

COUNTY COMMISSIONERS PROCEEDINGS

County of Rio Grande)
ss
State of Colorado)

The Board of the Rio Grande County Commissioners met for a special session on October 7, 2019.

At 9:00 a.m., Chairman Bothell called the meeting to order. Opening ceremonies were dispensed with.

Present were Commissioner Bothell, Commissioner Noffske and Commissioner Glover along with County Administrator, Tricia Slater and Matilda Quintana, acting Clerk of Board.

The meeting was called to appoint a budget officer. The duties of the position were discussed. The motion to appoint Tricia L. Slater as the Rio Grande County Budget Officer was made by Commissioner Glover. Commissioner Noffske seconded the motion and the motion carried.

At 9:15 a.m., Commissioner Glover moved to adjourn the special session. Commissioner Noffske seconded the motion and the motion carried.

Attest:

Matilda Quintana
Acting Clerk of the Board

Suzanne Bothell
Chairman of the Board

COUNTY COMMISSIONERS PROCEEDINGS

County of Rio Grande)
ss
State of Colorado)

The Board of the Rio Grande County Commissioners met for a special session on October 14, 2019.

At 8:30 a.m., Chairman Bothell called the meeting to order. Opening ceremonies were dispensed with.

Present were Commissioner Bothell, Commissioner Noffske and Commissioner Glover along with County Administrator, Tricia Slater and Cindy Hill, Clerk & Recorder.

The meeting was called to approve the 2020 Preliminary Budget for Rio Grande County as prepared by Budget Officer, Tricia L. Slater. This budget was compiled from the requests of each department. The Board requested clarification from Ms. Slater on a few issues. The motion was made by Commissioner Noffske to accept the 2020 Preliminary Budget for Rio Grande County. Commissioner Glover seconded the motion and the motion carried.

At 8:45 a.m., Commissioner Noffske moved to adjourn the special session. Commissioner Glover seconded the motion and the motion carried.

Attest:

Cindy Hill
Acting Clerk of the Board

Suzanne Bothell
Chairman

COUNTY COMMISSIONER PROCEEDINGS

County of Rio Grande)
ss
State of Colorado)

The Board of the Rio Grande County Commissioners met in regular session on October 16, 2019.

At 9:07 a.m., Chairman Bothell called the meeting to order. Commissioner Glover led the prayer. The Pledge of Allegiance was said.

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

Adoption of the Agenda

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

Approval of Minutes from the Previous Meeting

Commissioner Noffske moved to approve the minutes from September 25, 2019 as corrected. Commissioner Glover seconded the motion and the motion carried.

Public Comment

Commissioner Bothell asked if there were any public comments, there were none.

Consent Agenda

The consent agenda was presented which included the Department of Social Services accounts payable; general fund accounts payable; the Valley Lock contract for Museum alarm system; the Price airport lease (to lease west half of Tract 30 and all of Tract 31); the agreement for Cooperative Wildlife Protection/Rio Grande County and Department of Public Safety; the memorandum of understanding between Alamosa and Rio Grande Counties regarding the Victims Advocate Grant stating that Alamosa is the fiscal agent for this grant; and the Vendola Heating proposal for the Museum. The Valley Lock contract and the Vendola Heating proposal were removed from the consent agenda in order to gather more information. The Valley Lock contract was removed because the contract is not correct and does not include water bugs, the alarms that identify water leakage. Commissioner Noffske moved to approve the consent agenda as amended. Commissioner Glover seconded the motion and the motion carried.

The Vendola Heating proposal was discussed. They presented three different options, each with different levels of efficiency. The Museum budget was discussed and it was noted that the Museum is over on repairs and maintenance line item, however has \$25,000 remaining for the bottom line of the budget. Commissioner Glover stated that the levels of efficiency really did not make a significant difference in energy consumption. The lower end model is 80% efficient but not much less expensive than the 95% efficient model. Commissioner Noffske moved to approve option two for \$20,716.00. Commissioner Glover seconded the motion and the motion carried. It was noted that this was the only bid submitted.

