

COUNTY COMMISSIONERS 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 November 13, 2019.

At 9:02 a.m., Commissioner Bothell called the meeting to order. Commissioner Glover led the prayer. The Pledge of Allegiance was said.

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

The Baxter Hill project was discussed. Commissioner Glover noted that the ham radio operators were unaware of the tower and were not sure if they would have a use. Commissioner Glover stated the County would have to hire someone to take the tower down. Tricia Slater, County Administrator, asked if the operators would hold the lease or if the County would continue to hold the lease. The BLM needs to know the intent of the County as soon as possible. Commissioner Glover said he would talk to the head of the ham radio operators to see if they are interested in using the tower and if they would take the lease over.

Adoption of the Agenda

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

Approval of Minutes from the Previous Meeting

Commissioner Noffske moved to approve the minutes from October 30, 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 Department of Social Services accounts payable, general fund accounts payable, GoCo Grant Assignment Resolution, Price Airport Lease West half of Tract 30 and all of Tract 31 Revision, CHP Designation to Representation which changes Danielle Bronkema to be the Primary Contact. Commissioner Noffske moved to approve the consent agenda. Commissioner Glover seconded the motion and the motion carried.

County Official and Department Head Reports

At 9:10 a.m., Patrick Sullivan, Road and Bridge Department, reported to the Board on the work his department completed in October. Mr. Sullivan stated that they have completed the taxiway at the Rominger Airport. The paint striping for the year is complete. Mr. Sullivan noted that his employees went to Alamosa to train the Alamosa County employees to use the striping machine they purchased from Rio Grande County. Mr. Sullivan stated that the Schedule A road agreement with the Forest Service has been completed and his crew plowed the first snow of the season the week before Halloween. In plowing snow, one of the County trucks was involved in an accident. The County truck has been repaired by Road and Bridge employees which cost about \$8,500 excluding labor. An insurance claim has been submitted to CTSI. Commissioner Noffske asked if the other truck driver's insurance would pay for the repairs. Mr. Sullivan stated they will have to wait and see what the accident report says.

The Road and Bridge crew has winterized the hot plant, removed the house by the DSS building and completed the parking lot. The crew has finished repairing the parking lot at the Sheriff's Office. Commissioner Noffske asked if the parking lot had to be repaired because of potholes. Mr. Sullivan stated that there was a large hole in the lot caused the by Sheriff's Department plowing snow. The hole has been patched but will need concrete or asphalt plus curb and gutter to be fixed correctly. Mr. Sullivan noted it needs to be raised eight to ten inches so it will have better drainage. Commissioner Glover asked

Mr. Sullivan what it would cost to have it paved with a rise and the curb and gutter. Mr. Sullivan stated he did not know but to fix it right it would need curb and gutter plus a water sheet so it would drain correctly and then be paved. Mr. Sullivan stated that solving one problem also creates another problem because fixing the parking lot would cause the sidewalk to be hazardous. He also noted that the County has already spent \$4,400 to \$4,600 in a gravel type road base to fill the hole now.

Mr. Sullivan presented his proposed work schedule for the remainder of November. He stated that his crew will have the conveyor leg at the hot plant laid down to rebuild tomorrow. They will also mount wings on the remaining graders for the upcoming snow season. Mr. Sullivan noted his department will also put two new Cat graders into service and will push to stockpile on the 10 South pit for the upcoming projects. Mr. Sullivan and Darryl Miles will attend CCI. The department will also continue trimming trees in the South Fork area. Mr. Sullivan stated that they have used the hot plant for nineteen seasons. They will have a crane lay the conveyor on the ground tomorrow and will start rebuilding the conveyor. He will have the sides and floor tested to see if they need to be replaced. The cost to repair the leg is \$106,000 and the cost to replace the conveyor would be \$600,000. Mr. Sullivan stated that he would like to order the parts now so they can start the repair work now while the weather is nice. Mr. Sullivan noted that he has \$200,000 in his budget for crushing but will only use \$100,000 of that money. He would like to put the remaining \$100,000 into the repairs that are needed at the hot plant to balance the budget lines. At the present time, the Road and Bridge department is within budget. Commissioner Glover stated that he thought Mr. Sullivan should move forward on this project now. Commissioner Bothell and Commissioner Noffske agreed. Mr. Sullivan noted that he hoped to have the repairs completed by May 2020.

