

COUNTY COMMISSIONERS' PROCEEDINGS

State of Colorado)

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County of Rio Grande)

The Board of the Rio Grande County Commissioners met in regular session on July 17, 2019.

At 9:00 a.m., Chairman Bothell called the meeting to order. Commissioner Noffske led the opening prayer. The Pledge of Allegiance was said.

Clerk of the Board, Nikita Christensen called roll. Commissioner Suzanne Bothell, Commissioner Glover and Commissioner Noffske were present along with County Administrator, Tricia Slater.

Adoption of the Agenda

Commissioner Glover moved to approve the agenda. Commissioner Noffske seconded the motion and the motion carried.

Approval of Minutes from the Previous Meeting

Commissioner Noffske moved to approve the minutes from June 26, 2019 as corrected. Commissioner Bothell seconded the motion and the motion carried.

Public Comment

There were no public comments.

Consent Agenda

Commissioner Noffske moved to approve the consent agenda. Commissioner Glover seconded the motion and the motion carried.

County Official and Department Head Reports

Patrick Sullivan, Road and Bridge Department reported that it was a successful water season for the department with high water and clearing debris. The department will continue to monitor the river. Sand is stock piled in South Fork and Del Norte. The department repaired FS Road 250 with Conejos County and the Forest Service and installed a culvert at Jasper Creek on FS 250, utilizing the crusher on several sections of road. The department is continuing the upgrade of the hot plant. The department has completed 75% of their Schedule A roads.

Mr. Sullivan presented two bids for a mower; a bid from John Deere for a rotary cutter for \$16,609.00 as well as a bid from Sorum Tractor for \$16,900.00. Mr. Sullivan recommended the Sorum Tractor bid as it has a better warranty and fits into the fleet better. Commissioner Glover moved to purchase the mower from Sorum Tractor. Commissioner Noffske seconded the motion and the motion carried.

Mr. Sullivan also presented a bid for a lowboy trailer from Wagner Equipment Company for \$97,052.17. He noted that this is the only brand of trailer that fits the department's needs and this is the only dealer in this territory. For this reason, there is only one bid. Commissioner Noffske moved to approve the purchase of the lowboy trailer. Commissioner Glover seconded the motion and the motion carried.

Dennis Marquez is requesting that the County put up speed limit signs on Farnsworth in Alpine Village. Patrick said that putting up the speed limit sign would be costly and noted that the law needs to be enforced. There are 15 miles of road in that Village. The Sheriff can give tickets in this area because it is an implied speed limit for residential, 25 miles per hour.

Dixie Diltz, Land Use, reported that TJ' Dlubacs consulting services with RG & Associates is moving forward with the code book and the meeting with the Planning Commission went well. She noted that the legal counsel contracted through RG & Associates has left the firm and contract with Rio Grande County. It was recommended that Mr. Dunn finish out the code book and the firm will not bill the County for that remanding portion of the contract.

Randy Kern, Building Department updated the Board. The Museum roof was done in June and there have not been any leaks so far. Mr. Kern also updated the Board on House Bill 1260 which is a revised House Bill 1146. He noted that this bill only affects the County when updating the building code book and energy code. If the County updates the codes, one of the

three most current energy codes must be adopted. The County is also responsible for reporting to the State Energy Office when there is a change.

Mr. Kern also reported that April Kessler-Harris turned in her 2-week notice; July 29, 2019 will be her last day. Mr. Kern proposed that this position be redesigned. He proposed that Land Use and the Building Department share this position. Certification would be required within the first year of employment. It was suggested to advertise a grade 9, step 1 position at \$13.76 per hour with the flexibility to increase to grade 9, step 2 at \$14.04 per hour plus benefits. If the position is filled with a qualified applicant with certification, the department could offer a grade 9, step 3 at \$14.86 per hour. Commissioner Noffske moved to approve this position sharing between Land Use and the Building Department. Commissioner Glover seconded the motion and the motion carried.

General Business and Administrative Items

Jay Sarason was present for the Airport Board Request for Pilot Shelter and Jet A. This proposal is a starting point for the airport project; funding sources and improvements will expand. There is approximately \$204,000.00 in the Airport Fund. The requests were presented as follows.