County Official and Department Head Reports

Dixie Diltz, Land Use Department, updated the Board. She stated that the codebook is in final draft form and that the open house went well. Commissioner Noffske asked about the process to change the codebook in the future. Ms. Diltz said that minor changes will be a simple process through resolutions and amendments to the codebook. TJ Dlubac will be contracted to assist the County in any further codebook situations.

Ms. Diltz received a call from Pat McDermott from the Division of Water Resources to discuss the commercial and domestic wells at the airport. Ms. Diltz noted that the County originally had a commercial well in the 1990s but changed the use to domestic in 2003. The Edwards' and caretaker's residences and the County Shop are hooked into this well. Ms. Diltz said that there are at least four buildings accessing this well. Mr. McDermott is researching this well further. Mr. McDermott also noted that the commercial well will need to be metered as all commercial wells do. Commissioner Bothell asked about joining the sub-district with the hot plant well. Mr. Sullivan stated that the hot plant well already has an augmentation plan with the San Luis Valley Water Conservancy District.

Ms. Diltz also noted that there will be three vacancies on Planning and Zoning Commission Board. Everett Myers, Dwight Freeman, and Grover Hathorn will be leaving the Board. Charles Stillings is one of the alternates and will most likely fill one of these positions. Ms. Diltz has also received letters of interest from Kelly Slater, Dave Slater and Jessica Loveless-Bricker. This Board meets the first Tuesday of the month and receives mileage costs reimbursement.

Ms. Slater noted that the Airport Board recommended of Bailee Velasquez to serve on the Airport Board. Commissioner Glover moved to appoint Bailee Velasquez to the Airport Board. Commissioner Noffske seconded the motion and the motion carried.

Randy Kern, Building Department, noted that some of the airport tracts have cistern tanks and questioned how those people were obtaining water. Commissioner Noffske thought it would be wise to look into this further. Mr. Kern also stated that he has submitted all the necessary paper work to the state to withdraw from the plumbing inspections. Mr. Kern will be taking off from October 18 through October 25. Ken Van Iwarden will be filling in while Mr. Kern is on vacation.

Patrick Sullivan, Road and Bridge Department, updated the Board on work completed in September. Skin patching is complete for the year. They will finish striping on October 17. Mowing for the season is also complete. Taxiway construction at the Rominger Airport is completed. The annual HUFT training was attended in Alamosa. All schedule A roads have also been completed. Mr. Sullivan noted that his 2020 budget has been completed and submitted for review. The two new 140 graders were delivered. The department will start grade work on a half mile of County Road 11 South and one mile of County Road 1 South. Winterization of the hot plant will also be a priority this month.

Mr. Sullivan said they will be upgrading the conveyor at the hot plant. The cost will be around \$35,000.00 this year. The hot plant has been in service for 20 years, and these repairs need to be done.

Mr. Sullivan provided an invoice to the Board for the construction of a taxiway at the airport. He requested reimbursement to Road and Bridge. Commissioner Glover asked Mr. Sullivan about costs for paving the new lot at Department of Social Services. Mr. Sullivan stated that before considering paving, a drainage plan needs to be developed with the Town of Del Norte.

General Business and Administrative Items

Cindy Hill, County Clerk, presented a liquor license renewal for Rio Grande Club and Resort in South Fork. She said that there are no concerns or issues for this renewal. Commissioner Noffske moved to approve the renewal. Commissioner Glover seconded the motion and the motion carried.

A representative from New York Life Insurance was present to discuss a proposal. The insurance coverage is completely voluntary and can provide extended coverage after end of employment. Coverage level increases every year and there is no cost the County. Commissioner Glover moved to offer this program to Rio Grande County employees. Commissioner Noffske seconded the motion and the motion carried.

Commissioner Noffske updated the Board on the railroad. The railroad has filed bankruptcy and a petition of receivership has been filed in Chicago. He noted that there are four law firms involved with this process with three of the large creditors using the County's specialized railroad law firm. The County will be able to join the bankruptcy suite. Commissioner Noffske stated that some large agricultural businesses that could be affected by losing the railroad including MillerCoors, Wilbur Ellis, and Monte Vista Coop. He stated that the goal is to keep the railroad working but also getting the tax money from this property. Commissioner Noffske asked that the Board appoint him as the County representative for this project. Commissioner Glover moved to appoint Commissioner Noffske as Rio Grande County representative. Commissioner Bothell seconded the motion and the motion carried.