Mr. Sullivan reported that last spring a portion of the dike on the west side of Highway 285 had water seeping over it. He noted that it is the Commissioner's job, by state law, to inspect the dike but said there is nothing that says who would repair it. There is about 1,000 linear feet of the dike that needs to be repaired. Mr. Sullivan asked if he should have his crew repair the dike with waste material that needs to be used. Commissioner Glover stated that he thought the crew should go ahead and do it now. Commissioner Noffske agreed. Mr. Sullivan told the Commissioners he lost one employee yesterday and is losing another one today because of low wages and competition from CDOT. That will put his crew at eighteen people. Mr. Sullivan noted that the budget needs to be looked at to see how wages can be increased. HUTF (Highway User Tax Fund) provides funding to help keep employees. Commissioner Noffske asked how the County benefits and wages compared to the State. Mr. Sullivan noted that the County pay \$22.50 per hour including benefits while the State pays plow drivers \$25 per hour.

At 9:42 a.m., Dixie Diltz, Land Use Department, presented a contract from TJ Dlubac from Community Planning Strategies to provide on-call planning service. The contract is for \$90 per hour to provide help to the County when needed. The hourly rate would be \$175 per trip for onsite support. The contract will be evaluated by Ryan Dunn, County Attorney, and Ms. Diltz will be asking the Commissioners to approve the contract at their next meeting. Mr. Dunn asked how often the County needs to use this service. Ms. Diltz stated she did not know as they haven't had this service or contract before now. Ms. Diltz stated that TJ could help with third party reviews, the code book and other items. TJ would not get paid unless the County used his services as there is no retainer cost. Mr. Dunn said he will look at the contract and put it on the agenda for approval at the next meeting.

Ms. Diltz reported that she emailed a fee schedule to the Commissioners. She asked if they would look at it and give her feedback. She added that she will be asking for approval on the fee schedule in December or January. She noted that other counties and their fees are included on the chart for comparison. She said that if the fee for a conditional use permit was raised that fewer people might apply for that permit. Ms. Diltz stated she would like to have input on the chart regarding camping fees which would be a new permit if the new Development Code is adopted.

Commissioner Noffske asked if a general contractor needed a license with the County or State. Ms. Diltz stated that a license was not needed. Commissioner Noffske noted that at the present time there is not an inspection on finished work because a contractor doesn't have to have a license or be bonded to be a contractor. It was noted that quality of work done by contractors is not regulated. Ms. Diltz stated that septic work has to be done by a licensed contractor and noted that the City of Monte Vista requires contractors to be licensed. Commissioner Bothell suggested a work session with local contractors invited to attend to get their input on the issue. Ms. Diltz stated this is a topic they should discuss with Mr. Kern in the building department.

Ms. Diltz gave the Commissioners a letter of resignation from Dwight Freeman. Mr. Freeman is resigning from the Planning and Zoning Board. Ms. Diltz stated she has received three letters of interest for two open positions. She asked the Commissioners to give her names of anyone within the County that would be interested in serving on this board.

Ms. Diltz stated that there have been several advertising signs along county roads. Many of these signs have been placed that advertise "Call Mervin for Pole Barns". The sign ordinance for the County states that each sign in an individual place on private property requires a \$50 permit. No signs are allowed in public right of ways. Ms. Diltz has contacted Mervin twice regarding the signs.

Ms. Diltz stated that Andrew Buffington has a camper on property outside of Del Norte, in the County, owned by Kristen Edelman. There is also a vacant building on the property. Mr. Buffington has been living in the trailer at various locations since at least March. Ms. Diltz found him living in the trailer on his aunt's property in South Fork in March of this year. Ms. Diltz and the Sheriff's Department spoke to Mr. Buffington and at that time and eventually got him to leave the site. Ms. Diltz delivered a letter to Mr. Buffington on November 7, 2019, stating he must move the trailer within 30 days. Ryan Dunn, County Attorney, stated that Mr. Buffington probably doesn't have permission to be on the property and that he is trespassing. Ms. Diltz stated that he must have written permission to stay on the property or he will have to move. With written permission he can only stay thirty days. Ms. Diltz noted that the new code book could allow him to stay six months. Mr. Dunn stated that he will follow up with the land owner to see if Mr. Buffington has written permission to stay on the property.

