from Tom Goodwin - letter of support request for reappointment to the Board as the Director at Large on the Upper Arkansas Water Conservation District.
4. Received and forwarded information from Ron Garcia, regarding the Federal Lands Access Program (FLAP) funding opportunity, for consideration. Discuss with Road & Bridge Supervisor.
5. Updated the Eye on the County topics list working draft.
6. Eye on the County letter, and FS press release on the Continental Divide trail sent to Mark Talbot for posting in the news section of the ED website: [choose-saguache.com](http://choose-saguache.com)

7. April 1, attended the BoCC work session day for review of final Sage Grouse comments on the US Fish & Wildlife proposed endangered listing and habitat designation;, orientation to Road & Bridge Dept. and Budget, Landfill visit, and discussion of Sales Tax Grant applications.

**Ken Anderson** reported:

1. 3/27- Attended the Senior Citizens meeting in Alamosa.
2. Had a phone call concerning the late fees the State puts on license plate renewals that are renewed after grace period.
3. 4/1- Attended the BoCC work session.

**Jason Anderson** reported:

1. 3/28- San Luis Valley Great Outdoors meeting. Published a RFP (Request for Proposals) for the SLVGO master plan, reviewed coalition structure.
2. 3/28- Attended the Baca Grande POA meeting to speak on the Counties position in reference to dogs at large in the Baca. The County does not have a dog at large ordinance.
3. 3/28- Spoke with Kyrina Danforth, Mayor of Crestone, about bridges in the town that were in poor repair and restricted access to County roads and public lands.
4. 3/29- Spoke with Todd Stewart from Solar Power Financing about the possibility of the county signing up with the Solar Garden. Explained that we were going to explore the possibility of our own system. He was concerned about getting our low-income housing signed on to fill requirements.
5. 4/1- Attended the BoCC work Session.

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

1. Tourism Council recommendations regarding Tourism Expense Allocation refinements
  - a. Pursuant to directive from the Commissioners to the Tourism Council the lodging tax funds are to be allocated 75% for advertising of the county and 25% dispersed to event planners within the county. Under our proposal, 75% would still be devoted to advertising but a portion of the advertising funds would be granted to event advertising with the event planners in charge of expenditures.
  - b. **Background for the change:** The Council is all volunteers and has no staff support. There are numerous requests for financial help from a variety of event sponsors. The annual funds the Council disperses is about \$12,000. To allocate how the funds will be divided between event sponsors and advertising venues takes most of the time in the twelve monthly meetings. The creation of advertising copy and/or scripts is time consuming outside the meetings and calls for a certain level of expertise most council member do not have. Events in Saguache County range from general audience events like Fall Festival and Music Fest to Art Walks and Sewing Workshops that appeal to specific groups. Our local event planners have the time and insight needed to allocate advertising dollars to the most effective media channels to reach their target audiences.
  - c. **Rationale for the proposed change:** Under this proposal each recipient of Tourism funds would be required to spend half the grant money on advertising with the other half being discretionary funds for their event. This proposal retains the 75/25 advertising/event funding split established by the Board of County Commissioners while also relieving the Council members of some of the burden planning county outreach. It simultaneously puts more power into the hands of the event planners. It frees the council members to focus on regional and state-wide advertising for Saguache County while at the same time increasing the advertising directed at specific groups of potential

visitors. Furthermore, the Saguache County events occur at all times of the year. County-wide summer and fall advertising can be done by the council members. But it is not practical for Council member to try to handle advertising for specific events due to the fact that the time they can devote to individual events is limited. Empowering the event planners to do this work is a better use of Council time and will maximize the effectiveness of the outreach efforts. We think that getting the word out about what Saguache County has to offer with the goal of increasing tourism from outside the county is the goal the Commissioners have set for the Tourism Council. Our experience with Saguache County event planners tells us that they also want to bring in participants beyond the residents of the town in which they hold the event and especially from beyond Saguache County. We know our event planners want to advertise in places like Monte Vista, Alamosa, Del Norte, and Creede. Some are capable of pulling folks from Denver and New Mexico. These event planners know their target audience. They know which media outlets will be most effective in reaching interested people. They want to target advertise. They just need funds to do it. To make this proposal work we will amend our grant request form and report form to require recipients to spend and account for half the grant the money they receive on advertising. We will ask for a budget and later for receipts showing the expenditures on advertising. We think the implementation of this proposal will result in more targeted and productive advertising and conservation of Council members' time and efforts. BoCC supported the new proposal.