The Del Norte Bank asked if the County would waive the annex rental fee for a benefit spaghetti dinner for Isabel Casados. Commissioner Glover moved to waive the fee for the annex rental. Commissioner Noffske seconded the motion and the motion carried.

Commissioners and Administrative Updates

Commissioner Glover noted that the Tri-County Seniors have requested \$2,500.00 for 2020 funding. He said that this past year they were allocated \$1,500.00. This would come out of the Community Assistance fund. Commissioner Noffske recommended looking at community assistance funding.

There was no executive session.

At 11:09 a.m., Commissioner Noffske moved to adjourn the meeting. Commissioner Glover seconded and the motion carried.

At 1:00 p.m., the Board reconvened for Land Use Hearings.

Ms. Diltz introduced the Colorado Recycling violation review hearing. Louis Gallegos, Colorado Recycling owner, was present. Ms. Diltz stated that the Board, the County Attorney and Mr. Gallegos had come to a compliance agreement. Ms. Diltz reviewed the site on October 16, 2019 and determined that the site had been cleaned up and was back in compliance with the conditional use terms and the compliance agreement. Ms. Diltz recommended that the Board stipulate that the Land Use Department will continue to monitor the site monthly. The Board agreed that if there were occasional increases in material that would be allowable, however accumulation of materials would not be allowed. Mr. Dunn will write a letter outlining the new stipulations.

Vender	Amount
2ND STEEL	\$4,749.93
AARDVARK PLUMBING & HEAT.	\$6,700.00
AIRGAS USA, LLC	\$236.48
ALAMOSA CO NURSING SVC	\$4,697.48
ALAMOSA COUNTY	\$315.00
ALTA FUELS, LLC	\$584.20
AVENU HOLDINGS, LLC	\$4,440.20
AVIONICS SPECIALISTS, LLC	\$1,350.00
BLR / BUSINESS & LEGAL RESOURCES, LLC	\$577.27
BROWNSTEIN HYATT FARBER SHRECK	\$845.63
BUSINESS SOLUTIONS LEASING, INC	\$60.10
CAROL VORIS	\$10.80
CARY ALOIA	\$73.40
CCOERA	\$215.34
CEI ENTERPRISES, INC	\$755.23
CENTURYLINK	\$456.78
CENTURYLINK	\$65.59
CENTURYLINK	\$66.05
CENTURYLINK	\$57.70
CHAFFEE CNTY PUBLIC HLTH	\$1,372.75
CHARLES STILLINGS	\$65.75
CHERILYN RUE	\$654.72
CIELLO POWERED BY SLVREC	\$1,477.51
COLORADO LABOR LAW POSTER SERVICE	\$159.00
COSTILLA COUNTY PUBLIC	\$4,763.45
DALE TRUJILLO	\$98.10
DEANN JACOBS	\$152.55
DEL NORTE BANK	\$15.00
DIANNE KOSHAK	\$212.98
DIRECT TV	\$201.23
DWIGHT FREEMAN	\$127.00
EL PASO COUNTY CORONER	\$4,200.00
EMILY BROWN	\$289.62
EVERETT MYERS	\$65.30
FASTENAL	\$398.04
FIRST BANKCARD	\$8,968.58
GOBINS, INC	\$354.35
GREAT AMERICA FINANCIAL	\$349.13
GUNBARREL STATION, INC	\$140.00
HAYNIE'S INC.	\$2,708.85
IDA SALAZAR	\$373.50
IHS PHARMACY	\$106.59
INDUSTRIAL & FARM SUPPLY	\$10.32
JEAN BORREGO	\$5,546.21
KALEIGH BENAVIDES	\$13.50
KD KLENE	\$137.14
KLEEN MACHINE HOOD CLEANING	\$430.00
LEDS, LLC	\$17,103.83
LENCO WEST, INC	\$27.67
LEONARD BROWN	\$63.50
LEROY A ROMERO	\$150.00
MADDOX COLLECTIONS	\$123.00
MDS WASTE & RECYCLE, INC	\$62.50
MEADOW GOLD DAIRIES, INC	\$289.50
MICHAEL MITCHELL	\$130.60

