COUNTY COMMISSIONERS’ PROCEEDINGS

State of Colorado    ss
County of Rio Grande  )

The Board of the Rio Grande County Commissioners met in regular session on Wednesday, March 11, 2020.

At 9:00 AM Chairman Noffsker called the meeting to order. Prayer was led by Commissioner Bothell, and the Pledge of Allegiance was said.

Present were Commissioner Noffsker, Commissioner Bothell, and Commissioner Glover, along with County Administrator Tricia Slater and Clerk of the Board DeAnn Jacobs.

Adoption of the Agenda

Dixie Diltz, Land Use, did not have anything for the agenda. Commissioner Bothell made a motion to approve the agenda without Ms. Diltz report; Commissioner Glover seconded the motion, and the motion carried.

Approval of Minutes from the Previous Meeting

Commissioner Noffsker asked why the minutes sent from the Clerk of the Board to the Commissioners for approval show sections “to be inserted”. Ms. Jacobs said she cannot insert resolutions, payroll, and accounts payable until she receives them, but is required to send minutes to the Commissioners for corrections a week after the BOCC meetings. She inserts the resolutions and reports when they are received, and the complete minutes are again sent to the Commissioners for final approval at the month’s end. Commissioner Bothell said the approval of minutes at the BOCC meeting is approving the corrected minutes without the inserts. Minutes are sent at the month’s end so the Commissioners can give final approval before the minutes are made public.

Commissioner Glover made a motion to approve the minutes from February 26, 2020, without inserts. Commissioner Bothell seconded the motion, and the motion carried.

Public Comment

Commissioner Noffsker asked if there were any comments. Fedele Paccione Jr. said he had looked on the County website for BOCC minutes, and the most recent were from September 2019. Commissioner Noffsker asked Ms. Jacobs what the procedure was for putting the minutes on the website. She said it was her understanding the minutes needed an end-of-month approval from the Commissioners before they would be made public. She will ask Cindy Hill, County Clerk, for clarification. Commissioner Noffsker said the resolutions are posted elsewhere on the website, so perhaps the minutes, without the inserts, could be posted as soon as the Board approved them. Ms. Slater looked at the County website and said she found the minutes through the end of 2019.

Consent Agenda

- DSS AP
- AP
- Resolution appointing an alternate board member for the SLV GIS GPS Authority

Commissioner Bothell made a motion to approve the consent agenda. Commissioner Glover seconded the motion, and the motion carried.

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At 9:12 AM Patrick Sullivan, Road and Bridge Department, gave his monthly report to the Board. The base work on County Road 11 S is complete. The rebuild on the conveyor is 90% complete. The department completed a full cycle of grading. A loader has been screening material for the Town of Del Norte’s river park project. Proposed work includes installing culverts on County Road 11 S to complete the drainage of that section, and installing culverts on County Road 1 S prior to the irrigation season. The department will work on a 1,200-foot section on County Road 2 E, north of Sherman Avenue. It goes through cattails and slough. They will use geogrid, which is a plastic mat used as a barrier between the surface mud and applied gravel. It keeps the gravel from sinking into the ground. A CEI technician will work on the hot plant conveyor in April, and it should be ready by mid-May.

Mr. Sullivan said a 2011 grader dropped a clutch pack in the transmission. He compared options, and decided to send it to Durango for repair. The cost was about $30,000, and the repair will add another four or five years of use.
Mr. Sullivan said work has started on the Centennial Ditch project. Work is being done on engineering and design. The County will try to get work done in the fall, after irrigation season and before frost.

Commissioner Bothell asked about the forklift. Mr. Sullivan said the safety issues have been resolved, and it will be looked at more this summer. She also asked when the bridge and dike tour will be. Mr. Sullivan said it is planned for April.

At 9:27 AM Randy Kern, Building Department, spoke to the Board. Last week he attended the Educational Institute in Loveland, where he took classes on several topics including commercial plan reviews, building science fundamentals, commercial accessibility, construction defects, and single-family dwellings. While Mr. Kern was gone, Ken filled in to do inspections. Alamosa is hosting Colorado Code Consulting, who will give free energy code training next week; Mr. Kern will attend. Elaine Brown will be taking an online course from ICC to prepare for the permit tech exam. If she is certified as a permit tech, she will get a one-step pay increase. Mr. Kern said the County got almost $6,000 in permit fees, which is similar to last year.

At 9:33 AM Jennifer Mondragon, County Assessor, spoke to the BOCC about abatements. She passed out copies of the ARL (assessor’s manual) on abatements. She said the same abatement form is used for both county errors and for petitions. Commissioner Noffsker said he was concerned because no forms had been signed by the petitioners. Ms. Mondragon said most requests were initiated by the property owner, but since the form would need to be sent to the owner for signature, then mailed back, the County has been processing the forms without signatures to speed the process. If the tax is paid late, the property owner has to pay interest. She said many of the clerical errors were due to new software and land coding data entry.

Mr. Dunn said the forms should be signed by the petitioner. Clerical errors need to be specified. Ms. Mondragon said she will start sending the forms for signatures, and will list more information on errors. Mr. Dunn said the Board has six months to decide on each petition. The form states any abatement over $10,000 must be approved by the BOCC and State. He will look to see if small amounts can be done by the Assessor without Board approval. Mr. Dunn asked the Board if it is comfortable with the Assessor’s office processing the current abatement requests under $10,000 if he finds out it is allowed by statute. The Commissioners agreed it would be permissible. Ms. Mondragon said she would get signatures on forms in the future. She asked Mr. Dunn if e-signatures would be allowable; he will find out.

At 9:47 AM Don McDonald, Rio Grande County Sheriff, talked to the BOCC about the BolaWrap presentation done at the Sheriff’s office. BolaWrap is an intermediary tool for restraint, especially for mental health cases. Its use is between a Taser and hands-on. It can be used in the jail, as well as outside; the range is between 8 and 28 feet. Sheriff McDonald said the department could have used it six times last year. The cost for each unit is $925, plus cartridges. Prairie Real Estate has offered to buy two for the department; Sheriff McDonald said the department could use four. All San Luis Valley agencies that attended the demonstration would like to buy some. If eight BolaWraps are bought by SLV agencies, the company will send a trainer. Commissioner Noffsker asked if the purchase needed BOCC approval. Sheriff McDonald said it was already in the budget under equipment.

