

COUNTY COMMISSIONERS' PROCEEDINGS

State of Colorado )
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County of Rio Grande )

The Board of the Rio Grande County Commissioners met in special session on Wednesday, July 1, 2020.

At 10:00 AM Chairman Noffske called the meeting to order. The meeting was held via video conference call. Prayer was led by Commissioner Glover, and the Pledge of Allegiance was said.

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

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

There were no minutes available for approval.

Public Comment

Gwen Patterson commented on the William Schoen / Thomas O'Rourke Gravel Pit. She said that a lot had been said about private property rights, but none of those rights are absolute. She said Mr. Schoen has private property rights until his rights interfere with her rights to quality of life, property value, health, and etcetera. She believes property rights have to be weighed in the correct perspective.

Consent Agenda

- Waiving Fee for 4-H at McMullen Building

Commissioner Glover made a motion to waive fees for 4-H for upcoming events. Commissioner Bothell seconded the motion, and the motion carried.

General Business and Administrative Items

At 10:05 AM, the William Schoen / Thomas O'Rourke Gravel Pit was discussed. Commissioner Bothell said all the conditions for the conditional use permit have been met. She said mining regulations cover the amount of dust that may be released, the crusher will be operated only three weeks every other year, so the noise will be minimal, and land use code requirements have been met. Commissioner Bothell made a motion to approve the William Schoen / Thomas O'Rourke conditional use permit request, with the conditions set in the staff report, and the additional conditions of a fifteen-year time limit and acreage limited to those requested. Commissioner Glover seconded the motion. Commissioner Glover said his decision was based on Mr. Schoen's and Mr. O'Rourke's ability to meet planning and zoning requirements. He stated that time limitations and full reclamation of the site must also be met. Commissioner Noffske asked if there was further discussion. There was none, and the motion carried.

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RESOLUTION OF
THE BOARD OF COUNTY COMMISSIONERS OF RIO GRANDE COUNTY
GRANTING A CONDITIONAL USE PERMIT

2020- 20

WHEREAS, Rio Grande County has received an application for Conditional Use approval from William Schoen Sr. and Thomas O'Rourke for a parcel of land known as FR SW4 Section 29, Township 40 Range 4 E, N.M.P.M., Rio Grande County, Colorado, a.k.a. 5367 County Road 15, South Fork, CO containing 295 acres m/l. The applicant is requesting approval for a Conditional Use for an approximately 7.74 ac. Sand and Gravel Yard; and

WHEREAS, the Rio Grande County Planning Commission met on June 16, 2020 to review the conditional use request and unanimously recommended approval of the application with the conditions as detailed in the staff report, stating that the application met the requirements of the Land Use Development Code (LUDC), specifically:

Article 3.05, C

1. The application complies with all requirements imposed by this code;
2. The application complies with all applicable laws and regulations;
3. The application is consistent with the intent of applicable portions of the Master Plan in the reasonable judgement of the approving body;
4. The proposed location of the use, the proposed access to the site, and the conditions under which the use would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity;
5. The proposed use is compatible with surrounding land users and uses;
  - a. Reasonable suggestions and objections from persons in the neighborhood are a measure of compatibility and should be taken into consideration; and
6. The proposed use does not result in undue traffic congestion or traffic hazards; and
7. The proposed use does not adversely affect soil, water, air, value and aesthetics, and if so to what extent, can these adverse effects be reasonably mitigated in the particular area.

WHEREAS, the Rio Grande County Board of County Commissioners has, at a Public Hearing of said Board held on June 24, 2020, considered said application after mailing of a notice of said application to all owners of property within 1,500 feet of the subject parcel as well as publication in the local newspaper, review of all comments received and review of the Planning Commission recommendations, table the matter to the July 1, 2020 special meeting of the Board of County Commissioners for decision; and

WHEREAS, the Board of County Commissioners reconvened on July 1, 2020 in a special meeting, the date and time of which was announced during the June 24, 2020 hearing, to vote upon said application for conditional use; and

WHEREAS, the Board of County Commissioners of Rio Grande County determined that the applicant had met all the requirements of the Rio Grande County Land Use Development Code and the Rio Grande County Joint Master Plan; and

WHEREAS, the Board of County Commissioners of Rio Grande County determined that granting the application for a 7.74 acre gravel yard as stated above is consistent with the objective and purposes of the Rio Grande County Land Development Code (2020) as declared in Article 3.05,C and the intent of the Rio Grande County Joint Master Plan.

BE IT THEREFORE RESOLVED that the Board of County Commissioners of Rio Grande County, by unanimous vote, approved said conditional use with the following stipulations:

1. If the Colorado Division of Reclamation, Mining and Safety (DRMS) or any other state of federal agency, determines additional information is necessary to understand, evaluate, and mitigate impacts of this operation on water quality through their review, the applicant shall

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provide any information submitted to those state of federal agencies to the RGC Land Use Administrator for review and evaluation prior to commencing operations on this site; and

2. If DRMS, or any other state of federal agency, determines an amended Reclamation Plan to be required, the operator shall provide such updated reclamation plan to the RGC Land Use Administrator for review and evaluation prior to commencing operations on this site; and
3. The issued DRMS permit shall be provided to the RGC Land Use Administrator prior to commencing operations on this site; and
4. Any other permit(s) or approval(s) required by DRMS to be obtained by the operator shall be obtained and provided to the RGC Land Use Administrator prior to commencing operations on this site; and
5. The approved operation must be completed with all reclamation completed within 15 years of the date of this approval. This conditional Use will expire on July 01, 2035; and
6. The operation shall not at any time exceed 7.74 acres as detailed in the application.

The foregoing Resolution was offered by Commissioner Suzanne Bothell, seconded by Commissioner Gene Glover and passed on a vote of the Board of County Commissioners at a hearing of said Board on the 1st, day of July, 2020.

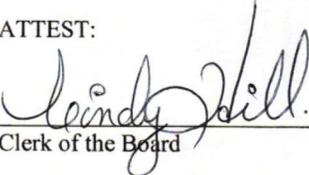
Signed this 1<sup>st</sup>, day of July, 2020

John Noffske

Digitally signed by John Noffske  
DN: cn=John Noffske, o=Rio Grande County, ou,  
email=jnoffske@riograndecounty.org, c=US  
Date: 2020.07.09 14:04:28 -0600

John Noffske, Chair

ATTEST:

  
Clerk of the Board

  
Suzanne Bothell, Commissioner Yes  
Vote

  
Gene Glover, Commissioner yes  
Vote

At 10:08 AM, the Airport Underground Power Approval was discussed. Ms. Slater said the cost of extending electrical power to the new side of Astronaut Rominger Airport (ARA) will be \$16,738. The ARA Advisory Board has recommended the cost be approved by the BOCC. Commissioner Bothell made a motion to approve the extension of the power line. Commissioner Glover seconded the motion, and the motion carried.

At 10:09 AM, the Commissioners discussed information they had received from Steven Hunzeker, County Coroner concerning costs related to burial of an indigent individual. Much of the expense will likely be covered by other entities outside the County, such as the deceased individual's Veterans' Administration (VA) benefits and the Home Lake Veterans' Center account. Mr. Hunzeker said the individual had requested that Rogers Family Mortuary handle his arrangements, and had purchased a burial plot in the Home Lake Cemetery, but not paid for opening and closing of the grave, the casket, head stone, or the required vault. The mortuary expenses are estimated to be \$3,000 to \$4,000. He is also eligible for burial in the national VA cemetery in Colorado Springs through his VA benefits, but the cost of transportation from here to Colorado Springs is not covered. Mr. Hunzeker has sought family members of the deceased, but has not found any. Cathy Garcia with Senator Cory Gardner's office, attending the BOCC meeting via Zoom, said she would find out whether the VA could pay all expenses. The Commissioners tabled the discussion until they hear back from the Senator Gardner's office.