2. Lambert met with Della Vieira and the books for Public Health are reconciled and they have not had to transfer funds to public health.
3. In regards to Mr. Montoya and the lost personnel file at the VA's Office, Attorney Gibbons advised Lambert to speak with Mr. Montoya and see what documents he is seeking and what he feels is not being done for him. The BoCC advised administration to put the VSO on the agenda quarterly.

**Jason Anderson moved to approve the signing of the Annual Fire Operating Plan. Ken Anderson seconded motion. The vote was three Ayes.**

4. Review and possibly sign the Annual Fire Operating Plan.

Break

Wendi Maez- Land Use Administrator:

**Jason Anderson moved to approve the bid from Colin Frazier for Cool Valley Estates 11, Lots 1, 2, and 3 Block 9 for \$450.00. Ken Anderson seconded motion. The vote was three Ayes.**

1. Bid request received from Colin Frazier for Cool Valley Estates 11 - Lots 1, 2 and 3 Block 9.

**Ken Anderson moved to approve the bid from Jake Snowden and Kayla Bousquet for Lazy KV Estates Lot 16C, Block VV for \$400.00. Ken Anderson seconded motion. The vote was three Ayes.**

2. Bid request received for Lazy KV Estates Lot 16C, Block VV.

**Jason Anderson moved to approve the modification of the Conditional Use Permit, to remove the restriction for Marcus Douglas Bishop. Ken Anderson seconded motion. The vote was three Ayes.**

3. Marcus Douglas Bishop received a Conditional Use permit in 2001 for an additional residence on his property with the condition that family members only may reside in the additional residence. Mr. Bishop would like to have the "family member only" restriction be removed from the CUP as he has been using the residence for a rental.
4. Scott Miller and Linda S. Smith have purchased S1/2NE1/4SW1/4 and NE1/4NE1/4SW1/4 Section 24-46-9 (Persky Subdivision), which is an illegal subdivision. The amount of acres they have been able to purchase is 30 (+\-) acres. The landowners are trying to receive a water well permit and have purchased the 30 acres that they can. The problem is that 35 acres must be owned or the landowners must receive County approval for a Subdivision Exemption for a tract of land containing less than 35 acres for the Division of Water Resources to issue a well permit. Maez would like to ask if a survey of the property be waived for this exemption. The application fee has been paid. Attorney Gibbons advised not to wave the survey. The BoCC advised Maez not to wave the survey.
5. KTTG has asked for a refund in the amount of \$299.70, for the mailing and printouts fees, since they are not proceeding with the "possible new road to the Stupa" application. The BoCC directed Maez to refund KTTG \$299.70.

**Ted Lindtveit- County Technical Services, Inc., CTSI:**

1. Went over Colorado Counties Casualty Property Pool, and County Workers' Compensation Pool.
2. Went over frequency number of claims, severity money of claims, and average cost per claim. Loss analysis by Division, Department, and Accident.

**Ben Gibbons- County Attorney:**

1. Discussion with the BoCC on why CTSI will or will not cover or take on some cases. Advised getting a list of their exclusions, and taking a look at the CTSI policy. Discussion on looking into other insurances and gap insurance.
2. Maez has not heard back from either attorney involved in the Hollenbeck case. The procedure being followed today for the public hearing will be the 2477 procedure, as adopted by a past BoCC. Attorney Gibbons filled Commissioners Jason Anderson and Ken Anderson in on the history of the Hollenbeck case. Another status conference scheduled for next month.
3. Looking into ordinances and laws concerning loose dogs for Commissioner Jason Anderson.

Lunch

**Randy Arredondo- Road and Bridge Supervisor report:**

1. Crestone Mayor Akia Tanara came to the BoCC to discuss bridge repair. DOLA has grants that are 50% match. An engineer study will need to be done. Arredondo will talk to Jim Pitts, Forest Service, about the bridge repair funds, as it provides access to the Forest. Discussion with the BoCC about different options.
2. Presented the 2013 Paving Schedule.
3. Discussion on how many vacation hours an employee can carry over and what happens when the quit or resign. Clarification on how many you have to use versus how many you can carry. The BoCC advised administration to clarify with communication letters, so employees understand the policy on vacation time.