General Business and Administrative Items

At 9:58 AM Yolanda Chavez from Valley Wide Health System talked about their Medical Assisted Treatment (MAT) program. Senate Bill 1901 allowed for the expansion of the program. MAT assists with opioid use disorder by increasing access to three different medications, as well as behavioral health and medical services. MAT works with eight health agencies in the SLV. Ms. Chavez coordinates patient care with the agencies. MAT’s website is MATSLV.org. Currently Ms. Chavez is the only care coordinator. The program is in the process of hiring another care coordinator so patients can have access every day of the week.

At 10:04 AM Lori Laske, Alumni Director for Adams State University (ASU), gave a presentation about the Colorado Opportunity Scholarship Initiative (COSI). Dr. Cheryl Lovell, ASU President, and Mayra McKibbin, last year’s COSI recipient, also spoke. Ms. McKibbin spoke first. She graduated and is now the area manager for the southern Colorado area of Rocky Mountain Service Employment Redevelopment for Progress (RMSER), which provides tuition assistance to seasonal farm workers. She had worked for the company for 20 years, but needed a college degree to move into management. Ms. Laske said Ms. McKibbin’s success story is an example of COSI’s investment in the community. COSI was created to increase the attainment of postsecondary credentials and degrees for underserved students in Colorado. Funding from
the State is allocated based on the number of students in each county who receive lunch assistance. Rio Grande County is eligible for $18,229 from the State, which must be matched by funds from local sources. The scholarships may be used at ASU or Trinidad State Junior College. Each scholarship is $1,000 - $1,500 per year. COSI is requesting a letter of support by March 20, 2020, and funds will be received by July 1, 2020. Last year COSI received local funding from Sunflower Bank. Commissioner Bothell said this year’s budget has already been set. Dr. Lovell asked the BOCC to remember COSI when setting the 2021 budget. Commissioner Noffsker and Ms. Slater said the Board could schedule a special session to look at the 2020 budget to see if any funds are available.

At 10:32 AM Commissioner Bothell spoke about the Homeland Security Grants review and approval. The Directors’ Board of the All-Hazards Advisory Council (AHAC) is tasked with the job of identifying potential recipients of the grants. Applications were due December 31, 2019. The federal government sent out its Notice of Funding Opportunities (NoFO) in February. It listed election security and cyber security as two priorities. In previous years the priority had been law enforcement communications. Rio Grande County is the fiscal agent for the grants, so needs to approve the recipients. Before working on this year’s grant, the 2017 grant needed to be closed out. Most of the funding went to Antonito Police Department for radios, with the balance going to Rio Grande County administration for supplies. The 2020 grant, including matching funds, totals $161,862. The grant specifies that 25% of the grant is to go to law enforcement. Blanca Police Department has applied for funding for a software program for interoperability and inter-communication. The AHAC has decided to fund $23,295.99 (90% of the cost). This is 25% of the grant. San Luis Valley Regional Airport in Alamosa has requested funding for security lighting and cameras. The airport will receive $42,632.91 for phase 1 of their project. Del Norte Fire Department has applied for $15,000 to buy Teflon sheets for training materials. The AHAC needs additional documentation from the fire department before awarding the grant. If it does not receive the documents, those funds will go to the airport. The AHAC is submitting its recommendations to the BOCC and to the State and federal government for approval. Commissioner Glover made a motion to approve the recommendations of the AHAC for 2020 grant recipients. Commissioner Bothell seconded the motion, and the motion carried.

At 10:42 AM Commissioner Bothell presented the IGA for Homeland Security. There will be another IGA in the future that will go to all recipients. Mr. Dunn has edited, reviewed, and approved the IGA. It did not need to be signed by Rio Grande County BOCC, but by all other counties it will be sent to. It did need this BOCC’s approval. Commissioner Glover made a motion to approve the Homeland Security IGA. Commissioner Bothell seconded the motion, and the motion carried.

At 10:44 AM Ms. Slater shared two estimates from cleaning service companies to clean the Rio Grande County Courthouse, Annex, and Department of Social Services buildings. The bids were from White Glove Cleaning Services and Cleaning Solutions. The estimates are for three and five days per week. Ms. Slater include salaries of the two County Building Maintenance Department employees in the estimated costs. White Glove estimated $15,644.34 per month for five days, and $12,094.34 for three days. The five-day service is over the County’s monthly budget of $12,372.23. Cleaning Solutions estimate was $11,822.34 per month for five days, and $9,051.14 for three days. Ms. Slater recommended hiring Cleaning Solutions for five days weekly. The annual savings on the budget would be $6,598.68. Cleaning Solutions also offers landscaping services. They also could do a three-day, one-time, deep cleaning with sanitizing for $9,546. The current County staff would continue to do buffing, windows, outside maintenance, and clean the Museum. Neither service requires a contract, but White Glove asks for a one-month advance notice for termination of services. Cleaning Services is bonded; White Glove is not bonded, but is insured. Both are willing to have their employees’ backgrounds checked and have them sign confidentiality statements. Commissioner Glover said it would be good to start with the five-day service, and scale back to three day if needed. Commissioner Noffsker said that hiring for both five days per week and the deep cleaning service would go over budget. Mr. Dunn said they must have DSS background checks which include trails background checks for substantiated allegations of child abuse or neglect. The background checks can be done as soon as DSS is given the employees’ names. Ms. Slater said White Glove could start working in two weeks. Cleaning solutions could begin in three days. The BOCC consensus was that Cleaning Solutions was the better choice for the County. Dusty Duran, Building Maintenance Department, said the department has gotten behind on cleaning because of the high rate of employee turnover. He said he has seen Cleaning Solution’s work, and it is good. Mr. Duran recommended starting with the deep cleaning and five-day service.
He also said that, because the service is starting in March, the cost would still be under budget. Commissioners Glover and Noffsker asked if the cleaning would include the district attorney’s and judges’ sections of the courthouse. Ms. Slater said it would. Commissioner Bothell made a motion to approve a five day per week contract with Cleaning Solutions, starting as soon as possible, assuming it includes all pertinent areas in the courthouse; the DA’s and Options sections, the judges’ chambers, and courtrooms; the annex; and DSS. Commissioner Glover seconded the motion, and the motion carried. Ms. Slater then presented the bid from Cleaning Solutions for the deep cleaning. Commissioner Glover made a motion to approve the three-day deep cleaning by Cleaning Solutions for $9,546.95. Commissioner Bothell seconded the motion, and the motion carried.