1. Rio Grande County (RGC) will fund 50% of a new Jet A fuel tank and delivery system. Rio Grande County agrees to enter into agreements with all Jet A fuel tank private donors which will allow all donors to purchase aviation fuel from Astronaut Kent Rominger Airport (RCV) at a discounted rate, equal to cost plus 10%, until the full amount of the private donation is fully reimbursed through the cost savings of purchasing discounted aviation fuel versus purchasing aviation fuel from RCV at retail pricing. RGC agrees to provide accounting of each private donors discounted fuel purchases until such time as private donations are fully reimbursed. The new Jet A fuel tank cost will be between \$106,000 and \$140,000. The remaining 50% of the bid not covered by the County will be funds from private donors. Commissioner Glover moved to approve the 50% match for the new jet air bid. Commissioner Noffske seconded the motion and the motion carried.
2. Rio Grande County is working on finalizing the Enterprise Zone application. Ms. Slater is working on this portion of the project.
3. Rio Grande County will fund up to an additional \$10,000 to finish the Pilot Shelter if there is a monetary shortfall in finishing the shelter due to not receiving the REDI grant. Commissioner Noffske moved to approve funding up to \$10,000.00 coming out of the fund balance. Commissioner Glover seconded the motion and the motion carried.
4. Commissioner Noffske moved to authorize the beginning of the Pilot Shelter. Commissioner Glover seconded the motion and the motion carried.
5. Rio Grande County will provide full funding and provide authorization to begin the taxiway construction as soon as Road and Bridge has time to construct the taxiway; most likely in the summer or fall of 2019. The taxiway will cost approximately \$80,000.00. The taxiway may be expanded in the future. Commissioner Glover moved to approve funding and taxiway construction. Commissioner Noffske seconded the motion and the motion carried.

Jay Sarason also updated the Board on a situation on the airport land. He explained that Jim Edwards bought land and set up a plane repair shop on land adjoining the airport land, however Mr. Edwards has not done any work related to the airport. Mr. Sarason approached Mr. John Mathisen to discuss his current parking and hangar situation. Mr. Mathisen was not interested in hearing Mr. Sarason's concerns. Mr. Sarason sent Mr. Mathisen a text in order to notify him that he will not be allowed to park in the current location. Mr. Edwards is concerned that the airport will be blocking his interest with the new fence and gate, however Mr. Sarason explained that the area in front of his shop is no longer a runway. The airport will do mowing and plowing as a courtesy when time allows. The gate will be on the airport property and will not block access. Mr. Edwards will have an access code for the gate. Commissioner Glover noted that Mr. Edwards is under the impression that there is an agreement between him and the airport concerning his accessibility and shop.

Mr. Sarason asked the Board if it would be possible to hire someone part time to help fill his position and duties. It may be possible to share a part time employee with another department. Mr. Sarason will create a proposal for this position.

Del Norte School GOCO Project Agreement was presented. Ryan Dunn, County Attorney reviewed the GOCO Grant agreement. Mr. Dunn noted that the agreement states that changes

to the fiscal agent of the grant must be approved by the GOCO Grant Board. Mr. Dunn noted that he would like an official approval of this change by the GOCO Grant Board.

The Coroner requested a wage increase for the Deputy Coroner. It was noted that funds are available in the budget. Commissioner Glover moved to pay the Deputy Coroner \$10,818 per year, a range 2, step 3 position.

Unfinished Business

Commissioner Noffske moved to table the discussion of the Tyler Communications system. Commissioner Glover seconded the motion and the motion carried.

Commissioners Updates

Commissioner Noffske updated the board. He noted that he has been approached by an attorney that is suing the Rio Grande San Luis railroad and is wanting to join the Counties to recover the funds. He also noted that the SLV Housing Coalition has moved and with the transition have not had a meeting. Development Resources Group (DRG) is doing well and received the block grant. The County will act as the fiscal agent. DRG also completed a couple of loans. Commissioner Noffske also attended the Council of Governments (COG) meeting. Cory Off will be presenting next Monday in a work session about the water situation in the Rio Grande Basin. Commissioner Noffske noted that the Board needs to look at the County's role in this water situation because people in the Valley are "smelling the money" in this water deal. He stated that there needs to be a discussion of where the pipeline will be developed. He suggested that a 1041 rules workshop be done as those rules may be useful in the water battle and the railroad clean up.