At 10:20 AM, the Second Amendment to the Environmental Protection Agency (EPA) Covenant regarding Summitville was discussed. Ryan Dunn, County Attorney, said he compared the finished document to the draft, and the contents and substance are the same. The Summitville Land Transfer was finalized at the BOCC meeting on March 25, 2020, and Chairman Noffske was authorized to sign all related documents.

At 10:22 AM, the Board adjourned to the Board of Health.

At 10:34 AM the Board reconvened as the Board of County Commissioners.

### Commissioners and Administrator Updates

Ms. Slater gave an update on Tyler Technologies. She said their software is being installed by the finance office.

At 10:35 AM, Ms. Slater said the County had received a resolution from the Rio Grande Ambulance District. David Hinkley is the District's election officer. There are two new members: Holly Wheelwright and Terri Byrd.

At 10:37 AM, Commissioner Bothell made a motion to adjourn the regular session for executive session according to 24-6-402(4)(b) for the purpose of receiving legal advice, and 24-6-402(4)(f) to discuss personnel matters. Commissioner Glover seconded the motion, and the meeting was adjourned.

At 11:44 AM, the Board exited executive session.

At 11:45 AM, the Board reconvened the regular session.

Commissioner Noffske said no decisions were made during the executive session.

The BOCC discussed a request received from Dixie Diltz, Land Use, for reimbursement of a \$35 copay to Rio Grande Hospital Clinic. Mr. Dunn said he did not believe there was a legal requirement for the County to reimburse Ms. Diltz, nor was there anything to prevent reimbursement. Commissioner Bothell said reimbursement of the copay would not set a good precedence, and Commissioner Glover agreed. Commissioner Bothell made a motion that the County not reimburse Ms. Diltz copay. Commissioner Glover seconded the motion, and the

motion carried. Ms. Slater said she would let Ms. Diltz know the Commissioners declined her request.

At 11:50 AM, Commissioner Glover made a motion to adjourn the regular session. Commissioner Bothell seconded the motion, and the meeting was adjourned.

Attest:

John Noffske  
Chairman of the Board

DeAnn Jacobs  
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, July 8, 2020.

At 10:00 AM Chairman Noffske called the meeting to order. The meeting was held via video conference call. Prayer was led by Commissioner Glover, and the Pledge of Allegiance was said.

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

**Adoption of the Agenda**

Ms. Slater said the Policy Book discussion would be delayed until the next BOCC meeting.

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

**Approval of Minutes from the Previous Meeting**

- June 17, 2020 BOCC
- June 17, 2020 BOH

Commissioner Bothell made a motion to approve the minutes as amended. Commissioner Glover seconded the motion, and the motion carried.

**Public Comment**

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

**Consent Agenda**

- Check Void for Valley Lumber, double payment
- Resolution Granting a Conditional Use Permit to William Schoen Sr. and Thomas O'Rourke

Commissioner Bothell made a motion to approve the Consent Agenda. Commissioner Glover seconded the motion, and the motion carried. Commissioners Noffske, Bothell, and Glover each gave Ms. Slater permission to use their electronic signatures.

**General Business and Administrative Items**

At 10:07 AM, there was a discussion concerning burial of an indigent individual. Steve Hunzeker, County Coroner, said he is in communication with the office of Senator Cory Gardner. During the last BOCC meeting on July 1, 2020, an offer was extended from Senator Gardner's office for possible help with burial costs. Mr. Hunzeker will submit a Burial Benefits Application to the Senator's office after the County receives bids from local funeral homes. Mr. Hunzeker said he is looking into the possibility of burial at Pikes Peak National Cemetery in Colorado Springs, because the Veteran's Administration (VA) would cover the costs of the burial plot, vault, and head stone. Out of pocket expenses would be the casket and transportation of the individual to Colorado Springs. The individual had about \$1,400 in a personal account at

Home Lake Veterans' Center, and his VA benefits may cover up to \$2,000 in casket and transportation costs. The individual had purchased a burial plot in the Home Lake Cemetery, and Mr. Hunzeker will contact them to see if that can be reimbursed. He said the total cost of burial would be lower at Pike's Peak Cemetery than at Home Lake Cemetery. Commissioner Noffske said that, since this is the second indigent burial this year of a veteran who lived Home Lake, the BOCC might want to consider asking for annual bids from funeral homes in the future. Mr. Hunzeker said that would make sense. He said other counties also rotate services of local funeral homes, with limitations on the costs charged by the funeral homes. Commissioner Noffske asked about going against the wishes of the individual who had purchased a burial plot in Home Lake Cemetery. Mr. Hunzeker said he tries to follow reasonable requests, but since the individual was not able to pay for his own burial, the County needs to make the most prudent decision based on its resources. Ryan Dunn, County Attorney, said he did not know of any legal reason he would be opposed to Mr. Hunzeker's statement, that annual bids makes sense, and that the County will need to explore how to handle indigent burials when it cannot handle arrangements according to an individual's wishes. Commissioner Bothell made a motion directing the coroner to put out bids to local funeral homes for the burial arrangements, select the lowest bid, make arrangements for burial of this individual, and to contact the VA and Home Lake about the possibility of having costs covered. Commissioner Glover seconded the motion, and the motion carried. Mr. Dunn said he will have a resolution concerning the burial ready for the next BOCC meeting on July 15, 2020. He also recommended the Board consider the details of an annual bid when it starts working on the annual budget. He said he will research how other counties handle rotating use of area funeral homes. Commissioner Noffske said further discussion on an annual bid or rotating services would be tabled until the first BOCC meeting in August 2020.

At 10:33 AM, there was a discussion about participating as a movant in the railroad bankruptcy case. Mr. Dunn explained a movant is not a party to the action per se, but someone who joins in a motion for the purpose of having their interests considered in the motion. In the case of the railroad, the motion is to the Chapter 11 Bankruptcy Court to the District of Colorado for the creation of a creditors' committee. The creditors' committee would petition the court to consider the interests of all creditors, including Rio Grande, Alamosa, Conejos, Costilla, and Huerfano Counties, and not just the petitioning creditors in the case. Mr. Dunn said Conejos County has approved having its attorney sign as having the County as a joiner as a movant, and Alamosa County will likely do the same. He advised the BOCC to join as a movant. Mr. Dunn said attorney's fees would be an expense of the bankruptcy estate, and not a direct cost to the counties. Commissioner Bothell made a motion to join in the motion as a movant. Commissioner Glover seconded the motion, and the motion carried.

At 10:40 AM, the PILT distribution to Astronaut Rominger Airport was discussed. Ms. Slater said \$25,000 was assigned to go to the Airport fund in the 2019 budget, but the funds were not transferred in 2019. She presented three options for the funds. The 2019 budget could be adjusted to show the transfer before the audit is completed this or next week, the funds could be not transferred to the Airport fund at all, or the transfer could be doubled in 2020. Commissioner Bothell made a motion to adjust the 2019 budget and to transfer the funds to the Airport fund. Commissioner Glover seconded the motion, and the motion carried.

At 10:46 AM, there was a discussion on extending the Disaster Order due to expire July 19, 2020. Ms. Slater said FEMA funding will be affected when the Order expires, but CARES Act funding will not. Paul Wertz, Department of Public Health Interim Director, said FEMA funding will end when the Disaster Order expires, and some State support may also end. Commissioner Glover made a motion to extend the Disaster Order. Commissioner Bothell seconded the motion, and the motion carried. After further discussion, Commissioner Glover amended his motion to extend the Disaster Order for 60 days, going forward from July 19, 2020. Commissioner Bothell seconded the motion, and the motion carried. Commissioner Bothell made a motion authorizing Chairman Noffske to sign the Disaster Order. Commissioner Glover seconded the motion, and the motion carried.