MIKE REAVES ELECTRIC	\$803.17
MOBILE RECORD SHREDDERS, LLC	\$72.00
MODERN MARKETING	\$288.95
MONTE VISTA COOPERATIVE	\$172.28
NANCY MOLINA	\$13.50
NOTES & NUMBERS, LLC.	\$1,280.00
O & V PRINTING, INC	\$1,256.85
PAT HOSTETTER	\$60.00
PAUL WERTZ	\$72.25
PAXVAX, INC	\$259.10
RESPONSE MAIL	\$7,240.03
RIO GRANDE COUNTY ROAD & BRIDGE	\$90,168.76
ROCKY MTN. MEMORABILIA	\$78.00
RONDA LOBATO	\$447.04
S & S DISTRIBUTION, INC	\$234.00
SAGUACHE CO PUBLIC HEALTH	\$463.17
SARAH HERRERA	\$33.30
SHAMROCK FOODS COMPANY	\$2,997.94
SIMPLE DISTRIBUTORS LLC	\$897.48
SKYLINE STEEL	\$9,445.20
SLV PARTS, INC	\$75.28
SLV REC	\$585.00
SLV REC	\$180.00
SLV REC	\$105.00
SOLAR TRAFFIC SYSTEM, INC	\$150.00
SORUM TRACTOR COMPANY, INC	\$1,201.29
STATE OF COLORADO	\$1,461.25
STATUTES UNLIMITED	\$250.00
TONI STEFFENS-STEWARD	\$127.00
U.S. TRACTOR, INC	\$83.01
UNITED REPROGRAPHIC	\$395.64
VALERO MARKETING	\$10,804.50
VALLEY LUMBER AND SUPPLY, INC	\$72.96
VALUEWEST,INC	\$3,000.00
VERITRACE	\$121.60
WAGNER EQUIPMENT	\$1,681.38
WENDELL COOK	\$16,628.00
WEX BANK	\$942.16
WEX BANK	\$3,874.78
WORLD FUEL SERVICES, INC	\$18,995.63
WSB COMPUTER SERVICES	\$707.20
Total	\$255,323.65

October 2019 Payroll

County General:	\$21,293.73
Road and Bridge:	\$74,673.75
DSS:	\$121,677.45
Weed District:	\$4,463.53
Airport:	\$1,004.77
Public Health:	\$26,106.48
Total:	\$249,219.71

County Official and Department Head Reports

At 9:07 a.m., Commissioner Bothell stated that Emily Brown, Public Health, would not be in attendance. Commissioner Bothell had Ms. Brown's report and stated that Public Health must have a new refrigerator to store vaccines in to comply with state regulations. The State of Colorado has funds available for this purchase. A household refrigerator cannot be used. Commissioner Glover asked if this was a time

sensitive matter and if it was needed by a specific date. Commissioner Bothell stated it needed to be ordered and Ms. Brown had received bids from three companies, Helmer Scientific bid for \$5987.84, Terra Universal for \$6924.46 and Amazon for \$6244.00. Commissioner Bothell reported that Ms. Brown recommended the Helmer Scientific bid in the amount of \$5987.84. Commissioner Glover moved to accept the Helmer Scientific bid. Commissioner Noffske seconded the motion and the motion carried.