Commissioner Glover noted that the tourism board did not meet. He did attend the Tri County Senior Center meeting concerning fundraising. Commissioner Glover also attended the Rio Grande County Pest Control District Meeting and discussed the presentation done at the Valley Six. The MAT board's first meeting was cancelled. He gave an update on the situation at Idaho Pacific and noted that Jacob from CDPHE is aware of the situation; pictures have been taken and sent to the CDPHE.

Commissioner Bothell noted that the State Authorization Board for Regional Emergency and Medical Trauma Services Advisory Council (SEMTAC) State conference was in Alamosa. They also had a dinner for all the commissioners.

Commissioner Glover moved to approve the Salary increases requested by the Rio Grande County Pest Control Department. Commissioner Noffske seconded the motion and the motion carried.

At 12:15 p.m., Commissioner Glover moved to adjourn the meeting. Commissioner Noffske seconded the motion and the motion carried.

Executive Session

There was no executive session.

Public Hearing

At 2:03 p.m., Commission Bothell called the public hearing to order. The public hearing for the six month moratorium on all applications for conditional use permits of kennels including dog kennels, within the unincorporated boundaries of Rio Grande County, Colorado was presented. The Resolution was read.

There were no public present. Commissioner Glover moved to approve the kennel moratorium. Commissioner Noffske seconded the motion and the motion carried.

At 2:10 p.m. the public hearing was adjourned.

Attest:

Suzanne Bothell, Chairman
Chairman of the Board

Nikita Christensen
Clerk of the Board

COUNTY COMMISSIONER PROCEEDINGS

County of Rio Grande)

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State of Colorado)

The Board of the Rio Grande County Commissioners met in regular session on July 31, 2019.

At 9:00 a.m., Chairman Bothell called the meeting to order. Commissioner Bothell led the prayer. The Pledge of Allegiance was said.

Clerk of the Board, Nikita Christensen called roll. Commissioner Bothell, Commissioner Glover, and Commissioner Noffske were present along with County Administrator Tricia Slater.

Adoption of the Agenda

Commissioner Noffske moved to adopt the agenda as presented. Commissioner Glover seconded the motion and the motion carried.

Minutes from the Previous Meeting

Commissioner Noffske moved to approve the minutes as corrected. Commissioner Glover seconded the motion and the motion carried.

Public Comment

Dennis Marquez, South Fork resident, explained why he would like speed limit signs on Farnsworth Road in Alpine Village. The Board asked to postpone the discussion until Patrick Sullivan, Road and Bridge was present to discuss this issue.

Consent Agenda

Commissioner Noffske moved to approve the consent agenda which included accounts payable, payroll, Void Warrant #151191, Void Warrant to RETAC, Cooperative Law Enforcement Annual Operating Financial Plan by RG and USDA Forest Service, and the approval of Tricia Slater being the Fiscal Agent for Homeland Security. Commissioner Glover seconded the motion and the motion carried.

2019 Monthly Vouchers

Vender	Amount
ADAMSON POLICE PRODUCTS	\$2,295.80
ALAMOSA CO NURSING SVC	\$21,708.60
ALAMOSA COUNTY	\$315.00
ALL TRUCK AND TRAILER	\$85.70
AMERICAN PLANNING ASSOC	\$225.00
ASPHALT CONSTRUCTORS	\$975.00
AVENU HOLDINGS, LLC	\$4,564.41
BRANDON ROGERS	\$56.16
BRYAN CHRISTENSEN	\$60.35
BUSINESS SOLUTIONS LEASING, INC	\$60.10
CAROL VORIS	\$9.90
CARY ALOIA	\$73.40
CHARLES STILLINGS	\$65.75
CHAVEZ PLUMBING & HEATING, LLC	\$4,600.00
CHERILYN RUE	\$108.00
COAST TO COAST SOLUTIONS	\$339.47
COLO SECRETARY OF STATE	\$60.00
COLORADO PUBLIC HEALTH ASSOCIATION	\$1,272.00
CONEJOS COUNTY NURSING	\$1,713.85
CYNTHIA FORD	\$2,142.60
DEANN JACOBS	\$19.39
DIANNE KOSHAK	\$52.20
DIRECT TV	\$186.23