4. Arredondo is in communication with the State, as the grant the County received for tire clean up off of Hwy 17 could be sought for the tires at the Landfill, most of which were taken without fees.

**Ken Anderson moved to convene as Saguache County Board of Health at 1:30 P.M. Jason Anderson seconded the motion. The vote was three Ayes.**

**Della Vieira- Public Health Director:**

1. Public Health Admin.:
  - a. Introduce Alyssa Metzger, Public Health Nurse
  - b. Edits to 2013 Public Health Improvement Plan will go out via email later this week.
  - c. Cash Flow discussion
2. Core Services updates- new program review format:
  - a. Assessment, Planning, and Communication: PHIP, SLV Partnership Project in process
  - b. Vital Records and Statistics: no updates
  - c. Communicable Disease Prevention, Investigation, and Control:
    - Article on hanta-virus and safe rodent cleanup approved last week for regional distribution went out today, Courier, Valley Pub, Crescent.
    - Regional epidemiologist sent communication from USFS that they are planning to open Duncan Cabin for lodging; he sent another copy of the final report on TBRF investigation and copy of the article PH had in Crestone Eagle, along with his recommendations for rodent-proofing the structure.
  - d. Prevention and Population Health Promotion: Health Fairs:
    - Center April 5<sup>th</sup>, 2013, Saguache April 13, 2013
    - Drug take-back day in Center at Health Fair by the CSP and Saguache will be 4-27-13 by the Saguache County Sheriffs' Office.
    - Coalition meeting at Crestone Charter School 4-8-13 at 4:30.
  - e. Emergency Preparedness and Response: we are currently working with Regional EPR and CDPHE to develop deliverables and budget for 2014 contract.
  - f. Environmental Health: RGPFA Director is forwarding all the information that she has compiled on poultry operations; Della will forward to BoCC, and would schedule a work group around the issue as they consider the application.
  - g. Administration and Governance: no updates.
3. PCP Program
  - a. Total of 50 Medicaid clients and 0 Private Pay clients in at the end of March.
4. Cash Flow Ideas Public Health 2013: For three consecutive months from December-February, Public Health experienced a negative balance at the close of each month.
  - a. Starting balance 1-1-2012 in PH records= \$14,694.22 Treasurer's= \$9,793.95  
Difference= \$4,900.27
  - b. 401K payments missing in Public Health records in 2012= \$1,808.96
  - c. A few ProCom bills were missing from PH records= \$90.00
  - d. Some mid-month special runs for payroll were missed in October= \$1,605.23
  - e. One payroll entry was missed in December= \$425.65
  - f. Total difference identified so far=\$ 8,830.11

- g. Treasurer's Office went through their 2012 records at PH request last week, and confirmed that they had not withdrawn funds twice for either the August error (\$11,073.85) or the October error (\$8,969.99)
  - h. Medicaid deposits to Public Health have been delayed from 1-3 weeks in both January & February, but not consistently so; therefore, end-of-month balances did not match across 3 departments for either January or February, but the information is too late to PH by the time deposit records are issued at mid-month.
  - i. All transactions for checks and deposits now match across all 3 departments.
  - j. PH Director was overpaid by \$792.40 from January through March, as HR was calculating "exempt" rate on a 40-hour week not a 36-hour week.
5. How to improve communication between Public Health, Administration, and the Treasurer's Office to reduce error and confusion.
- a. Hold monthly "reconciliation" sessions that include a rep from all 3 offices; these should be scheduled as a place-saver, so it is hard to put off when all 3 departments get busy.
  - b. PH reports direct deposit amounts to Treasurer's Office when confirmed by Medicaid. Treasurer's Office has agreed to report deposits to PH as they come in.
  - c. Buffer Center Office Utility bill burdens by removing them from PH and pay full bill via DSS, DSS then will request reimbursements from PH & Clerk.
  - d. Other departments notify PH when errors are made, rather than relying on including them in the text of a monthly report, this will ensure that all departments have the same working balance at month's end.
  - e. Obtain BoCC assistance with negotiating the rent increase for VWHS Dental Clinic in Center building. Attorney Gibbons will contact VWHS about rent increase.