Commissioners and Administrator Updates

At 11:06 AM Ms. Slater was asked for an update on the Weed Board hiring process. She said there is one applicant. She and Commissioner Glover are waiting until the Weed Board meets tomorrow, March 12, to get its decision.

Commissioner Noffsker asked Ms. Slater about the Accounts Payable reports. Ms. Slater said she will be sending notices to all department heads and elected officials informing them the voucher claim deadline dates will be moving up. The deadline dates policy was set on October 16, 2018. The Commissioners discussed changing the deadlines in a work session on Monday, March 9, 2020. They would like the dates moved up to allow more time to review reports before approving them. Mr. Dunn said if the policy is to be changed, it should be on the agenda for the next BOCC meeting on March 25, 2020. It will be reworded to state the cut off for submitting vouchers to the Accounts Payable clerk will be on the first business day of the week prior to the BOCC meeting. Commissioner Noffsker said line item terminology varies between departments, and he would like to have more consistency.

At 11:23 AM Commissioner Bothell asked Mr. Dunn about keeping audio records of the BOCC meetings. Today is the first time the BOCC has used the new audio recording system to record the meeting. Mr. Dunn said the recordings are not available to the public. They are available if there is a Colorado Open Records Act (CORA) request or court order. Mr. Dunn said the written minutes are the official record. He thought the recordings needed to be kept six months for the general sessions and 90 days for executive sessions, but he will check. Commissioner Noffsker said he was under the assumption the recordings were public, and asked Mr. Dunn to find the statute. Commissioner Bothell asked about recordings the Clerk of the Board has made for her own use in writing minutes. Mr. Dunn said the Board should direct the Clerk to delete the recordings after the minutes are approved.

At 11:28 AM Commissioner Bothell reported the AHAC is discussing drive-through testing for the Coronavirus, starting with those at CDC offices. There are eight days’ worth of test kits in the state, but more kits are on their way.

At 11:30 AM Commissioner Glover said the district library successfully passed its audit.

The Tourism Board met. Commissioner Glover has a formula he will bring to the BOCC.

The County received a $2,000 grant from the Census Bureau for advertising. Ms. Slater will hire someone to put up banners around the County.

Commissioner Glover will be attending a Colorado Health Pool meeting and a State Weed Board meeting in Denver the week of March 16, 2020.

Ms. Slater said auditors from Wall, Smith & Bateman will be at the BOCC work session on March 23, 2020. She said she would also like to meet with the three County schools at the work session to discuss the Secure Rural Schools (SRS) funds. She will schedule them for 9:00.

At 11:38 AM Commissioner Noffsker gave an update on the railroad bankruptcy case in Chicago. There may be buyers interested. Mr. Dunn will continue to receive updates.

There are several housing assistant programs working in the San Luis Valley. Commissioner Noffsker would like to have a work session with Dawn from San Luis Valley Housing Coalition to learn more about the programs.

At 11:42 AM Commissioner Noffsker asked for a motion to adjourn the regular session for executive session according to C.R.S. 24-6-402(4)(b) to receive legal advice, and C.R.S. 24-6-402(4)(f) to discuss personnel matters. Commissioner Bothell made the motion; Commissioner Glover seconded the motion, and the motion carried.
At 12:09 PM, the Board exited executive session. The meeting was adjourned.

Attest:

____________________________________________________________________________
John Noffsker                                                                                                     DeAnn Jacobs
Chairman of the Board                                                                                       Clerk of the Board

COUNTY COMMISSIONERS’ PROCEEDINGS

State of Colorado  )
ss
County of Rio Grande  )

The Board of the Rio Grande County Commissioners met in special session on Wednesday, March 18, 2020.

At 11:07 AM Chairman Noffsker called the meeting to order. Prayer was led by Commissioner Noffsker, and the Pledge of Allegiance was said.

Present were Commissioner Noffsker, Commissioner Bothell, and Commissioner Glover, along with County Administrator Tricia Slater and Clerk of the Board DeAnn Jacobs.

Adoption of the Agenda

Commissioner Bothell made a motion to approve the agenda; Commissioner Glover seconded the motion, and the motion carried.

General Business and Administrative Items

At 11:09 AM Commissioner Noffsker introduced the Resolution Adopting Procedures for Emergency Meetings. Mr. Dunn pointed out paragraphs 3 and 6. According to paragraph 3, the reason for holding an emergency meeting must be announced at the beginning of the meeting. Paragraph 6 states that any action taken at an emergency meeting must be ratified in the consent agenda of the next regular session. Commissioner Noffsker and Mr. Dunn clarified that adequate notice of this special session, March 18, 2020, was given, so it is not an emergency meeting. Commissioner Glover made a motion to accept the resolution as written. Commissioner Bothell seconded the motion, and the motion carried.

Commissioner Gene Glover moved for adoption of the following Resolution:

BOARD OF COUNTY COMMISSIONERS
COUNTY OF RIO GRANDE, STATE OF COLORADO
RESOLUTION NO 2020- 13

RESOLUTION ADOPTING PROCEDURES FOR EMERGENCY MEETINGS

WHEREAS, the Colorado Open Meetings Law, C.R.S. §24-6-401, et seq., exercises authority over meetings of local governments, including meetings of the Board of County Commissioners for Rio Grande County (hereinafter, the “Board”); and

WHEREAS, the Colorado Open Meetings Law applies to any meeting convened in person, by phone or electronically to discuss public business relating to the policy-making function of the Board; and

WHEREAS, when a meeting is convened to discuss public business and is a meeting at which any formal action occurs or at which a majority or quorum of the Board is expected to be in attendance, then such meetings are open to the public and public notice shall be given and minutes taken; and

Commissioner Gene Glover moved for adoption of the following Resolution:

BOARD OF COUNTY COMMISSIONERS
COUNTY OF RIO GRANDE, STATE OF COLORADO
RESOLUTION NO 2020- 13

RESOLUTION ADOPTING PROCEDURES FOR EMERGENCY MEETINGS

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WHEREAS, the Colorado Open Meetings Law applies to any meeting convened in person, by phone or electronically to discuss public business relating to the policy-making function of the Board; and

WHEREAS, when a meeting is convened to discuss public business and is a meeting at which any formal action occurs or at which a majority or quorum of the Board is expected to be in attendance, then such meetings are open to the public and public notice shall be given and minutes taken; and
WHEREAS, the Colorado Open Meetings Law contains no reference to emergency meetings; however, C.R.S. §30-1-303(2) allows the Board to call an emergency meeting provided it has adopted procedures therefor; and

WHEREAS, the Board wishes to adopt Procedures for Emergency Meetings; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The County Attorney or the County Administrator shall be contacted to call the emergency meeting, which can be held even in the event that proper public notification is not attainable.