At 9:10 a.m., Jay Sarason, Airport Manager, gave an update on the Rominger Airport. He reported that Windy's Gas has donated a propane tank and Don's Lock and Key has donated a lock for the building. He also reported on the Rob Price merger of 3 smaller lots to make 2 bigger lots. The builder wants to start on the hangar now. The hangar will be 70' x 70'. Chairman Bothell asked if a 20 foot set back from the lot line in the back and sides of the building is required by code. Commissioner Noffske stated that Randy Kern, Building Department, had approved the set-backs at the airport. Mr. Sarason stated SLV Rural Electric only needs 5-10 feet to put in the electric lines and that can be done with the space that is currently available. Mr. Sarason asked the Commissioners if Mr. Price could move forward on this project. The hangar will be the same distance from the taxiway as the other hangars. Commissioner Bothell stated that there needs to be a 20 foot set back to meet fire code and asked how far it was to the hangar behind it. Mr. Sarason stated that you can drive a truck between the hangars. The hangar will be built in line with the lot line in the front. There is a 30' strip between this line and the taxiway. This will line up with the other hangars. Dixie Diltz, Land Use Department, reported that the Airport doesn't go through the Land Use office. The airport zoning questions would be a waste of the Land Use Department's time since there is an Airport Board to review these decisions. Ms. Diltz also stated that it was a duplicate process that didn't need to be done. Ms. Diltz feels that this is a policy issue between the Airport Board and the Commissioners. Commissioner Noffske stated airports are unique and follow federal regulations for land use and that it should stay with the airport board and not the land use office. Commissioner Noffske stated the building code should apply to structures at the airport and said the map was brought to the board previously but was not in the minutes. Commissioner Glover asked what was needed to move forward. Ms. Diltz stated that to move forward they needed to have something recorded. Commissioner Glover asked if Mr. Price could move forward on the hangar with the current set-backs. Commissioner Glover moved to approve the Price project as proposed. Commissioner Noffske seconded the motion and the motion carried.

At 9:30 a.m., the Board adjourned to the Department of Social Services.

At 9:40 a.m. the Board reconvened to regular session.

General Business and Administrative Items

At 9:40 a.m., Jody Kern, Department of Social Services, discussed how TANF funding could be used to help fund the CSU Extension office. She explained that the Department of Social Services has already cut into reserves for other contracts and would need to go further into reserves or cut current contracts. TANF has always been used as a reserve to bail out child welfare over expenditures as child welfare is mandated and expenditures cannot be controlled. The question arose that we could possibly use TANF funds to supplement our donation to Extension. If the County did decide to contract with the Extension Office, it would be allocated per child and the Extension Office would have to collect affidavits stating that they qualify for TANF funds. The funds would have to be documented as to use, and eligible uses would be limited. We could not just write a big check to extension. Conejos County is looking into doing this. However, Marvin Reynolds at the Extension Office had not historically felt that it would be worthwhile.

At 9:50 a.m., the Board took a short recess so Commissioner Glover could obtain needed information regarding the CSU Extension Office. At 9:57 a.m., Commissioner Glover returned to the Board and said that the Extension Office would not work with TANF funds so the Board did not need to worry about it. Funding for the Extension Office will be included in the Contributions to County budget item.

At 9:59 a.m., Joni Hemmerling, Sargent Elementary School Principal, introduced herself and thanked the Board for their support for their bike-a-thon last year. Ms. Hemmerling told the Commissioners that the Sargent School District would like to update their elementary playground and the school track. The playground is currently covered with wood chips and the track is gravel. The district would like to put down a rubberized surface on these areas. The project will cost over a million dollars. Ms. Hemmerling asked the Board if they would consider giving the school district any amount of money to help them reach their goal through matching grants. Ms. Hemmerling told the Board that any money the Board gave them

would be used only for resurfacing and would not be used for playground equipment. Commissioner Bothell stated that they would not make a decision on the matter today but they would look into the project. Ms. Hemmerling stated that she can keep the Board updated on what's happening at the school and her grant application progress. Ms. Hemmerling also reported they are having a veteran's event and the Commissioners are invited to attend.

At 10:12 a.m., Marcy Reiser, Forest Service archeologist, gave an overview of the presentation documents on Summitville. Ms. Reiser told the Commissioners this is a preliminary report on the packet and asked if they were satisfied with the Memorandum of Understanding (MOU). She stated that the Board has no obligation to the Forest Service. The document on the timber sale is coming. The Stamp Mill located in the gulch has been recorded for the commissioners. Ms. Reiser briefly explained the 3 packets she gave the Board. Packet 1 is a summary for the 547 cabin required for level 1. Packet 2 is site forms. Packet 3 contains the conditional assessment and preservation information and is the most important packet to the County. Ms. Reiser stated this packet highlights the condition of each structure and lists preserving each one and the importance of the buildings. Commissioner Noffske stated that the Board needs to approve what's been done so the project can move forward. The Board needs to approve the preliminary draft so the final draft can be done. The MOU agrees this is a historical place that is meant to preserve the buildings. Ms. Reiser stated that she would like to have the final draft completed by the end of the year. This information is the summary of the project done by Alpine Archaeology under a grant by CDPHE to document areas of historical significance prior to the land transfer at Summitville with the Forest Service.