At 10:51 AM, the Board adjourned to the Board of Health.

At 11:54 AM the Board reconvened as the Board of County Commissioners.

### **Unfinished Business**

At 11:54 AM, Mr. Dunn said he is continuing to work on the collaborative agreement between the County and its municipalities concerning the Corona Virus Relief Fund (CVRF). He will submit the draft to the BOCC before sending it to the municipalities.

**Commissioners and Administrator Updates**

At 11:56 AM, Commissioner Noffske said the Colorado State Forest Service 2019 Report would be distributed to the Commissioners after the meeting, and any discussion would be held at a later date.

At 11:56 AM, Commissioner Bothell made a motion to adjourn the regular session for executive session according to 24-6-402(4)(f) to discuss personnel matters. Commissioner Glover seconded the motion, and the meeting was adjourned.

At 1:57 PM, the Board exited executive session.

At 1:59 PM, the Board reconvened the special session.

Commissioner Bothell made a motion authorizing Ms. Slater to take care of a personnel issue in the maintenance department, and to implement whatever disciplinary measures are appropriate. Commissioner Glover seconded the motion, and the motion carried.

At 2:00 PM, Commissioner Noffske said the County’s contract with Paul Wertz as Interim Director of the Department of Public Health is scheduled to end July 31, 2020. Mr. Wertz and the County are now entering into conversations concerning the next steps going forward.

At 2:01 PM, Commissioner Bothell made a motion to adjourn the meeting. Commissioner Glover seconded the motion, and the meeting was adjourned.

Attest:

John Noffske Chairman of the Board	DeAnn Jacobs Clerk of the Board
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**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, July 15, 2020.

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

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

**Adoption of the Agenda**

Ms. Slater said Dixie Diltz, Land Use, did not have a report. She also said the CARES Act Grant Funding Specific to Public Health needed to be added to the Board of Health portion of the agenda. Commissioner Noffske said the Extension of the Rio Grande County Disaster Order would be discussed under General Business, rather than Public Health Business. Commissioner Glover made a motion to approve the agenda as amended. Commissioner Bothell seconded the motion, and the motion carried.

**Approval of Minutes from the Previous Meeting**

- June 24, 2020
- July 1, 2020
- July 8, 2020

Commissioner Bothell made a motion to approve the minutes as amended. Commissioner Glover seconded the motion, and the motion carried.

**Public Comment**

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

**Consent Agenda**

- DSS AP
- AP

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

Vender	Amount
4 RIVERS EQUIPMENT, LLC.	\$810.64
ADAMSON POLICE PRODUCTS	\$628.00
AGENCY TOURISM MARKETING	\$347.37
AGTERRA TECHNOLOGIES	\$700.00
AIRGAS USA, LLC	\$341.30
ALTA FUELS, LLC	\$474.98
ARLAN'S PRO SERVICES	\$25.00
AUTO TRUCK GROUP	\$145.20
AVENU INSIGHTS & ANALYTICS, LLC	\$1,414.80
BALLANTINE COMMUNICATIONS, INC	\$6,837.00
BRANDON ROGERS	\$56.16
CDHS CENTRAL ACCOUNTING	\$30.00
CENTURYLINK	\$447.48
CFS	\$375.00
CHRIS CROWN	\$33.67
CINDY HILL	\$1,310.19
CLEANING SOLUTIONS	\$5,265.28
CO DEPT OF PUB HLTH & ENV	\$180.00
COAST TO COAST SOLUTIONS	\$539.56
COLO ASSOC IN MED PHYSICS, LLC	\$321.19
COLORADO DEPART. OF REVENUE	\$361.00
COMMUNITY PLANNING STRATEGIES, LLC	\$877.50
CONEJOS COUNTY NURSING	\$1,767.37
COSTILLA COUNTY PUBLIC	\$2,848.90
COUNTY SHERIFFS OF COLO	\$500.00
CRITTERS BARRICADES	\$942.00
CTSI	\$57.00
CUSTER COUNTY SHERIFF	\$1,350.00
CYNTHIA FORD	\$3,558.04
DBT TRANSPORTATION SERVICES, LLC	\$500.00
DEE A. KESSLER	\$3,150.00
DIRECT TV	\$187.99
DISTRICT ATTORNEY OFFICE	\$22,166.67
DIXIE DILTZ	\$112.95
DOUG COOPER	\$52.07
DP AG SERVICES	\$25.20
FASTENAL	\$271.68
FERGUSON ENTERPRISES	\$149.07
FORESTRY SUPPLIERS, INC.	\$149.75
GALLS, LLC	\$25.03
GOBINS, INC	\$339.73
GREAT AMERICA FINANCIAL	\$166.90
GUNBARREL STATION, INC	\$55.00
H & B TRANSPORT, LLC	\$6,509.53
HAYNIE'S INC.	\$7.38
JADE COMMUNICATIONS, LLC	\$93.63
JAMES CLARE	\$52.25
JULIE A RAMSTETTER	\$2,000.00
KAYLA HERNANDEZ	\$27.00
KD KLENE	\$89.98
KEN'S SERVICE CENTER	\$1,413.10
KRISTI HILLIS	\$5,617.68
LAURIE MAXFIELD	\$100.00
LEDS, LLC	\$25,294.26

LOWE'S PAY AND SAVE, INC	\$57.79
MARC MID-AMERICA CHEMICAL	\$318.06
MARK MUELLER	\$56.30
MASTER PRINT & WEB DESIGN, INC	\$2,039.50
McKESSON MEDICAL-	\$103.42
MDS WASTE & RECYCLE, INC	\$143.00
MEADOW GOLD DAIRIES, INC	\$516.26
MICHAEL SISNEROS	\$75.00
MIKE REAVES ELECTRIC, LLC	\$262.50
MIKE SCHAEFER	\$56.30
MOBILE RECORD SHREDDERS, LLC	\$72.00
MONTE VISTA COOPERATIVE	\$1,453.01
O & V PRINTING, INC	\$997.64
PITNEY BOWES, INC.	\$5,000.00
PSYCHOLOGICAL RESOURCES	\$270.00
REDSTONE PRINT & MAIL, INC	\$7,656.14
RIO GRANDE COUNTY	\$6,489.03
RIO GRANDE HOSPITAL	\$116.91
S & S DISTRIBUTION, INC	\$105.40
SAGUACHE CO PUBLIC HEALTH	\$1,305.42
SARAH HERRERA	\$27.90
SHAMROCK FOODS COMPANY	\$3,653.94
SLV AUTO REPAIR, LLC	\$650.57
SLV PARTS, INC	\$119.03
SLV REC	\$16,738.00
SLV REC	\$275.00
SLV WEED MANAGEMENT ASSOC.	\$400.00
SOUTH FORK VISITOR'S	\$40,000.00
SPARKLE CLEANERS	\$95.00
STAPLES BUSINESS CREDIT	\$1,279.60
STATE OF COLORADO	\$1,213.33
SUMMIT PUBLISHING	\$1,500.00
TASC	\$195.24
THOMPSON DISTRIBUTING INC	\$155.50
THYSSENKRUPP ELEVATOR	\$876.20
TOP VALUE	\$19.07
TOWN AND COUNTRY	\$27,091.47
TOWN OF DEL NORTE	\$214.74
TRACKER SOFTWARE CORP.INC	\$477.00
U.S. TRACTOR, INC	\$23.24
UNITED REPROGRAPHIC	\$126.56
VALLEY COURIER	\$292.00
VALLEY LOCK AND SECURITY, INC	\$195.00
VALLEY WIDE WELDING	\$1,000.00
VALUEWEST,INC	\$3,000.00
VERIZON WIRELESS	\$304.10
VERIZON WIRELESS	\$362.63
VERIZON WIRELESS	\$471.00
VERIZON WIRELESS	\$1,741.39
VERIZON WIRELESS	\$280.46
VICTIM ASSISTANCE FUND	\$30.00
W. RYAN DUNN, ATTORNEY AT LAW	\$4,543.75
WAGNER EQUIPMENT	\$3,283.47
WALL, SMITH, BATEMAN, INC	\$1,925.00
WASTE MANAGEMENT-	\$282.14
WEX BANK	\$320.06
WEX BANK	\$3,435.91
WORLD FUEL SERVICES, INC	\$2,278.29
WSB COMPUTER SERVICES	\$2,126.00
XCEL ENERGY	\$2,471.22