2. The meeting may be held in person, via telephone or electronically.

3. At the onset of the meeting, a member of the Board shall describe the circumstances constituting the emergency under which the meeting is taking place and acknowledge that the notice requirement may be affected by the type of meeting involved. For purposes of these procedures, "emergency" is defined as "an unforeseen combination of circumstances or the resulting state that calls for immediate action."

4. When the meeting is held in person or via telephone, an audio recording must be made or a member of the Clerk to the Board staff must be present to take minutes of the meeting.

5. When the meeting is held electronically, please copy the Clerk to the Board on all communications so that minutes may be prepared. Note that e-mail between elected officials to discuss pending legislation or public business is open to the public.

6. Any action taken at the emergency meeting must be scheduled for ratification as a consent calendar item on the Board's next regular meeting for which the agenda has not already been posted.

7. County staff will undertake all reasonable efforts to notify the general public and press of the emergency meeting, including existing electronic distribution lists.

MOVED, READ, AND ADOPTED by the Board of County Commissioners for the County of Rio Grande, State of Colorado, at a special meeting held the ___18th___ day of March, 2020.

ATTEST:

RIO GRANDE COUNTY
BOARD OF COUNTY COMMISSIONERS

Clerk of the Board of County Commissioners

John Noffsiger, Chairman of the Board

Suzanne Bothell, Commissioner

Gene Glover, Commissioner

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

Commissioner John Noffsiger

Commissioner Suzanne Bothell

Commissioner Gene Glover
At 11:12 AM the Disaster Order was discussed. Commissioner Noffsker asked if there is a difference between a disaster order and a declaration of emergency. Mr. Dunn said he is not aware of a difference. He referred to Title 24-33.5-709 which states the Chairman of the BOCC may declare a local disaster emergency. Commissioner Noffsker asked for clarification on what a declaration does. Ms. Slater said it gives permission, but not a directive, for the County to use County reserves, including TABOR. Commissioner Noffsker asked if the Board needed to have a written order before making a decision. Mr. Dunn said the BOCC would need to sign a written order, but could plan to make a declaration at this meeting. Commissioner Bothell said the declaration is about opening and receiving funds; it is not a plan detailing the possible closure of County offices. The declaration would allow for potential reimbursement for County expenditures related to Coronavirus. Commissioner Bothell made a motion to sign a Local Disaster Emergency Declaration in response to COVID-19. Commissioner Glover seconded the motion. Mr. Dunn read from statute 24-33.5-709(2): “The effect of a declaration of a local disaster emergency is to activate the response and recovery aspects of any and all applicable local and interjurisdictional disaster emergency plans and to authorize the furnishing of aid and assistance under such plans.” Mr. Dunn said this supported Ms. Slater’s statement that this is permission to use funds, not a mandate. Commissioner Noffsker asked if there were any comments from those attending the meeting; there were none, and the motion carried.

RIO GRANDE COUNTY, COLORADO
LOCAL DISASTER EMERGENCY DECLARATION
PURSUANT TO C.R.S. §24-33.5-709(2)

WHEREAS, COVID-19 is a highly contagious virus that has spread to numerous countries around the world, and has now been confirmed in all fifty states; and

WHEREAS, the virus may cause serious illness or death in certain cases, particularly when contracted by the elderly and persons with underlying health conditions; and

WHEREAS, on January 30, 2020, the World Health Organization declared the worldwide outbreak of COVID-19 a “public health emergency of international concern,” and on January 31, 2020, the United States Department of Health and Human Services declared the virus a “public health emergency;” and

WHEREAS, public health experts anticipate that, due to the contagiousness of the illness it is likely that Rio Grande County will experience cases of the virus and its transmission within the community; and

WHEREAS, Rio Grande County anticipates that without appropriately responding to the illness, spread of the virus may result in serious illness or death for certain members of the community, and may also have the effect of interrupting the functioning of the community in terms of work attendance, school attendance, social gatherings, and the like; and

WHEREAS, the cost and magnitude of responding to and recovering from the impact of the ensuing event is far in excess of the County’s available resources; and

WHEREAS, Colorado law provides for declaring disaster emergency to assist local governments in responding to and recovering from emergency events, including epidemics; and

WHEREAS, pursuant to C.R.S. §24-33.5-709(2) “A local disaster may be declared only by the principal executive officer of a political subdivision. It shall not be continued or renewed in excess of seven (7) days except by or with the consent of the governing board of the political division;” and

WHEREAS, the Board of County Commissioners is the governing board for Rio Grande County and pursuant to C.R.S. §§30-10-307 and 308, the chairman of the Board of County Commissioners is the principal executive officer of Rio Grande County; and

WHEREAS, “The effect of a declaration of a local disaster emergency is to activate the response and recovery aspects of any and all applicable local and interjurisdictional disaster and emergency plans and to authorize the furnishing of aid and assistance under such plans.” C.R.S. §24-33.5-709(2).
Ms. Slater said she has Department of Local Affairs (DOLA) forms for emergency time if any department heads or elected officials want them. Commissioner Bothell asked what hours should be recorded on the DOLA form. Jody Kern, Department of Social Services, said, in her experience with the West Fork Fire, the work needed to be directly related to the emergency. Commissioner Noffsker said that was an administrative question that could be discussed at another time.

At 11:19 AM Ms. Slater said people who had made reservations for the Annex will have their money refunded. It will be paid out of revenue, not expense. Commissioner Bothell asked if there should be any groups in the Annex, even if there are less than ten people, if the County is closed. Commissioner Noffsker said such a gathering is not a County function, so should not be affected by a possible County closure. Cindy Hill, County Clerk, said there are separate public restrooms in the Annex, so it does not affect her office. The Commissioners agreed this was an administrative issue, and there was no further discussion.