DISTRICT ATTORNEY OFFICE	\$22,166.67
DOUG COOPER	\$52.07
DP AG SERVICES	\$8,033.14
DWIGHT FREEMAN	\$63.50
EMILY BROWN	\$1,608.52
EVERETT MYERS	\$65.30
FIRST BANKCARD	\$7,042.68
GOBINS, INC	\$205.77
GREAT AMERICA FINANCIAL	\$349.13
HAYNIE'S INC.	\$709.06
IDA SALAZAR	\$292.50
JAMES CLARE	\$52.25
JEAN BORREGO	\$5,576.21
JON MONTANO	\$1,500.00
KIMBERLY BRYANT	\$4,302.06
LEDS, LLC	\$2,002.00
LENCO WEST, INC	\$17.14
LEONARD BROWN	\$63.50
LEROY A ROMERO	\$150.00
MARK MUELLER	\$56.30
McKESSON MEDICAL-	\$605.52
MEGAN WILSON	\$78.17
MIKE SCHAEFER	\$56.30
MOBILE RECORD SHREDDERS, LLC	\$65.00
MODERN MARKETING	\$512.21
MONTE VISTA COOPERATIVE	\$829.75
MONTE VISTA MACHINE TOOL	\$20.00
NOTES & NUMBERS, LLC.	\$790.00
O & V PRINTING, INC	\$878.35
PAUL WERTZ	\$35.55
PAXVAX, INC	\$630.81
PSYCHOLOGICAL RESOURCES	\$270.00
RG & ASSOCIATES, LLC	\$3,650.00
RIO GRANDE COUNTY	\$314.97
RIO GRANDE HOSPITAL	\$34.00
ROCKY MOUNTAIN PLUMBING	\$34.00
S & S DISTRIBUTION, INC	\$126.00
SAGUACHE CO PUBLIC HEALTH	\$7,386.36
SANOFI PASTEUR, INC.	\$620.34
SIMPLE DISTRIBUTORS LLC	\$1,637.00
SLV AUTO REPAIR, LLC	\$203.99
SLV REC	\$180.00
SLV REC	\$105.00
SLV REC	\$546.12
SOUTHWEST PUBLIC SAFETY	\$384.65
STAPLES BUSINESS	\$1,645.79
STATE OF COLORADO	\$608.13
TOM HAEFELI	\$63.50
TONI STEFFENS-STEWARD	\$242.10
UNITED REPROGRAPHIC	\$126.56
VALLEY COURIER	\$375.55
VALLEY EQUIPMENT LEASING, INC	\$7,413.29
VENDOLA PLUMBING, INC	\$221.20
VERIZON WIRELESS	\$367.98
WAGNER EQUIPMENT	\$688.64
WARNE CHEMICAL & EQUIP.CO	\$369.20
WESTERN SLOPE FIRE & SAFETY, INC	\$575.00
WEX BANK	\$5,467.73

WEX BANK	\$790.66
WORLD FUEL SERVICES, INC	\$17,042.19
WSB COMPUTER SERVICES	\$277.73
	\$151,566.05

June 2019 Payroll

County General:	\$ 252,216.32
Road and Bridge:	\$ 80,646.72
DSS:	\$ 127,645.83
Weed District:	\$ 14,262.69
Airport:	\$ 1,745.58
Public Health:	\$ 25,952.23
TOTAL:	\$ 502,469.37

County Official and Department Head Reports

The Board adjourned to the Board of the Department of Social Services.

The Board reconvened.

Dennis Marquez, South Fork resident and Patrick Sullivan, Road and Bridge, were present to discuss the possibility of posting speed limit signs on Farnsworth Road in Alpine Village. Mr. Sullivan noted that speed limit signs are not very effective without enforcement and noted that this area is usually not patrolled a lot by County Deputies. Mr. Sullivan noted that he is willing to put a few signs up, then revisit the topic with Mr. Marquez and discuss signs effectiveness.

Emily Brown, Public Health, introduced Andrea Carlstrom, Director of Public Health in Chaffee County. She noted that Ms. Carlstrom has been great to work with as the two counties have similar issues.