**County official and Department Head Reports**

At 10:09 AM, Patrick Sullivan, Road and Bridge, gave the department's June 2020 report. The overlay project at Masonic Park was completed. Schedule A roads and busier gravel roads were graded. Mowing operations south of Highway 160 were completed. The overlay project on County Road 3 North was completed. Several small jobs were completed. Future planned work includes skin patching projects, as well as grading and mowing.

Commissioner Bothell made a motion to approve the Road and Bridge Department's bank wire transfer to Suncor. Commissioner Glover seconded the motion, and the motion carried.

At 10:15 AM, Randy Kern, Building Department, reported his department was busy in June with eight permits for new family starts. There are already five more for July. Large building projects in June included the New Hope Gym near South Fork, and the Ski Hi Complex in Monte Vista. Ken Van Iwaarden has been helping with field work. Last Friday Mr. Kern talked with Travis Phillips with Davis Engineering in Pagosa Springs. Fun Valley will be contracting with Davis Engineering to get its sewer system into compliance with the State. Mr. Kern said part of the State permitting process includes plans being submitted to the local government, in this case, the Board of Health. Mr. Kern will forward the plans to the Commissioners when he receives them.

At 10:20 AM, Art Wittner, Emergency Management, reported he has been doing reconnaissance flying with Jay Sarason to view wild fire burn scars. Mr. Wittner has also been surveying Fun Valley, for compliance to social distancing guidelines. Mr. Wittner said the Goose Creek Fire is slowing down and burning toward the burn scar, so fire crews are being taken off the fire. He is staying in contact with the Forest Service as it monitors wild fire risk in the area. Mr. Wittner has been reviewing the Emergency Management Performance Grant (EMPG) to make sure work is done within the requirements. Mr. Wittner asked for the Board's permission to take over management of the emergency equipment trailer. He said he has been helping the County's Department of Public Health distribute personal protective equipment (PPE), and would like to be responsible for the trailer's care. Commissioner Glover said he was in favor of Mr. Wittner's request, as long as Mr. Wittner will coordinate with anyone else needing access to the trailer. Commissioner Bothell made a motion to approve Mr. Wittner's request to take over care of the emergency equipment trailer. Commissioner Glover seconded the motion, and the motion carried. Commissioner Noffske questioned some of the COVID-19 case numbers on a recent regional daily COVID-19 report, and asked Mr. Wittner to find out if the numbers are accurate.

At 10:30 AM, the bids from local funeral homes for the burial of an indigent individual were discussed. Ms. Slater received bids from three mortuaries. Romero Funeral Home bid \$6,384.30, Rogers Family Mortuary bid \$4,310, and Strohmayer's Funeral Home bid \$4,045. Stephen Hunzeker, County Coroner, did not review the bids due to possible conflict of interest. Mr. Hunzeker said the bids include the same products for the individual's burial at Pikes Peak National Cemetery in Colorado Springs. The Board discussed creating a standardized bidding process for indigent burials, and specifically, veteran's burials. Mr. Hunzeker said any bids received by the County for an indigent veteran's burial would first be submitted to the Veterans Administration to find out what costs might be covered by them. He said some expenses, such as the casket and preparation of the body, would be the same in all situations, but some, such as transportation and storage, would not. The Commissioners asked Mr. Hunzeker to put together a recommendation for making a standard bidding procedure. He said he could have one done by the end of the week. Commissioner Bothell made a motion to approve the lowest bid received, Strohmayer's Funeral Home, for the indigent burial at Pikes Peak National Cemetery. Commissioner Glover seconded the motion, and the motion carried.

Mr. Hunzeker said the coroner's office has received the truck it ordered for body transportation, and he is working to get bids for a topper. He asked the Board to approve hiring one or two drivers for the transports. Currently the County is contracting with Rogers Family Mortuary for transportation, but that contract may be ended at any time. Ms. Slater said the payment is currently in the budget as a contract transportation line item, and it would need to be moved to a salary line item. Board approval would be needed to increase the salary line. Mr. Hunzeker

said the transports are round trips from Rio Grande to El Paso County for autopsies. There are also occasional transports of a body from the place of death to the mortuary. Commissioner Bothell made a motion to approve Mr. Hunzeker's request to add drivers for transports in exchange for the contracted transportation with Rogers Family Mortuary. Commissioner Glover seconded the motion, and the motion carried.

### General Business and Administrative Items

At 10:57 AM, the Rio Grande County Disaster Order extension was discussed. Commissioner Bothell made a motion to approve the resolution extending the Disaster Order to September 16, 2020. Commissioner Glover seconded the motion, and the motion carried.

Instrument      Book Page  
202000439352 OR      601 598

202000439352  
Filed for Record in  
RIO GRANDE  
CINDY HILL, RECORDER  
07-17-2020 At 09:37 am.  
DECLARATION      .00  
OR Book      601 Page 598 - 599

RIO GRANDE COUNTY, COLORADO  
THIRD EXTENSION OF 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; the virus has been shown to 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**, Rio Grande County has already experienced cases of the virus and its transmission within the community; and

**WHEREAS**, Rio Grande County anticipates that without continuing to appropriately respond 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 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); and

**WHEREAS**, the chairman of the Board of County Commissioners for Rio Grande County issued a local disaster emergency declaration with respect to the spread of the COVID-19 virus on March 19, 2020, which was extended by a unanimous vote of the Board of County Commissioners at its regularly meeting held on April 15, 2020. The extension of the local disaster emergency declaration will by its terms expire on May 19, 2020, if not otherwise extended by the Board of County Commissioners; and

**WHEREAS**, the second extension of the local disaster emergency declaration was effective May 19, 2020, and will by its terms expire on July 18, 2020, if not otherwise extended by the Board of County Commissioners; and

**WHEREAS**, at a meeting of the Board of County Commissioners for Rio Grande County held July 8, 2020, the Board of County Commissioners voted unanimously to consent to a third extension of the local disaster emergency declaration for an additional sixty (60) days beyond the July 18, 2020, expiration date.

**NOW, THEREFORE, BE IT DECLARED**, by the chairman of the Board of County Commissioners for Rio Grande County, State of Colorado:

**THAT**, the spread of the COVID-19 virus continues to constitute a local disaster emergency that warrants the mobilizing of emergency response and the furnishing of aid and assistance; and

**THAT**, extending the local disaster emergency declaration for an additional sixty (60) days beyond the expiration date is necessary for the public health, safety and welfare of the citizens of the County of Rio Grande, State of Colorado; and

**THAT**, this third extension of the local disaster emergency declaration shall be given prompt and general publicity and shall be promptly filed with the Rio Grande County Clerk and Recorder and with the Colorado Office of Emergency Management; and

**THAT**, this third extension shall be effective July 18, 2020 and ending September 16, 2020, unless further extended by the Board of County Commissioners.