At 11:21 AM, the Board discussed closing the County Museum to the public. Commissioner Glover said he spoke with Louise Colville, Museum Director. She has put a “Closed” sign on the Museum’s front door, but she will continue working. The Museum’s part-time assistant, Rita Trujillo, could continue working on projects. Commissioner Noffsker said the Museum closure will be referenced in any public announcement of County closures.

Commissioner Noffsker mentioned he spoke with Jay Sarason, Astronaut Rominger Airport Manager, who wanted to be sure the airport would not be closed. That will also be stated in any public message.

At 11:24 AM a temporary policy on employee sick leave was discussed. The BOCC had copies of El Paso County’s temporary policy. Commissioner Bothell said she thought the policy was very complete and well thought out. Commissioner Noffsker summarized the policy; it is a temporary sick leave policy for use during a communicable outbreak, which is effective for 90 days, subject to review. The policy gives employees without sick leave assurances of payment. He said the El Paso County policy addresses categories not applicable to Rio Grande County,
so would need to be modified for use here. Commissioner Noffsner also wanted to be sure any
temporary policy drafted would be in line with Rio Grande County’s current sick leave policy. He
said the Board also needed to address family medical leave and workman’s comp.
Commissioner Bothell said County Technical Services, Inc. (CTSI) has sent guidance on
workman’s comp.

Mr. Dunn said he has not seen CTSI’s guidance, but he would like to review it. He said the El
Paso County policy allows employees to receive 80 hours paid sick leave, even if they have not
accrued it. It is a loan, not an addition to their sick leave, and must be paid back as leave is
accrued. Employees who do have accrued leave must use it before receiving any loaned leave.
Commissioner Noffsner said the County might need to institute a forgiveness policy for part-time
employees, who do not receive sick leave benefits. Mr. Dunn said other counties are paying up
to 80 hours, even to employees who do not accrue leave, in order to encourage them to stay
home. Commissioner Noffsner asked Mr. Dunn what he recommended the Board do at this
meeting. Mr. Dunn said he did not see anything inconsistent with Rio Grande County’s policy in
the El Paso County policy. He recommended the Board decide what parts of the policy make
sense for Rio Grande County, reducing it down and including provisions for part-time
employees, so that a temporary policy could be provided to County employees today, March 18,
if possible.

Commissioner Bothell asked if it would be appropriate to make a motion to approve a sick leave
policy, following the guidelines of El Paso County, in which employees may borrow 80 hours of
unaccrued sick leave to be repaid in the future when it is accrued, and also to give 80 hours
potential sick leave to part-time employees who are not able to accrue sick leave. Mr. Dunn
said her statement was sufficiently worded to pass this measure at this meeting. Ms. Hill
reiterated that vacation leave and sick leave already accrued was to be used before receiving
any unaccrued sick leave. Mr. Dunn recommended Danielle Bronkema, Human Resources
Director, review them on a case by case basis. Mr. Dunn said he could draft a policy early in
the afternoon, and e-mail it to Ms. Bronkema, Ms. Slater, and the Commissioners for their
review, approval, and implementation today, March 18, 2020. He said, after approval, the policy
could be sent as a memo to employees. It may be signed, but does not have to be. Mr. Dunn
also recommended stating the policy would be in effect until otherwise ordered. Commissioner
Glover seconded Commissioner Bothell’s motion, and the motion carried.

At 11:39 AM there was a discussion about having an Essential Services MOU with other
counties. Ms. Kern said the San Luis Valley DSS’s have an informal MOU; if one county shuts
down, other counties may pick up the work. The SLV DSS’s would like the SLV Commissioners
to discuss having a formal MOU for services. Emily Brown, Public Health Department said
Public Health Departments around the state also have a MOU. Ms. Kern said this is not a
decision that has to be made today. Some other County departments, such as Road and
Bridge, already work with other counties in this way. Ms. Kern asked for the Board’s approval to
work without an MOU. Commissioner Glover said he was not opposed to having an MOU, but
all Commissioners would need to discuss it. Mr. Dunn said department MOUs would be better
than a county-wide one. Commissioner Noffsner said that until a decision is made, the County
can call emergency meetings if needed.

Commissioner Noffsner asked Ms. Kern about using Temporary Assistance for Needy Families
(TANF) reserve. He asked whether funds were to be used only for food. Ms. Kern said opening
funds up to the public was up to the Board. She said the federal government was considering
making funds available, so the BOCC might want to wait on making a decision.

Ms. Kern told the Board that High Valley Community Center (HVCC) has begun providing carry-
out meals to families while the schools are closed. This service does qualify for TANF funds,
and HVCC has asked for $20,000 to provide 1,000 meals per week for eight weeks. Ms. Kern
said this would not use much of the reserve, and recommended the Board approve the request.
She said Kids Connection in Monte Vista might have a similar request in the future.
Commissioner Noffsner asked about approaching the faith community for assistance. Ms.
Brown said she has spoken with the pastor from Calvary Baptist Church about coordinating help
from the regional churches. Ms. Kern has also been in contact with him. Commissioner Bothell
said any churches providing meals to the public would need to have kitchens that complied with
health codes. Ms. Brown agreed, and said that would be an advantage of having regional
coordination. Commissioner Glover made a motion to approve $5,000 funding to HVCC to
provide meals for eligible families at this time. Mr. Dunn asked Ms. Kern if any documentation
would be needed; she said she has the appropriate documentation already. She also said
HVCC and Kids’ Connection work with the schools to make sure no one is taking advantage of
the situation by getting resources from multiple places. Ms. Kern suggested the Board approval be worded to say, “up to $20,000” for HVCC, so it would not need to make several approvals. She said she would approach the Board if she got other requests, such as from Kids’ Connection. She said TANF funds are only for U. S. citizens who make less than $75,000 per year and who have children. Commissioner Glover amended his motion to say “up to $20,000”. Commissioner Bothell seconded the motion, and the motion carried.