Ms. Brown reported that the CALPHO/CDPHE cost assessment has been completed. At the next Board of Health meeting the report will be finished and Ms. Brown will discuss the findings.

Ms. Brown thanked Commissioner Glover for attending the first discussion for the SHARRP harm reduction. She noted that the next meeting will be in early September when they will be asking for community input.

An intergovernmental agreement for the SLV Child Fatality Review and Prevention Team was presented. This is an agreement that states that Rio Grande County will organize meetings while the other counties will provide half of state funding received to fund this program. She noted that Rio Grande County may be invoicing other counties less due to a reserve fund built up for that program. She noted that this program and meetings are required by the State of Colorado for Public Health. Commissioner Glover moved to approve the IGA for the SLV Child Fatality Review and Prevention Team. Commissioner Noffske seconded the motion and the motion carried. The IGA was signed.

Ms. Brown presented a Memorandum of Understanding with Costilla County Public Health for the Office of Behavioral Health Prevention Coalition Grant. Rio Grande County will receive \$14,570. She noted this program may change in the future to fund projects instead of salaries and operating expenses. Commissioner Noffske moved to approve the MOU. Commissioner Glover seconded the motion and the motion carried. The MOU was signed.

The STEPP Tobacco state funding sub-recipient contract was presented. Conejos County Public Health, Costilla County Public Health, and Saguache County Public Health will each receive \$27,250.00 from this state funding. Ms. Brown noted that Rio Grande County is the fiscal agent for this grant, however she will be looking into if it is still beneficial for the County to manage all grants for these counties. Commissioner Noffske moved to approve the contract. Commissioner Glover seconded the motion and the motion carried. The contract was signed.

Ms. Brown presented a Coordinator Agreement for the STEPP Tobacco program. Kristy Hillis is an independent contractor for that program, and she works on a regional level for prevention. Commissioner Glover moved to approve the agreement. Commissioner Noffske seconded the motion and the motion carried. The agreement was signed.

A Healthy Communities sub-recipient contract with Chaffee County was presented. The contract is for \$16,473.00. Chaffee County is within the regional boundaries of HICPUF. Ms. Brown noted that the Healthy Communities link with Social Services to provide children with services at young ages under Medicaid. Commissioner Noffske moved to approve the

contract. Commissioner Glover seconded the motion and the motion carried. The contract was signed.

Ms. Brown explained to the Board that the Center for Rural School Health and Education board based out of Denver University will be having a retreat with a goal of “Community Connectedness and Protective Factors” with K-12 students. She noted that they will be studying education in rural areas. WISH grants may be used in the future to help with the planning process to create a health and wellness plan.

Ms. Brown reminded the Board that World Breastfeeding Week/”Big Latch” is the week of August 3, 2019 and an event will be held on August 3, 2019 at Carroll Park in Alamosa. She also stated that National Night Out in Monte Vista will be on August 6, 2019 from 5:00 to 8:00 p.m., at Chapman Park. This event promotes police and community partnerships.

Ms. Brown presented the Health Care Coalition Coordinator agreement with Cynthia Ford for \$66,250.00. She stated that Ms. Ford has created clear deliveries and met expectations within this role. Commissioner Glover moved to approve the agreement. Commissioner Noffske seconded the motion and the motion carried. Agreement was signed.

Ms. Brown asked if the Board had any requests for the regional training and exercise planning workshop that will be August 1, 2019. There were no requests.

Ms. Brown asked if any follow up was needed for Idaho Pacific air and water issues. Commissioner Glover noted that he is working with CDPHE to resolve the issue.

Ms. Brown updated the Board on administration and governance topics. The CDPHE will be completing a Board of Health orientation on August 14, 2019 at 9:00 a.m., in Denver. The National Association of Local Boards of Health Conference will be August 14 through the August 16, 2019 in Denver. The Public Health of the Rockies conference will be August 27, 2019 through August 30, 2019 in Keystone. She noted that these conferences are great for connecting with other people in the State.

Jay Sarason, Rominger Airport Manager, updated the Board. He reminded the Board that they will have breakfast burritos at the Airport on the Sunday of Covered Wagon Days.