At 10:16 a.m., Commissioner Bothell stated that Randy Kern, Building Department, would not be present. Commissioner Bothell did have a letter Mr. Kern received from the State Plumbing Board. The letter states the State Board will begin doing plumbing inspections in the County effective January 1, 2020 instead of July 1, 2020. Commissioner Bothell noted the building log received from Mr. Kern had nothing notable in it.

At 10:21 a.m., Commissioner Bothell reported that Jay Sarason, Manager of the Rominger Airport, would not be present but had submitted three bids for fencing at the Airport for the Board's consideration. Commissioner Noffske stated that the bids did not compare regarding number of wire strands and t-post height. Commissioner Noffske expressed concern over the 5'5" t-posts on one bid because that would make the fence too low to be effective. Tricia Slater, County Administrator, noted that Mr. Sarason recommended the Board accept the bid from Your Great Outdoors in the amount of \$5,770. Commissioner Glover asked what Mr. Sarason had asked the companies to bid on because the bids were all different. Commissioner Noffske stated the fence is to restrict access to the airport and a four wire fence would be better and more secure. The airport has received a DOLA grant for this project and Commissioner Noffske asked if the fencing project had to be completed by the end of the year according to the grant. Ms. Slater stated that she has not seen any paperwork regarding the DOLA grant. Commissioner Noffske noted the Board could contact Sarah Stoeber, who is administering the grant, to find out what is included in the grant and the timeline to complete the fencing project under the grant. Ryan Dunn, County Attorney, noted that the Board needs clarification on the bids. The bids will be sent back to Mr. Sarason for clarification before the Board decides which bid to accept.

At 10:34 a.m., Commissioner Bothell stated that at the previous meeting the Board decided to share the increase of the health insurance with the employees. Commissioner Bothell, also, stated that at the budget meeting regarding this issue, it was recommended to the Board that the County pay the entire cost of the increase. Commissioner Glover moved that the County pay the full insurance increase for all employees. Commissioner Noffske seconded the motion and the motion carried.

At 10:35 a.m., the Board adjourned to the Board of the Department of Social Services.

At 10:45 a.m., the Board meeting resumed.

The Board of County Commissioners acting as the Department of Social Services decided that the pay equalization that Ms. Kern presented be approved, recorded in the department of Social Services minutes. The pay equalization would increase selected employees pay rate.

At 10:45 a.m., Tricia Slater, County Administrator, reported on the WSB contract and confidentially agreement. Ms. Slater noted that Ryan Dunn, County Attorney, wrote the confidentially agreement. Mr. Dunn stated County information can be shared as needed within the County, but it is unclear what "is needed" means. Mr. Dunn noted that his concern is that County information will be shared outside of the

County and this agreement addresses that concern. Mr. Dunn noted the importance of County information remaining in the County. Ms. Slater stated that the WSB contract is \$2,675 per month and was due November 1, 2019. Ms. Slater noted that \$8,900 annual fee is due when the contract is signed. Commissioner Glover asked if this was the same amount that the County has been paying. Ms. Slater noted this is a \$90 increase per month. Commissioner Noffske stated that the exclusions in the contract are too general. Mr. Dunn stated the exclusions are too ambiguous and that it needs to be more specific. Commissioner Noffske asked how much was duplicated with Tyler Technologies Contract. Ms. Slater stated that none of it is duplicated because Tyler Technologies is for software only. Commissioner Glover asked if more bids could be obtained from companies within the Valley. Ms. Slater stated that she could try to get more bids but she thought the Board should accept the contract with WSB. Commissioner Glover said he feels that acceptance of the WSB contract should be put on hold for the present time until it can be looked at in more detail. Ms. Slater stated that the County is already late paying WSB as the contract ended October 31, 2019. Mr. Dunn noted he would like to know how often WSB does work on the County computers. Mr. Dunn questioned if the contract with WSB is cheaper than paying them on an as needed basis and what the County would receive for the \$1,200 increase this year. Commissioner Bothell stated that WSB has been highly recommended. Commissioner Noffske asked what the County is buying from WSB and what is the County receiving from WSB. Commissioner Glover asked if this contract contained the standard service plan exclusions. Mr. Dunn stated that the Board needs to get clarification regarding the contract. Commissioner Noffske stated that the contract needed to be sent back to WSB for clarification on the language used in the contract. Commissioner Glover moved to table the decision on the WSB contract and the Tobin, Dawsey & CO, LLC discussion. Commissioner Noffske seconded the motion and the motion carried.