At 11:52 AM the Board discussed implementing shutdown steps for closing County buildings. Commissioner Noffsker said there was a tiered approach to closing, but nothing was in writing. Commissioner Bothell said there should be a formal decision with a motion. In the manager’s meeting held this morning before this special session, the consensus was to implement tier 2 restrictions, which would restrict public access to appointments only. Commissioner Glover clarified the restriction applied to the Courthouse and Annex. The Sheriff’s Department and DSS have their own building restrictions in place. There was a discussion of how to word a message to the public. Ms. Brown said department heads and elected officials could get their information to Ms. Slater. She and Courtney Arthur, Sheriff’s Department, will craft signs with department information to post on each building. Ms. Hill said the message should be as simple as possible, stating that buildings are closed and giving phone numbers to call for information. Mr. Dunn said the Board did not need to draft a signed document about the closure; a motion was all that was needed. Ms. Hill reminded the Board to include start and end dates. Commissioner Bothell asked if the closure should take place immediately, March 18, or tomorrow, March 19. It was agreed that it would be immediate, although full implementation wouldn’t take place until tomorrow. Mr. Dunn reiterated the Sheriff’s Department, DSS, and the courts would not be included in the motion. Commissioner Bothell made a motion to implement a closure policy; that county buildings will be closed to the public, with different access based on different departments, to be clarified by the different departments; that people need to call the departments to make other arrangements effective immediately, and to be re-evaluated in two weeks. Commissioner Glover seconded the motion, and the motion carried.

Ms. Kern asked about reducing staff or working from home. She asked whether the decision to do so needed to be made by the Commissioners or by the department head. Commissioner Bothell said the department heads and elected officials know their department better than the Commissioners do. Mr. Dunn said this was a different matter than the sick leave policy. He said a motion was needed to authorize department heads to use their discretion in deciding whether to have their employees work remotely or work split shifts (staggered furlough). Ms. Hill asked whether employees needed to use vacation or sick leave if she had them work split shifts. Commissioner Noffsker said he thought it should be County paid leave; they should not have to use their vacation or sick leave. Commissioner Bothell agreed with Commissioner Noffsker, and said the County may be reimbursed by the State or federal government. Commissioner Glover said the BOCC could make a motion authorizing each department head to do what was best for their own department. Commissioner Noffsker said elected officials have the authority to run their department as they see fit. Commissioner Bothell asked if an employee who had a medical condition that put them at higher risk needed to use sick time. Mr. Dunn said all employees being told to stay home must be treated the same. However, if an employee tells their supervisor they are sick, they may be treated differently. Commissioner Bothell made a motion that, at the discretion of the department head or elected official, employees who are able to work from home be allowed to work from home. Commissioner Glover seconded the motion, and the motion carried. Commissioner Bothell made a motion giving authority to department heads and elected officials to authorize paid leave for employees being sent home due to overstaffing or health concerns during a communicable disease threat. Commissioner Glover seconded the motion, and the motion carried.

At 12:32 PM, Commissioner Bothell said Ms. Kern had asked about County employees from one department helping in another department in cases of emergency. Mr. Dunn said he would need to review the policy before giving advice. Ms. Slater will get the wording to him. Commissioner Noffsker asked who would pay for county equipment if it were broken through negligence. Mr. Dunn said there are negligence claims in the law that could be pursued. Dusty Duran said if Cleaning Solutions breaks a vacuum cleaner by vacuuming something they should not have, the company will pay for it. Commissioner Bothell made a motion to approve the contract as presented. Commissioner Glover seconded the motion, and the motion carried.

At 12:35 PM the Board discussed the Cleaning Solutions contract. Mr. Dunn added a confidentiality clause after the Board meeting on March 11, 2020. Commissioner Noffsker asked who would pay for county equipment if it were broken through negligence. Mr. Dunn said there are negligence claims in the law that could be pursued. Dusty Duran said if Cleaning Solutions breaks a vacuum cleaner by vacuuming something they should not have, the company will pay for it. Commissioner Bothell made a motion to approve the contract as presented. Commissioner Glover seconded the motion, and the motion carried.
Commissioners and Administrator Updates

At 12:44 PM Commissioner Bothell said she has been attending Ms. Brown’s 9:00 meeting daily and sending updates to the Commissioners, Ms. Slater, and Mr. Dunn.

At 12:45 PM Commissioner Glover reported Tri-County Seniors is making meal boxes for takeout.

At 12:46 PM Commissioner Noffsner reported that if small businesses need help due to the economic impact of COVID-19, they should contact their local bank or the San Luis Valley Development Resources Group.

At 12:47 PM Commissioner Bothell said Ms. Diltz would like direction about appointments and public hearings scheduled for April 29, 2020. The hearings need to have a 30-day public notice. The concern was that if the hearings are delayed for too long, it may be past construction season. Commissioner Noffsner suggested Ms. Diltz contact her association to learn about provisions during emergency situations; a shorter notification time may be allowed. Ms. Slater asked how the courthouse closure to the public affected BOCC meetings and public hearings. Mr. Dunn said the public could not be kept out of the meetings or hearings, but they could be limited to ten people. If more people are expected, the meetings or hearings should be postponed. Ms. Slater will talk with Ms. Diltz and Mr. Dunn to work out details for the April 29 hearings.

Mr. Dunn said he was tracking his County billing for COVID-19 issues separately, in case of possible State or federal reimbursement.

At 12:53 PM Commissioner Noffsner asked for a motion to adjourn the regular session for executive session according to C.R.S. 24-6-402(4)(f) to discuss personnel matters. Commissioner Bothell made the motion; Commissioner Glover seconded the motion, and the motion carried.

The Board exited executive session at 1:08 PM.

Attest:

____________________________________________________________________________
John Noffsner                                    DeAnn Jacobs
Chairman of the Board                          Clerk of the Board

COUNTY COMMISSIONERS’ PROCEEDINGS

State of Colorado   )
ss
County of Rio Grande  )

The Board of the Rio Grande County Commissioners met in special session on Wednesday, March 25, 2020.

At 10:00 AM Chairman Noffsner called the meeting to order. Prayer was led by Commissioner Noffsner, and the Pledge of Allegiance was said.

Present were Commissioner Noffsner, Commissioner Bothell, and Commissioner Glover, along with County Administrator Tricia Slater and Clerk of the Board DeAnn Jacobs. Commissioners Bothell and Glover were present via video conference call.

Adoption of the Agenda

Commissioner Bothell made a motion to approve the agenda. Commissioner Glover seconded the motion, and the motion carried.

Approval of Minutes from the Previous Meeting

Commissioner Bothell made a motion to approve the BOCC meeting minutes as corrected from March 11, 2020 and March 18, 2020. Commissioner Glover seconded the motion, and the motion carried.
Public Comment
Commissioner Noffsner asked if there were any comments. There were none.