Mr. Sarason stated that the advisory committee is moving forward with getting Jet A fuel. He also stated that the Forest Service wants the airport to get Jet A fuel and will help fund the project. Mr. Sarason asked for the Board’s approval to apply for a grant through the Forest Service. Commissioner Glover moved to support the grant application. Commissioner Noffske seconded the motion and the motion carried.

Mr. Sarason asked if the County would be willing to waive the building permit fee for the Pilot Shelter. Commissioner Noffske moved to waive the fee. Commissioner Glover seconded the motion and the motion carried.

The weather station will be run under a new program with CDOT and they will cover costs for this program.

General Business and Administrative Items

The Veterans Transportation Network report was presented. The Board reviewed the report.

The issue of whole life insurance for employees from New York Life was brought up. Commissioner Noffske moved to table this topic until further information could be collected. Commissioner Glover seconded the motion and the motion carried.

Commissioner Glover told the Board that the Landfill is applying to the State to use “Green Stuff”(chipped plant matter) for ground cover in order to use waste as ground cover instead of having to buy ground cover materials.

Other Business

Colorado Department of Transportation 2019 Meeting was introduced. Colorado Department of Transportation personnel present were Michael McVough, Tony Cady, Jennifer Allison, Sidney Sink (Transportation Commissioner), David Vialpando, Linda Morschauser, and Arthur Miller. Hew Hallock, SLVDRG; Dan Hicks, South Fork; Bernadette Martinez, Del Norte; Bonnie Asplin, Del Norte; and Marty Asplin, URGED were also present.

Mr. McVough explained that the purpose of the meeting is to review and develop a Transportation Plan for the area and help create a long-range plan update. He explained that

this plan will help create a 10-year pipeline to prioritize projects. Region Five has a low population, however has a lot of roads to maintain. He encouraged the Board to participate in the TPR. He noted that Commissioner Glover has been very active at the TPR level.

Mr. McVough noted that this process is a data driven analysis to find the highest priorities. He noted that a 25 year long range statewide plan is being developed and continually amended. The goals of the TPR and meetings like this one is to “bring planning efforts together in order to develop a 10-year strategic pipeline of projects inclusive of all modes informed both by a data driven needs assessment and public and stakeholder input.” He noted that examples of data that drives these plans are crash rates, traffic rates and how these effect roads. Funding for these projects is calculated off of a cost-benefit analysis. It was noted that RPP funds are leveraged with federal funding. Different pots of money may be used for projects depending on what type of issues there are specifically safety and traffic issues.

Mr. McVough reviewed statistics for the area from the 2015 census. Mr. McVough asked about the biggest challenges to Rio Grande County’s transportation system. Dan Hicks, South Fork, noted that seasonal traffic changes are a major challenge when it comes to planning. Other challenges recognized were safety including adequate highway lighting in key intersections, wildlife fences and underpasses. Partnering with Colorado Parks & Wildlife and the Rocky Mountain Elk Foundation may allow projects to be funded more easily. There was discussion about Highways 112 and 285 being extremely busy and need passing lanes in the future. Bike lines may also be a priority for multimodal goals on Highway 160.

Mr. McVough noted that the roadway’s effect on the economy is also considered. In this area education, public health, retail trade, agriculture and forestry will be studied. He noted that 60-80% of funding is reserved to maintain assets. One of the projects to maintain will be repaving Highway 112 and widening one of the bridges on Highway 112. Another major project will be US 285 Intelligent Transportation Systems infrastructure which is installation of fiber optics and ITS devices between Fairplay and Monte Vista.

The forest cleanup projects were discussed because that may increase logging truck traffic. ATVs were discussed as they have been legalized and are becoming increasingly more popular in like South Fork during the summer tourist season.

Mr. McVough encouraged the Board to bring ideas and concerns to the TPR meetings in order for CDOT to prioritize community concerns.

At 12:32 p.m., the meeting was adjourned.

Public Hearing

Dixie Diltz, Land Use, informed the Board that Sheldon Lowder was running late to the hearing and asked to postpone the public hearing until 1:30 p.m. There were no residents present for the public hearing. The Board agreed to postpone the hearing for Exempt Division of Land Application submitted by Sheldon and Loretta Lowder.

Public Hearing

At 1:15 p.m., Chairman Bothell called the public hearing to order. Megan Cleghorn was sworn in. Leigh Anne Lobato, Broken Arrow Ranch & Land Company, LLC and Gail Mattive were also present.