RIO GRANDE COUNTY  
BOARD OF COUNTY COMMISSIONERS

By: [Signature]  
John Noffske, Chairman

Date: July 15, 2020

ATTEST:  
CLERK AND RECORDER

Clerk/Deputy Clerk [Signature]

Date: 7-15-2020

At 10:59 AM, Ms. Slater said Dennis Hunt from County Technical Services, Inc. (CTSI) would like to schedule a training session with the Commissioners within the next two weeks. The training session was originally planned for the end of 2019, but had to be postponed. Ms. Slater will coordinate a date and time for the session with Mr. Hunt and the Commissioners. Ms. Slater also said auditors from Wall, Smith, and Bateman will meet with the Commissioners at their work session on Monday, July 27, 2020.

At 11:05 AM, the Board adjourned to the Board of Health.

At 11:47 AM the Board reconvened as the Board of County Commissioners.

**Unfinished Business**

The Board discussed the Corona Virus Relief Fund (CVRF). Mr. Dunn said Rio Grande County serves as the fiscal agent of the grant, with funds shared by the County and its municipalities. Commissioner Bothell voiced concerns about the Town of Center, because it is in both Rio Grande and Saguache Counties, and urged Mr. Dunn to be extremely clear and cautious in drafting the agreement, so there is no overlap of authority. Commissioner Glover said the agreement needs to be very specific on how the municipalities request funds from Rio Grande County. Commissioner Noffske said the agreement needs to include a clear understanding of eligible expenses requested from the municipalities and businesses. Mr. Dunn said he will

address these issues in his draft. Ms. Slater added a discussion of CVRF to the work session agenda for Monday, July 20, 2020.

At 12:00 PM, Commissioner Noffske asked Ms. Slater if she has mailed the Summitville contract paperwork to the involved parties. She said she had.

At 12:01 PM, Ms. Slater spoke about the Tyler Technology conversion. She said the conversion takes eight hours daily, and Administration personnel are sharing the duties of monitoring the conversion. The new system is scheduled to go live in September 2020, and there are plans to use it for the August payroll.

At 12:03 PM, Commissioner Noffske asked about disruptions to the daily COVID-19 updates. Ms. Slater said there were some disruptions after Paul Wertz's relationship with the County ended. Art Wittner attended today's COVID-19 conference call, and she will get updates from him.

### **Commissioners and Administrator Updates**

At 12:05 PM, Ms. Slater gave the financial update. All amounts given were for January through May 2020. Overall County revenue was 46%, and expenditures were 34%. Road and Bridge Department revenues were 34% and expenditures were 27%. The Weed and Pest District's revenues were 37% and expenditures were 15%. Astronaut Rominger Airport revenues were 27% and expenditures were 34%. Tourism fund revenues were at 34% and expenditures were at 11%. Department of Public Health revenues were 21% and expenditures were 32%. Ms. Slater said Public Health's revenues were low because invoices were not submitted at the beginning of the year. She anticipated payments being received soon. Commissioner Noffske asked about work done on approved projects at the airport. Ms. Slater said she will contact the airport manager and ask him to give a report to the Board.

At 12:16 PM, Commissioner Glover gave an update on the Tourism Board. He said he is impressed with the new members.

At 12:18 AM, Mr. Dunn spoke about the railroad bankruptcy case. He is continuing to follow up with Alamosa County and attorneys involved in the case. He will contact Cheryl Rue, County Treasurer, to find out if her department has received anything in regards to the case.

At 12:22 PM, with no further business, Commissioner Bothell made a motion to adjourn the regular session. Commissioner Glover seconded the motion, and the meeting was adjourned.

Attest:

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John Noffske  
Chairman of the Board

DeAnn Jacobs  
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, July 22, 2020.

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

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

### **Adoption of the Agenda**

Ms. Slater said the Board of County Commissioners (BOCC) and Board of Health (BOH) minutes from July 15, 2020 were ready for approval.

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

## **Approval of Minutes from the Previous Meeting**

- July 15, 2020 BOCC
- July 15, 2020 BOH

Commissioner Bothell made a motion to approve the minutes as amended. Commissioner Glover seconded the motion, and the motion carried.

## **Public Comment**

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

## **Consent Agenda**

- Voided Warrant Approval, #153885 and #154088. Reissue due to address change.
- Suncor Bank Wire Transfer Approval
- AP, Pitney Bowes Replenishment Approval

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**

At 10:05 AM, Jay Sarason, Astronaut Rominger Airport Manager, reported to the BOCC. He said the Department of Local Affairs (DOLA) grant request has been submitted. It is for 8,000 feet of cattle fencing on the north side of the airport. The grant is a 50/50% matching grant, and the cost to the County will be about \$7,000. Mr. Sarason will meet with a contractor about the runway fog seal next week. Since the airport is not FAA funded, there is more flexibility in the choice of a contractor and the product. The project is planned to be completed by October 2020. Mr. Sarason said it would be a benefit to the airport to contract with a consultant for projects. Typical charges for a consultant are 18% of the project cost. Mr. Sarason said a consultant is no longer needed for the fog seal project, but he would like to have one for the runway overlay project. Mr. Sarason said installation of the Jet A fuel tank is on hold. He also said he will work with Ryan Dunn, County Attorney, on rewriting the hangar leases to include the \$1,200 electrical hookup fee. Mr. Sarason said the Air Box proposal application is being looked at by the FAA. The Air Box would be a 1-mile circle around the airport for aerobatic practice. There will be more discussion about it in the future. Mr. Sarason said the airport bought a front-end loader at a Colorado Department of Transportation (CDOT) auction three years ago; there is another CDOT auction coming up, and the airport may look for a snow plow, additional front-end loaders, and sweepers. The purchase price would be 80% funded by the State. Commissioner Noffske asked whether the Air Box would affect normal airport traffic. Mr. Sarason said the airport would be closed to traffic when the Air Box was in use. Mr. Sarason said fire fighter helicopter crews used the shelter at the airport, and put very good reviews online. The airport has had an increase in traffic and hangar leases after the reviews were published.

## **General Business and Administrative Items**

At 10:19 AM, Adam Moore, Colorado State Forest Service (CSFS), spoke about the Title 3 Service Agreement. There are some proposed changes from the previous contract. The contract is to be renewed every three years instead of annually. The contract would include finishing the South Fork Fire Protection District plan, and speaking with home owners individually about defensible space. The funding is through the Secure Rural Schools Title 3. Commissioner Bothell made a motion to approve and sign the contract. Commissioner Glover seconded the motion, and the motion carried.

At 10:30 AM, Ms. Slater said the five-year lease with Gobins for the Administration Department's copier is over. She would like approval of a new lease with Gobins for a new copier. The lease would include maintenance and ink. Commissioner Glover made a motion to approve the new Gobins lease. Commissioner Bothell seconded the motion, and the motion carried.

At 10:33 AM, Commissioner Bothell spoke about the revised Ag Building Exemption Form. She said Randy Kern, Building Department, had looked the form over, and didn't see any problems. Commissioner Bothell made a motion to approve the revised Ag Building Exemption Form. Commissioner Glover seconded the motion, and the motion carried.

At 10:35 AM, the Board adjourned to the Board of Health.

At 12:12 PM, the Board reconvened as the Board of County Commissioners.

### **Unfinished Business**

At 12:12 PM, the Baxter Hill Tower was discussed. The Bureau of Land Management (BLM) wants a time frame for removal of County equipment from the site. The BLM is holding off on billing the County for the lease through September 30, 2020. Ms. Slater has been in communication with BLM, and she has forwarded the communications to Mr. Dunn. Commissioner Glover said the tower location makes removal difficult and potentially dangerous. Commissioner Bothell said the BLM had previously offered to help in the removal, and suggested finding out if they are still willing to help. Mr. Dunn said he will contact BLM to find out if they are willing to either help remove the tower, or explore leasing options. He said another option would be for Ms. Slater to put out bids to contractors for the tower removal.