At 11:15 a.m., Tricia Slater, County Administrator, presented server bids to the Board. The bid from Tyler Technologies is for \$30,118 and does not include installation or configuration. The bid from WSB is for \$19,224 plus \$4,500 for installation and configuration. Commissioner Glover moved to accept the WSB bid including the cost of installation and configuration. Commissioner Noffske seconded the motion and the motion carried.

At 11:20 a.m., Ryan Dunn, County Attorney, stated that he had met with Dixie Diltz, Land Use Department, to discuss the Schoen/O'Rourke gravel pit decision. The court vacated the Board's decision because the gravel pit is less than ten acres and the Judge determined it should be considered a minor gravel pit. The Board needs to go back and review the application as a minor gravel pit instead of a major gravel pit. Ms. Diltz asked if she could offer the applicants a waived fee on a new application if it is re-submitted after January 1, 2020. Commissioner Noffske asked if a decision needed to be made today. Mr. Dunn commented if a new application is filed, the Board would need to decide whether they would like to waive the application fee considering that, in Mr. Dunn's opinion, much of the litigation was due to a poorly written existing code book. He's opinion is that waiving the fee might be a fair gesture on the part of the Board and the Board collectively agreed they would be inclined to waive the fee if the applicants reapplied. Mr. Dunn explained that the wording of the order sends it back to the Land Use Office for administrative review. He also noted that it is up to Ms. Diltz how to proceed on this issue. Ms. Diltz said that the site doesn't qualify as a minor gravel pit. Mr. Dunn stated that he and Ms. Diltz agree that it is not a minor gravel pit. Ms. Diltz asked if the board wanted to appeal the court decision. Mr. Dunn advised the Board not to appeal the court decision because it would save the County time, energy and money. The Board agreed that they should not appeal the decision of the court. Ms. Diltz stated that she would talk to the applicants and offer to waive the fees if they decided to reapply.

Commissioners Updates

Commissioner Bothell asked Commissioner Glover and Commissioner Noffske if they had any updates for the Board. There were no updates.

At 11:40 a.m., Commissioner Glover moved to adjourn the regular meeting and move into executive session, CRS 24-6-402 (4)(b), for legal advice from the County Attorney. Commissioner Noffske seconded the motion and the motion carried.

At 1:00 p.m., the Board exited executive session.

Attest:

Nikita Christensen
Clerk of the Board

Suzanne Bothell
Chairman

COUNTY COMMISSIONERS 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 November 26, 2019.

At 9:00 a.m., Commissioner Bothell called the meeting to order. Commissioner Noffske 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 Glover moved to approve the agenda as presented. Commissioner Noffske seconded the motion and the motion carried

Approval of the minutes from the previous meeting

Commissioner Glover moved to approve the minutes from November 13, 2019 as corrected. Commissioner Noffske 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 accounts payable, payroll, appointment of Patrick Sullivan as proxy for the Rio Grande Canal annual meeting, Airport RAF Grant approval, Airport Fence Grant by COG and DOLA, Treasurer's three year software contract for Avenu Holdings, LLC, Veterans report, approval to amend road grader lease contract with lower interest rates, signing PILT and SRS Support Letter, Jean Borrego's contract for Homeland Security Grant Contract for 2019 Grant, and abatements for 2018 for the San Luis Valley Asset management for \$10.94 parcel number 15300-06-019, \$11.57 parcel number 15300-06-021, \$11.57 parcel number 15300-06-022, and \$187.02 parcel number 15300-06-018. Commissioner Glover moved to approve the consent agenda. Commissioner Noffske seconded the motion and the motion carried.