Consent Agenda

- AP
- Payroll
- Veterans Report
- Voided Warrant 153353, WSB Duplicated Check

Vender | Amount |
--------|--------|
AIRGAS USA, LLC | $349.32 |
ALAMOSA CO NURSING SVC | $1,293.04 |
ALAMOSA COUNTY | $315.00 |
ANTHONY CHACON | $131.70 |
ARLAN'S PRO SERVICES | $75.00 |
AUBREY PARGIN | $147.40 |
AVENU HOLDINGS, LLC | $1,398.60 |
BLUE 360 MEDIA | $1,291.76 |
BRANDON ROGERS | $112.34 |
BRENDA ATENCIO | $50.00 |
BRYAN CHRISTENSEN | $60.35 |
BUSINESS SOLUTIONS LEASING, INC | $60.10 |
CARLA CLUTTER | $63.50 |
CAROL VORIS | $9.90 |
CENTURYLINK | $65.74 |
CENTURYLINK | $65.16 |
CENTURYLINK | $57.19 |
CHAFFEE CNTY PUBLIC HLTH | $2,745.50 |
CIELLO POWERED BY SLVREC | $1,440.36 |
CLIA LABORATORY PROGRAM | $180.00 |
CO.BUREAU OF INVESTIGATIO | $52.50 |
COSTILLA COUNTY PUBLIC | $3,915.69 |
DALE HARRISON | $12.00 |
DIANNE KOSHAK | $131.85 |
DON MCDONALD | $131.86 |
DOUG COOPER | $104.14 |
EL PASO COUNTY CORONER | $4,500.00 |
ELIZABETH McClURE | $149.05 |
EMERGENT TRAVEL HELATH INC | $341.70 |
FIRST BANKCARD | $10,415.29 |
GALLS, LLC | $310.88 |
GJ PIPE - FERGUSON WATERWORKS | $2,785.03 |
GLENALEE MITCHELL | $62.60 |
GOBINS, INC | $62.23 |
GREAT AMERICA FINANCIAL | $349.13 |
GUNBARREL STATION, INC | $80.00 |
HAYNIE'S INC. | $2,363.25 |
HIGH VALLEY COMMUNITY CTR | $500.00 |
IDA SALAZAR | $315.00 |
IHS PHARMACY | $178.54 |
INDUSTRIAL & FARM SUPPLY | $17.86 |
JACK RUDDER | $25.00 |
JAMES CLARE | $104.50 |
JEAN BORREGO | $5,638.69 |
JEANETTE HOWEY | $68.00 |
JORIE SCOTT | $63.50 |
KAYLA HERNANDEZ | $67.50 |
KEN'S SERVICE CENTER | $139.30 |
KRISTI HILLIS | $1,471.26 |
LAKE COUNTY HEALTH DEPT. | $688.75 |
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**March 2020 Payroll**

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Commissioner Bothell made a motion to approve the consent agenda. Commissioner Glover seconded the motion, and the motion carried.

**County official and Department Head Reports**

There were no Manager Updates.

**General Business and Administrative Items**

At 10:05 AM Commissioner Noffsger introduced the Summitville Land Transfer finalization. Dan Dallas and Andrew Peterson from the Rio Grande National Forest were present. Mr. Dallas thanked the County for its partnership on this transfer. Mr. Dunn said he had reviewed all documents and was satisfied they were acceptable. Commissioner Glover made a motion to approve the Summitville Land Transfer. Commissioner Bothell seconded the motion, and the motion carried.

Mark Rudolph, Colorado Department of Public Health and Environment (CDPHE), asked Mr. Dunn if he had finished reviewing the environmental covenant document. Mr. Dunn said he had not, but he would finish, get it signed, and return it to him.

At 10:14 AM a resolution that the Board of County Commissioners shall sit as the Board of Social Services for Rio Grande County and the Board of Health for the Rio Grande County Public Health Agency was introduced. Mr. Dunn said the resolution accomplished what the BOCC wanted it to, and recommended its approval. Commissioner Bothell made a motion to approve the resolution. Commissioner Glover seconded the motion, and the motion carried. Commissioner Bothell asked Mr. Dunn if resolutions may be signed electronically. He said they may. Ms. Slater said she has been using the Adobe signer.
At 10:19 AM a resolution authorizing the Rio Grande County Assessor to review and settle certain petitions for abatement or refund of taxes was introduced. The resolution will allow the Assessor to settle abatements or refunds of $10,000 or less without BOCC approval. The Assessor will still provide notices of all abatements or refunds to the BOCC. Commissioner Bothell made a motion to approve the resolution. Commissioner Glover seconded the motion, and the motion carried.
WHEREAS, The Board of County Commissioners for Rio Grande County, Colorado ("the Board") believes that granting the Rio Grande County Assessor ("Assessor") the authority set forth above, will provide a more expeditious means for correcting such erroneous tax levies.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR RIO GRANDE COUNTY, STATE OF COLORADO:

THAT, the Assessor be and is hereby granted the authority to review and settle petitions for abatement or refund in any amount of ten thousand dollars or less per tract, parcel, or lot of land or per schedule of personal property subject to the following conditions:

1. Where the Assessor recommends settlement of a petition for abatement or refund, the Assessor shall mail the settlement offer to the taxpayer in the form set forth in Exhibit A attached hereto.

2. Should the taxpayer accept the offer, the Assessor shall order the abatement or refund of taxes (as appropriate) pursuant to C.R.S. §13-1-113(2). If the Assessor’s settlement offer is not accepted, the petition shall be set for hearing before the Board in accordance with C.R.S. §39-1-113(1).

3. The Assessor shall report to the Board monthly concerning the activity which is the subject of the resolution by submitting fully executed copies of the petition(s) for abatement or refund and any settlement offer(s) accepted by the taxpayer and ordered by the Assessor.

4. Should the Board later determine it to be in the best interest of the County, it may withdraw the authority granted hereby.

THAT, each petition which would result in an abatement or refund of more than ten thousand dollars per tract, parcel, or lot of land or schedule of personal property per tax year, shall not be considered unless a hearing is held thereon, pursuant to §39-1-113(1).

MOVED, READ and ADOPTED by the Board of County Commissioners for the County of Rio Grande, State of Colorado, at its regular meeting held the 23rd day of March, 2020.