At 12:18 PM, Mr. Dunn said he needed information concerning the Corona Virus Relief Funding (CVRF) that had been scheduled to be discussed at the Board's work session on Monday, July 20, 2020. Ms. Slater said the CVRF was not discussed at the work session. Mr. Dunn offered to put together a draft for an agreement between the County and its municipalities based on what had been tentatively agreed upon. The Board was agreeable to that. Mr. Dunn will have the draft finished by July 31, 2020, to be ready for the Board's consideration at its meeting on August 5, 2020.

At 12:31 PM, Commissioner Bothell said there were two resolutions from 2019 and 2020 that needed to be revisited by the Board. The 2019 resolution appointing Ms. Slater as County Administrator did not include a job description. Mr. Dunn said Ms. Slater's appointment was again stated in Resolution 2020-1, and as it is the more recent resolution, it would be more appropriate to attach the job description to that resolution. Commissioner Bothell also referred to Resolution 2020-18, concerning BOCC weekly meetings to address COVID-19 issues. She proposed returning to bi-monthly meetings unless needed. Mr. Dunn suggested setting the discussion of both resolutions on the BOCC agenda for July 29, 2020 to allow time for himself and the Commissioners to review the resolutions and job description, and it was decided to do so.

### **Commissioners and Administrator Updates**

At 12:45 PM, Ms. Slater gave an update on Sales Tax, Lodging Tax, and Highway Users Tax Fund (HUTF) from January through May 2020. Total sales tax for Rio Grande County and its municipalities is up \$18,037.67 from the same time in 2019. Tourism and Lodging tax has decreased compared to the same time last year. The HUTF is down about \$80,000 from the same time in 2019.

In 12:56 PM, Commissioner Bothell made a motion to adjourned the special session for executive session according to 24-6-402(4)(f) C.R.S. to discuss personnel matters, and according to 24-6-402(4)(b) C.R.S. for the purpose of receiving legal advice in specific questions. Commissioner Glover seconded the motion, and the motion carried.

At 4:15 PM, the Board exited executive session. Commissioner Noffske said there were no decisions made. Mr. Dunn said there were four requests from the Interim Public Health Director, Toni Steffens-Steward, for the Public Health Department.

- 1 Approve increase in pay to Grade 10, Step 18 for the department's office manager due to increased responsibilities for the office manager, which will now include coordinator responsibilities.
- 2 Approve temporary increase in the office assistant position from a part-time position to a full-time position, 35 hours per week at Grade 8 Step 7. This would be accomplished by re-allocation of funding that has already been allocated to the deputy director position.
- 3 Approve a change in the coordinator position to include additional job duties and responsibilities as a result of Covid related activities.
- 4 Approve the hiring of a nurse to fill the vacancy of the previous Public Health nurse, and to increase the salary to \$45,000 per year.

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

At 4:18 PM, Commissioner Bothell made a motion to adjourn the special session. Commissioner Glover seconded the motion, and the meeting was adjourned.

Attest:

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John Noffske  
Chairman of the Board

DeAnn Jacobs  
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, July 27, 2020.

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

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

**Adoption of the Agenda**

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

**Public Comment**

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

At 9:03 AM, Commissioner Bothell made a motion to adjourn the special session for executive session according to 24-6-402(4)(f) C.R.S. to discuss personnel matters, and according to 24-6-402(4)(b) C.R.S. for the purpose of receiving legal advice in specific questions. Commissioner Glover seconded the motion, and the motion carried.

At 10:08 AM, the Board exited executive session. No decisions were made.

At 10:09 AM, Commissioner Bothell made a motion to adjourn the special session, in order to go into the work session, and resume the executive session at noon. Commissioner Glover seconded the motion, and the special session was adjourned.

At 12:02 PM, the Board reconvened in special session. Commissioner Bothell made a motion to adjourn the special session for executive session according to 24-6-402(4)(f) C.R.S. to discuss personnel matters, and according to 24-6-402(4)(b) C.R.S. for the purpose of receiving legal advice in specific questions. Commissioner Glover seconded the motion, and the motion carried.

At 1:03 PM, the Board exited executive session. No decisions were made. The BOCC discussed Ms. Slater's resignation. Commissioner Bothell said she was not in favor of accepting the resignation. Commissioner Noffske said the County payroll for August will be a dry run with Tyler Technology, not a live run. Staff will need to be in place to get July and August payroll out, as well as performing other administrative tasks. Commissioner Glover said he believed Ms. Slater's decision to resign was final, and the Board needed to work on finding ways to get administrative tasks done. Commissioner Noffske said Ms. Slater made it clear that she was resigning because of him, although that was not his intention. He also said that he would not resign. There was discussion of whether Ms. Slater's resignation would be immediate, or whether she might consider staying to train staff in administration duties. Commissioner Glover said he believed Ms. Slater stated her resignation was to be immediate, and he made a motion to accept Ms. Slater's resignation immediately. Commissioner Bothell said she would not second the motion, because her immediate resignation would be detrimental to the County. Commissioner Bothell said the Board should talk with Ms. Slater about postponing her resignation. Commissioner Noffske seconded the motion, but did not call for a vote.

At 1:20 PM, Commissioners Bothell and Glover left the Board room to speak to Ms. Slater.

At 1:35 PM, Commissioners Bothell and Glover returned to the Board room. Commissioner Bothell reported that Ms. Slater said her resignation would take place immediately, but she



- AP
- Payroll
- Veterans' Report

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

Vender	Amount
AD TRACTOR & BALER REPAIR	\$215.00
AGTERRA TECHNOLOGIES	\$15.88
AIRGAS USA, LLC	\$260.74
ALAMOSA CO NURSING SVC	\$4,747.91
ALAMOSA COUNTY	\$315.00
AMERICAN PLANNING ASSOC	\$236.00
BLUE PEAKS DEVELOPMENTAL SERVICE, INC	\$500.00
BRANDON ROGERS	\$56.16
BRENTON WILLIAMS	\$62.80
CARICIA SALVIO	\$75.00
CENTURYLINK	\$69.31
CENTURYLINK	\$68.58
CENTURYLINK	\$60.76
CIELLO POWERED BY SLVREC	\$1,450.91
COAST TO COAST SOLUTIONS	\$517.42
COMMUNITY PLANNING STRATEGIES, LLC	\$382.50
COSTILLA COUNTY PUBLIC	\$5,056.82
COURTNEY ARTHUR	\$99.45
CSU PRODUCER RESOURCES, INC.	\$1,313.25
DIANNE KOSHAK	\$12.60
DIGITCOM ELECTRONICS, INC	\$52.50
DIRECT TV	\$380.23
DOUG COOPER	\$52.07
DP AG SERVICES	\$1,187.25
EATON SALES & SERVICES, LLC	\$3,498.98
FASTENAL	\$261.70
FIRST BANKCARD	\$17,181.59
GOBINS, INC	\$164.70
GREAT AMERICA FINANCIAL	\$349.13
GUNBARREL STATION, INC	\$116.00
H & B TRANSPORT, LLC	\$1,301.91
HAYNIE'S INC.	\$538.73
HOWARD COX	\$530.00
IDA SALAZAR	\$204.75
IHS PHARMACY	\$76.30
JADE COMMUNICATIONS, LLC	\$12.00
JEAN BORREGO	\$5,573.25
JESSICA LOVELACE	\$100.00
KIMRAD TRANSPORT LP	\$2,062.82
LEROY A ROMERO	\$150.00
MARC MID-AMERICA CHEMICAL	\$484.50
MARK MUELLER	\$56.30
MAX GARCIA	\$54.00
McCANDLESS TRUCK CENTER, LLC	\$328.16
MDS WASTE & RECYCLE, INC	\$45.00
MIKE SCHAEFER	\$56.30
MONTE VISTA COOPERATIVE	\$1,501.75
MONTE VISTA MACHINE TOOL	\$15.00
MYERS BROTHERS TRUCK AND TRACTOR, INC	\$974.49
PROFORCE LAW	\$539.10
S & S DISTRIBUTION, INC	\$121.40
SAGUACHE CO PUBLIC HEALTH	\$8,915.74