2019 Monthly Vouchers

Vendor	Amount
ABSMEIER LANDSCAPING & CONSTRUCTION, LLC	\$464.04
AGENCY TOURISM MARKETING	\$115.51
AIRGAS USA, LLC	\$521.44
ALAMOSA COUNTY	\$315.00
AMY LIN ENGLE	\$500.00
ASPHALT DRUM MIXERS, INC.	\$36,049.52
AUBREY PARGIN	\$186.60
AVENU HOLDINGS, LLC	\$1,409.40
AVIONICS SPECIALISTS, LLC	\$1,350.00
BALLANTINE COMMUNICATIONS, INC	\$3,279.00
BRENDA ATENCIO	\$100.00
BROWN INDUSTRIES, INC.	\$139.89
BUSINESS SOLUTIONS LEASING, INC	\$60.10
CARLA CLUTTER	\$152.00
CAROL KEITH	\$75.00
CAROL VORIS	\$10.35

CELBEE GALLEGOS	\$140.00
CENTER PARTS STORE, INC	\$628.08
CENTER TIRE STORE, INC	\$507.62
CENTURYLINK	\$192.14
CHERILYN RUE	\$33.50
CIELLO POWERED BY SLVREC	\$1,476.89
CINDY HILL	\$156.85
CO STATE FOREST SERVICE	\$2,462.00
COLORADO CHAPTER	\$400.00
CONEJOS COUNTY NURSING	\$2,471.44
CONTROL SOLUTIONS INC	\$63.00
DIGITCOM ELECTRONICS, INC	\$1,758.06
DISTRICT ATTORNEY OFFICE	\$22,166.67
EMILY BROWN	\$632.39
FIRST BANKCARD	\$16,663.41
GALLS, LLC	\$1,158.24
GCR TIRE CENTER / TDS	\$9,457.46
GLENALEE MITCHELL	\$190.20
GOBINS, INC	\$344.68
GREAT AMERICA FINANCIAL	\$490.03
HAYNIE'S INC.	\$1,674.36
ICP, INC.	\$125.00
IDA SALAZAR	\$201.60
IHS PHARMACY	\$98.96
INDUSTRIAL & FARM SUPPLY	\$129.92
INLAND TRUCK PARTS & SERVICE	\$8,028.88
JEAN BORREGO	\$5,605.61
JEANETTE HOWEY	\$43.00
JORIE SCOTT	\$113.50
KD KLENE	\$227.12
LAURIE MAXFIELD	\$200.00
LAWSON PRODUCT INC	\$279.43
LENCO WEST, INC	\$287.45
LEROY A ROMERO	\$150.00
LINDA ROBINSON	\$130.00
MADDOX COLLECTIONS	\$139.50
MASTER PRINT & WEB DESIGN, INC	\$100.00
MCKESSON MEDICAL SURGICAL	\$79.22
MONICA FALK	\$174.00
MONICA FELIX	\$152.60
MONTE GLASS SHOP	\$861.00
MONTE VISTA CHAMBER	\$750.00
MYERS BROTHERS TRUCK AND TRACTOR, INC	\$153.87
NANCY DAVIS	\$115.30
PARTS PLUS OF NEW MEXICO, INC	\$527.54
PAUL WERTZ	\$92.30
PETTY CASH, R & B DEPT	\$87.26
QUILL.COM	\$253.55
S & S DISTRIBUTION, INC	\$85.00
SARAH HERRERA	\$54.50
SIMPLE DISTRIBUTORS LLC	\$252.36
SLV PARTS, INC	\$554.18
SLV REC	\$938.00
STAPLES BUSINESS CREDIT	\$2,142.87
STATE OF COLORADO	\$418.51
SUMMIT MARKET	\$109.27
SUMMIT PUBLISHING	\$800.00
THOMPSON DISTRIBUTING INC	\$528.00
TOP VALUE	\$21.79
TORRES PLUMBING & HEATING, LLC	\$200.00