COUNTY OF RIO GRANDE,
STATE OF COLORADO, By and Through its BOARD OF COUNTY COMMISSIONERS

ATTEST:

By:  

[Signature]
Clerk of the Board of County Commissioners

[Signature]  [Signature]  [Signature]
John Noffsiker, Commissioner
Gene Glover, Commissioner
Subarna Bothell, Commissioner

Commissioner Gene Glover seconded adoption of the foregoing resolution. The roll having been called, the vote was as follows:

Commissioner Noffsiker  YES
Commissioner Glover  YES
Commissioner Bothell  YES
PETITION FOR ABATEMENT OR REFUND OF TAXES

Petitioner's Name: ____________________________

Petitioner's Mailing Address: ____________________________

City or Town: ____________________________ State: __________ Zip Code: ________

SCHEDULE OR PARCEL NUMBER(S): ____________________________

PROPERTY ADDRESS OR LEGAL DESCRIPTION OF PROPERTY: ____________________________

Petitioner requests an abatement or refund of the appropriate taxes and states that the taxes assessed against the above property for the property tax year ____________________________ are incorrect for the following reasons: (Briefly describe why the taxes have been levied erroneously or illegally, whether due to erroneous valuation, irregularity in levying, clerical error, or overvaluation. Attach additional sheets if necessary.)

Petitioner's estimate of value: ____________________________

I declare, under penalty of perjury in the second degree, that this petition, together with any accompanying exhibits or statements, has been prepared or examined by me, and to the best of my knowledge, information, and belief, is true, correct, and complete.

Petitioner's Signature: ____________________________

Daytime Phone Number: ____________________________

By: ____________________________

Daytime Phone Number: ____________________________

Agent's Signature: ____________________________

*Letter of agency must be attached when petition is submitted by an agent.

If the Board of County Commissioners, pursuant to § 39-1-114(1), C.R.S., or the Property Tax Administrator, pursuant to § 39-2-108, C.R.S., denies the petition for refund or abatement of taxes in whole or in part, the Petitioner may appeal to the Board of Assessment Appeals pursuant to the provisions of § 39-1-114.5, C.R.S., within thirty days of the mailing of any such decision, § 39-1-114.61, C.R.S.

Section III: Written Mutual Agreement of Assessor and Petitioner

(Only for abatements up to $10,000)

The Commissioners of County authorize the Assessor by Resolution No. to abate the taxes on the above parcel(s) and to enter into a written mutual agreement to abate the taxes in the amount of ____________________________ per parcel, or ___________ in total.

Assessor: ____________________________

Petitioner: ____________________________

Signature Date: ____________________________

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FOR ASSESSORS AND COUNTY COMMISSIONERS USE ONLY

(Signature of Assessor(s) to receive notice of hearing)

(Signature of Assessor(s) to receive notice of hearing)

(Handwritten)
At 10:21 AM a revision of the Accounts Payable Policy was introduced. Commissioner Bothell made a motion to approve the revised policy. Commissioner Glover seconded the motion, and the motion carried.

Unfinished Business

There was no unfinished business discussed.

Commissioners and Administrator Updates

At 10:22 AM Ms. Slater presented the Financial Update for January 2020. She said several items show negative numbers, but that is normal for the first months of each year, because it takes a few months for revenue taken in by the Treasurer to catch up with the report.

At 10:25 AM Commissioner Glover said Saguache County is running low on some PPE supplies for their employees. He told them Rio Grande County would help them locate supplies.

At 10:26 AM Commissioner Bothell gave a summary of the daily Rio Grande Public Health Director’s update. She outlined the policy Mineral County has implemented regarding quarantine of residents who travel out of the County. She also reported Rio Grande Hospital in Del Norte is accepting only emergency patients. The clinic pharmacy in Monte Vista is open to only drive through customers.

At 10:29 AM Commissioner Noffsker said San Luis Valley Housing Coalition is working to find rent relief for residents affected by the COVID-19 closures.

Commissioner Noffsker said businesses needing financial relief should contact the Development Resources Group (DRG).

At 10:30 AM Commissioner Noffsker asked for a motion to adjourn the regular session for executive session according to C.R.S. 24-6-402(4)(b) to receive legal advice, and C.R.S. 24-6-402(4)(f) to discuss personnel matters. Commissioner Bothell made the motion; Commissioner Glover seconded the motion, and the motion carried.

The Board exited executive session at 11:25 AM.

Attest:

John Noffsker                                                                                                     DeAnn Jacobs
Chairman of the Board                                                                                       Clerk of the Board
COUNTY COMMISSIONERS’ PROCEEDINGS

State of Colorado  )
     ss
County of Rio Grande  )

The Board of the Rio Grande County Commissioners met in special session on Monday, March 30, 2020.

At 10:00 AM Chairman Noffsker called the meeting to order. The meeting was held via video conference call.

Present were Commissioner Noffsker, Commissioner Bothell, and Commissioner Glover, along with County Administrator Tricia Slater.

Approval of Minutes from the Previous Meeting

There were no minutes available for approval.

Public Comment

Commissioner Noffsker asked if there were any comments. There were none.

County official and Department Head Reports

There were no updates.

General Business and Administrative Items

At 10:02 AM the Board adjourned to the Board of Health.

At 10:05 AM the Board reconvened as the Board of County Commissioners.

Mr. Dunn recommended the BOCC pass a resolution that meetings would be held remotely during the COVID-19 emergency while the court house is closed, that the meeting schedule might be temporarily amended, and that meeting notices would be posted on the Rio Grande County website. The Commissioners agreed to have Mr. Dunn draft such a resolution to be voted on at the April 1, 2020 Board meeting.

At 10:11 AM Commissioner Bothell said Ms. Brown’s daily conference calls giving COVID-19 updates have been very beneficial.

At 10:12 AM Mr. Dunn asked Ms. Brown whether the MOU between Dr. Heidi Helgeson and the Board of Health had been completed. She said it had not. Mr. Dunn advised it should be completed soon.

At 10:14 AM Commissioner Noffsker asked for a motion to adjourn the meeting. Commissioner Glover made the motion; Commissioner Bothell seconded the motion, and the meeting was adjourned.

Attest:

John Noffsker                                                                                                     DeAnn Jacobs
Chairman of the Board                                                                                       Clerk of the Board