Dixie Diltz presented the Conditional Use application submitted by Megan Cleghorn with permission of Jim and Rozella Percy. The request is for a Conditional Use approval for greenhouses and a greenhouse retail business to be located at 3507 N Highway 285, Monte Vista, Colorado. The parcel of land is zoned Rural Residential and is 2.72 acres.

The application was submitted on June 18, 2019. Notice to neighboring properties within 1,500 feet was mailed on June 20, 2019. Notice of Public Hearing was published in the Monte Vista Journal on June 26, 2019. No comments have been received. Application was emailed to DWR on June 20, 2019. Ms. Diltz spoke with Pat McDermott and verified that the applicant has been in contact with them and they have water available. The application was emailed to CDOT and CDOT has verified receipt of application and confirmed they are working with Ms. Cleghorn to complete the application process. With the recent closure of a long time business of this type, there have been several persons interested in starting a greenhouse business. There appears to be a desire in the community to have this type of service restored in the area. Ms. Cleghorn has done a good job of researching the property and putting together a complete application. Per the RGCLUDC list of users: line 50 Greenhouse/plant nursery greater than 500

square feet for retail/wholesale/aquaponics/aquaculture: is a conditional use in the rural residential zone district. It is the determination of the land use staff that the application as presented is complete, that the applicant is in process of working with CDOT to obtain proper access permitting and that the proposed location would not be detrimental to any of the neighboring properties. Ms. Diltz recommended approval of the application.

Commissioner Glover moved to approve the conditional use application. Commissioner Noffske seconded the motion and the motion carried. Book 597 Page 1647

At 1:20 p.m., the public hearing was adjourned.

Public Hearing

At 1:30 p.m., Chairman Bothell called the public hearing to order. Sheldon Lowder was sworn in.

Dixie Diltz, Land Use, introduced the Exempt Division of Land Application submitted by Sheldon and Loretta Lowder. The property is located on Lariat Road, Monte Vista, Colorado. The address has not yet been assigned. It is 37.98 acres and is zoned agricultural ranching.

The application was submitted on May 20, 2019. Due to a delay in getting parcel numbers and legal descriptions land use staff was unable to process the application until June. Notice was mailed to surrounding properties within 1,500 feet in the rural county and within 300 feet in the municipal limits on June 21, 2019. Notice was sent to DWR on June 20, 2019 with a follow up email sent on July 5, 2019, no comment has been received. Mr. Lowder has included in his application a letter from Pat Sullivan, Road and Bridge confirming that there are no concerns with the accesses on Lariat Road. The preliminary survey shows a shared access drive for both the existing property as well as the proposed 2.9 acres.

This was originally part of Ken Shepard's agricultural property which was divided as part of an estate planning effort. Because the division for estate planning was over 35 acres it was exempt by state statutes from County regulations. Mr. Lowder is now wishing to divide approximately 2.9 acres from his 37.98 acres as a one-time exempt division. The property is agriculture in nature; however it does border a high density municipal residential area (Lariat subdivision).

Greg Brumley and Laura Ast, both neighbors, stopped into the Land Use Office to view the application and get clarification on location and intent. Neither of them stated any objections. Isabel Pacheco called in to the office for clarity of location and stated she didn't have any strong feelings either way.

All setbacks for existing structures are being met. This area is immediately outside of the City limits of Monte Vista and is a prime area for high to medium density residential development, with many of the adjoining parcels of land being 2 acres or less. As long as water and OWTS can be accommodated, Ms. Diltz recommended approval of this one-time exemption with the stipulation that any further division will be required to go through the subdivision process.

Rio Grande County Planning Commissioner at the regularly scheduled meeting on July 16, 2019 reviewed the conditional use application and by vote of 3 to 1 recommends approval with the following stipulations that Division of Water Resources approval is obtained. Ms. Diltz noted that the one vote against did not state the reason.

Commissioner Glover moved to approve the exempt division of land application. Commissioner Noffske seconded the motion and the motion carried. Book 597 Page 1771

At 1:34 p.m., the public hearing was adjourned.

Attest:

Suzanne Bothell, Chairman
Chairman of the Board

Nikita Christensen
Clerk of the Board