**Ken Anderson moved to adjourn as Saguache County Board of Health at 2:06 P.M. Jason Anderson seconded the motion. The vote was three Ayes.**

**Public Lands reports:**

1. Brian St. George from the Gunnison field Office reported along with the new Associate filed Officer Stewart Snider.
  - a. The BLM has their first law enforcement officer, along with a lot of capacity improvements.
  - b. Today is the deadline for public comments on the proposed Sage-Grouse listing and habitat designation.
  - c. Fairly muddy fairly early is making maintenance of roads and gates harder.
  - d. As of right now BLM will not have budget for seasonal positions.
2. Jim Pitts report for the USFS.
  - a. The RGNF would like to know if Saguache County has been contacted by the State in regards to reporting their preference to payback the required SRS dollars due to sequestration. The County Commissioners reported that there has been no official communication between the State and the County, therefore County cannot report to USFS about Title I, Title II or Title III funds, yet. USFS would like to share that there is an option for the State to choose that the 5.1% cuts from sequestration come entirely out of the Title II funds and that if the County would like for that to happen they should ensure the State knows their position. Joseph noted that there was no allocation for Title III in the last Secure Rural Schools process, so cuts could only come from Title II or Title I funds.

- b. Discussion on projects and budgets, top priority projects include; 41G culvert replacement, Luders Campground, LaGarita Wilderness Trails, and the South Crestone Trail.
- c. Without any moisture the last couple weeks, FS roads will start to be opened.
- d. Forest Services allocations cannot help with funding to replace the bridge in Crestone; Rio Grande Forest Service bridges are top priority.

Break

**Ken Anderson moved to open the Public Hearing at 3:00 P.M. Jason Anderson seconded the motion. The vote was three Ayes.**

**Public Hearing:** RS2477 Gene H. Hollenbeck Petition to vacate a portion of 10XX

1. Notice of Public Hearing was sent out to adjacent landowners.
2. Conducted with procedure set in 1988 on Vacating RS2477 roads.
3. Petition was submitted by Mr. Hollenbeck.
4. Wording of #8 on petition was pointed out to Attorney Gibbons; he agreed that #8 was an incorrect statement.
5. Mike Spearman commented that it has been a long and complicated process and will be nice to have it resolved.
6. Mr. Milam stated they had no objection to Mr. Hollenbeck's request they just objected to the wording on #8 on the petition.
7. Attorney Gibbons stated that there is FS road 789 that gets to the same place as 10XX.
8. Road & Bridge Supervisor Arredondo supports the vacation.
9. Mike Norris did recall a citation being issued and continued in lieu of mediation. County's stand point is citation will be taken up at another time.
10. Per Attorney Gibbons, make note of the contents of file and complete Land Use file with application and supporting documents submitted.

**Ken Anderson moved to vacate road 10XX beginning the north point of the segment to be deleted begins at the southeast corner (being the same as corner #5) of a 5 acre parcel. Ends the south point of the segment to be deleted is the intersection of County Road 10XX with the south boundary of the SE ¼ NE ¼ section 11, T47N, R1E of N.M.P.M., length of deletion over ½ mile. Jason Anderson seconded the motion. The vote was three Ayes.**

**Ken Anderson moved to close Public Hearing at 3:15 P. M. Jason Anderson seconded the motion. The vote was three Ayes.**

Mike Spearman gave an update on the Leach Airfield acquisition. All conditions have been met for the title commitment. There are 6 hangers, 3 of which are leased, filed, and rent set; 3 with no rental agreement or documentation. The County has pursued this project for the last 4-5 years, and it is great to see it finally come to fruition. In our quest for economic development, hopefully, this acquisition will be a step forward for Saguache County. We will start immediately working on a long-range plan for the development of the airport after closing. Once the clean-up is completed, and we have aviation fuel available, Spearman believes it will become

a real asset to the County. There are only a couple details holding up the closing, such as having the surveyors correct the final map. We hope to finalize everything within a week.

Bill Paying

**Joseph moved to adjourn at 3:45 P.M. Jason Anderson seconded motion. The vote was three Ayes.**

Adjourn

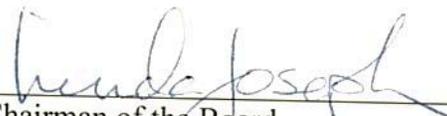
Respectfully Submitted,

Staci Morfitt Acting Secretary to the Board of County Commissioners

Minutes Approved April 16, 2013



Attest

  
Chairman of the Board

  
Commissioner

  
Commissioner