U.S. TRACTOR, INC	\$110.21
UNITED REPROGRAPHIC	\$127.93
VALLEY LOCK AND SECURITY, INC	\$658.50
VALLEY PUBLISHING	\$1,151.00
VALUEWEST,INC	\$3,000.00
VERIZON WIRELESS	\$353.06
WAGNER EQUIPMENT	\$898.27
WAXIE SANITARY SUPPLY	\$107.00
WEX BANK	\$4,783.58
WORLD FUEL SERVICES, INC	\$14,791.73
WSB COMPUTER SERVICES	\$22,674.65
XCEL ENERGY	\$4,746.81
ZEP MANUFACTURING COMPANY	\$810.99
Total	\$187,219.69

November 2019 Payroll

County General:	\$ 249,673.51
Road and Bridge:	\$ 81,846.82
DSS:	\$ 125,052.84
Weed District:	\$ 3,939.87
Airport:	\$ 1,149.53
Public Health:	\$ 26,176.25
TOTAL:	\$ 487,838.82

County Official and Department Head Reports

The Board of County Commissioners adjourned and entered The Board of the Department of Social Services.

The Board of County Commissioners reconvened.

At 9:10 Jay Sarason, Airport Manager reported to the Board. He noted that the shelter is going well.

Mr. Sarason stated that he requested very simple bids for the airport fence which is why the bids differed. He explained that he asked for a three or four strand fence as the area has low pressure from livestock and is just a border for the property along with a fence to deter livestock. Three bids were presented as discussed at the previous BOCC meeting. Mr. Sarason recommended the bid from Your Great Outdoors for \$5,700.00. This bid was the lowest cost and the company was available to start work immediately. Commissioner Noffske moved to approve the bid from Your Great Outdoors. Commissioner Glover seconded the motion and the motion carried. Mr. Sarason noted that the gate will be purchased soon before the grant deadline.

Mr. Sarason stated that he has offered an office space in the new Pilot Shelter to the Emergency Manager, Nikki Rosecrans. He also noted that they have come to an agreement with Sargent School for two aviation classes along with discussions around work study at the airport.

At 9:15 Emily Brown, Public Health, reported to the Board. Ms. Brown discussed communicable disease prevention. The flu season has had a lower base line, however, is expected to pick up soon. A norovirus outbreak has occurred in Mesa County. The disease is spreading fast and Mesa County has shut down schools in the area to prevent more spreading. The Front Range has an outbreak of Hepatitis A, mostly in homeless populations due to unsafe drug use. The Harm Reduction/SHARRP meetings are continuing, this program is to try to decrease the stigma disease transmission from needle sharing and re-use.

Ms. Brown presented an OEPR contract amendment with scope of work language. The amendment only includes grammatical corrections to the wording of the contract. Commissioner Noffske moved to approve the contract amendment. Commissioner Glover seconded the motion and the motion carried.

Ms. Brown reported that the Rio Grande Mineral Health District paid Rio Grande County more than anticipated. End of year funds were \$12,000 above estimated.

Ms. Brown stated that the department will have a part time student employee starting on December 2, 2019. She is over the age of 18, however the department is looking into employing students under 18 in the future. Foundation funding will allow the department to hire a contractor or employee for the Regional Health Position.

Nicole Rosecrans, Emergency Management was present to update the Board. She presented a written report with completed tasks since she started in this position. It also included upcoming goals and scheduling of top priorities.

She discussed specific goals including an exercise partnering with the Monte Vista Coop on chemical spills. She also discussed the EMPG grant and explained that the reimbursement for that grant is a year and a half behind. The grant could fund a full time emergency management position in 2020.

Ms. Rosecrans also discussed the VOAD program and explained that position will be voluntary. The SLV Gives account has tiers to separate counties and towns. Towns are responsible for writing up MOU of how they can use the funds.

Ms. Rosecrans is also planning “multi-agency” meetings to plan more exercises and workshops.

General Business and Administrative Items

At 10:28 a.m., the update on Ellis/Railroad IGA was deferred to executive session.