SANOFI PASTEUR, INC.	\$153.57
SHAMROCK FOODS COMPANY	\$2,952.55
SLV REC	\$275.00
SLV REC	\$580.00
STAPLES BUSINESS CREDIT	\$41.28
TOM HAEFELI	\$66.20
U.S. TRACTOR, INC	\$11.66
VALERO MARKETING	\$27,621.00
VALLEY LOCK AND SECURITY, INC	\$1,764.60
VENDOLA PLUMBING, INC	\$3,121.70
WAGNER EQUIPMENT	\$184.53
WEX BANK	\$473.53
WORLD FUEL SERVICES, INC	\$2,821.96
WSB COMPUTER SERVICES	\$3,837.83
XCEL ENERGY	\$7,588.15
	<b>\$113,895.30</b>

### July 2020 Payroll

COUNTY GENERAL FUND	\$313,886.36
ROAD AND BRIDGE	\$96,743.44
SOCIAL SERVICES	\$159,435.29
WEED DISTRICT	\$19,034.37
AIRPORT FUND	\$2,308.69
PUBLIC HEALTH AGENCY FUND	\$30,113.01
<b>TOTAL:</b>	<b>\$621,521.16</b>

### County official and Department Head Reports

At 10:09 AM the Board adjourned to the Board of the Department of Social Services.

At 10:17 AM the Board reconvened as the Board of County Commissioners.

Sheriff Don McDonald and Under Sheriff Ed Raps spoke to the Board. Sheriff McDonald said the department has been getting bids on body worn cameras. One bid came in around one-third of his predicted costs. The company, out of Monument, CO, uses Verizon equipment designed for use by law enforcement. Each officer would use a cell phone set up for GPS, video, and audio recording; the phones would also function as work cell phones. Deactivated phones could be used for jail recordings. The phones meet State requirements, and the data is accepted by the 4<sup>th</sup> Judicial District. The cost would be about \$31,000 for the first year, and \$25,000 each year after. Implementation of downloading recordings to the State will occur January 1, 2023, but law enforcement departments must start collecting the recordings now. Everyone in the County's Sheriff's Department now has an audio recorder. The department will need to hire a full-time record management specialist in the future. Sheriff McDonald said he has been working on the 2021 budget in regard to the anticipated camera and recording costs.

Sheriff McDonald said Colorado Bureau of Investigation (CBI) now wants "real time" crime reporting. The reporting needs to be done within one month of the incident.

Sheriff McDonald spoke about the Telemedicine Face2Face Cart the department will be purchasing. The cost of the cart, \$23,304, has already been received from the State as a grant, and will need to be paid out by the County when the cart is received. Sheriff McDonald said the Rio Grande County jail will be the only jail in the San Luis Valley to have a "Telehealth" cart. The cart will be used by the jail's nurse for inmate patient exams. The cart will allow the nurse to teleconference with the hospital while not leaving the jail. It can be used for both mental and physical health consultations. Sheriff McDonald said it costs about \$1,200 to transport an inmate to the hospital or clinic for each exam, so the cart will save this expense. Commissioner Bothell made a motion to approve the purchase of the "Telehealth" Cart. Commissioner Glover seconded the motion, and the motion carried.

Sheriff McDonald spoke about the Behavioral Health contract with the State. Funds are used for drug interdiction treatment of jail inmates. Expenses are reimbursed by the State, but have to be paid by the County first. Sheriff McDonald does not like the terms of the contract, and does not plan to accept it.

Sheriff McDonald gave an update on upgrading the department's radios. The cost of upgrading was anticipated at \$120,000. He has found refurbished radios available through Spectracom. Mobile radios will cost about \$1,200 each, and handheld radios will cost about \$1,075. Other companies have new radios for about \$4,400 apiece. The total cost to the department would be around \$28,000. Sheriff McDonald will have more details next month.

### **General Business and Administrative Items**

At 11:05 AM, Kimberly Temple spoke about the Wall, Smith, and Bateman audit that was discussed at the BOCC work session on July 27, 2020. She said the auditors have issued an unmodified report concerning the County's December 31, 2019 financial statement. Commissioner Bothell made a motion to accept the report. Commissioner Glover seconded the motion, and the motion carried. Ms. Temple said Wall, Smith, and Bateman will submit the report on the County's behalf to the office of the State Auditor. A data collection form needs to be sent to Federal audit clearing. She said a County contact person needs to be listed on the form. Ms. Temple will ask Jody Kern, Department of Social Services Director for permission to list her.

At 11:08 AM, Michele Cruse spoke to the Board about the Greater South Fork Marketing District Formation Committee. She said the purpose of forming the marketing district is to promote the prosperity and general welfare of the district's property owners, and promote the continued vitality of the business owners. Ms. Cruse said a condition of establishing the district is to have the consent of the County BOCC and the Town of South Fork Board of Trustees. She listed other conditions that the committee has fulfilled. Ms. Cruse said she heard from Cindy Hill, County Clerk, earlier this week. Ms. Hill said the committee does not have the required number of business owner signatures on the submitted petition. Ms. Cruse said the committee is working to correct this. Ms. Cruse said the committee plans to hold the required two public meetings by August 15, 2020. She also said the Town of South Fork has agreed to acquire the required bond. Ms. Cruse said the committee has three requests for the BOCC. First, to study the information provided to the Board by the committee. Secondly, to recognize the petition when it is resubmitted with the required 50% of business owner signatures. Thirdly, to pass a resolution or ordinance recognizing the formation of the Greater South Fork Marketing District once the corrected petition has been submitted, the required public meetings have been held, and all requirements have been met. Ryan Dunn, County Attorney, said that, according to his interpretation of the State requirements, the BOCC needs to hold two public hearings before passing a resolution. Ms. Cruse said she would contact Commissioner Glover to discuss the public hearings.

At 11:16 AM, there was a discussion concerning amending the Special Meeting Resolution, 2020-18. Mr. Dunn said Resolution 2020-18, approved on May 13, 2020, modified Resolution 2020-16, approved on April 1, 2020. Resolution 2020-16 called for BOCC meetings to temporarily be held twice weekly, on Mondays and Wednesdays, to discuss COVID-19 related items, as well as other County business. Telephonic and electronic participation was allowed. Special and emergency meetings could be called as needed. Resolution 2020-18 modified the meeting schedule to once weekly, on Wednesdays. Commissioner Bothell proposed returning the BOCC meeting schedule set in Resolution 2020-03, approved January 15, 2020, since COVID-19 related discussion items have decreased. Commissioner Glover agreed. Mr. Dunn said he had drafted a resolution stating such, while still allowing telephonic and electronic participation. Special and emergency meetings could be called as needed. Commissioner Noffske said the Board may need to call special meetings to take care of administrative items until new Administration personnel are hired. Commissioner Bothell made a motion to approve the drafted second revision of Resolution 2020-16, allowing for meetings twice monthly, and telephonic and electronic participation. Commissioner Glover seconded the motion, and the motion carried.