At 10:45 a.m., Commissioner Glover reported the West SLV Transportation, a van that transports from Del Norte to Saguache and Salida is to be taken over by CDOT Bustang (a much larger transportation entity owned by the state). It is believed that one more year of local funding is all that is required. West San Luis Valley Transit Committee memorandum of understanding states that the local funding will be in the amount of \$1750. Commissioner Noffske moved to pay the same amount this year. Commissioner Glover seconded the motion and the motion carried .

At 10:47 a.m., Bernadette Martinez, Town of Del Norte Clerk, asked the County to join in on the annexation petition. She reported that Vernon Mann agreed to annex his property for the Walking Trail. The Upper Rio Grande School District and Town of Del Norte are working with GOCO to remove the County from the Walking Trail GOCO Grant. She stated the LDS Church has also agreed to the trail annexation. She would like to have the approval of the commissioners to sign the petition. Ryan Dunn, County Attorney, voiced approval of this project. Commissioner Glover moved to approve the walking trail and school annexation. Commissioner Noffske seconded the motion and the motion carried. Mr. Dunn stated that he would draft a resolution for the GOCO grant. Bernadette told the commissioners the estimate to have this project surveyed was \$750 and asked if they would consider paying part of the survey cost.

At 11:00 a.m., the SLV Transit MOU was presented. Commissioner Bothell stated that by state statute there needs to be a memorandum of understanding with all San Luis Valley counties for ambulance services. Every county must recognize every other county and the responsibility they have to transport people from one county to another county. This is an agreement for ground transportation ambulance services. Ryan Dunn, County Attorney, stated that the MOU looked okay. Commissioner Noffske moved to approve the SLV Transit MOU for ambulance services. Commissioner Glover seconded the motion and the motion carried.

At 11:05 a.m., Commissioner Glover moved to remove the discussion on the use of the Conservation Trust Fund from the agenda and have it added at a later date. Commissioner Noffske seconded the motion and the motion carried.

At 11:06 a.m., Tricia Slater, County Administrator, stated that the new financial software will require either a new server or go to the cloud. Currently, the cloud is being used which costs the County \$23,000 each year. Kenny Bertin, WSB Computer Services, recommends that a server be used because it is more cost effective and secure. Commissioner Noffske asked when the Board decided to purchase a server instead of cloud and if the Board decided to get bids on the server. Ryan Dunn, County Attorney, voiced his agreement that the server needs to be in a separate bid from the software. Commissioner Bothell recommended a motion be made to purchase the server over the cloud. Commissioner Noffske supported the decision to purchase the server over the cloud but didn't think the process was done correctly. Mr. Dunn suggested a motion be made to purchase the server over the cloud and then get bids

for the server. Commissioner Noffske moved to approve the server. Commissioner Glover seconded the motion and the motion carried. Ms. Slater reported that she requested three bids for the server and asked if the Board needed more. Tyler Technologies put out the specifications for the bids. Ms. Slater had received bids from Tyler Technologies for \$30,000 and from WSB for \$19,224 and the third company did not reply. Commissioner Noffske asked if these bids are adequate or if more bids are needed. Ms. Slater stated she has been working on this since May and she has discussed the specifications with the Board. Commissioner Noffske noted the bid from WSB was very specific and asked if the Board could compare the bids and know they are getting the same items from both bids. Commissioner Bothell noted that a new server is needed to replace the current server and the specifications are different on the current bids. Commissioner Glover suggested having a technology representative at the next meeting to answer questions before the board makes a decision. Mr. Dunn stated that a technology representative at the next meeting would be beneficial to the Board. Commissioner Noffske moved to table the acceptance of server bids until a technology representative can be at the Board meeting. Commissioner Glover seconded the motion and the motion passed. Commissioner Glover asked if there was a time frame in place to make the decision on the server. Mr. Dunn suggested the Board have a work session to discuss the server and Ms. Slater should get a time frame set up today with WSB and Tyler Technologies so the Board can move forward on this matter.