At 10:28 a.m., a draft of a resolution for the Railroad was presented. The resolution explains why the railroad is important to the valley’s economy. It was noted that the intended audience is people that don’t understand the modern importance of this railroad to the economy. Commissioner Noffske explained that each of the federal actions will be concerned with the local interests.

The resolution was read for the record as follows.

Commissioner _____ moved for adoption
of the following Resolution

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF RIO GRANDE, STATE OF COLORADO**

RESOLUTION NO 2019-

**RESOLUTION SUPPORTING THE CONTINUATION OF RAILROAD SERVICE AND
RAILROAD ACTIVITIES WITHIN RIO GRANDE COUNTY**

WHEREAS, various economic interests and municipalities within Rio Grande County are serviced by the San Luis and Rio Grande Railroad and the San Luis Central Railroad; and

WHEREAS, operations of the railroads within Rio Grande County include but are not limited to the commercial export of grains, minerals, specialty rock products, and produce such as potatoes and barley; and

WHEREAS, the continuation of operations of the San Luis and Rio Grande Railroad is in question due to competing legal interests of the Railroad’s creditors; and

WHEREAS, although unaffiliated, the San Luis Central Railroad is entirely dependent upon the continued operations of the San Luis and Rio Grande Railroad; and

WHEREAS, the Board of County Commissioners for Rio Grande County believes that any cessation, or even suspension, of railroad operations would have a detrimental effect on the economy of Rio Grande County.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of County Commissioners of Rio Grande County, Colorado:

THAT, the Board of County Commissioners of Rio Grande County hereby supports the continuation of railroad activities within the County as being essential to the local economy, and

opposes any remedy in law or equity which would result in the suspension or cessation of operations of the San Luis and Rio Grande Railroad and/or the San Luis Central Railroad.

MOVED, READ, AND ADOPTED by the Board of County Commissioners of the County of Rio Grande, State of Colorado, at its regular meeting held the _____ day of November 2019.

ATTEST:

RIO GRANDE COUNTY
BOARD OF COUNTY COMMISSIONERS

Clerk of the Board of
County Commissioners

Suzanne Bothell, Chairperson of the Board

Gene Glover, Commissioner

John Noffske, Commissioner

Commissioner _____ seconded adoption of the foregoing
Resolution. The roll having been called, the vote was as follows:

Commissioner Suzanne Bothell

Commissioner John Noffske

Commissioner Gene Glover

Commissioner Glover moved to accept the resolution for the railroad. Commissioner Noffske seconded the motion and the motion carried. Book 598 Page 2942

The draft of resolution for Export of Water Outside of the San Luis Valley was presented. The Board discussed the resolution and felt that revisions were needed. The Board tabled the resolution approval until December 11, 2019.

At 10:50 a.m., the WSB Computer Services Confidentiality Agreement was presented for approval. There were no substantial revisions submitted by WSB. Commissioner Noffske moved to approve the Confidentiality Agreement. Commissioner Glover seconded the motion and the motion carried.

The WSB Computer Plan agreement was presented. Mr. Dunn said he feels comfortable with the contract that WSB provided. Commissioner Glover moved to approve the Service Plan Agreement. Commissioner Noffske seconded the motion and the motion carried.

The WSB Computer Services IT Budget items for 2020 through 2025 were presented. These items were recommended by Tyler Tobin and priced by WSB Computer Services. Mr. Tobin has been hired to consult and protect the County against cyber threats and these items were his recommendation to protect the County. Commissioner Glover moved to approve the budget items. Commissioner Noffske seconded the motion and the motion carried two-one with opposition from Commissioner Noffske. One of the items on the budget list also includes a 45-minute training for employees. Mr. Dunn noted that training completion documents will need to be kept in employee files.

A draft of a letter to BLM concerning Baxter Hill was presented. The letter outlines the County's intention to remove the equipment from Baxter Hill but does not commit the County to a timeframe. Ms. Slater noted that the County did receive a bill for interest for about \$2,000.00 from the BLM. The Board

agreed that the letter represents the County's position on this matter. Commissioner Noffske stated that the Board needs a copy of the original lease.