Commissioner Bothell moved for adoption  
of the following Resolution:

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

**RESOLUTION NO. 2020- 21**

**RESOLUTION ADOPTING SECOND REVISION OF TEMPORARY MEETING  
RULES AND PROCEDURES CONCERNING TELEPHONIC OR ELECTRONIC  
PARTICIPATION**

WHEREAS, C.R.S. §30-10-302, as amended, provides that the Board of County Commissioners for Rio Grande County ("BOCC"), has the general statutory authority to establish rules and regulations to govern the transactions of its business; and

WHEREAS, the BOCC previously adopted temporary meeting rules and procedures (Resolutions 2020-016 and 2020-018) concerning telephonic participation or electronic participation to permit the BOCC to conduct business telephonically or electronically, with proper public notice, and if so desired by the BOCC members;

WHEREAS, matters related to the COVID-19 outbreak in Rio Grande County continue to require additional action by the BOCC, but once-weekly meetings of the BOCC are no longer warranted; and

WHEREAS, The BOCC desires to maintain the provisions for telephonic or electronic participation set forth in Resolutions 2020-016 and 2020-018, but to reduce the number of meetings from once-weekly to twice-monthly in accordance with the meeting schedule set forth in Resolution 2020-003 *Setting the 2020 Meeting Dates of the Rio Grande County Board of County Commissioners*.

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

1. That the BOCC hereby rescinds, in part, Resolution 2020-018 inasmuch as said Resolution requires weekly meetings of the BOCC; and
2. That meetings of the BOCC shall be held in accordance with the schedule set forth in Resolution 2020-003 *Setting the 2020 Meeting Dates of the Rio Grande County Board of County Commissioners*; and

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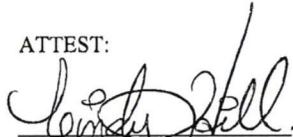
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3. That the BOCC may hold special and emergency meetings, as necessary to take action on any issues, including but not necessarily limited to the COVID-19 outbreak and/or the Local Disaster Emergency declarations; and
4. That the remainder of the temporary rules set forth in Resolution 2020-016 pertaining to telephonic or electronic participation shall remain in full force and effect unless and until otherwise revised or rescinded.

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 29<sup>th</sup> day of July, 2020.

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

ATTEST:

  
Clerk of the Board of  
County Commissioners

By:

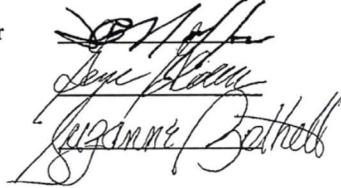
  
John Noffsler, Chairman

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

Commissioner Noffsler

Commissioner Glover

Commissioner Bothell



2

At 11:48 AM, Commissioner Noffsler said the Commissioners had received a leave request from Dixie Diltz, Land Use Department. The request would normally have been submitted to the County Administrator, not the BOCC. Mr. Dunn advised discussing the request during executive session, and said if it were an administrative item, it would not require a Board decision.

At 11:52 AM, the Board adjourned to the Board of Health.

At 11:55 AM, the Board reconvened as the Board of County Commissioners.

### Unfinished Business

At 11:55 AM, Commissioner Noffsler asked about the Baxter Hill Tower discussed at the BOCC meeting on July 22, 2020. Mr. Dunn said he had written a letter to the Bureau of Land Management (BLM) stating the Board is working on the process of equipment removal. The Board decided to table the discussion to allow time for research into any paperwork that may have been started by Tricia Slater, former County Administrator.

At 11:57 AM, Commissioner Glover said he had been contacted by Friends of Ski Hi regarding County fund disbursement through the Conservation Trust Fund. Mr. Dunn said he had received an invoice from Friends of Ski Hi in May, but had not been given verification that the grant had been approved. Mr. Dunn offered to contact Forrest Neuberger, City of Monte Vista Manager, for grant information.

### Commissioners and Administrator Updates

At 12:06 PM, Commissioner Noffsler gave an update on the railroad bankruptcy case. He said he received a phone call from a potential bidder who said the trustee may have set the opening bid above the value of the railroad. Commissioner Noffsler is concerned about the lack of communication between the trustee and the involved counties. Commissioner Noffsler also received a phone call from a consultant offering services to the counties collectively. The Board voiced concern that bidders may want to use the railroad for car storage, rather than running a functional railroad, and felt this would not be in the public interest. Mr. Dunn said it is desirable that the County receive the \$600,000 in taxes owed, but the needs of farmers and local industry for a functional railroad are more important. He said he would find out whether the creditors' committee had been set up for the bankruptcy hearing. Commissioner Bothell expressed a concern that emails had been located that indicated there had been a larger plan to cause the abandonment of the railroad in connection with the railroad between South Fork and Creede to create a bike trail. The plan was to connect the Continental Divide trail and Front Range trail. This would eliminate all freight from this area.

At 12:20 PM, Commissioner Bothell made a motion to adjourn the regular session for executive session according to 24-6-402(4)(f) C.R.S. to discuss personnel matters, and according to 24-6-402(4)(b) C.R.S. for the purpose of receiving legal advice in specific questions. Commissioner Glover seconded the motion, and the motion carried.

At 2:07 PM, the Board exited executive session. Commissioner Noffske said there were no decisions made. Mr. Dunn said that, given the fact there are administrative duties that require attention, it makes sense for the Chair to entertain a motion for delegation of responsibilities over the Maintenance Department, specifically to address maintenance issues as they arise, and to provide supervision of the department's employees. Commissioner Bothell made a motion that Commissioner Glover be selected for the position, as described by Mr. Dunn. Commissioner Noffske seconded the motion, and the motion carried. Mr. Dunn said he would create a resolution formalizing the vote, stating today, July 29, 2020 as the effective date.

202000439816  
Filed for Record in  
RIO GRANDE  
CINDY HILL, RECORDER  
09-01-2020 At 08:36 am.  
RESOLU NC .00  
OR Book 601 Page 2351 - 2352  
Instrument Book Page  
202000439816 OR 601 2351

Commissioner Bothell moved for adoption  
of the following Resolution:

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

**RESOLUTION NO. 2020- 22**

**RESOLUTION CREATING AND APPOINTING MANAGING COMMISSIONER OF  
THE MAINTENANCE DEPARTMENT**

WHEREAS, pursuant to C.R.S. §30-11-107(n), the Rio Grande County Board of County Commissioners ("Board") is authorized to create, by resolution duly adopted, the office of the Managing Commissioner or such other offices as the Board deems required for the efficient management of the business and concerns of the County; and

WHEREAS, the Board is authorized to make appointments to the offices so created and to prescribe duties to be performed by such appointees; and

WHEREAS, to further the efficient and effective management of the County affairs, specifically within the County maintenance department, the Board desires to establish the office of Managing Commissioner of the Maintenance Department.

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

1. The position of Managing Commissioner of the Maintenance Department is hereby created; and
2. Commissioner, Gene Glover, is hereby appointed as the Managing Commissioner of the Maintenance Department, and shall be responsible for the oversight and supervision of the County maintenance department; and
3. The appointment set forth herein shall be effective retroactive to July 29, 2020; and
4. The Board of County Commissioners shall review the direction and actions of the Managing Commissioner of the Maintenance Department from time to time in order to determine that the Board of County Commissioners' policies and directions are being followed; and
5. The duties of the Managing Commissioner of the Maintenance Department shall include informing the other commissioners on a regular basis of the Managing Commissioner's department activities.

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 20<sup>th</sup> day of August, 2020.

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

ATTEST:

DeAnn Jacobs  
Clerk of the Board of  
County Commissioners

By: John Noffske  
John Noffske, Chairman

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

Commissioner Noffske [Signature]  
Commissioner Glover [Signature]  
Commissioner Bothell [Signature]

At 2:09 PM, with no further business, Commissioner Bothell made a motion to adjourn the meeting. Commissioner Glover seconded the motion, and the meeting was adjourned.

Attest:

\_\_\_\_\_  
John Noffske  
Chairman of the Board

\_\_\_\_\_  
DeAnn Jacobs  
Clerk of the Board