Unfinished Business

At 11:41 a.m., Commissioner Bothell reported that CTSI insurance costs for county employees have increased. Commissioner Bothell asked the Board if the County should pay the full amount of the increase or if the employees should pay for the full increase or if it should be the same split between the county and the employees that is currently in place. Commissioner Bothell told the Board there was a 3.8% increase in health insurance this year and reminded the Board that the County paid the entire increase last year. Commissioner Glover stated that he did not think the County should pay for the increase again this year. Commissioner Bothell stated that if the County would pay for the same split in the insurance increase it would be \$29,235.46. Commissioner Glover moved to keep the same county/employee insurance split in place for the increase in health insurance premiums for the coming year. Commissioner Noffske seconded the motion and the motion carried.

At 11:48 a.m., Tricia Slater, County Administrator, reported she had received a letter from the Bureau of Land Management regarding the Baxter Hill equipment. The county has leased this land and the lease expired in 2018. Ms. Slater stated that this site was looked at for a communication site but it isn't necessary at this time. The BLM will not renew the lease unless the building on site is functional. The building is in shambles. This issue was turned over to Patrick Sullivan, Road and Bridge Department. Mr. Sullivan said he would look at the site but would not commit to any action until it is seen by himself and a couple of his employees. The BLM would like to have a letter from the Board stating that Rio Grande County will remove the structures from Baxter Hill. Ryan Dunn, County Attorney, asked if it was feasible to use this site again. Mr. Dunn stated that he would look at the letter and give them notice that Rio Grande County will make changes and then his letter will be sent to BLM. Commissioner Glover stated that the Board could check with Nicky (?- ham radio) to see if they could use the equipment and site.

Commissioners and Administrator Updates

Commissioner Noffske gave an update on the railroad situation and stated that a hearing would be held in Chicago on October 31, 2019 regarding the railroad's bankruptcy. Ryan Dunn, County Attorney, reported that a railroad bankruptcy is different from other bankruptcies. He asked what other counties have seen the IGA. Commissioner Bothell stated that the Board has been getting updates from Commissioner Noffske but thinks the Board needs to receive a more formalized timeline of the railroad case.

There was no executive session.

At 12:20 p.m., Commissioner Glover moved to adjourn the meeting until 1:00 p.m. Commissioner Noffske seconded the motion and the motion carried.

Public Hearing

At 1:00 p.m., Commissioner Bothell called the public hearing to order.

Dixie Diltz, Land Use Office, introduced Michael and Alesha Brady. Ms. Diltz reported that the Bradys submitted an application for an exempt division of land for property located at 3565 East County Road 9 South, Monte Vista, CO. The application was submitted on August 27, 2019. Notice was mailed to surrounding properties within 1500 feet on September 10, 2019. No comments have been received from any of those notified. The property is 82.96 acres +/- Zoned Agricultural Estate. The Bradys are building a new home and wish to divide approximately 2.7 acres from the 82.96 acres as a one-time exempt division for financing purposes. The property is agricultural in nature with the majority of the ground under sprinkler irrigation. The preliminary survey shows a 100 foot buffer zone from the edge of the sprinkler. The application includes a well permit which allows for up to 3 residences; a letter from Patrick Sullivan, RG Road and Bridge, approving the proposed site for access and a letter from First Southwest Bank confirming the Bank's agreement to release the portion of land in this request. The RGC Planning Commission reviewed the application at their regular meeting on October 15, 2019 and recommends approval by unanimous vote of this one time exempt division of land. Ms. Diltz stated that this was a clean application with everything in order. Commissioner Glover moved to approve the application as presented. Commissioner Noffske seconded the motion and the motion carried.