Unfinished Business

At 11:50 a.m., a letter to Mr. Jim Edwards, landowner at Airport regarding his water supply was presented. Mr. Dunn explained the history of the property. The land was purchased years ago, and the building was plumbed into the well at the airport however, there is no documentation about the water usage. A letter of cease and desists may be needed to get action taken on this. Commissioner Noffske noted that the Airport Board is dealing with process instead of having to put all airport issues through County administration. The Airport board is recommending this letter be sent to Mr. Edwards. Commissioner Noffske also stated that more guidelines for procedures need to be created so that there is a clear process for combining lots without concerning County administration. After a cease and desist letter is sent Mr. Edwards can start the process of drilling a well. At this time the County covers all of the costs for this well.

The McCallister property was also discussed. After Mr. Don McCallister died, there was no longer an airplane or any reason for Cora Lee McCallister to live on the airport property. The Airport Board recommended giving her a year to leave the property, however this board will review this and address the expiration. Mr. Dunn will draft a letter for this situation.

At 12:00 p.m., Summitville was discussed with Mark Rudolph, CDPHE and Tom Malecek, Forest Service. Mr. Malecek explained that the draft deeds are completed with two quit claim deeds and two warranty deeds. The regional real estate specialist is reviewing the deeds and should be finalized within two weeks. Lucas at the AGO office has reviewed the deeds and is happy with the language on all deeds. Attorney general's office, EPA and the Forest Service office attorneys have reviewed the deeds. The deeds transfer all rights including water, mineral and timber to the County.

Commissioner Bothell asked if the snow plowing would be held off until later in the year so that snowmobilers can take advantage of the roads. Plowing a parking lot further up the road for snowmobile rigs to park and unload has been discussed. Mr. Malecek recommended that Mr. Rudolph, the District and the snowmobile club representative meet to discuss how to best accommodate the snowmobilers. Mark Rudolph stated that he would like to continue to work with the County on Summitville and the snowmobile community to find a resolution for this problem. He did state that it won't be possible this year to delay plowing. Mr. Malecek recommended that working with the Powder Busters to expand their trails to accommodate the clubs for next winter.

Mr. Rudolph stated that he will be sending an email with supervisor's contact information so that the Commissioners can send recommendations and state if they would like to continue the relationship with Mr. Rudolph on the Summitville project.

Allpine Title is doing the closing and CDPHE will be covering closing fee.

Commissioners and Administrator Updates

Ms. Slater reported that the Federal Homeland Security Grant Audit report has been received. The audit report outlines recommendations for the grant, many of the recommendations were the same as on the 2017 audit. Many of the recommended policies can be found in some of the department policies and can be duplicated. The recommendations have statutes attached. If these audit recommendations are not followed, these funds may not be available.

Ms. Slater presented a financial report which included an updated budget report.

The Board discussed the issue of the newspaper article that did not represent the County's intention concerning the Railroad. Commissioner Glover stated that Rio Grande County is not buying the railroad, the intention is for Rio Grande County to recover taxes and continue to have a railroad that is working within the valley.

The Board decided that a response to the newspaper would be beneficial. Mr. Dunn recommended that the following statement be made, "The County's primary interest is to have an operating railroad and if possible, for the County to recover the property taxes. The County does not however have the intention to acquire the railroad." This would be the Board of County Commissioners official position on the Railroad. Mr. Dunn recommended that this be the statement if press approach the Commissioners about the railroad. If other comments are made, it needs to be clarified that it is a personal statement and not attributed to the County. Commissioner Noffske stated that he has been speaking on behalf of the COG not the County.

Commissioner Noffske stated that his message to the newspaper will be that the railroad was placed in receivership, bankruptcy chapter 11 was filed, and there is a potential that the railroad could be sold for scrap. The goal is to keep the railroad working and get money back for Counties.

At 12:50 p.m., Commissioner Glover moved to adjourn and enter executive session for conference with County Attorney for the purpose of receiving legal advice in specific questions under 24-6-402(4)(b). Commissioner Noffske seconded the motion and the motion carried.

At 1:15 p.m., the executive session was adjourned.

Attest:

Nikita Christensen
Clerk of the Board

Suzanne Bothell
Chairman