At 1:15 p.m., Dixie Diltz, Land Use Department, introduced Eddie Miller. Ms. Diltz reported that Mr. Miller has submitted an application for a conditional use permit to operate a saw mill on property located at 0028 State Highway 370, Monte Vista, CO with a proposed 50 x 120 (6,000 sq. foot) building. Although the physical address of the property is along Highway 370 (or the 10 South) the location of the proposed saw mill would be along State Highway 15 S with access through a neighboring property to the south. The application was submitted on August 19, 2019 with notice to neighboring properties within 1,500 feet mailed on August 2, 2019. Notice of Public Hearing was published in the Monte Vista Journal on September 4, 2019. Due to a lack of quorum for the September Planning Commission meeting the meeting was rescheduled. Notice was then re-mailed to neighboring properties within 1,500 feet on September 10, 2019 and published in the Monte Vista Journal on September 18, 2019. Comment was received from one neighboring property stating their opposition prior to the P&Z meeting, 3 neighbors spoke at the P&Z meeting. The application was not forwarded to DWR due to the applicant stating he would not have water at the site. The application was emailed to CDOT on August 26, 2019 and there were some things that needed to be addressed per CDOT. An email conversation with CDOT this morning indicates that no access permit has been filed as of yet. Per the RGCLUDC list of uses: Line #87 "Saw mill/planning mill" is a conditional use in the AR zone district. Article 12. Zoning Administration of the current land use development code outlines the standards by which conditional uses should be approved. Article 12 / c / 1 states *that the proposed location of the use, the proposed access to the site and the conditions under which the use would be operated or maintained will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity*, among other requirements. (This article is in the staff report). RGC Planning Commission reviewed the application at their regular meeting on October 15, 2019 and by a vote of 4 to 1 recommends denial of the application due to the size of the industrial use in an agricultural ranching district. Draft Minutes of the P&Z meeting, including roll call vote, were in the packet for review. Ms. Diltz discussed the water issue of this application and then asked Mr. Miller if information was submitted to CDOT to cross his neighbor's property to access his property. Mr. Miller stated that he is dealing with CDOT to gain new access to his property. Mr. Miller also stated that he is willing to change the building size from 6,000 sq. feet to 1,900 sq. feet so it will not be a commercial building and it would not need water. Ms. Diltz questioned how changing the size of the building would make a difference in the need for water at the building. The building would still be commercial due to the production quantity. Commissioner Glover agreed the size of the building doesn't matter because it still needs water because it is a commercial facility. Ms. Diltz stated that it is more industrial than commercial. Mr. Miller said that he will have a porta potty at the building. Ms. Diltz stated that a porta potty is temporary not permanent. Commissioner Bothell noted that this will be a facility that needs water for people to use. Commissioner Noffske said he feels that the application needs to be modified and then needs to go back to P&Z for its final form. Commissioner Glover added that since it has no water and no access it should be sent back to P&Z. Ms. Diltz reported that P&Z didn't want Mr. Miller to continue this process if it's going to be an industrial business application. Ms. Diltz stated that industrial zoning is more appropriate manufacturing business than a zoning is. Commissioner Bothell asked if industrial use is permitted in an agricultural zone. Ms. Diltz explained a sawmill is allowed by condition use permitted in an agricultural zone, per the current Land Use Development Code Book. Ms. Diltz stated her concern is the lack of water for fire and sanitation at the site. Ms. Diltz noted that if the applicant was going to apply for a fire well, 35 acres would have to be dedicated for such well. She feels that the application is missing pertinent information

to move forward. Commissioner Noffske voiced his concern over the traffic turning at an uncontrolled intersection. Ms. Diltz said that the County would need some type of documentation from CDOT approving access to turn off the State Highway. Ms. Diltz reiterated that Article 12C in the Colorado Code Book lists location, access and condition of property cannot be detrimental to public health. Mr. Miller owns 153 acres and is leasing 8 shares of water to the sub-district. The remaining 2 shares of water are to be used for pasture irrigation for a goat and sheep operation. He wants to put in a small sawmill so that he has more income from his property without having to use water. He will be the only employee and all lumber will be shipped elsewhere. P&Z feels that a while new application would need to be done with all required information before they could reconsider this matter. Commissioner Glover moved to deny the application as presented based on the recommendation of the P&Z siting the industrial use in an agricultural zone and the lack of documentation of water availability and CDOT access. Commissioner Noffske seconded the motion and the motion carried.

At 2:19 p.m. the meeting was adjourned.

Attest:

Nikita Christensen
Clerk of the Board

Suzanne Bothell
Chairman